

Acer Incorporated
Rules Governing the Preventative Measures, Complaint and Discipline
against “Workplace” Sexual Harassment

Rule No.: HR-02-02-A

Date of latest revision: December 1, 2018

- I. In order to provide a work environment free from sexual harassment to the personnel, including the employees, dispatched labor, job applicants, apprentices and probationers (“Personnel”), and adopt appropriate measures of prevention, correction, discipline and handling to protect the rights and interests and the privacy of the involved Personnel (“Parties”), Acer Incorporated (hereinafter referred to as the “Company”) establishes this Rules Governing the Preventative Measures, Complaint and Discipline against “Workplace” Sexual Harassment (“Rules”) according to Paragraph 1, Article 13 of the Act of Gender Equality in Employment and the “Regulations for Establishing Measures of Prevention, Correction, Complaint and Punishment of Sexual Harassment at the Workplace” promulgated by the Ministry of Labor.

- II. Sexual harassment defined in the Rules means that when the Personnel are performing their duties, any party (including all levels of supervisors, employees, customers) creates a hostile, intimidating or offensive work environment in the ways of requests for sexual favors, verbal or physical conduct of a sexual nature or sexual discrimination such that their human dignity and liberty is infringed or interferes with or their work performance is affected, or that a supervisor conducts any requests for sexual favors, verbal or physical behavior of sexual nature, or sexual discrimination in an explicit or implicit way to any of the Personnel in exchange for the coming into force, existence, change of an employment contract or the distribution, allocation, remuneration, evaluation, promotion, demotion, rewards or discipline.

In particular terms, the forms of sexual harassment include the following:

- (1) Abusive, disparaging or discriminating attitude or conduct on the basis of sex discrimination.
- (2) Verbal, physical conduct, touching or requests for sexual favors in relation with sex that are inappropriate, unpleasant or offensive.
- (3) Requests for sexual conduct or other conduct in relation with sex by means of threats or punishment.
- (4) Forcible sexual intercourse and sexual assault.
- (5) Showing pictures or words that are of sexual nature or sexual attraction.

- III. The Company shall prevent sexual harassment from occurring at the workplace, protect Personnel from the intimidation of sexual harassment, build a friendly work environment and enhance the awareness of the supervisors and employees of gender equality. Should any sexual harassment or suspected sexual harassment occur, review and improvement on the preventative measures shall be made immediately. If the Personnel work in places that cannot be controlled and administrated by the employer, such employer shall conduct risk classification and identification of workplace sexual harassment and provide necessary protective measures, and prior notification shall be given to them.
- IV. The Company shall regularly carry out training for workplace sexual harassment prevention and reasonably plan courses related to gender equality and sexual harassment prevention in the on-the-job training courses or workshops, and disclose relevant information at a conspicuous part of the workplace.
- V. The Company shall set up the workplace sexual harassment complaint channels and disclose relevant information at a conspicuous part of the workplace.

Full-time telephone for complaint: 02-2645-7085 (Audit Supervisor)

Full-time mailbox for complaint: 2645.7085@acer.com

- VI. The Company shall use various message transmission ways, such as assembly, broadcast and printed materials, to enhance the publicity and guidance related to sexual harassment preventative measures and complaint channels for all Personnel.
- VII. When the Company is aware of any incidents in relation with sexual assault or sexual harassment, the Company shall correct and provide remedies immediately and efficiently with attention to the following matters:
 - (1) Protection of the victim's rights, interests and privacy.
 - (2) Maintenance or improvement of the security of subject fields and spaces.
 - (3) Punishments on the harasser.
 - (4) Other preventative and improving measures.
- VIII. The Company sets up the Committee for handling the workplace sexual harassment complaints ("Committee"), which is comprised the Audit Supervisor, representatives of Legal Unit and Human Resource Unit. The Audit Supervisor shall be the chairman of the Committee to take charge of workplace any sexual harassment complaints at the workplace. Female shall be the majority among the members of the Committee, and experts and/or scholars shall be employed to act as members of the Committee when needed. The Committee shall be responsible for investigating complaints, voting on the relevant resolutions and determining punishment and informing the complainant, the

respondent opposite to the complainant and the supervisor of the respondent of such resolutions in writing. When a dispatched labor suffers sexual harassment by an employee of the Company, the Company will accept the complaint and conduct a joint investigation with the dispatching enterprise together, and investigation results will be noticed to the dispatching enterprise and the Parties.

- IX. A sexual harassment complaint can be filed in oral or written form. Where a complaint is made in oral, the recipient, either an employee or a unit, shall keep a record, and the complainant shall sign or stamp on the record after confirming that the content is accurate.

Where a complaint is made in writing, the complaint letter shall be signed or stamped by the complainant and shall specify the following matters:

- (1) The name, the unit he/she serves for and job title, domicile or residence and contact phone number of the complainant and the date of complaint.
- (2) Should there be an attorney, the power of attorney shall be attached, in which the name, domicile or residence and contact phone number of such attorney shall be specified.
- (3) The facts and content of the complaint.

Provided that a complaint letter or a record of oral complaint does not comply with the foregoing provisions, but such incompliance can be rectified, a notice with a 14-day period for rectification shall be given to the complainant. In case of failure to rectify on time, such complaint shall not be accepted.

