



HARASSMENT POLICY

PHILOSOPHY:

All ABT Academy employees & students are entitled to be treated with dignity, free from harassment and discrimination based on the protected grounds of race, color, national or ethnic origin, sex, religion, age, marital or family status, sexual orientation, disability, or any other grounds prescribed by any law that apply to ABT Academy. Any type of harassment is not tolerated by ABT Academy.

Disciplinary job performance appraisals, offer of coaching and mentoring or counselling, are not considered actions for harassment complaints.

DEFINITIONS:

Discrimination

For the purposes of the application of this Policy discrimination shall be as defined the same as the Manitoba Human Rights Code, as follows:

- (a) Differential treatment of an individual on the basis of the individual's actual or presumed membership in or association with some class or group of persons, rather than on the basis of personal merit; or
- (b) Differential treatment of an individual or group on the basis of any Applicable Characteristic referred to below; or
- (c) Differential treatment of an individual or group on the basis of the individual's or group's actual or presumed association with another individual or group whose identity or membership is determined by any Applicable Characteristic referred to below; or
- (d) Failure to make reasonable accommodation for the special needs of any individual or group, if those special needs are based upon any Applicable Characteristic referred to below.

The Applicable Characteristics for the purposes of above section are:

- a) Ancestry: including color and perceived race;
- b) Nationality or national origin;
- c) Ethnic background or origin;

- d) Religion or creed, or religious belief, religious association or religious activity; e) Age;
- f) Sex, including sex-determined characteristics or circumstances, such as pregnancy, the possibility of pregnancy, or circumstances related to pregnancy;
- g) Gender identity;
- h) Sexual orientation;
- i) Marital or family status;
- j) Source of income;
- k) Political belief, political association or political activity;
- l) Physical or mental disability or related characteristics or circumstances, including reliance on a service animal, a wheelchair, or any other remediate appliance or device;
- m) Social disadvantage.

Harassment

For the purposes of the application of this Policy, harassment may be sexual or personal in nature and shall include the definitions set out in the Manitoba Human Rights Code and the Manitoba Workplace Safety and Health Regulations as follows:

- The Manitoba Human Rights Code defines harassment as:
 - (a) A course of abusive and unwelcome conduct or comment undertaken or made on the basis of any Applicable Characteristic referred to above; or
 - (b) A series of objectionable and unwelcome sexual solicitations or advances; or
 - (c) A sexual solicitation or advance made by a person who is in a position to confer any benefit on, or deny any benefit to, the recipient of the solicitation or advance, if the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or
 - (d) A reprisal or threat of reprisal for rejecting a sexual solicitation or advance.
- Manitoba Workplace Safety and Health Regulation defines harassment as:
 - (a) Objectionable conduct that creates a risk to the health of a worker; or
 - (b) Severe conduct that adversely affects a worker's psychological or physical wellbeing.

"Conduct" is deemed to include a written or verbal comment, a physical act or gesture or a display, or any combination of them. Conduct is deemed to be "objectionable" if it is based on race, creed, religion, color, sex, sexual orientation, gender-determined characteristics, marital status, family status, source of income political belief, political association, political activity, disability, physical size or weight, nationality, ancestry or place of origin.

Conduct is deemed to be "severe" if it could reasonably cause a worker to be humiliated or intimidated and is repeated, or in the case of a single occurrence, has a lasting, harmful effect on a worker.

Sexual harassment may also involve sexually oriented behavior or gender-based abusive and unwelcome conduct or comment that has the purpose or effect of creating an intimidating, hostile or offensive environment.

Examples of sexual harassment may include: but are not limited to:

- a) Sexist remarks, jokes, innuendoes or taunting about person's body appearance, characteristics or clothing;
- b) Displaying of pornographic or other sexually offensive or derogatory pictures or material;
- c) Persistent and unwelcome invitations or request for dates;
- d) Leering, ogling or other sexually oriented gestures;
- e) Inappropriate touching; and
- f) Sexual assault

Personal Harassment is not based on any of the Applicable Characteristics for discrimination, and includes but is not limited to:

- a) Objectionable and unwelcome comments or actions directed toward a specific person or group of persons which serve no legitimate work related purpose and have the effect of creating an intimidating, humiliating, hostile or offensive environment or excluding, isolating or undermining an individual's effectiveness in the workplace for no legitimate work reason and/or
- b) Verbal or written abuse or threats.

