



Rules for Prevention, Complaint and Discipline of Sexual Harassment

性騷擾防治措施、申訴及懲處管理辦法

1. Purpose 目的

The company has established these rules in accordance with Paragraph 1, Article 13 of the Gender Work Equality Act and the Guidelines for Establishment of Rules for Prevention, Complaint and Discipline of Sexual Harassment in Workplace promulgated by the Ministry of Labor in order to provide its personnel (including employees, contracted labor, job seekers, technical students and interns) with a work and service environment free of sexual harassment, to undertake proper prevention, correction, discipline and handling measures and to maintain the parties' interest and privacy. 本公司為提供人員(包含受雇者、派遣勞工、求職者、技術生及實習生)免於性騷擾之工作及服務環境，並採取適當之預防、糾正、懲戒及處理措施，以維護當事人權益及隱私，特依據「性別工作平等法」第十三條第一項，及勞動部頒布「工作場所性騷擾防治措施申訴及懲戒辦法訂定準則」訂定本辦法。

2. Scope of Application 適用範圍

These rules are applicable to any case of sexual harassment between employees of the company or between any employee and any service target. All employees of the company covered by the provisions of these rules are governed by these rules.

本辦法適用於本公司所屬員工相互間或員工與服務對象間所發生之性騷擾事件。本公司員工符合本辦法規定者均適用之。

3. Reference 參考資料

3.1 Gender Work Equality Act.
性別工作平等法

3.2 Guidelines for Establishment of Rules for Prevention, Complaint and Discipline of Sexual Harassment in Workplace
工作場所性騷擾防治措施申訴及懲戒辦法訂定準則

4. Definition 定義

“Sexual harassment” referred to in these rules means the following conduct
本辦法所稱性騷擾，係指下列行為：

4.1 In the course of performing job duties by the above-described persons, anyone (including executive of any level, employee, client, etc.) creates a hostile, threatening or offensive work environment through sexual demand or any language or conduct with sexual meaning or sexual discrimination, resulting in the infringement or interference with his/her integrity, physical freedom or an impact on his/her work performance.

前揭人員於執行職務時，任何人(包含各級主管、員工、客戶…等)以性要求、具有性意味或性別歧視之言詞或行為，對其造成敵意性、脅迫性或冒犯性之工作環境，致侵犯或干擾其人格尊嚴、人身自由或影響其工作表現。



4.2 An executive makes any express or implied sexual demand or engages in any language or conduct with sexual meaning or sexual discrimination towards any of the above-described persons as a condition in exchange for the establishment, continuance or change of labor contract, assignment, allocation, remuneration, performance review, promotion, demotion, reward or disciplinary action.

主管對前揭人員明示或暗示之性要求、具有性意味或性別歧視之言詞或行為，作為勞務契約成立、存續、變更或分發、配置、報酬、考績、陞遷、降調、獎懲等之交換條件。

If any conduct under the previous paragraph involves any act listed under the chapter for the offense against sexual freedom under the Criminal Code, the case should be forwarded to the prosecution authority.

前項行為如有涉及刑法之妨害性自主罪章所列行為者，移送檢察機關辦理。

4.3 Concretely, the types of conduct that constitutes sexual harassment include the following:

具體而言，性騷擾行為之態樣包含如下：

4.3.1 Attitude and conduct that generates insult, disparagement or discrimination based on gender difference.

因性別差異所產生侮辱、蔑視或歧視之態度及行為。

4.3.2 Improper, unpleasant or offensive sex-related language, physical conduct or contact or sexual demand.

與性有關之不適當、不悅、冒犯性質之語言、身體、碰觸或性要求。

4.3.3 Demand for sexual intercourse or sex-related act through threatening or punishing measures.

以威脅或懲罰之手段要求性行為或與性有關之行為。

4.3.4 Forced sexual intercourse and sexual assault.

強制性交及性攻擊。

4.3.5 Demonstration of any picture or text with sexual meanings or sexual enticement.

展示具有性意涵或性誘惑之圖片和文字。

5. Procedure 作業內容：

5.1 The Company should prevent the occurrence of sexual harassment in the workplace, protect its employees from the threats of sexual harassment, establish a friendly work environment and improve the awareness of executives and employees about gender equality. Upon occurrence or suspected occurrence of any case of sexual harassment, the prevention measures should be reviewed and improved immediately.

