

# 靜宜大學工作場所性騷擾防治辦法

## Providence University Regulations for the Prevention of Workplace Sexual Harassment

Amended and Approved at the Administrative Council Meeting on November 20, 2024

### Article 1 (Legal Basis)

In order to prevent sexual harassment, protect the rights and interests of victims, and provide a workplace free from sexual harassment, these Regulations, known as the *Providence University Regulations for the Prevention of Workplace Sexual Harassment* (hereinafter referred to as “the Regulations” ), are enacted in accordance with the *Act of Gender Equality in Employment*, its Enforcement Rules, the *Sexual Harassment Prevention Act*, the *Guidelines for Workplace Sexual Harassment Prevention Measures*, and the *Standards for Sexual Harassment Prevention*.

### Article 2 (Definitions)

The term “sexual harassment” as used in these Regulations refers to the circumstances defined in Article 12 of the *Act of Gender Equality in Employment* and Article 2 of the *Sexual Harassment Prevention Act*.

These Regulations apply to faculty and staff of the University (including full-time and part-time teachers, staff members, contract-based personnel, project-based personnel, and all categories of staff hired under project funds) who are involved in incidents of sexual harassment as defined above. However, cases subject to the provisions of the *Gender Equity Education Act* shall not fall under these Regulations.

### Article 3 (Tasks and Preventive Measures)

To prevent sexual harassment, the University shall implement the following measures and tasks:

1. Take immediate and effective corrective and remedial actions upon becoming aware of sexual harassment.
2. Provide training programs on the prevention of sexual harassment.
3. Issue a written statement prohibiting workplace sexual harassment.
4. Establish grievance procedures for handling sexual harassment cases.
5. Set up dedicated hotlines, fax lines, mailboxes, or email accounts for receiving complaints, and publicly post these Regulations and related information in prominent locations.
6. Ensure confidentiality in the handling of complaints and protect complainants from retaliation or other adverse treatment.

7. Refer parties in need of counseling or medical assistance to relevant University units or external professional institutions for psychological counseling or medical treatment.
8. Impose disciplinary measures on perpetrators when investigations substantiate allegations.

#### **Article 4 (Filing Complaints)**

When the alleged perpetrator is a faculty or staff member of the University, the victim may file a complaint with the Personnel Office. If the alleged perpetrator is the President, the complaint shall be filed with the Ministry of Education.

If the alleged perpetrator is not a University employee, the University shall still take appropriate emergency measures and, within seven days, forward the complaint and related materials to the Taichung City Government.

Complaints must be submitted with the complainant's real name, orally, in writing, or via email. Oral complaints shall be recorded by the receiving personnel, read aloud or shown to the complainant for confirmation, and signed or sealed by the complainant. Telephone complaints must be supplemented in writing within three days, or they may not be accepted.

Written complaints shall include:

1. Complainant's name, gender, date of birth, national ID/passport number, department and title, residential address, contact number, and date of complaint.
2. If represented by an agent, a power of attorney stating the names, addresses, and contact details of both the complainant and agent, along with the complaint date.
3. Facts, content, and related evidence of the complaint.

Complaints not meeting these requirements but correctable shall be returned for amendment within 14 days.

#### **Article 4-1 (Time Limits and Grounds for Non-Acceptance)**

Victims of sexual harassment may file complaints under the following provisions, in addition to seeking remedies under relevant laws:

1. For incidents other than power-related sexual harassment, complaints must be filed within two years of awareness of the incident, and no later than five years from its occurrence.
2. For incidents of power-related sexual harassment, complaints must be filed within three years of awareness, and no later than seven years from its occurrence.

3. If the victim was a minor at the time of the incident, a complaint may be filed within three years after reaching adulthood, unless the above provisions provide a longer period.

