

TKU Regulations for Prevention of Sexual Harassment at the Workplace

TKU Regulation No. 1030006469 (07/02/2014)

Article 1

In order to provide employees (including appointed personnel) and individuals seeking employment with an environment consisting of gender equality and the prevention of sexual harassment, TKU has taken appropriate measures to protect personal rights and privacy while disciplining violators of these rights in accordance with the “Act of Gender Equality in Employment,” “Sexual Harassment Prevention Act,” “Regulations for Establishing Measures of Prevention, Correction, Complaint and Punishment of Sexual Harassment at the Workplace,” “Regulations of Sexual Harassment Prevention” and all related regulations, the school has enacted the “TKU Regulations for Prevention of Sexual Harassment at the Workplace” (hereafter referred to as these regulations).

Article 2

These regulations will be utilized to resolve issues pertaining to all TKU employees involved in sexual harassment cases and will be handled by, but not limited to the overseers of the Gender Equity Education Act.

For the purposes of these regulations sexual harassment refers to that which is described in Article 12 of the “Act of Gender Equality in Employment” or Article 2 of the “Sexual Harassment Prevention Act”.

Article 3

TKU employees must attend a sexual harassment prevention training course as a part of their employment training, with emphasis on sexual harassment prevention and gender equality.

Article 4

TKU will design access to a sexual harassment grievance procedure and methods of prevention. All related information will be publicized by utilizing various forms of media to give employees access to the sexual harassment grievance procedure and methods of prevention.

Article 5

In the event that an employee is accused of sexual harassment, the alleged victim must make an appeal to the university.

The TKU Office of Human Resources shall take the responsibility to coordinate the treatment of the complaints related to these regulations and collect all documents; the office will depute the Gender Equity Education Committee (hereafter referred to as the committee) to resolve the case in accordance with the “Act of Gender Equality in Employment,” “Regulations for Establishing Measures of Prevention, Correction, Complaint and Punishment of Sexual Harassment at the Workplace,” “Sexual Harassment Prevention Act” and all related regulations.

Article 6

When an appeal has been received and verified, it will be processed and the complainant will be notified within 7 days of how the situation will be handled. The complainant's case will undergo investigation by the TKU Gender Equity Education Committee; it is not necessary for a student representative to be present.

Article 7

When the university learns of a case involving sexual harassment, the authorities shall take immediate and effective measures of redress and remedy and they shall pay attention to the following matters:

1. Protect the complainant's and all related person's rights, privacy and personal information.
2. Maintain and modify the safety of all related fields and areas.
3. Instill other prevention and modification measures.

Article 8

All official statements spoken or written by the complainant in regards to the sexual harassment case must be recorded and read back to the complainant to verify there are no mistakes or misunderstandings in the content. Afterwards the complainant will sign or stamp the recorded statement to verify his/her statement.

The signed written appeal should clearly state the following:

1. The complainant's full name, work duties, employment title, place of residence, contact number, and appeal date.
2. In the event of an authorized agent signing for the complainant, all legal documents must be provided including the agent's full name, place of residence, and contact information.
3. All information of the appeal must be correct and accurate.
4. All related obtained information or witnesses can be utilized.

In the case that the complainant or representative's information does not meet the preceding paragraph, the complainant will be notified and has 14 days to make corrections, otherwise the appeal will be declined.

Article 9

TKU will not handle any part of a case involving sexual harassment publically for the protection of the complainant's privacy. All participants involved in a sexual harassment case including handlers, investigators and judicial members or anyone familiar with the details of the case must be sworn to an oath of secrecy. Any employee of TKU who violates this oath of secrecy will be removed from the case and will be dealt with by the appropriate means of disciplinary action.

Article 10

Before any decision is made of the pending case, the complainant or representative have the right to withdraw the appeal. However if the complainant decides to appeal the case again in the future, he/she may not hand in the original appeal form. The complainant or authoritative agent must begin the appeal process again.

Article 11

During the investigation of a case of sexual harassment, TKU must follow these steps:

1. A sexual harassment investigation must protect all persons involved regarding personal affairs, privacy and individual rights.
2. The investigation must be objective, fair and use professional analysis while reviewing the pleas and opinions of all involved parties.
3. In a sexual harassment case the victim and the accused will appear to describe the incident. Experts and experienced persons in this area will be invited for assistance.
4. All persons handling the sexual harassment case must keep secret all of the data involving both the victim and the accused. Only in special circumstances that involve the safety of others will the information be made public.

Article 12

The pending case will be resolved within two months, if necessary a month extension can be granted. After the case has been closed, the same case can not be reopened in the future.

After the Gender Equity Education Committee has finished their investigation of the case, they will suggest the appropriate method of disciplinary action.

In accordance to the above suggestion of the preceding paragraph, the Office of Human Resources will notify the proper authorities of TKU to resolve the case. The victim and the accused will then be given the results and if there is any disagreement with the decision, they will have twenty days to send another written appeal to the Office of Human Resources to review the case again.

The second appeal will be handled in accordance with the MOE's "Regulations on the Prevention of Sexual Assault, Sexual Harassment, and Sexual Bullying on Campus," Article 31 and the complainant will be notified of the result within 30 days.

Article 13

After the appeal's contents have been verified, when TKU considers the office responsible for the disciplinary action, the weight of the circumstances must be taken into account when commencing disciplinary action according to the related regulations against the perpetrator or other necessary punishment.

If the complainant's case is found to be a false allegation after undergoing scrutiny, TKU will according to the related regulations undertake appropriate disciplinary action or disposition.

Article 14

At the end of a sexual harassment case, TKU will carefully inspect all of the details in order to ensure the decided disciplinary action is both just and effective to prevent the same kind of incident from reoccurring in the future.

Article 15

TKU will introduce professionals from guidance and medical organizations for any victims in need of counseling or medical attention.

Article 16

TKU can not suspend or punish any member of the university in any way for putting forth an appeal against another member of the university.

Article 17

This set of regulations will take effect on the date of its publication after being passed in a TKU administrative affairs meeting. The same applies to any later amendments made.