

Category : EHS

執行職務遭受不法侵害預防計畫

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Division : General

Prevention and Management of Unlawful Infringement in the Performance of Duties SOP

Date : 2025/3/25

Version Change Record		
Version	Date	Description of Change
A0	2015/12/31	New Issue
A1	2019/11/31	Based on the Guidelines for Prevention of Unlawful Assault in the Performance of Duties (Second Edition) of the Occupational Safety and Health Administration, Ministry of Labor. We will revise the version in accordance with the characteristics of our industry, work nature and operating environment.
B0	2021/08/26	Based on the current situation of the company, we have added the form and part of this document related to the prevention of workplace violence in the workplace. Content Matching Correction.
B1	2024/09/24	Revised the text in accordance with the third edition of the Ministry of Labor's "Guidelines for Prevention of Unlawful Acts of Violence in the Performance of Duties" and revised the flowchart to conform to the current process. Modify the name of the attachment to conform to the guideline. (E-07-A002- F01) "Survey on the Hazards and Risks of Workplace Violence" to "Survey on the Hazards and Risks of Workplace Assault - Individual Employees(E-07-A002-F04) Workplace Misdemeanor Self-Examination Checklist - Supervisory Level changed to "Workplace Violent Behavior Self-Assessment Checklist - Supervisory Level (E- 07-A002-F06) "Workplace Physical Environment Inspection Record Form for Prevention of Workplace Wrongful Acts of Assault" to "Workplace Environment Inspection Record Form for Prevention of Workplace Wrongful Acts of Assault - Physical Environment". (E- 07-A002-F07) "Workplace Design Checklist for Workplace Violence Prevention" to "Workplace Environment Checklist for Workplace Violence Prevention - Workplace Design" Added (E- 07-A002-F10) Workplace Environment Checklist for Workplace Violence Prevention – Rows Regarding political control measures
B2	2024/11/29	Added 4.7 content to determine the frequency of questionnaire evaluation
B3	2025/03/25	Revised in accordance with the Ministry of Labor's Guidelines for the Prevention and Management of Unlawful Infringement in the Performance of Duties SOP (Fourth Edition).

Review Board				
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執行職務遭受不法侵害預防 計畫

Division : General

Prevention and Management of Unlawful Infringement in the Performance of Duties SOP

Date : 2025/3/2
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版別變更記錄： Version Change Record				
版次 Version	日期 Date	變更內容摘要 Description of Change		
A0	2015/12/31	新發行		
A1	2019/11/31	依據勞動部職業安全衛生署執行職務遭受不法侵害預防指引(第二版)改版，並依本公司之行業特性、工作性質及作業環境進行配合修正。		
B0	2021/08/26	依據公司現況，增列職場不法侵害預防之作業場所等相關表單及部分本文內容配合修正。		
B1	2024/09/24	依勞動部「執行職務遭受不法侵害預防指引」第三版修改內文，並修改流程圖以符合現行流程。配合指引，修改附件名稱 (E-07-A002-F01)「職場暴力危害及風險調查問卷」改為「職場不法侵害危害及風險調查問卷-員工個人」 (E-07-A002-F04)「職場不法侵害行為自我檢視檢核表—主管層級」改為「職場不法侵害行為自主檢核表—主管層級」 (E-07-A002-F06)「職場不法侵害預防之作業場所物理環境檢點紀錄表」改為「職場不法侵害預防之作業場所環境檢點紀錄表-物理環境方面」 (E-07-A002-F07)「職場不法侵害預防之作業場所工作設計檢點紀錄表」改為「職場不法侵害預防之作業場所環境檢點紀錄表-工作場所設計方面」 新增(E-07-A002-F10)職場不法侵害預防之作業場所環境檢點紀錄表-行政管制措施方面		
B2	2024/11/29	新增 4.7 內容，訂定執行問卷評估頻率		
B3	2025/03/25	依據勞動部公告修正「執行職務遭受不法侵害預防指引」(第四版)進行改版		
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1 目的 Purpose :

依據職業安全衛生法之規定，雇主對執行職務因他人行為遭受身體或精神不法侵害之預防，應妥為規劃並採取必要之安全衛生措施，避免於研華場域內從事勞動之所有工作者(含正職、約聘、派遣、承攬、訪客及實習生等)因執行業務，於勞動場所遭受雇主、主管、同事、服務對象或其他第三方之不法侵害行為造成身體或精神傷害。

According to the Occupational Safety and Health Act, employers should properly plan and take necessary safety and health measures to prevent physical or mental injuries caused by actions of others in the performance of their duties, so as to prevent all employees engaged in work at Advantech from being physically or mentally harmed by unlawful acts of employers, supervisors, co-workers, service users or other third parties in the workplace due to the performance of their duties.