本公司應防治工作場所性騷擾之發生，保護員工不受性騷擾之威脅，建立友善的工作環境，提升主管與員工性別平權之觀念。如有性騷擾或疑似情事發生時，應即檢討、改善防治措施。

5.2 The company has a workplace sexual harassment complaint channel. Relevant information is published through announcements. 本公司設置工作場所性騷擾申訴管道，將相關資訊以公告方式公開揭示。

Complaint Hotline 申訴專線電話：(02)8978-1188 分機：9116

Complaint Email 申訴電子信箱：ann.wang@kuka.com.tw

5.3 When the company learns of any cases of sexual assault or sexual harassment, it should undertake immediate and effective correction and remedy measures. Due care shall also be exercised about the following:

本公司於知悉有性侵害或性騷擾之情形時，應採取立即且有效之糾正及補救措施，並注意下列事項：

5.5.1 Protection of the victim's interests and privacy. 保護被害人之權益及隱私。

5.5.2 Maintenance or improvement of the security of the relevant locations. 對所屬場域空間安全之維護或改善。

5.5.3 Disciplinary sanctions on the perpetrator. 對行為人之懲處。

5.5.4 Other prevention and improvement measures. 其他防治及改善措施。

5.5.5 In order to handle sexual harassment complaint cases, the company has put in place a Sexual Harassment Complaint Handling Committee (hereinafter referred to as the "Committee"), which is composed of the employer and employee representatives to handle workplace sexual harassment complaint cases.

本公司為處理性騷擾申訴案件，設置性騷擾申訴處理委員會（以下簡稱本委員會），由雇主與受僱者代表共同組成負責處理工作場所性騷擾申訴案件。

The Committee has 3 members, among which one is the chairman, to be served by the Executive Manager of the F&A Department. The chairman of the committee will also serve as the chairman of the meetings. When the chairman cannot chair any meeting, the chairman may designate a member of the Committee to chair the meeting. The remaining members of the Committee will be selected by the chairman from employees of the company. These



members should include the supervisor of the person subject to the complaint, human resource executive and designated persons. The members should attend meetings personally and not through any proxy.

本委員會置委員 3 人，其中一人為主任委員，由財務行政部經理兼任，並為會議主席，主席因故無法主持會議時，得指定委員代理之；其餘委員，由主席就本公司員工選派兼任之，其中應包括被檢舉人之主管、人事主管及指定人員，委員應親自出席，不得代理。

The number of female members shall be no less than 1/2 of all members. Experts and scholars may be invited to serve as members as required. If any assigned worker is subject to any sexual harassment by any employee of the company, the company will process the complaint and conduct an investigation together with the business entity that assigned the worker. The results of the investigation shall be provided to the assigning entity and the worker.

其中女性委員不得少於二分之一，並視需要聘請專家學者擔任委員。派遣勞工如遭受本公司員工性騷擾時，本公司將受理申訴並與派遣事業單位共同調查，將結果通知派遣事業單位及當事人。

5.6 A complaint about sexual harassment may be raised verbally or in writing. If the complaint is filed verbally, the person or department with whom the complaint is filed should make a record, which should be read to or reviewed by the complainant. After the complainant's confirmation, he/she should affix a signature or seal on the records.

性騷擾申訴得以言詞或書面提出。以言詞申訴者，受理之人員或單位應做成紀錄，經向申訴人朗讀或使閱覽，確認其內容無誤後，由其簽名或蓋章。

The complaint should be affixed with the complainant's signature or seal and should specify the following
申訴書應由申訴人簽名或蓋章，並載明下列事項：

5.6.1 The complainant's name, department and title, address, telephone and date of complaint.

申訴人姓名、服務單位及職稱、住居所、聯絡電話、申訴日期。

5.6.2 If there is a designated representative, a power of attorney should be provided, specifying the representative's name, address and telephone. 有代理人者，應檢附委任書，並載明其姓名、住居所、聯絡電話。

5.6.3 Facts and contents of complaint. 申訴之事實及內容。

If the complaint or the record prepared based on a verbal complaint is inconsistent with the example under the previous paragraph and if such inconsistency can be corrected, the complainant should be asked to make the correction within 14 days. If the correction is not made within such period, the complaint will not be processed.

申訴書或言詞作成之紀錄不合前項範例，而其情形可補正者，應通知申訴人於十四日內補正。逾期不補正者，申訴不予受理。

5.7 Before the Workplace Sexual Harassment Complaint Handling Committee reaches a resolution, the complainant or his/her authorized representative may withdraw the complaint in writing. Once withdrawn, no complaint may be filed again for the same matter.

工作場所性騷擾申訴處理委員會作成決議前，得由申訴人或其授權代理人以書面撤回其申訴；申訴經撤回者，不得就同一事由再為申訴。

5.8 The Workplace Sexual Harassment Complaint Handling Committee shall only conduct a meeting if it is attended by the majority of members. A resolution should only be made with the approval of the majority of the members attending the meeting. In case of a tie vote, the chairman shall cast a deciding vote.

