

## BUFFALO DRIVER TRAINING SEXUAL VIOLENCE POLICY AND RESPONSE PROTOCOL

<b>Issued By:</b>	Evgeni Morduhovich, President
<b>Effective Date:</b>	November 1, 2019
<b>Last Revised:</b>	November 1, 2019
<b>Next Review Date:</b>	November 1, 2023

### 1. PURPOSE AND INTRODUCTION

Buffalo Driver Training is committed to providing a safe and respectful environment to all staff, administrators, instructors, students, and visitors. Buffalo Driver Training understands sexual violence as an issue and is committed to raise awareness and prevention of sexual violence, including sexual violence through the use of social media, including Facebook, and other forms of digital communications including our website.

Buffalo Driver Training has a zero-tolerance for sexual violence. Anyone who commits an act of sexual violence will be indefinitely suspended (in the case of a student or visitor) or terminated from employment, or relieved of duties from the Board of Directors (in case of employees or board members).

At Buffalo Driver Training, we recognize that some populations are more vulnerable to sexual violence than others and attempt to accommodate those individuals to the greatest extent possible (e.g., newcomer women and men from ethnocultural communities, individuals within the LGBT2SQ+ community, international students). Buffalo Driver Training will provide disclosure options to accommodate vulnerable populations (e.g., making a female available to hear a complaint recognizing that women are far more likely to be victim of sexual violence).

### 2. DEFINITIONS

i. **Sexual Violence** is defined as any sexual act or act targeting a person's sexuality, gender identity or gender expression — whether the act is physical or psychological in nature — that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

ii. **Consent** means that both people in a sexual encounter must agree to it, and either person may decide at any time that they no longer consent and want to stop the activity. Consenting to one behavior does not obligate a person to consent to any other behaviors. Consenting on one occasion also does not obligate a person to consent on any other occasion. Consent must be voluntary, enthusiastic, and sober.

iii. For the purposes of this Policy, **Complainant** means that an individual identifies their experience as Sexual Violence.

iv. For the purposes of this Policy, **Person Accused** means any person against whom an allegation or formal complaint of Sexual Violence is made.

v. **Cyber Harassment/Cyber Stalking Often**; used interchangeably, cyber harassment and cyber stalking are defined as repeated, unsolicited, threatening behaviour by a person or group using cell phone or Internet technology with the intent to bully, harass, and intimidate a victim. The harassment can take place in any electronic environment where communication with others is possible, such as on social networking sites, on message boards, in chat rooms, through text messages, or through email.

vi. The term "**Date Rape**" is interchangeable with "acquaintance sexual assault". It is sexual contact that is forced, manipulated, or coerced by a partner, friend or acquaintance.

vii. For the purposes of this Policy, a **Disclosure** is made to any individual other than the police or other judicial official.

viii. The **LGBT2SQ+** community includes people who identify as lesbian, gay, bisexual, transgender, Two-Spirit, queer, questioning, intersex, asexual, pansexual and/or gender fluid.

ix. **Rape** is a term used to describe vaginal, oral or anal intercourse, without consent. Although the term is no longer used in a legal sense in Canada, it is still commonly used and widely understood.

x. **Sexual assault** is any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim. Sexual assault is characterized by a broad range of behaviors that involve the use of force, threats, or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened, carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to sexual assault is a crime.

xi. **Sexual harassment** is unwanted sexual attention directed at an individual by someone whose conduct including comments, gestures, and/or actions are offensive, inappropriate, intimidating, hostile, and unwelcome. Sexual harassment often occurs in environments in which sexist or homophobic jokes and materials have been allowed.

xii. **Sexual violence** denotes any sexual act or act targeting a person's sexuality, gender identity or gender expression — whether the act is physical or psychological in nature — that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

xiii. **Stalking** is a crime called criminal harassment. Stalking consists of repeated behavior that is carried out over a period of time and which causes a person to reasonably fear for their safety.

xiv. **Victim blaming** occurs when the victim of a crime or an accident is held responsible — in whole or in part — for the crimes that have been committed against them.

### **3. POLICY**

#### **PART ONE – EDUCATION AND AWARENESS**

To ensure our staff is trained on Buffalo Driver Training's policy and response protocol and build their knowledge to respond to incidents of sexual violence we will provide an initial orientation to the new Sexual Violence Policy and Response Protocol. For new employees they orientation will be provided within 30 days of their employment and a refreshment orientation will be conducted every 2 years to all existing employees.

See attached: Orientation for Sexual Violence Policy and Response Protocol.

To ensure our students are aware of our policy we have updated the Buffalo Driver Training Policy Guide for our students enrolled in Mandatory Entry Level Training. They will receive the guide as part of their student textbook and supplies package and it will also be mentioned to review the guide and the sexual violence policy during the beginning orientation.

