

Yuan Ze University Measures for Handling Unlawful Infringement Suffered in the Performance of Duties

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Article 1. These Measures are established to handle incidents in which faculty and staff suffer unlawful infringement in the performance of their duties while working at the University (hereinafter referred to as “these Measures”).

Article 2. These Measures apply where faculty and staff of the University, in the performance of their duties, suffer improper verbal, written, physical, electronic-communication, internet, or other conduct at the workplace from an employer, supervisor, colleague, service recipient, or other third party — such as workplace violence, workplace bullying, sexual harassment, or employment discrimination — causing unlawful infringement of their physical or mental health. Cases in which faculty or staff suffer damage to their rights and interests arising from litigation connected with official duties are likewise included within the scope of application and handling of these Measures.

Article 3. Reports shall be handled in accordance with the following procedures (see the flowchart, Appendix 1):

1. When a faculty or staff member becomes aware of, or experiences, a suspected incident of unlawful infringement in the workplace, the party concerned or the reporting person shall complete the “Yuan Ze University Report Form for Suspected Workplace Unlawful Infringement Incidents” (Appendix 2) and submit it to the Environmental Safety and Health Center (“ESH Center”) to file a report.
2. In an emergency, or where the suspected unlawful infringement is committed by a person from outside the University, the matter may first be reported verbally — by telephone, fax, or mobile communication application — to the person in charge of the workplace (the unit supervisor), the Security Team, the Campus Safety Center, or the supervisor of the relevant unit, so as to assist in arranging for the victim’s safety or medical treatment, and the police shall be notified as circumstances require; the report form shall be submitted to the ESH Center within 14 days.
3. Cases involving sexual harassment or gender equality shall be handled through the gender-equality complaint channel of the Office of Human Resources. Workplace-bullying cases shall be handled in accordance with the University’s “Workplace Bullying Prevention Measures, Complaint and Disciplinary Handling Regulations.”
4. A report shall be filed within one year after the occurrence of the unlawful-infringement conduct; where the conduct is ongoing, the one-year period runs from the day after the most recent incident concludes.
5. If, during the review period of a case, the reporting person needs to withdraw the complaint, they shall complete the “Yuan Ze University Application for Withdrawal of Suspected Workplace Unlawful Infringement Case” (Appendix 3); once a complaint is withdrawn, no further complaint may be filed regarding the same incident, except where the withdrawal resulted from a cause not attributable to the party concerned.

6. If the counterparty to a case is the University President, the reporting person shall instead file the complaint directly with the Ministry of Education.
7. Within three days (calculated in working days) of receiving a report of an incident involving workplace violence, the Director of the ESH Center shall submit the supporting evidence and materials to the President and appoint suitable personnel to conduct mediation or investigation, and shall, within 20 days of receiving the report form, notify the party concerned or the reporting person in writing or by e-mail as to whether the case is accepted.
8. Once acceptance is confirmed, the complainant and the respondent may be notified to appear and provide explanations, and the Mediation Committee shall conduct mediation, with the ESH Center completing the “Yuan Ze University Mediation Record for Suspected Workplace Unlawful Infringement Incidents” (Appendix 4). If mediation cannot be reached, or if either party is dissatisfied with, or does not agree to, the mediation outcome, the case shall be investigated by the Handling Task Force.
9. The Handling Task Force shall complete its investigation within two months of receiving notice of the case; if unable to complete the investigation within this period, it may apply once for an extension of up to two additional months, and shall notify the complainant of the reason for the extension.
10. The Handling Task Force shall investigate and clarify the case, conduct a review, and prepare a review report. Depending on the nature of the case and the investigation results, the case shall be referred to the relevant University committee (such as the Faculty Evaluation Committee or the Staff Personnel Evaluation Committee) for review; after the President’s approval, the review report shall be provided in writing to both the complainant and the respondent.
11. If the respondent or the complainant is dissatisfied with the Handling Task Force’s review and investigation result, they may, according to their status, file an appeal with the University’s Faculty Grievance Review Committee or Staff Grievance Review Committee within the time limit set by that committee, or file a complaint with a competent authority exercising supervisory authority over the University, such as a government agency or judicial body.

