



美時化學製藥股份有限公司
Lotus Pharmaceutical Co., Ltd.

工作場所性騷擾防治措施及懲戒辦法
**Prevention, Correction, Grievance and
Punishment of Sexual Harassment at Workplace**

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一、目的 Objective

依據「性別平等工作法」及「工作場所性騷擾防治措施準則」，為維護本公司員工在工作場所免於性騷擾，特訂定本辦法。

This policy is established based on “Gender Equality in Employment Act” and “Amendments to the Regulations for Establishing Measures on Prevention of Sexual Harassment in the Workplace”, to protect employees from sexual harassment and gender discrimination.

二、適用範圍 Scope

凡隸屬台灣美時化學製藥之員工，包括約聘人員、派遣人員及求職者，悉依本準則之規定辦理。(以下簡稱公司)。

Employees of Lotus Taiwan, including contractors, dispatched workers and candidates, are subject to the regulations set out by this policy. (Hereafter the Company in brief)

三、本辦法所稱性騷擾，係指下列行為 Definition of Sexual Harassment

- 3.1 員工於執行職務時，任何人以性要求、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。

In the course of an employee executing his or her duties, anyone makes a sexual request, uses verbal or physical conduct of a sexual nature or with an intent of gender discrimination, causes him or her a hostile, intimidating and offensive work environment leading to infringe on or interfere with his or her personal dignity, physical liberty or affects his or her job performance.

- 3.2 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。

Making explicitly or implicitly a sexual request toward an employee or an applicant, uses verbal or physical conduct of a sexual nature or with an intent of gender discrimination as an exchange for the establishment, continuance, modification of a labor contract or as a condition to his or her placement, assignment, compensation, evaluation, promotion, demotion, award, and discipline.

- 3.3 前述性騷擾之認定，應就個案審酌事件發生之背景、工作環境、當事人之關係、行為人之言詞、行為及相對人之認知等具體事實為之。

The determination of sexual harassment in the aforementioned Paragraph shall be based on the background of the incident, work environment, relationship between the parties, the actor’s testimony and conduct, and the counterpart’s perception.

四、性騷擾防治聲明

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- 4.1 部門或直屬主管不得利用工作上之權力、機會或方法，對員工或求職者性騷擾，亦不得縱容他人對員工或求職者性騷擾。

It is forbidden that a supervisor sexually harasses an employee or an applicant by taking advantage of the power, opportunities, and approaches of his or her position.

- 4.2 員工不得於工作場所對同仁性騷擾，亦不得於同仁執行職務時對其性騷擾。

It is forbidden that an employee sexually harasses another employee at workplace or during an employee executing his or her duties.

- 4.3 工作場所有以上性騷擾之情形時，部門或直屬主管應予勸阻或為其他適當之處置；未予勸阻或為其他適當之處置者，以縱容論。

The supervisor shall prevent employees from sexual harassment at workplace. It is not allowed that the supervisor connives such sexual harassment at workplace.

- 4.4 若有員工於執行職務時，於非公司所能支配、管理之工作場所遭受性騷擾，依本辦法提出申訴，公司將偕同該工作場所之管理者進行調查或採取其他必要途徑，協助保護員工的人身安全及權益。

In case an employee files sexual harassment complaint at a workplace not being directed and managed by the Company while executing his or her duties, the Company will involve the concerned employer to work on the complaint or will take necessary measures to protect the employee.

五、本公司於知悉性騷擾之情形時，將採取下列立即有效之糾正及補救措施

In the event of the company's awareness of instances of sexual harassment, it shall enact the following immediate and efficacious corrective and remedial measures as prescribed.

- 5.1 因接獲被害人申訴而知悉性騷擾之情形時：

Upon receiving a complaint from the victim and becoming aware of instances of sexual harassment:

- 5.1.1 考量申訴人意願，採取適當之隔離措施，避免申訴人受性騷擾情形再度發生，並不得對申訴人之薪資等勞動條件作不利之變更。

Taking into account the complainant's wishes, appropriate isolation measures shall be implemented to prevent recurrence of the harassment, and no adverse changes shall be made to the complainant's employment conditions, such as salary.

- 5.1.2 對申訴人提供或轉介諮詢、醫療或心理諮商、社會福利資源及其他必要之服務。

Providing or referring the complainant to counseling, medical or psychological services, social welfare resources, and other necessary support.

- 5.1.3 啟動調查程序，對性騷擾事件之相關人員進行訪談或適當之調查程序。

Initiating an investigation procedure, conducting interviews with relevant

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individuals involved in the sexual harassment incident, or conducting appropriate investigative procedures.