2 範圍 Scope :

2.1 適用範圍：於研華場域內從事勞動之所有工作者(含正職、約聘、派遣、承攬、訪客及實習生等)。

Scope of application: All workers who work at Advantech(including full-time, contract, dispatch, contractor, visitor and intern, etc.).

2.2 職場不法侵害形式：

Forms of Workplace Misconduct:

2.2.1 職場暴力 Workplace violence

2.2.2 職場霸凌 Workplace bullying

2.2.3 跟蹤騷擾 Stalking

2.2.4 就業歧視 Employment discrimination

2.2.5 職場性騷擾 Sexual harassment in the workplace

2.3 職場不法侵害來源：

Sources of Workplace Wrongdoing:

2.3.1 內部不法侵害：發生在同事之間，或上司及下屬之間，甚至員工對主管，利用各種優勢所為者。

Internal Wrongdoing: It occurs between coworkers, between

supervisors and subordinates, or even between employees and supervisors who take advantage of various advantages.

2.3.2 外部不法侵害：來自組織外部。包括工作場所出現的陌生人、顧客、客戶。

External Wrongful Assault: comes from outside the organization including strangers, customers, and clients in the workplace.

3 權責區分 Distribution of powers and responsibilities :

3.1 職安衛部門：

Occupational Safety and Health Department

3.1.1 向公司內所有工作者公開宣示公司內禁止工作場所職場不法侵害之書面聲明。

Publicly announce to all workers in the company a written statement prohibiting workplace harassment in the workplace.

3.1.2 負責監督本計畫是否依規定執行。

Responsible for overseeing the program's compliance.

3.2 從事勞工健康服務護理人員(以下簡稱職護)：

Nursing staff working in labor health services

3.2.1 擔任職場不法侵害預防及處置小組成員。

Serve as a member of the Workplace Assault Prevention and Response Team.

3.2.2 關懷受害者心理健康並視需求轉介員工協助方案 (EAP)

Caring for Victims' Mental Health and Referring to Employee Assistance Programs (EAPs) as Needed

3.3 從事勞工健康服務醫師(以下簡稱職醫)：

Physicians practicing in the field of labor health services (hereinafter referred to as occupational physicians)

3.3.1 輔導受害者心理健康並給予輔導，提出相關健康指導、工作調整或更換等身心健康保護措施之適性評估與建議。

Counsel victims on their mental health and provide them with counseling, as well as propose appropriate assessment and recommendations for physical and mental health protection measures, such as health guidance, job adjustment, or replacement.

3.4 單位部門主管：

Head of Unit Department:

3.4.1 指派評估人員負責填寫相關職場不法侵害評估表格。

Assign the assessor the responsibility of completing the relevant Workplace Wrongful Assault Assessment Form.

3.4.2 需依附件二「潛在造成職場不法侵害之行為樣態」自我檢示有無不適當言行，並發揮監督功能，避免部門有不法侵害行為。

It is necessary to self-examine whether there are inappropriate words and deeds according to the behavior patterns that may cause unlawful infringement in the workplace in Annex 2, and play a supervisory function to avoid unlawful infringement by the department.

3.4.3 配合接受相關職場不法侵害預防教育訓練。

To receive training on workplace violence prevention.

3.4.4 負責執行強化工作場所的規劃。

Responsible for implementing enhanced workplace planning.

3.4.5 負責提供所屬工作者必要保護措施。

Responsible for providing the necessary protection for their workers.

3.5 職安衛人員：

Occupational Safety and Health Department member

3.5.1 擔任職場不法侵害預防及處置小組成員。

Serve as a member of the Workplace Assault Prevention and Response Team.

3.5.2 負責強化工作場所的規劃策略。

Responsible for enhancing workplace planning strategies.