- X. Before the Committee makes a resolution, the complainant or his/her authorized attorney can withdraw the complaint in writing. In case of withdrawal of a complaint, no complaint shall be remade for the same matter.
- XI. A meeting of the Committee can be convened only when majority of all members are attending. A resolution of the Committee can be adopted only when a majority of the attending members agrees thereon, and, in case that the voting numbers of both agreement and disagreement of the attending members are the same, the judgement of such resolution will be made by the chairman.
- XII. When investigating a case, the Committee may notify the Parties and/or other related Personnel to participate for explanation, and may also invite other people that possess relevant knowledge and experience to assist.
- XIII. The Committee shall conduct the investigation on the sexual harassment complaint in private and shall protect the privacy rights and other legal interests of human dignity of the Parties during the process of investigation. All members participating in the handling, investigation and resolution of the sexual harassment case shall keep

confidential the content of such complained incident. The violator shall be removed by the chairman from participation and, depending on the scenario, may be punished and held liable according to relevant regulatory provisions and can be dismissed from his/her appointment or employment by the Company.

XIV. When the Company investigates a sexual harassment incident, the following principles for investigation shall be complied with:

- (1) It shall conduct the investigation on the sexual harassment incident (“Investigation”) in private, and protect the privacy and the legal interests of human dignity of the Parties.
- (2) When conducting the Investigation, it shall adhere to the principles of impartiality, justice and profession and give the Parties the opportunity to fully state their opinions and answers.
- (3) Where the victim’s statement is explicit and it is unnecessary for enquiry, repeated enquiries shall be avoided.
- (4) When conducting the Investigation, it may notify the Parties and related parties to explain on site and may invite the persons that possess relevant knowledge and experience to assist.
- (5) When a power asymmetry exists among the Parties or the witness of asexual harassment incident, their confrontation shall be avoided.
- (6) If the investigators deem it necessary for the Investigation, they may otherwise produce written documents within the scope that is not in violation of their confidentiality obligations and deliver them to the Parties for reading or tell them the gist.
- (7) Unless for the necessity of the Investigation or in consideration of public security, all staff handling the sexual harassment incident shall keep confidential the names of the Parties or other information and documents that are sufficient to identify them.
- (8) During the course of the Investigation, it may, depending on the physical and psychological status of the Parties, take the initiative to recommend or provide psychological counseling and legal assistance.
- (9) No improper differential treatment shall be conducted to the persons that complain, appeal, prosecute, file litigation, testify, provide assistance or participate in other ways in the procedures of complaint, investigation, detection or trial on the sexual harassment incident.

XV. The Committee shall close the case within two (2) months from the filing of a complaint; if necessary, additional one month may be extended with notice to the Parties.

The investigation result of the Committee shall be produced as a resolution attached

with reasons, and a suggestion for punishments or other dispositions may be produced. It shall inform the complainant, the respondent opposite to the complainant and the Company of such resolution in writing, specifying that anyone who disagrees with the resolution may apply with the Committee for appeal within twenty (20) days, which period is starting from the date next to the delivery date of such resolution. However, if the reasons for such application occur or are aware of later than such date, such period starts from the time of awareness.

When applying for appeal, the reasons shall be presented in writing and be subject to the resolution of the meeting convened by the Committee. No complaint shall be filed again on the same matter after the closing of the case.

XVI. In any of the following circumstances, the Parties are qualify to apply for appeal against the Committee's resolution:

- (1) Where there is an obvious conflict between the resolution and the reasons specified therein;
- (2) Where the organization of the Committee is illegal;
- (3) Where a member of the Committee whose recusal should have been applied pursuant to Article 15 of the Regulations for Preventative Measures Against Sexual Harassment participated in the decision-making process of the Committee;
- (4) Where any member participating in the resolution violates his/her duties concerning the complaint case and commits a crime as sentenced by a guilty verdict;
- (5) Where a witness or an expert witness presents false statement in the evidence or expert opinion that is the basis for the resolution;
- (6) Where an exhibit taken as the basis for a resolution is forged or altered;
- (7) Where a judgment for a civil, criminal or administrative proceeding case or an administrative ruling taken as the basis for a resolution is changed by subsequent finalized judgment or administrative ruling;
- (8) Where it is found that an exhibit has not been or should have been considered; or
- (9) Where an important exhibit that is sufficient to affect such resolution has been omitted and not been considered for a resolution.

XVII. Where investigation shows that sexual harassment does exist or the complainant produces false evidence against the respondent, one of the following punishments shall, depending on the degree of severity of the circumstances, be imposed pursuant to the relevant work rules and regulations:

1. Giving the respondent or the complainant a written warning and requiring the respondent or the complainant to sign a guaranty;

2. Decreasing remuneration or decreasing/stopping paying bonuses (this punishment shall be imposed after the Company communicates with the employee involved);
3. Expelling the employee involved; or
4. Where criminal liability is involved, handing the employee involved over to the competent judicial authority for handling.

XVIII. Terms of reference of the HR

1. Support and coordinating: being in charge of the administration of general affairs during the proceedings of cases.
2. Execution of punishment: executing the punishment resolved by the complaint handling Committee.
3. Counseling and medical treatment: referring the complainant or the respondent opposite to the complainant to a special organization for psychological counseling and medical treatment.
4. Education and advocacy: advocating the correct gender equality concept, and preventing sexual harassment and sexual abuse.

XIX. The Company shall track, evaluate and supervise sexual harassment conduct to ensure the effective implementation of the discipline or disposition and avoid the occurrence of the same incidents or retaliation.

XX. Where the Parties need counseling or medical care, the Company may introduce professional counseling or medical institutions.

XXI. The Company shall not fire, transfer the position of or adversely punish the employee because he/she has filed a complaint provided in the Rules or assisted other Personnel in complaining. If the harasser is not a Company employee, the Company shall provide the protection as provided in the Rules.

XXII. The Rules will be implemented after the Head of HR announces with approval, and so will be any amendments.