- 5.1.4 被申訴人具權勢地位，且情節重大，於進行調查期間有先行停止或調整職務之必要時，得暫時停止或調整被申訴人之職務；經調查未認定為性騷擾者，停止職務期間之薪資，應予補發。

In cases where the accused holds a position of power and the circumstances are serious, if it is deemed necessary to suspend or adjust the duties of the accused during the investigation, the duties of the accused may be temporarily suspended or adjusted; if the accused is not found guilty of harassment after the investigation, any withheld salary during the suspension period shall be reimbursed.

- 5.1.5 性騷擾行為經查證屬實，將視情節輕重對行為人為適當之懲戒或處理。情節重大者，本公司得依性別平等工作法第十三條之一第二項規定，不經預告終止勞動契約。

If sexual harassment behavior is confirmed, appropriate disciplinary action or handling shall be taken against the perpetrator based on the severity of the offense. In cases of serious misconduct, the company may, in accordance with Article 13-1, Paragraph 2 of the Gender Equality in Employment Act, terminate the employment contract without prior notice.

- 5.1.6 如經證實有惡意虛構之事實者，亦對申訴人為適當之懲戒或處理。

If malicious fabrication of facts is proven, appropriate disciplinary action or handling shall also be taken against the complainant.

- 5.2 非因前款情形而知悉性騷擾事件時：

In the event of becoming aware of a sexual harassment incident not covered in the preceding clause:

- 5.2.1 訪談相關人員，就相關事實進行必要之釐清及查證。

Conducting necessary clarification and verification of relevant facts by interviewing relevant individuals.


- 5.2.2 告知被害人得主張之權益及各種救濟途徑，並依其意願協助其提起申訴。

Informing the victim of their rights and various avenues for redress, and assisting them in filing a complaint according to their wishes.

- 5.2.3 對相關人員適度調整工作內容或工作場所。

Making appropriate adjustments to the job duties or workplace of relevant individuals.

- 5.2.4 依被害人意願，提供或轉介諮詢、醫療或心理諮商處理、社會福利資源及其

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他必要之服務。

Providing or referring counseling, medical or psychological treatment, social welfare resources, and other necessary services according to the victim's wishes.

5.3 本公司因接獲被害人陳述而知悉性騷擾事件，惟被害人無提起申訴意願者，本公司仍將依 5.2 規定，採取立即有效之糾正及補救措施

If the company becomes aware of a sexual harassment incident through the statement of the victim, but the victim does not wish to file a complaint, the company shall still take immediate and effective corrective and remedial measures as stipulated in Section 5.2

六、性騷擾之被申訴人如非為本公司員工，或申訴人如為派遣勞工或求職者，本公司仍將依本辦法相關規定辦理，並採取第五條所定立即有效之糾正及補救措施。

If the accused of sexual harassment is not an employee of the company, or if the complainant is a dispatched worker or a candidate, the company shall still handle the matter according to the relevant provisions of these regulations and adopt the immediate and effective corrective and remedial measures as specified in Article 5.

6.1 被害人及行為人分屬不同事業單位，且具共同作業或業務往來關係者，本公司於知悉性騷擾之情形時，將依下列規定採取前條所定立即有效之糾正及補救措施：

If the victim and the perpetrator belong to different business units, and have a common operational or business relationship, when the company becomes aware of instances of sexual harassment, it shall take the following measures in accordance with the preceding clause:

6.1.1 以書面、傳真、口頭或其他電子資料傳輸方式，通知他方雇主共同協商解決或補救辦法。

Notifying the other party's employer in paper, via fax, verbally, or through other electronic means, to jointly discuss solutions or remedial measures.

6.1.2 保護當事人之隱私及其他人格法益。

Protecting the privacy and other personal rights of the parties involved.

七、申訴提出流程 Complaint filing process


性騷擾事件之申訴，受害人或其委託代理人應自事實發生之日起，依公司之申訴管道提出申訴。

The employee or the agent shall file the complaint from the day of the fact happened according to the Company's policy.

7.1 申訴管道 Complaint channel

公司致力提供一個尊重的工作環境，不容許任何在工作場所的性騷擾情事發生；員工於工作場所遇有性騷擾時，可向人力資源部門申訴。

The Company dedicates to provide a respect environment. It is not allowed any sexual

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harassment happened at our workplace. Human Resources unit will be available for your complaint in case of sexual harassment concern.

專用電話 Dedicated line: [0976-717933](tel:0976-717933)

專用信箱 Dedicated email: MyHR@lotuspharm.com

7.2 提出申訴 Filing a complaint

性騷擾之申訴應以書面為之。必要時得以口頭、電話、傳真、電子郵件等方式提出；若有申訴資訊不足或不符規定之情形時，人力資源單位應於接獲申訴 7 天內通知申請人於收到通知後 15 日內以書面補正。

The complaint of sexual harassment shall be filed in writing. If a complaint filing is lack of required information or not complies with the policy, in 7 days upon receipt of the complaint, Human Resources Unit shall inform the complainant to provide and correct within fifteen days.