3.5.3 負責提供必要之保護措施。

Responsible for providing the necessary protective measures.

3.5.4 負責辦理教育訓練相關課程（如了解職場不法侵害行為或相關知識等）

Responsible for organizing education and training courses (e.g., understanding of workplace violence or related knowledge, etc.)

3.6 人力資源單位人員：

Human resources unit staff

3.6.1 擔任職場不法侵害預防及處置小組成員。

Serve as a member of the Workplace Assault Prevention and Response (disposal) Team.

3.6.2 負責辦理教育訓練或由專業人員擔任相關課程講師（如了解職場不法侵害行為相關法律知識等）。

To be responsible for organizing education and training or to have professionals as instructors of relevant courses (e.g. knowledge of the law relating to workplace assaults, etc.)

3.6.3 負責處置小組決策之人事懲處，如調動職務、績效考核調整等。

Responsible for handling personnel sanctions decided by the team, such as transfer of duties, performance appraisal adjustments.

3.7 法務：

Legal

3.7.1 視情形提供法律諮詢或尋找外部律師協助。

Provide legal advice or seek outside counsel as appropriate.

4 防止執行職務遭受不法侵害預防計畫規劃與實施：

Planning and implementation of a prevention program to prevent unlawful interference with the performance of duties:

4.1 危害辨識及評估

Hazard Identification and Assessment

依據相關法規及職業安全衛生管理系統相關規範等要求，依各事業單位廠區及辦公室區實際風險概況等填寫職場不法侵害預防之危害辨識及風險

評估表(E-07-A002- F02)，以有效執行工作環境或作業危害之辨識、評估及控制，就個人風險因子進行評估。

In accordance with relevant laws and regulations and the Occupational Safety and Health Management System, each business unit completes the Hazard Identification and Risk Assessment Form (E-07-A002-F02) for workplace prevention of unlawful intrusion based on the actual risk profile of each business unit's factory and office area, in order to effectively perform the identification, assessment, and control of workplace or operational hazards, and to evaluate individual risk factors.

4.1.1 評估原則及注意事項：

Evaluation Principles and Points to Note:

4.1.1.1 評估時應考量各部門(單位)之工作特性、環境、人員組成及作業活動等，如風險最大之業務或地點、可能遭受危害之工作流程或人員等，並可依不法侵害來源，區分內部與外部，作為不法侵害危害辨識及風險評估之依據。

When evaluating the risk assessment, we should consider the work characteristics, environment, personnel composition, and operational activities of each department (unit), such as the business or location with the highest risk, the workflow or personnel that may be exposed to hazards, etc. We can also differentiate between internal and external sources of illegal infringement as a basis for identifying the hazards of illegal infringement and assessing the risk.

4.1.1.2 內部：發生於組織內部，常發生在同事之間或上司及下屬之間，也包括資深勞工與新進、年輕或層級屬弱勢地位之勞工間，甚至勞工對主管，利用各種優勢所為者。對於有精神或心理相關疾病史之勞工或具暴力傾向者，宜留意其潛在風險。

Internal: occurs within an organization, often between co-workers or between supervisors and their subordinates, and also between senior workers and newcomers, young workers or workers in a disadvantaged position in the

hierarchy .Laborers who take advantage of their supervisors. Workers with a history of mental or psychological illness or a propensity for violence should be aware of the potential risks.

4.1.1.3 外部：來自組織外部，包括顧客、服務對象、承包商、其他相關人士或陌生人。若勞工工作時持有貴重物品、獨自從事工作、工作性質須與陌生人接觸、工作中須處理不可預期的突發事件，或較容易遭遇陌生人之不法侵害及犯罪行為。

External: From outside the organization, including customers, service recipients, contractors, other related parties or strangers. Workers who are in possession of valuables at work, work alone, have to deal with strangers by nature of their work, have to deal with unforeseen events at work, or are more likely to be subjected to unlawful assaults and criminal acts by strangers.