To raise awareness to our other students and customers of Buffalo Driver Training we have added a section to our consent and waiver form which states that Buffalo Driver Training has zero-tolerance for sexual violence and that we have a complaint reporting protocol and how to request more information.

To raise awareness of sexual violence through social media we will post information on our Facebook page and webpage about sexual violence and a link to support services.

In order to ensure the safest environment possible for our students we do have the following security measures in place:

- Well lit hallways and common areas (lunchrooms, bathrooms)
- Well lit classrooms and offices with windows and security cameras.
- Limited hours of practical training during early morning and evening. Generally, we try to train as much as possible during day light hours.
- The parking lot for customer parking is in a well lit and visible location. Office windows are overlooking the parking lot.
- A secure yard area with limited access to unauthorized individuals.
- During any in-yard activities both instructors and students are to wear high visibility safety vests or jackets.

## **PART TWO – COMPLAINT AND RESPONSE PROTOCOL**

A. Any person may make a complaint of sexual violence in the following ways:

- In person.  
During 9:30am – 4:00pm any person may arrive in person and make a complaint of sexual violence.
- By phone.  
During 9:30am – 4:00pm any person may call to our office 204-633-7697 and make a complaint of sexual violence. Outside of office hours they may also call but will be prompted to leave a voicemail.
- By SMS.  
At anytime a person may send a text message to our office phone at 204-633-7697 and make a complaint of sexual violence.
- By e-mail

At anytime a person may send an e-mail to our business e-mail at [info@buffalodrivertraining.com](mailto:info@buffalodrivertraining.com) and make a complaint of sexual violence.

- By mail at Buffalo Driver Training, Manager Private and Confidential, Box 39008, Winnipeg MB R2X 3B3.

Any complaint of sexual violence will be kept confidential within the administration and/or management team as necessary.

You have the right to request either a female or male person to make your complaint too.

After a complaint has been received a Buffalo Driver Training representative will discuss the options available to the complainant and assist them to arrange a plan to make a disclosure or report, seek medical assistance or pursue a civil claim.

B. Staff should respond in the following ways to a complaint of sexual violence.

- For operations staff (not administrative and management) provide information to the complainant on the process of reporting a complaint to the Buffalo Driver Training administration as noted above in Part A.
- For management or administration staff proceed to provide the options available to the complainant and assist them in arrange a plan.
- Be supportive and gauge the immediate safety needs or assist them to seek immediate medical assistance if necessary.
- Contact the office to discuss the complaint.
- Use the Response Protocol Form to assist in receiving the complaint.

## **PART THREE – REPORTING**

This policy and records of training and complaint reporting will be kept on file at Buffalo Driver Training for a minimum of 5 years.

Buffalo Driver Training will publicly post on the website [www.BuffaloDriverTraining.com](http://www.BuffaloDriverTraining.com) information on our activities, including: training and raising awareness, prevention strategies and provide information on support and options for victims.

Requests for more information can be made to Buffalo Driver Training:

- by mail at Buffalo Driver Training, Manager Private and Confidential, Box 39008, Winnipeg, MB, R2X 3B3
- by e-mail to [info@buffalodrivertraining.com](mailto:info@buffalodrivertraining.com).

## **4. POLICY DEVELOPMENT AND REVIEW**

This Sexual Violence Policy was developed by the Buffalo Driver Training Administration based on the guidelines outlined in the Manitoba Post-Secondary Sexual Violence Policy Guide [[https://www.edu.gov.mb.ca/docs/sexual\\_violence/guide.pdf](https://www.edu.gov.mb.ca/docs/sexual_violence/guide.pdf)]. We at Buffalo Driver Training are committed to reviewing this Policy every four (4) years or when legislation changes, in consultation with the staff, administration, instructors, and students and appropriate agencies.

This policy and response protocol have also been developed in consultation with students. A discussion with students was had regarding the Buffalo Driver Training policy and response

protocol to determine if the students felt that the education and awareness and response protocols would be effective. Also discussed was our prevention strategies and if the students felt safe in the environment they were provided during their training at our institution and if any other measures should be put in place. For future consultations we hope to include a broader range of students and will solicit feedback from populations most vulnerable to sexual violence when possible.

## **5. LIST OF ATTACHMENTS**

Appendix 1. Orientation for Sexual Violence Policy and Response Protocol.

Appendix 2. Support and Services Listing for Victims of Sexual Violence

Appendix 3. Training Record - Orientation for Sexual Violence Policy and Response Protocol

Appendix 4. Sexual Violence Complaint Record

Appendix 5. Response Protocol Form