上述書面應載明下列事項，並由受害當事人簽名：

The above-mentioned written form shall be signed by the complainant and shall contain the following items:

7.2.1 受害當事人之姓名、服務單位及職稱、住居所、聯絡電話、申訴日期。

Name, service unit and position title, address, or residence, contact telephone number of the complainant and the date of filing the complaint.

7.2.2 有委託代理人者，應檢附書面委託，並載明其姓名、住居所、聯絡電話。

If he/she has an agent, a written commission shall be forwarded and the name, address or residence and contact telephone number of the agent shall be listed.

7.2.3 申訴之事實及內容、事實發生時間、相關事證或人證。

Time, facts, contents, and relevant proof if there is of the complaint.

7.2.4 請求事項。

Requested items.

7.3 不予受理之情形 Dismissing a complaint

申訴案件有下列各款情形之一者，不予受理：

The complaint will be dismissed for following cases:

6.3.1 以口頭、電話、傳真、電子郵件等方式提出申訴，逾期未以書面補正者。

The complaint is filed verbally or through phone, fax or e-mail, but a written form is not completed in required timeline.

6.3.2 申訴人非性騷擾事件之受害人或其委託代理人者。

The complaint which is not filed by the interested party or his or her agent.

6.3.3 同一事由經申訴委員會決議確定或已撤回後，再提起申訴者。

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The complaint for the same incident which the decision is made or rejected.

6.3.4 無具體之事實內容或未具真實姓名者。

No concrete fact and content or real name not shown.

7.4 撤回申訴 Withdraw a complain

申訴人於性騷擾申訴處理委員會做出決議前，得以書面撤回其申訴；其經撤回者，不得就同一事由再為申訴。

The complaint can be withdrawn in written request before the decision made by the sexual harassment complaint handling committee. Once the complaint is withdrawn, it cannot be filed again for the same incident.

八、申訴處理 Handling a Complaint

性騷擾之申訴依「AD-0033 員工申訴管理辦法」之申訴程序辦理。

The complaint of sexual harassment will be handled based on “AD-0033 Employee Complaint Management Policy”.

8.1 審理性騷擾申訴之委員會應考量成員性別比例，其中應有具備性別意識之專業人士，且女性成員不得低於二分之一之比例。

The committee responsible for adjudicating sexual harassment complaints shall consider gender balance among its members, ensuring the presence of professionals with gender awareness, with female members constituting no less than half of the total committee members.

8.2 調查成員及相關人等對調查過程與相關資料均應保密，不得擅自對外洩漏。對於無法保密者，將依情節輕重予以懲處。

In the process of conducting investigation, the right of privacy and other legal rights of the parties involved shall be protected and respected. Punishment will be made for violation in accordance with seriousness of the case.

8.3 處理決議 Concluded Decision

8.3.1 申訴案件應自受理之次日起二個月內作成決議結案。必要時得延長一個月，延長以一次為限，並以書面通知當事人。

A complaint shall be decided and close in two months after the filing is accepted. The process may be extended for one more month when it is necessary. Both parties must be informed regarding the extension.

8.3.2 如確有性騷擾之事實，委員會得依情節輕重對此申訴案提出適當之懲戒或處理建議，或依勞動基準法第十二條予以解雇，呈公司最高經營主管或其代理人核可。調查報告及裁決建議事項應以書面通知人力資源部門主管、申訴人、被申訴人，以及必要時通知其單位主管，並移請相關單位依規定辦理。

For the fact of sexual harassment, the committee will make appropriate disciplinary

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decision to the party in accordance with seriousness of the case or terminate the employment referring to Clause 12 of Labor Standards Act. The decision will be reported to Top Management or his/her deputy for grant. The committee shall inform investigation report and disciplinary decision in written form to Human Resources Head, the complainant, the respondent and if necessary, to his/her manager, to take disciplinary actions.

- 8.3.3 申訴人及被申訴人對處理決議有異議者，得於收到書面通知次日起二十日內，以書面提出申覆。經結案後，不得就同一事由再提出申訴。

The complainant or the respondent of the complaint may file a written appeal within 20 days from the date of receiving the decision if either party is not satisfied with the decision. Once the case aforesaid is closed, neither party may file a complaint for the same incident.

- 8.3.4 申訴案件如有涉及刑責，公司將其移送司法機關。已進入司法程序之性騷擾案件，委員會得暫緩調查及決議。

The Company may transfer the investigation to judicial authorities in case of criminal responsibilities. For incident handled by judicial authorities, the committee may suspend the investigation and decision.