4.2 作業場所之配置：

Configuration of the workplace:

公司對於風險項目應依消除、取代、工程控制、管理控制及個人防護具等優先順序，並考量現有技術能力及可用資源等因素，採取有效降低風險之控制措施，並透過作業場所適當之配置規劃，降低或消除不法侵害之危害。作業場所配置可透過「物理環境」、「工作場所設計」與「行政管制措施」等面向進行檢點。

The Company shall adopt effective risk reduction control measures for risk items in accordance with the priorities of elimination, substitution, engineering control, management control, and personal protective equipment, taking into account the existing technical capabilities and available resources, and shall reduce or eliminate the hazards of unlawful intrusion through appropriate configuration planning of the workplace. The configuration of the workplace can be examined through the "physical environment", "workplace design" and "administrative control measures".

4.2.1 物理環境：職場的物理外觀是不法侵害的消滅或啟動的關鍵因子。使用

職場不法侵害預防之作業場所環境檢點紀錄表-物理環境方面(E-07-A002-F06)評估噪音(控制於60分貝以下);夜間出入口、停車場及室內外照明;適當溫度、濕度及通風;維護物理結構及設備安全。

Physical Environment: The physical appearance of the workplace is a key factor in minimizing or initiating an assault. Use the Workplace Environment Checklist for Workplace Vandalism Prevention - Physical Environment (E-07-A002-F06) to assess noise (below 60 dB) nighttime entrances and exits, parking lots, and indoor and outdoor lighting; proper temperature, humidity, and ventilation; and maintenance of physical structure and equipment safety.

4.2.2 工作場所設計：使用職場不法侵害預防之作業場所環境檢點紀錄表-工作場所設計方面(E-07-A002-F07)進行點檢，審視不當之工作場所設計可能會成為觸發不法侵害行為或導致該行為升級的因素；包含安全進出職場之通道，儘量減少對外通道分歧；員工停車場應緊臨工作場所；含2個以上出入口之工作空間並減少工作空間可作為武器的銳器或鈍物；監視器及警報系統應定期妥善維護及測試；入口應由保安人員把關等。

Workplace Design: Use the Workplace Environment Inspection Checklist for Workplace Vandalism Prevention - Workplace Design (E-07-A002-F07) to conduct an inspection to review improper workplace design that may be a trigger or escalator of a victimization; include safe access to and from the workplace and minimize the divergence of access points; and have an employee parking lot adjacent to the workplace; Workspaces with more than 2 entrances and exits should minimize the use of sharp or blunt objects that can be used as weapons in the workspace; monitors and alarm systems should be properly maintained and tested on a regular basis; and entrances should be guarded by security personnel.

4.2.3 行政管制措施：使用職場不法侵害預防之作業場所環境檢點紀錄表-行政管制措施方面(E-07-A002-F10)進行點檢，行政與工作實務控制會影響勞工執行職務外，其改善有助於預防不法侵害事件的發生。如門禁管制、公共區域管制、工作區域管制及進出管制等。

Administrative Control Measures: Using the Workplace Environment

Inspection Record Sheet for Workplace Misconduct

Prevention-Administrative Control Measures (E-07-A002-F10) to conduct inspections, administrative and workplace practice controls affect laborers' ability to perform their duties, and improvements can help prevent the occurrence of misdemeanor incidents. Examples include access control, public area control, work area control, and access control.

- 4.3 工作適性安排：為預防職場不法侵害之發生，對於工作適性適當調整人力部分，可「適性配工」與「工作設計」兩個面向進行檢點。

Work Suitability Arrangement: In order to prevent the occurrence of workplace abuse, the appropriate adjustment of manpower for work suitability can be examined from two perspectives, namely, "suitable allocation of labor" and "work design".

- 4.3.1 適性配工：各單位人力配置不足或資格不符，可能因工作負荷無法勝任導致不法侵害事件發生或惡化，使用職場不法侵害預防之作業場所適性配工檢點紀錄表(E-07-A002-F08)檢點高風險或高負荷、夜間工作安排，除參照臨場職醫之適性配工建議外，應考量人力、體力或性別之適任性。

Suitable Labor Assignment: Inadequate or unqualified manpower in each unit may lead to the occurrence or deterioration of unlawful assaults due to the inability to cope with the workload.

