

# National Cheng Kung University Directions for the Prevention of Sexual Harassment in the Workplace

Approved in the 165th administration meeting on May 9, 2012  
Amended and approved in the 4th university meeting of the 2012 academic year on Jun. 19, 2013  
Amended and approved in the 4th university meeting of the 2016 academic year on Jun. 14, 2017

- Article 1 To maintain the rights of faculty and staff members at work and provide a workplace free of sexual harassment, National Cheng Kung University (hereinafter “the University”) stipulates these directions in accordance with the Act of Gender Equality in Employment; the Regulations for Establishing Measures of Prevention, Correction, Complaint, and Punishment of Sexual Harassment at Workplace; and the Sexual Harassment Prevention Act.
- Article 2 These directions are not applicable to the management and prevention of workplace sexual harassment at the University except as otherwise specified in relevant legal regulations.
- Article 3 These directions are applicable to sexual harassment incidents between faculty and staff members (including contract employees); the current directions are not applicable to incidents governed by the Gender Equity Education Act.
- Article 4 Workplace sexual harassment in the directions refers to an incident, excluding the offense of sexual assault, in which an individual performs sexual or gender-related acts on another individual against his or her will and which is accompanied by the following conditions:
- (1) Basing an individual’s attainment, loss, or damage of rights related to work, education, training, services, projects, and activities on his or her acceptance or refusal of a sexual act.
  - (2) Damaging the dignity of others; arousing fear in others; making others feel threatened, hostilely treated, or offended by means of displaying or broadcasting texts, images, sounds, videos, or other forms of information; making discriminatory or insulting statements (or other means of discrimination or insult); and interfering with others’ work, education, training, services, projects, activities, and usual daily lives by any inappropriate means.
- Article 5 To avoid incidents of workplace sexual harassment, the University shall establish a friendly working environment and eliminate potential hostile sexual or gender-based factors in the environment to protect faculty and staff members from the threats of sexual harassment. It shall do so through implementing or promoting the following measures:
- (1) Establishing a hotline or email service for relevant complaints and revealing relevant information to the public.
  - (2) Referring the victim to professional counseling or medical institutions if counselling services or medical treatments are required.
- Article 6 Upon becoming aware of incidents of workplace sexual harassment, the University shall take immediate and effective corrective and remedial measures with close attention paid to the following notes:
- (1) Protection of the rights and privacy of victims
  - (2) Maintenance of or improvements to workplace safety
  - (3) Infliction of penalties on offenders
  - (4) Other prevention and improvement measures
- Article 7 Workplace sexual harassment complaints of the University shall be made to the Personnel Office director in written (i.e., a letter of appeal) or verbal form. Verbal reports shall be recorded, and the recording shall be repeated verbally to or read by the complainant, who must then sign or seal the record after confirming the information to be accurate. The following

information should be specified in letters of appeal or records of statements:

- (1) The name, sex, age, national ID or passport number, unit of employment, job title, place of domicile or residence, and contact number of the complainant.
- (2) The name, sex, age, national ID or passport number, job title, place of domicile or residence, and contact number of the complainant's legal representative if he or she has one.
- (3) The name, sex, age, national ID or passport number, job title, place of domicile or residence, and contact number of the complainant's proxy and a letter of proxy if there is one.
- (4) Factual content of and relevant evidence for the complaint.
- (5) The year, month, and date of the complaint; a complainant shall be informed if his or her letter of appeal or record of statements does not conform to the aforementioned specifications but can be modified and supplemented, which must be completed within 14 days. Any modified and supplemented documents submitted later than this will not be accepted.

Article 8 Workplace sexual harassment complaints shall not be accepted under one of the following circumstances:

- (1) The letter of appeal or record of statement is not modified and supplemented within the time period specified in Paragraph 3, Article 7.
- (2) Investigation of the incident has been completed, and the investigation outcome has been reported back to the complainant in an official document. A complainant shall be informed of his or her sexual harassment complaint being rejected by the University within 20 days of receipt of the letter of appeal.

Article 9 Except for circumstances of force majeure, the University shall commission the Gender Equity Education Committee to convene an investigation team for a complaint within 7 days of receipt, and the investigation shall be completed within 2 months. An extension may be applied to the investigation period if necessary with a maximum of 1 month and shall be reported to the complainant.

Article 10 The University shall process the investigation team's investigation outcome, recommend measures in accordance with the administrative procedure, and inform the complainant and the accused of the outcomes in written form. Anyone dissatisfied with the response actions shall lodge an appeal once to the Legal Section of the Secretariat Office within 20 days of the receipt of the written notice of response actions.

Article 11 The names of or other information that could potentially reveal the identity of any parties involved in a workplace sexual harassment complaint shall be kept confidential unless necessary for the purpose of investigation or in the interest of public safety. In response to violations of this direction, the University shall inflict penalties on and establish liabilities for or dismiss the violator in accordance with relevant regulations.

Article 12 A complainant who wishes to withdraw his or her sexual harassment complaint during the investigation process shall submit a written application of withdrawal to the Personnel Office. The complaint will be closed upon receipt of the application, and the complaint shall not be filed again.

Article 13 The University shall track and monitor the progress of response actions to ensure that penalties and recommended measures have all been applied as ordered.

Article 14 These directions shall be implemented after being approved in a university meeting before implementation; any amendments to these directions shall be subject to the same procedure.

※The English translation thereof is for reference only and the Chinese version shall always prevail in case of any inconsistency between the Chinese version and the English translation thereof.