Examples of Personal Harassment

Examples of personal harassment may include but are not limited to:

- a) Repeated or continuous incidents of yelling, screaming or name-calling;
- b) Repeated or continuous threats to terminate employment or contracts for reasons unrelated to performance;
- c) Repeated or continuous threats to withdraw funding, employment or advancement opportunities for reasons unrelated to performance; and
- d) Inappropriate and unsubstantiated comments addressed to a person which have the effect of undermining a person's role in the workplace.

APPLICATION:

This policy applies to ABT Academy employees and students.

POLICY:

ABT Academy will deal with complaints on an individual basis, and may enlist the assistance of Arnold Bros Transport Ltd to carry out investigations.

No one shall be disciplined or otherwise penalized for participating in the Complaint Procedure in good faith.

Preventing harassment is everyone's responsibility. Supervisors and managers are expected to act against harassment even without a complaint, and employees are expected to express their disapproval if they encounter harassing behavior.

Anyone guilty of harassment will be liable to discipline up to and including dismissal, or removal from training classes, with the penalty to be at the discretion of ABT Academy.

In the rare event that the complaint was made in bad faith, that is deliberately and maliciously filed knowing it had absolutely no basis, the complainant will be subject to the same penalties as a harasser. The person unjustly accused of harassment will have her or his reputation restored, and will be given the benefit of any necessary remedies that would be given in a case of harassment.

VIOLENCE PREVENTION POLICY

PURPOSE:

ABT Academy commits to providing a violence-free environment. Everyone is responsible to ensure a safe work place, free of threats of violence.

Violence is considered as an act of aggression. As such, ABT Academy has adopted a zero-tolerance policy on acts of workplace violence and/or threats of violence.

DEFINITIONS:

Violence: Deliberate and wrongful violation, damage, or abuse of other persons, self, or property and includes threats of violence. Workplace violence and threats may include but are not limited to:

- Physically abusive or aggressive behavior (i.e. hitting, pushing, shoving, kicking, spitting, touching, sexual assault)
- Verbally abusive behavior (i.e. yelling, threats, name calling, bullying, harassment, and intimidation)
- Conduct that gives a worker reasonable cause to believe physical force will be used against him or creates a hostile or toxic work environment
- Other (i.e. arson, sabotage, spying on or stalking, vandalism)

Workplace: Any location, permanent or temporary, where an employee or student performs any work-related duty. This includes, but not limited to, buildings and the surrounding perimeter, parking lots, field locations, clients'/customer location, travelling to and from work assignment.

Threat: A serious declaration of intent to harm at the time or in the future. Any words, racial slurs, gestures or displays of weapons which are perceived by the worker as a clear and real threat and which may cause fear, anxiety or inability to perform job functions.

Discipline: Acts of workplace violence and harassment will not be tolerated, and will be responded to with appropriate disciplinary actions, up to and including a written warning: suspension or termination based on a thorough investigation of the incident and the surrounding circumstances.

Such disciplinary action may include immediate termination for acts of physical assault, even if the person committing the act has committed no prior offences or engaged in previous acts of violence and/or harassment.

APPLICATION:

This policy applies to ABT Academy employees and students.

POLICY:

Employees and students will report without fear of retaliation, to their supervisors or managers or instructors about any violence or violence threats, at work, or while working outside of the Company premises.

All reported violence or threats of violence will be investigated.

Corrective actions will as per Disciplinary Policy and Procedures.

ACKNOWLEDGEMENT

Students / Employees: Please read the statements below, check each box, sign and date the form, and return to the ABT Academy Manager.

- I acknowledge that I have read and fully understand the above policies as they relate to harassment and violence in the workplace during my time enrolled at the ABT Academy.
- I accept the responsibilities expected of me as an ABT Academy employee, or a student enrolled in the ABT Academy.
- I confirm that having read the above policies, that I agree to abide by the provisions detailed within the policies.
- I understand that violation of these policies may result in either suspension or dismissal, (employee), or removal from being able to attend any class that I am currently enrolled in, (student), or ANY future classes at the ABT Academy.

Name of Student (Please Print)

Student's Signature

Date

Name of Academy Manager

Manager's Signature

Date