Article 4. Composition and Operation of the Workplace Unlawful Infringement Mediation Committee and the Workplace Unlawful Infringement Handling Task Force:

1. For workplace unlawful-infringement mediation, the President shall designate 1–2 University faculty or staff members, according to the case, to serve as mediation-committee members to assist both parties in reaching a mediated settlement through discussion; the mediation outcome shall be recorded and reported to the President for approval.
2. The Workplace Unlawful Infringement Handling Task Force (hereinafter the “Handling Task Force”) shall be chaired by the Vice President; if the chair is unable to attend a meeting for any reason, the chair shall designate one committee member to act as proxy. The remaining members of the Handling Task Force shall include one faculty/staff member and two experts with relevant backgrounds in law, dispute mediation, psychological counseling, security, occupational safety and health, or labor affairs, appointed upon the President’s approval for a two-year term, renewable. Where a vacancy arises during a member’s term, a replacement member shall be appointed, whose term shall run until the end of the original member’s term.

3. A member serving on the Mediation Committee or the Handling Task Force who has an interest in a case shall recuse themselves and request the President to appoint a substitute member.
4. When the Handling Task Force convenes a meeting, at least one-half of all members shall be present, including both of the two professional (expert) members, before the meeting may commence.
5. When the Handling Task Force convenes a meeting to review a case, relevant personnel, special-education professionals, or scholars and experts may be invited to attend and assist with the case, as needed.

Article 5. A reported case of unlawful infringement shall not be accepted under any of the following circumstances:

1. The complaint does not comply with the required format and cannot be corrected upon notice, or the required correction is not made within 14 days after notice.
2. Except where new evidence exists, a complaint is filed again regarding the same matter after it has already been finally reviewed or already withdrawn.
3. A complaint is filed regarding a matter that does not fall within the scope of workplace unlawful infringement.
4. The complaint contains no specific factual content, or does not state the complainant's true name or service unit.
5. The complaint is filed after the University's complaint deadline has expired.
6. The party concerned has already accepted the outcome of mediation and may not file another complaint regarding the same incident.

Article 6. When investigating and handling a case, the following procedures shall be observed:

1. During the investigation, both parties shall be given an opportunity to state their views; if a party or the person against whom the allegation is made is unwilling to appear, the committee shall conduct its review based on the existing relevant evidence.
2. During the investigation, confrontation between the alleged offender and the party concerned shall be avoided.
3. The identities of the parties, the reporting person, relevant witnesses, or persons assisting in the investigation shall be kept confidential during the investigation.

Article 7. The purpose of a complaint is to resolve problems within the University. When the University and the investigating personnel responsible handle a complaint case, they shall conduct the investigation and reporting in an objective, fair, and impartial manner, and shall protect the privacy and rights and interests of the reporting person, except where necessary for the investigation or required by public-interest considerations. In order to avoid causing distress or pressure to committee members, the list of committee members shall not be disclosed.

Article 8. Faculty or staff who, in the course of performing their duties, discover a danger to their body or life and, as a result, stop working and voluntarily evacuate to a safe location shall not be subject to any adverse disciplinary action on that account.

Article 9. The offender shall not retaliate against the complainant. If the relationship between the offender and the victim has deteriorated to the point where they can no longer work together within the same unit, their position or department may, where necessary and upon obtaining the consent of both parties, be appropriately adjusted so as to protect the victim from further harm

from unlawful infringement.

Article 10. Where a workplace unlawful-infringement case has already entered judicial proceedings, the Handling Task Force may resolve to suspend the investigation and review.

Article 11. These Measures shall take effect upon approval at an Administrative Meeting, and the same procedure shall apply to any amendment thereof.

Appendix 1

Yuan Ze University Workplace Unlawful Infringement Incident Flowchart

1. A University worker experiences a suspected workplace unlawful infringement incident.

2. The party concerned or the reporting person completes the “Yuan Ze University Report Form for Suspected Workplace Unlawful Infringement Incidents” and submits it to the ESH Center. (In an emergency, first contact the unit supervisor, the Security Team, the Campus Safety Center, or seek assistance from an outside agency verbally, e.g. by telephone; submit the report form within 14 days.) Note: If the counterparty is the President, the complaint shall be filed directly with the Ministry of Education.

3. Within three working days of receiving the report form, the submitted materials are reported to the President, who appoints committee members to conduct mediation.

4a. [If the parties are unwilling to mediate] The Workplace Unlawful Infringement Handling Task Force is convened (the party concerned or reporting person is notified within 20 days whether the case is accepted). The Handling Task Force (2 experts, 1 faculty/staff member) investigates and clarifies the case, and prepares a review report within two months of receiving the report form. Depending on the case and the investigation results, the matter is referred to the relevant University committee (e.g., the Faculty Evaluation Committee or the Staff Personnel Evaluation Committee) for review, and the review result is submitted to the President for approval.