Use the Workplace Unlawful Assault Prevention Workplace Suitable Labor Assignment Inspection Record Form (E-07-A002-F08) to inspect the arrangement of high-risk or high-load, nighttime work, and in addition to the recommendation of the Clinical Occupational Physician's Suitable Labor Assignment, the appropriateness of the manpower, physical strength, or gender should also be considered. The following are some examples of the types of work that can be performed at night.

- 4.3.2 工作設計：使用職場不法侵害預防之作業場所工作設計檢點紀錄表(E-07-A002-F09)以瞭解單位部門之工作性質及作業內容差異，定期進行檢

點，預防職場不法侵害之發生。

Job Design: Using the Workplace Design Checklist for Workplace Violence Prevention (E-07-A002-F09) in order to understand the nature of the work and the differences in the contents of the work of the units and departments, and to carry out regular inspections in order to prevent the occurrence of unlawful acts in the workplace.

- 4.4 行為規範之建構：為避免職場內主管或同仁間利用職務上地位及人際關係等優勢，超越業務合理範圍而加諸職場內同仁精神、身體上痛苦，或使其工作環境惡化之行為，分別針對組織及個人層次建構行為規範。

Constructing behavioral norms: To prevent supervisors or colleagues from taking advantage of their positions and interpersonal relationships in the workplace to go beyond the reasonable scope of business to inflict mental or physical pain on colleagues or to deteriorate the work environment, behavioral norms are constructed at both the organizational and individual levels.

- 4.4.1 組織層次：事業單位應明確揭示消除職場不法侵害之方針，包含高階承諾、決策(見附件一)並公告「潛在造成職場不法侵害之行為樣態」(附件二)供所有工作者及主管參考警示及設置諮商平台 EAP 等。

Organizational level: Employers should clearly state their approach to eliminating workplace harassment, including high-level commitments, decisions (see Annex I) and **also announces the behavior patterns that may cause illegal infringement in the workplace for all workers and supervisors to refer to and warn (Annex II)**, and the establishment of a consultation platform.

- 4.4.2 個人層次：

Individual level:

- 4.4.2.1 高階管理階層：應以身作則，發揮典範領導力。

Senior Management: Leadership by Example

- 4.4.2.2 主管階層：應依附件二潛在造成職場不法侵害之行為樣態自我檢示，避免排斥、脅迫、辱罵、歐打等不當或不法對待勞工，自我審視有無不適當言行，發揮指揮監督功能，禁止同仁間有職場

不法侵害之行為。

Supervisors: should be made in accordance with the forms of behaviors that may cause illegal infringement in the workplace in Annex II, avoid exclusion, coercion, abuse, beating and other improper or illegal treatment of workers, and self-examination for inappropriate words and deeds. and exercise command and supervision to prohibit unlawful infringing behaviors in the workplace among colleagues.

4.4.2.3 勞工個人：應認同彼此價值觀之差異，相互接受、尊重。

Individual workers: They should recognize the differences in their values and accept and respect each other.

4.5 危害預防及溝通技巧之訓練：每位工作者應接受職場不法侵害預防之教育訓練，內容應包含申訴、通報管道、不法侵害行為範例，且適時更新教育訓練內容。

Hazard prevention and communication skills training: Every worker should receive education and training on workplace violence prevention, which should include channels for filing complaints and reporting, and the content of the education and training should be updated in a timely manner.

4.6 事件之處理程序：公司應建立職場不法侵害事件通報機制，並讓所有工作者清楚通報事件之程序及方法，以確保組織內發生的不法侵害事件得到控制。

Incident Handling Procedures: The company should establish a notification mechanism for workplace assaults and make all workers aware of the procedures and methods of notification to ensure that any assaults occurring within the organization are under control.

4.6.1 申訴或通報：勞工向雇主或監督與管理者通報任何不法侵害行為，內容宜含事件發生地點、時間、事件發生時之行為、過程、**被申訴人及申訴人**關係等，並於 24 小時內由**申訴人**或目擊者等完成職場不法通報及處置表(E-07-A002-F03)之填寫。

Complaint or Notification: Workers should notify their employer or

supervisors and managers of any unlawful acts, including the place and time of the incident, the behavior at the time of the incident, the process, **the relationship between the respondent and the complainant**, etc., and complete the Workplace Wrongful Acts Notification and Disposal Form (E-07-A002-F03) by the **complainant** or witnesses within 24 hours.