工作場所性騷擾申訴處理委員會應有委員半數以上出席始得開會，並應有半數以上之出席委員之同意始得做成決議，可否同數時取決於主席。

5.9 When the Committee conducts an investigation, the parties and related persons may be asked to provide explanations in person. Persons with certain knowledge and experience may also be invited to provide assistance.

本委員會之調查，得通知當事人及關係人到場說明，並得邀請具相識經驗者協助。

5.10 The Workplace Sexual Harassment Complaint Handling Committee should conduct investigations on sexual harassment investigations in a non-public manner. The parties' privacy and other interest of integrity should be protected in the course of investigation. The persons participating in the handling, investigation and resolution of the sexual harassment matter should keep the contents of the complaint case confidential. In case of any breach, the chairman of the Committee should terminate the participation of such person. The company may also impose sanctions and pursue relevant liabilities in accordance with applicable laws depending on the situation. The company may also dismiss the person's employment or service.



工作場所性騷擾申訴處理委員會調查性騷擾申訴，應以不公開方式為之，調查過程應保護當事人之隱私權及其他人格法益。參與性騷擾事件之處理、調查及決議人員，對於知悉之申訴事件內容應予保密；違反者，主任委員應終止

其參與，本公司並得視其情節依相關範例予以懲處及追究相關責任，並解除其選、聘任。

5.11 The company should conduct investigations on a sexual harassment cases based on the following investigation principles:本公司調查性騷擾事件時，應依照下列調查原則為之：

5.11.1 Sexual harassment case should be investigated in a non-public manner and the parties' interest and integrity interest should be protected.性騷擾事件之調查，應以不公開之方式為之，並保護當事人之隱私及人格法益。

5.11.2 Sexual harassment case should be investigated in an objective, fair and professional manner, providing the parties with the opportunity to state their opinions and defense.

性騷擾事件之調查應秉持客觀、公正、專業原則，給予當事人充分陳述意見及答辯之機會。

5.11.3 If the victim's statement is clear and there is no need to make enquiries, duplicated enquiries should be avoided. 被害人之陳述明確，已無詢問必要者，應避免重複詢問。

5.11.4 To investigate a sexual harassment case, the parties and related parties may be asked to provide explanations in person. Persons with relevant knowledge and experience may also be invited to provide assistance.

性騷擾事件之調查，得通知當事人及關係人到場說明，並得邀請相關學識經驗者協助。

5.11.5 Confrontation between the parties or witnesses in a sexual harassment case should be avoided in case of unequal power.性騷擾事件之當事人或證人有權力不對等之情形時，應避免其對質。

5.11.6 As required for investigation, an investigator may prepare written documents and provide them to the parties for their review or advise them with the key contents thereof, within the extent of confidentiality.

調查人員因調查之必要，得於不違反保密義務範圍內另作成書面資料，交由當事人閱覽或告以要旨。

5.11.7 All persons handling a sexual harassment case should keep confidential the parties' names and other personally identifiable data, except required or the investigation and out of consideration for public security.

處理性騷擾事件之所有人員，對於當事人之姓名或其他足以辨識身份之資料，除有調查必要或基於公共安全之考量者外，應予保密。

5.11.8 In the course of investigation on a sexual harassment case, the parties may be referred to or provided with psychological assistance and legal aid depending on their physical and mental status.

性騷擾事件調查過程中，得視當事人之身心狀況，主動轉介或提供心理輔導及法律協助。

5.11.9 In the course of complaint, investigation, monitoring or review of a sexual harassment case, no differential treatment should be provided any person that filed a complaint, report, claim, lawsuit, testimony, assistance or other participation.

對於在性騷擾事件申訴、調查、偵察或審理程序中，為申訴、告訴、告發、提起訴訟、作證、提供協助或其他參與行為之人，不得為不當之差別待遇。

5.12 The Complaint Handling Committee should close the case within 2 months from the filing of the complaint. If required, the period may be extended for one month and the parties should be notified.

申訴處理委員會應於申訴提出起二個月內結案；必要時，得延長一個月，並通知當事人。

Based on the results of investigation, the Complaint Handling Committee should reach a resolution with reasons and may imposed disciplinary sanctions or provide other recommendations. The investigation resolution should be notified to the complainant, the counterparty and the company in writing, specifying that any objection to the resolution of the complaint case should be filed with the Complaint Handling Committee within 20 days. Such periods shall start from the day following the date on which the complaint resolution is served on the parties, or a latter time of occurrence or knowledge of the reason for objection.

