

Advantech Co., Ltd.

Guidelines for Handling Complaint and Punishment of Workplace Sexual Harassment

Amended on 2014/06/27

Amended on 2021/01/01

Amended on 2022/03/30

Article 1

To properly handle complaints concerning sexual harassment filed by employees, job applicants, and dispatched workers and to implement immediate and effective correctional and remedial measures, these Guidelines are hereby established in accordance with Paragraph 1, Article 13 of the Act of Gender Equality in Employment and the Ministry of Labor Regulations for Establishing Measures of Prevention, Correction, Complaint and Punishment of Sexual Harassment at Workplace.

Article 2

Sexual harassment referred to in these Guidelines means the following circumstances: 1. In the course of an employee executing his or her duties, any person (including supervisors of all levels, employees, clients, etc.) makes a sexual request or uses verbal or physical conduct of a sexual nature or with an intent of gender discrimination, creating a hostile, intimidating, and offensive working environment for the employee that leads to infringement on or interference with the employee's personal dignity, physical liberty, or an impact on the employee's job performance; 2. an employer explicitly or implicitly makes a sexual request toward an employee or a job applicant, and 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.

Employees of the Company may file a written complaint to the highest authority of the Human Resource Department in the event of the following situations:

- (1) Being subject to offensive, inappropriate, and unpleasant language and behavior as a result of differences in gender or sexual orientation;
- (2) Receive invitations and promises as compensation in exchange for sexual favors or sexual conduct; and
- (3) Being forced, by means of threats or other inappropriate methods, to engage in sexual activities or sexual conduct.

Article 3

In the event that an employee of the Company files a complaint, the complaint shall be filed in writing, and the written form shall contain the following items:

- (1) Name, department, and position title of the complainant, and the name, department, and position title of the respondent of the complaint;
- (2) Facts and relevant evidence; and
- (3) Time of occurrence and date of filing the complaint.

(4) If the complaint is filed orally, the personnel handling the complaint shall put it into record, and the complainant shall sign or imprint his or her seal on the record.

Article 4

When a filed complaint is accepted for handling, the Human Resource Department shall establish an Investigation Team within three days of receiving the complaint. The Investigation Team shall comprise at least both the supervisor of the respondent of the complaint and the head of the Human Resource Department. The team leader shall be the head of the Human Resource Department receiving the complaint. The Investigation Team shall within ten days inform the involved parties in writing to be present and make statements. The Investigation Team may conduct an investigation on the content of the facts presented. Personnel likely to show bias against or in favor of the case shall recuse him or herself as a member of the Investigation Team.

Article 5

Should the complainant wish to withdraw his or her complaint after the Company has accepted the filed the complaint, the consent of the respondent of the complaint for such withdrawal shall be obtained.

Article 6

The Investigation Team established by the Company shall, in principle, complete the investigation or reach a decision within thirty days of receiving the complaint, which may be extended for at most thirty days, if necessary. A complaint filed by an employee shall be decided in one month after it is filed, and the process may be extended for one more month as needed.

Article 7

The Company shall pay attention to the following items during an investigation:

- (1) Members of the Investigation Team and related parties involved shall keep the investigation process and related information confidential and shall not disclose the information to outsiders;
- (2) Related parties that fail to fulfill their duty of confidentiality causing information disclosure shall be reviewed and handled in accordance with applicable regulations; and
- (3) The respondent of the complaint shall be obligated to cooperate with the investigation.

Article 8

The investigation results and recommended decision provided by the Investigation Team shall be presented to the President of the Company and approved by the supervisors of the department to which the complainant and respondent of the complaint belong.

Article 9

The complainant or the respondent of the complaint may file a written appeal within twenty days from the date of receiving the decision if either party is not satisfied with the decision or resolution. However, once the aforesaid case is closed, neither party may file a complaint for the same incident. If necessary, the Company may establish a committee for handling complaints. The committee shall be jointly formed by labor representatives or persons with expertise in labor affairs appointed by an employer or business entity,

with the number of female members in the committee shall be no less than one-half of the total membership.

Article 10

The Company shall handle the investigation result as follows:

- (1) After any conduct of sexual harassment is investigated and proved to be true, an employer and business entity shall impose appropriate punishment on and take disciplinary actions, including a warning, formal reprimand, and demotion, or dismissal in severe cases, against the respondent of the complaint in accordance with the severity of the incident.
- (2) If following an investigation, the complaint is deemed to be of retaliatory nature or fact of false reporting, the Company shall take disciplinary action, including a warning, formal reprimand, and demotion, or dismissal in severe cases, against the false reporter (i.e., the complainant) in accordance with the severity of the incident.
- (3) The Company shall provide appropriate compensation to the complainant. In a case of sexual harassment that was not serious in nature, the Company shall order the respondent of the complaint to issue an apology or a verbal and written guarantee that a similar conduct will never occur again.

Article 11

After a case of complaint is confirmed to be true and a decision is made, information relating to the investigation and decision letter shall be retained in the personnel file of the respondent of the complaint for two years, and may be removed only if the offense is not recommitted during the retention period.

Information relevant to the investigation shall be destroyed if the Investigation Team is unable to determine whether the complaint constitutes sexual harassment.

Article 12

The Company shall set up channels to handle complaints concerning workplace sexual harassment. The related information shall be openly displayed at a noticeable place in the workplace.

Hotline for filing complaint: 02-77323399 #7295

Email for filing complaint: Ellen.liu@advantech.com.tw

Article 13

These Guidelines, and amendments thereof, shall be implemented and published following approval.