

Guidelines for Prevention, Filing of Complaints, and Punishment for Workplace Bullying

Promulgated on December 18, 2024

1. These Guidelines are enacted to establish a healthy and friendly workplace environment and to prevent Academia Sinica (hereinafter referred to as "AS") personnel from suffering physical or mental harm due to unlawful actions by others while performing their duties.
2. The handling of prevention, filing of complaints, and punishment for workplace bullying within AS shall be conducted in accordance with these Guidelines, unless otherwise stipulated by law.
3. These Guidelines apply to research staff, research specialists, administrative and technical staff, contract-based employees, security officers, technicians, workers, drivers, scholarship students, part-time workers, and other personnel working at AS.
4. Workplace bullying, as referred to in these Guidelines, is behaviors occurring in the workplace or during the performance of duties, involving the misuse of power or unfair punishment, resulting in continuous offenses, threats, neglect, isolation, or insults. Such behavior causes the victim to feel frustrated, threatened, humiliated, isolated, or hurt, thereby undermining their confidence and imposing significant physical and mental stress.
5. AS shall establish a helpline and email address for workplace bullying complaints and publicly display related information on its website or other channels to enhance awareness and advocacy for bullying prevention.
6. AS shall set up a Workplace Bullying Complaint Handling Committee (hereinafter referred to as the "Committee") to address workplace bullying complaints.

The Committee shall have one convener, appointed by the AS President from among the vice presidents, who shall also serve as the chairperson of the meetings. If the convener is unable to preside over a meeting for any reason, they may designate a committee member to act on their behalf. The Committee shall consist of 7 to 15 members, appointed by the President from among AS personnel and external experts and scholars.

Members must attend meetings in person and may not delegate their responsibilities. At least one-third of the committee members must be of each gender, and at least one-third of the members must come from outside of AS.

Committee members serve a two-year term, extendable after completion. If a vacancy occurs during the term, the AS President shall appoint a replacement.

Committee meetings require the attendance of more than half of all committee members to proceed. Resolutions must be approved by a majority of the members present. In the event of a tie, the chairperson shall have the deciding vote.

7. Complaints regarding workplace bullying incidents must be submitted by the victim themselves or their authorized representative in writing, via email, or orally within one year from the date the incident occurred. If the workplace bullying is ongoing, the timeline starts from the most recent incident.

For oral complaints, the receiving personnel or unit must create a record. After the complainant confirms the accuracy of its content, they must sign or stamp the record

The written, email, or oral records mentioned above must include the following details:

- (1) The complainant's name, work unit, job title, identification document number, residence, contact phone number, and the date of the complaint.
- (2) For representatives, an authorization letter must be attached, specifying their name, identification document number, residence, and contact phone number.
- (3) The details of the incident(s) upon which the complaint is based and any related evidence.

If the written complaint, email, or oral record does not meet the above requirements but can be corrected, the complainant must be notified to make corrections within seven days.

The complainant may withdraw the complaint before a resolution is made. Once withdrawn, the same matter cannot be resubmitted for future consideration.

8. Complaints will not be accepted under the following circumstances:

- (1) The complaint is submitted past the deadline.
- (2) Corrections were requested but not completed within the specified time.
- (3) The complainant is not the victim of the workplace bullying incident or their authorized representative.
- (4) The same matter has already been resolved, closed, or withdrawn by the complainant.
- (5) The matter does not qualify as a workplace bullying incident.
- (6) The complaint lacks specific facts or was submitted anonymously without providing a work unit.

9. The procedure for handling complaint cases is as follows:

- (1) Within three working days of receiving a complaint case, the convener must decide whether to accept it. If the case is not accepted, the complainant must be notified in writing, and the matter must be submitted to the Committee for record.
- (2) Once a case is accepted, a sub-committee of at least three members must be formed. The team should include individuals with legal or mental health expertise. The gender ratio of team members should not fall below one-third of either gender, and external experts or scholars must constitute at least half of the team.
- (3) During the investigation, the personal information, privacy, and other personal rights of the parties involved (complainant and respondent) must be protected. All parties must be given sufficient opportunity to express their views and defend themselves. Repeated questioning should be avoided once statements are clear and further inquiry is unnecessary. If there is a supervisory or subordinate relationship between the parties or related individuals, direct confrontation should be avoided unless both parties give their consent.

- (4) During the investigation, related individuals or other appropriate persons, experts, or scholars who can contribute to clarifying the facts may be invited to attend and provide explanations. A record must be made of such proceedings. Upon completion of the investigation, a report must be prepared.
- (5) The Committee must deliberate on the case and make a specific decision of "established" or "not established." For established cases, the decision must include reasons and recommend appropriate punishments or other measures based on the severity of the situation, which will be forwarded to the responsible unit for further handling. For cases deemed "not established," the Committee may suggest necessary actions based on the actual circumstances.
- (6) A decision on a case must be made within one month from the day after it is accepted. If necessary, this period may be extended by one month, with written notice provided to the parties involved. For cases requiring corrections, the timeline starts from the day after the corrections are completed.
- (7) If the parties involved are dissatisfied with the decision on the complaint, they may seek remedies in accordance with applicable laws and regulations.
10. The recusal of personnel involved in handling, investigating, and deliberating workplace bullying complaints shall be conducted in accordance with Articles 32 and 33 of the Administrative Procedure Act.
11. AS shall diligently track, assess, and supervise workplace bullying cases to ensure the effective implementation of complaint decisions and to prevent the recurrence of similar incidents or retaliatory actions.
12. If the parties involved require counseling or medical services, they may be referred to the Institute's Care Center or other external medical institutions, and their subsequent situations will be appropriately monitored.
13. Committee expenses should be covered by the relevant AS budget items.

For non-AS personnel who draft investigation reports, a drafting fee may be provided. Attendance fees may also be issued for participation in meetings.