Complaints shall not be accepted under the following circumstances:

1. Filed beyond the statutory time limits.
2. Failure to comply with formal requirements that cannot be corrected, or failure to make corrections within the specified deadline.
3. A repeated complaint concerning the same incident after withdrawal, deemed withdrawal under Article 21 Paragraph 5 of the *Sexual Harassment Prevention Act*, or pursuant to Article 9 Paragraph 3 of these Regulations.

#### **Article 5 (Investigation Committee Composition)**

For each sexual harassment complaint, an investigation committee of three or five members shall be established. Members shall include one or two faculty representatives, one or two staff representatives, and at least one individual with professional expertise in investigating sexual harassment or sexual assault cases.

Committee members shall be appointed by the President from full-time faculty and staff. Membership shall not be composed of a single gender, and female members shall account for at least half of the total. External members may be invited when necessary.

Alternatively, the investigation may be commissioned to the University's Gender Equity Education Committee (hereinafter "GEE Committee") in accordance with applicable laws.

#### **Article 6 (Procedures)**

The Personnel Office shall reply within 20 days of receiving the complaint to indicate whether it will be accepted.

Cases subject to the *Act of Gender Equality in Employment* shall be reported to the Taichung City Government and entered into the Ministry of Labor's workplace sexual harassment reporting system upon receipt of the complaint.

The investigation committee shall complete its work within two months of acceptance. When necessary, this may be extended by one month, with notification to the parties.

Investigation results and handling decisions shall be notified in writing to both the complainant and the respondent, and reported in the designated system.

If the University fails to handle a complaint, or if the complainant disagrees with the investigation or disciplinary decision, the complainant may file directly with the Taichung City Government under Article 32-1 of the *Act of Gender Equality in Employment*.

**Article 7 (Confidentiality)**

Investigations shall be conducted confidentially to protect the reputation and privacy of both parties. All parties, committee members, and related personnel shall maintain confidentiality regarding all aspects of the case.

**Article 8 (Principles of Investigation)**

Investigations shall be conducted objectively, fairly, and professionally, ensuring that both parties are given full opportunity to present their statements and defenses.

**Article 9 (Case Closure)**

The investigation committee shall issue a reasoned decision on whether sexual harassment occurred and may recommend disciplinary or other measures. The decision shall be notified in writing to both the complainant and the respondent.

Both parties may file an appeal to the Personnel Office within 20 days of receiving the decision. No further complaints may be filed regarding the same matter once the case is closed.

**Article 10 (Appeals Procedure)**

Upon receipt of an appeal, the Personnel Office shall request the President to form a review committee, which shall issue a written, reasoned decision within 30 days.

The review committee shall be constituted in accordance with Article 5. Members of the original investigation committee shall not serve on the review committee.

During review proceedings, the appellant may be given an opportunity to present their views, and GEE Committee members or investigation committee members may be invited to provide explanations.

If the appeal is found valid, the decision shall be referred to the Faculty Evaluation Committee or Staff Evaluation Committee for reconsideration. Appeals may be withdrawn in writing before a decision is delivered.

**Article 11 (Disciplinary Measures and Restoration of Reputation)**

When no appeal is filed, or when an appeal is dismissed, the decision shall be referred to the Faculty Evaluation Committee or Staff Evaluation Committee for appropriate

disciplinary action, taking into account the severity of the case. The Taichung City Government shall also be notified. Both parties shall receive written notice of the outcome.

If the complainant's reputation has been damaged, appropriate measures shall be taken to restore it. If the complaint is proven false, the complainant may be subject to disciplinary action, depending on the severity.

**Article 12 (Protection and Enforcement)**

The University shall adopt protective measures for the parties and monitor enforcement of decisions to ensure effectiveness, preventing harassment, retaliation, or other adverse consequences.

**Article 13 (Referral for Counseling or Medical Support)**

If necessary, the University may refer the parties to professional counseling or medical institutions.

**Article 14 (Implementation)**

These Regulations shall be implemented following approval by the Administrative Council and promulgation by the President. Amendments shall follow the same procedure.

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