

# Subject Regulations of Prevention, Complaint and Punishment of Sexual Harassment

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## Chapter 1 General Provisions

### Article 1

In order to provide a work environment free of sexual harassment, to maintain gender equity, and to guard human dignity, the Regulations are prescribed based on “Gender Equality in Employment Act”, and on “Regulations for Establishing Measures of Prevention, Correction, Complaint and Punishment of Sexual Harassment at Workplace” announced by Ministry of Labor.

### Article 2

The Regulations are applicable to employee, applicant, dispatched employee, apprentice, and intern.

### Article 3

Sexual harassment referred to in the Regulations shall mean one of the following circumstances:

Sexual requests, verbal or physical conducts of a sexual nature causing displeased or resentful sentiments, leading to infringe on or interfere with physical liberty, human dignity, or affecting job performance.

### Article 4

The roles and responsibilities of the implementation, complaint, and punishment regarding the Regulations are as below:

1. The compliant window should maintain the objectivity and fairness in the process of investigation, so as to enhance the balance of rights between genders and protect employees from the threat of sexual harassment. The compliant window of sexual harassment is Ann Lin, the highest manager of internal auditing unit. Email address: Ann.Lin@acer.com; fax number: (02) 8691-1066. The other compliant window is the highest manager of HR department.
2. Complaint handling and investigation unit is the team of 3 to 5 members, who are not related to one another's personal interests, suggested by the compliant window, and agreed by the appealing employee. The chairman of the unit should be BU head and the rest members are BD heads. The unit is responsible for investigating, judging, making the decision on punishment, and rendering the decision with grounded reasons by written to inform the complainant, the correspondent of the complaint, and the manager of the correspondent of the compliant.
3. During investigation period, the compliant shall assign one member of the investigation unit as proxy to present on behalf of the compliant during the investigation.
4. Responsibilities of HR unit:
  - (1) Assist and coordinate: assisting administrative tasks during the investigation.
  - (2) Execute punishment: executing the punishment decided by the investigation unit.
  - (3) Counseling and treatment: transferring those involved to related institutions for psychological counseling and treatment, according to his or her physical and mental condition.
  - (4) Education and promotion: promoting the correct concept of gender equality, preventing behaviors of sexual harassment and violation.

## Article 5

The complaint of sexual harassment shall be conducted in the following procedures:

1. A written form shall be signed or imprinted seal by the complainant and shall contain the items below. The complaint shall also be raised orally to the compliant window, and the agent assigned in accordance with the rule described in the 3<sup>rd</sup> point of Article 4 shall put the complaints in record with below required contents. After reciting them to the complainant or let him/her read and ascertain the correctness of the contents, the complainant shall sign or imprint seal on the record.
  - a. Name, service unit and position title, address or residence, contact telephone number of the complainant and the date of filing the complaint.
  - b. If he/she has an agent, a commission form shall be forwarded and the name, address or residence and contact telephone number of the agent shall be listed.
  - c. Facts and contents of the complaint.
2. Upon receiving a compliant, the compliant window should set up the investigation unit.
3. During investigation period, the complainant shall request not to be revealed to the accused, and also he/she can invite company and professional people to join the investigation.
4. Compliant should be closed no longer than two months, but when and if necessary, one more month shall be allowed, and the parties concerned shall be informed.
5. The complainant or the respondent of the complaint may file a written appeal within 20 days from the date of receiving the decision, with which if either party is not satisfied. In this case, the investigation unit should be set up again with the same principle as stated in the 2<sup>nd</sup> point of Article 4, only that the chairman should be BG/SF/Center head and the other members should be BU heads. Once the case aforesaid is closed, neither party may file a complaint for the same incident.

## Article 6

When a complaint of sexual harassment is investigated and deemed as a truth, or if the complainant falsely incriminates the accused, punishment of the following shall be given differentiated by situation.

1. handing in a written form stating he/she promises no behaviors of such will happen again
2. deducting compensation, deducting/suspending bonus
3. expelling
4. if relevant parties involving in criminal responsibilities the company authorities should deliver them to jurisdiction

## Article 7

The Regulations shall be implemented with an announcement after the approval of the company general manager. When adjustments occur, CEO's approval and announcement are both required as well.