5a. If still dissatisfied with the review and investigation result, the party may, according to their status, appeal to the University’s Faculty Grievance Review Committee or Staff Grievance Review Committee within that committee’s time limit, or file a complaint with a competent supervisory authority such as a government agency or judicial body.

4b. [If the parties are willing to mediate] The complainant and respondent are notified to appear and provide explanations for committee mediation, and the “Yuan Ze University Mediation Record for Suspected Workplace Unlawful Infringement Incidents” (Appendix 4) is completed.

5b. If either party does not agree to the mediation outcome, the case proceeds to step 4a above (convening of the Handling Task Force). If both parties agree to the mediation outcome, the process proceeds directly to step 6 below.

6. The mediation outcome is recorded and reported to the President for approval, after which both parties are notified in writing, with an explanation of available remedy channels.

7. Case closed. (The results of the disposition and related records shall be retained for at least three years.)

Appendix 2

Yuan Ze University Report Form for Suspected Workplace Unlawful Infringement Incidents

1. Date of Occurrence	
2. Time of Occurrence	
3. Location of Occurrence	
4. Witness(es)	
5. Suspected Victim	
6. Violence Directed At	☐ Faculty/Staff ☐ Person from Outside the University ☐ Other _____
7. Gender of Suspected Offender	☐ Male ☐ Female
8. Name or Distinguishing Features of Suspected Offender	
9. Suspected Offender's Affiliated Unit	
10. Relationship Between the Parties	
11. Type of Unlawful Infringement	☐ Workplace Violence ☐ Workplace Bullying ☐ Sexual Harassment ☐ Employment Discrimination ☐ Stalking and Harassment ☐ Other _____
12. Cause of Occurrence	
13. Detailed Description (please describe the specific words/conduct, frequency, and impact in terms of persons, matters, time, place, and objects involved)	
14. Injury Caused	☐ Yes ☐ No
15. Injured Person(s)	☐ None ☐ Perpetrator ☐ Victim ☐ Other _____
16. Disposition of Suspected Offender	☐ None ☐ Left voluntarily ☐ Arrested by police ☐ Other _____
17. Agreement to Mediation	☐ Agree ☐ Disagree
18. Relevant Evidence	☐ Messages/E-mails ☐ Audio/Video Recordings ☐ Work Records ☐ Medical or Counseling Records ☐ Witnesses ☐ Other: _____
Reporting Person (Signature/Seal) / Affiliated Unit	Date of Report
I confirm that the above information is filled in to the best of my current knowledge, and I consent to the accepting unit's use of this data to the extent necessary for handling this case.	
Reporting Person's Contact Number	Recipient: _____ Date Received: _____ _____

Appendix 3

Yuan Ze University Application for Withdrawal of Suspected Workplace Unlawful Infringement Case

Applicant's Name:	Applicant's Unit:	Date of Original Complaint:
Date of Withdrawal:	Contact Number:	
Reason for Withdrawal:		
☐ I agree that I may not file another complaint regarding the same incident.		
☐ I agree to withdraw this complaint case and request that all investigative actions on this case be terminated. This is hereby declared.		
Signature: _____ Date: ____ Year ____ Month ____ Day ____ Hour		
Attachment(s):		
Received by: _____ Date Received: ____ Year ____ Month ____ Day ____ Hour		

Appendix 4

Yuan Ze University Mediation Record for Suspected Workplace Unlawful Infringement Incidents

Disposition Details	
Date of Acceptance: _____ Time: _____	Mediation/Investigation Time: _____
Personnel Participating in Investigation or Handling: ☐ External Personnel (please specify, e.g. police) ☐ Internal Personnel (please specify, e.g. security, HR, etc.)	Whether the Injured Party Requires Medical Treatment: ☐ No ☐ Yes Whether the Parties Reached Mediation After the Incident: ☐ No ☐ Yes
Complainant's Account of the Course of Events and Cause of the Unlawful Infringement (please describe; supporting evidence may be provided)	
Respondent's Account of the Course of Events and Cause of the Unlawful Infringement (please describe; supporting evidence may be provided)	
Witness's Account of the Course of Events and Cause of the Unlawful Infringement (please describe; supporting evidence may be provided)	
Mediation Outcome (please describe; supporting evidence may be provided)	
Whether the Outcome Was Explained to the Complainant: ☐ No ☐ Yes (please indicate the date)	
Future Improvement Measures:	

Mediation Record Content
Mediation Content:
Mediation Outcome:
* If mediation is reached and agreed upon by both parties, this mediation record shall be deemed a settlement agreement between the parties.
Handled by: _____ Complainant's Signature: _____ Respondent's Signature: _____ Date/Time: _____