申訴處理委員會之調查結果，應做成附理由之決議，並得做成懲戒或其他處理之建議。該調查決議應以書面通知申訴人、申訴之相對人及本公司，並註明對申訴案之決議有異議者，得於二十日內向申訴處理委員會提出申覆，其期間自申訴決議送達當事人之次日起算。但申覆之事由發生或知悉在後者，自知悉時起算。

The objections should be accompanied with written reasons and should be handled by the Complaint Handling Committee through another meeting resolution. After the case is closed, no complaint may be filed again for the same matter.

提出申覆應附具書面理由，由申訴處理委員會另召開會議決議處理之。經結案後，不得就同一事由，再提出申訴。



5.13 The parties may file an objection to the resolution of the Complaint Handling Committee in case of any of the following events 有下列情形之一者，當事人對申訴處理委員會之決議提出申覆：

5.13.1 Complaint resolution is clearly contradictory to the reasons specified. 申訴決議與載明之理由顯有矛盾者。

5.13.2 The organization of the Complaint Handling Committee is illegal. 申訴處理委員會之組織不合法者。

5.13.3 Any member that should have recused him/herself in accordance with the Gender Equality Act participated in the decision. 依性別工作平等法應迴避之委員參與決定者。

5.13.4 Any member that participated in the resolution breached his/her duty in relation to the complaint case and is found guilty of a criminal offense by confirmed judgment.

參與決議之委員關於該申訴案件違背職務，犯刑事上之罪，經有罪判決確定者。

5.13.5 Any witness or appraiser made a false statement about any evidence or appraisal that served as the basis for the resolution. 證人、鑑定人就為決議基礎之證據、鑑定為虛偽陳述者。

5.13.6 Any evidence that served as the basis for the decision was forged or altered. 為決定基礎之證物，係偽造或變造者。

5.13.7 Any civil, criminal or administrative judgment or sanction that served as the basis for the decision is changed following confirmed judgment or administrative sanction.

為決定基礎之民事、刑事或行政訴訟判決或行政處分，依其後之確定裁判或行政處分已變更者。

5.13.8 Any evidence that was not taken into consideration has been discovered or has become available.

發現未經斟酌之證物或得使用該證物者。

5.13.9 The prior resolution omitted to consider any important evidence that may have an impact on the resolution.

原決議就足以影響決議之重要證物漏未斟酌者。

5.14 If any conduct of sexual harassment is confirmed by investigation, the company may, depending on the gravity of the matter, impose a relocation, demotion, salary reduction, disciplinary sanction or other disposition against the counterparty of the complainant. If criminal liabilities are involved, the company should also assist the complainant to file a complaint. If the conduct of sexual harassment is proven to be a false accusation, the company may, depending on the gravity of the matter, impose disciplinary sanctions or dispositions against the complainant in accordance with applicable regulations such as the Work Rules.

性騷擾行為經調查屬實者，本公司得視情節輕重，對申訴人之相對人依工作規則等相關範例為調職、降職、減薪、懲戒或其他處理。如涉及刑事責任時，本公司並應協助申訴人提出申訴。性騷擾行為經證實為誣告者，本公司得視情節輕重，對申訴人依工作規則等相關範例為懲戒或處理。

5.15 The company shall follow up, review and monitor any conduct of sexual harassment to ensure effective performance of disciplinary sanctions or disposition measures and to avoid reoccurrence of the same event or any reprisal. 本公司對性騷擾行為應採取追蹤、考核及監督，以確保懲戒或處理措施有效執行，並避免相同事件或報復情事發生。

5.16 If any party needs counseling or medical care, the company may refer professional assistance or health institution. 當事人有輔導或醫療等需要者，本公司得引介專業輔導或醫療機構。

5.17 The company will not dismiss, relocate or impose any unfavorable sanction on any employee for filing any complaint or assisting any other person to file a complaint provided in these rules.

本公司不會因員工提出本辦法所訂之申訴或協助他人申訴，而予以解雇、調職或其他不利處分。

5.18 If the person engaging in sexual harassment is not an employee of the company, the company shall provide necessary protection in accordance with these rules.

性騷擾之行為人如非本公司員工，本公司應依本辦法提供應有之保護。

6. Effective Date & Replaced Matters 生效期

This policy shall become effective on Feb. 9, 2018. The company will make appropriate modifications to the policy based on changes in practical situations, and implementation of the policy should be made based the up-to-date revision.

This guideline was drafted, revised and issued by human resource department. Human resource department will keep the right for final explanation.



本條例自 2018 年 2 月 9 日起生效。公司將按照實際情況發生變化適當的修改相對應的條例，政策的執行一律以最新版本為主。

本條例由管理部負責制定，修改並保留最終解釋權。

Where any discrepancy arises between the Chinese translation and the original English version, the Chinese version shall prevail.

若英文版與中文翻譯間有任何差異，應以中文版為主。

Taipei, 9st Feb., 2018

台北，2018年2月9日