- 8.3.5 性騷擾行為經調查屬實，本公司將視情節輕重，對性騷擾行為人依工作規則等相關規定為適當之懲戒或處理，並按勞動部規定之內容及方式，通知地方主管機關。如涉及刑事責任時，本公司並將協助申訴人提出告訴。本公司依性別平等工作法第二十七條第一項及第二項與性騷擾行為人連帶負損害賠償責任時，於本公司賠償被害人損害後，對於性騷擾行為人，有求償權。

If the investigation confirms the occurrence of sexual harassment, the company will, based on the severity of the offense, apply appropriate disciplinary measures or actions against the perpetrator according to relevant regulations such as the company's work rules. Furthermore, the company will notify the local competent authority in accordance with the content and procedures specified by the Ministry of Labor. If criminal liability is involved, the company will assist the complainant in filing a complaint. Pursuant to Article 27, Paragraphs 1 and 2 of the Gender Equality in Employment Act, when the company incurs joint liability for damages with the perpetrator of sexual harassment, after compensating the victim for damages, the company holds the right to seek compensation from the perpetrator.

- 8.3.6 申訴案件經調查結果，認定有誣告之事實時，委員會亦將對申訴人做出適當之懲戒或處理。

If the fact of false reporting is proved, the committee shall make an appropriate punishment or render other corrective measures to the complainant.

- 8.4 人力資源單位應將申訴案件之處理經過作成書面紀錄，並密封存檔至少三年。

The Company shall file the complaint handling record for at least 3 years in high

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confidentiality classification.

九、其他 Other

- 9.1 公司不得因性騷擾或員工提出申訴，而予以解雇、調職或為其他不利之處置。

The Company shall not terminate, transfer, or take any disciplinary action that is averse to employees who personally file complaints or assist other persons to file complaints.

- 9.2 本公司因申訴人或被害人之請求，委員會將提供至少二次之心理諮商協助。

Upon request from the complainant or victim, the committee shall provide psychological counseling assistance on at least two occasions.

- 9.3 公司將致力防治性騷擾以保護員工免於性騷擾，並提供性騷擾防治之相關訊息與知識，應責各單位主管妥適利用集會、電子郵件或內部文件等各種傳遞訊息之機會與方式，加強對所屬員工有關性騷擾防治措施及申訴管道之宣導。

The company shall endeavor to prevent and combat sexual harassment to protect employees from such behavior. It shall provide relevant information and knowledge on sexual harassment prevention and shall ensure that unit supervisors appropriately utilize opportunities and methods such as meetings, emails, or internal documents to reinforce the dissemination of information regarding sexual harassment prevention measures and complaint channels.

本公司就下列人員，實施防治性騷擾之教育訓練：

The company shall conduct educational training on the prevention of sexual harassment for the following individuals:

- 9.3.1 員工應接受工作場所性騷擾防治之教育訓練。

Employees shall be educated and trained on workplace sexual harassment prevention.

- 9.3.2 擔任主管職務以及參與性騷擾申訴事件之處理、調查及決議人員，每年應定期接受相關教育訓練。


Supervisors and personnel involved in the handling, investigation, and resolution of sexual harassment complaints shall receive regular education and training annually.

- 9.4 員工於非本公司所能支配、管理之工作場所工作者，本公司應為工作環境性騷擾風險類型辨識、提供必要防護措施，並事前詳為告知員工。

For employees working in workplaces not under the company's control or management, the company shall identify the types of sexual harassment risks in the work environment, provide necessary protective measures, and inform employees in detail beforehand.

- 9.5 本公司知悉員工間發生適用性騷擾防治法或跟蹤騷擾防制法之性騷擾事件時，將注意其工作場所性騷擾風險，適時預防及提供相關協助措施。

Upon becoming aware of incidents of sexual harassment among employees falling under the scope of the Sexual Harassment Prevention Act or the Prevention of Stalking Acts, the company shall pay attention to the risk of workplace sexual harassment and provide timely

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prevention and assistance measures.

9.6 性騷擾之被申訴人為本公司最高負責人時，本公司員工、派遣勞工或求職者除可依本公司內部管道申訴外，亦得依性別平等工作法第三十二條之一第一項第一款規定，逕向地方主管機關提起申訴。

In cases where the accused of sexual harassment is the highest-ranking official in the company, employees, dispatched workers, or candidates may file complaints through the company's internal channels or directly to the local competent authority in accordance with Article 32-1, Paragraph 1, Subsection 1 of the Gender Equality in Employment Act.

十、為因應管理需求，本辦法之內容日後若有調整，在未及改版前，依新版的政府機關頒布發令為準。

To meet management requirements, if there are any adjustments to the content of these regulations in the future, the provisions of the regulations shall be based on the company's announcements until the revised version is officially released.

十一、 實施與修改 Implementation and revision

本辦法經核准後公佈實施，修改時亦同。

These Policy will be implemented after approval and promulgation. The same shall apply to the revisions thereof.