4.6.2 通報處理：申訴或通報處理過程必須確保客觀、公平及公正，落實申訴人、通報者之權益保障及隱私保護；組織或雇主接獲申訴或通報後，應立即指派適當人員調查或處理，並對事件做出回應，若雇主為不法侵害之涉案人，應由客觀、中立之第三方擔任調查人員。調查期間應注意資訊保密，並對申訴內容作完整記錄、簽署及備份

Handling of notification: The process of handling complaints or notifications must ensure objectivity, fairness and impartiality, as well as the protection of the rights and privacy of the complainants and notifiers. Upon receipt of a complaint or notification, the organization or employer should immediately assign an appropriate person to investigate or handle the complaint or notification and respond to the incident, or, in the event that the employer is the one involved in the unlawful infringement, an objective and neutral third party should be used as the investigator. During the investigation, the organization or employer should pay attention to the confidentiality of information, and make a complete record, signature and backup of the content of the complaint.

4.6.2.1 內部事件：組織內部不法侵害事件，應落實保密，**調查小組之成員應至少 3 人，其中外部專業人員至少 2 人(具法律、醫護或心理等相關背景)**，召開調查小組會議時，全體成員應有二分之一以上出席，其中外部專業人員至少有二分之一以上出席，**調查期限應於 2 個月內完成；必要時得延長 1 個月，並應確保被申訴者了解被申訴內容。**

Internal incidents: Confidentiality shall be maintained in the event of illegal infringement within the organization, and the investigation team shall have at least 3 members, including at least 2 external professionals (with legal, medical or psychological backgrounds), and when the investigation team

meeting is convened, more than half of all members shall be present, of which at least more than half of the external professionals shall be present, and the investigation period shall be completed within 2 months; If necessary, it may be extended by one month, and it shall be ensured that the person complained against is aware of the content of the complaint.

4.6.2.2 外部事件：應注意通知啟動警察保全等維安機制之時效。

External events: Attention should be paid to the timeliness of notification of the activation of security mechanisms such as police security.

4.6.3 事後處置：對於**申訴者**應提供立即性、持久性及支持性的安置，如安排諮商、同儕輔導或彈性調整職務內容與工作時間等。若**被申訴人**為公司內部同仁，依懲處程序處理，並讓**申訴人**了解處理情形。後續應保存記錄相關事件處理報告，並檢討事件發生原因，預防類似事件再發生。

Aftercare: Complainant should be provided with immediate, lasting, and supportive care, such as counseling, peer counseling, or flexible adjustments to job content and work hours. If the **respondent** is an internal colleague, the **respondent** should be dealt with in accordance with the disciplinary procedures, and the **complainant** should be made aware of the handling situation. A report on the incident should be kept and the cause of the incident should be reviewed to prevent similar incidents from occurring again.

4.7 成效評估及改善：為持續推動不法侵害之預防工作，應每年使用相關問卷進行一次職場評估，並使用職場不法侵害預防措施查核及評估表 (E-07-A002-F05) 進行檢討及改善記錄，推動之成果宜定期進行績效評估並於職業安全衛生委員會報告，任何報告資料都應保護勞工隱私；所有職場不法侵害預防政策、危害評估、訓練、通報、調查和處置等相關數據及紀錄，需妥善保存 3 年，以供勞動檢查人員檢視。

Evaluation and Improvement: In order to continue to promote the prevention of unlawful infringement, a workplace evaluation should be conducted once a year using the relevant questionnaires, and a

workplace unlawful infringement prevention checklist should be used to evaluate the workplace.(E-07-A002-F05) to review and improve the records, and the results of the promotion should be regularly evaluated and reported to the Occupational Safety and Health Committee, and any reported information should protect the privacy of the workers; all the data and records related to the workplace unlawful infringement prevention policy, hazard assessment, training, notification, investigation, and disposal, etc., should be properly preserved for 3 years for the labor inspectors to review.

5 使用表單

- 5.1 職場不法侵害危害及風險調查問卷-員工個人(E-07-A002- F01)
- 5.2 職場不法侵害預防之危害辨識及風險評估表(E- 07-A002-F02)
- 5.3 疑似職場不法侵害通報及處置表(E-07-A002-F03)
- 5.4 ~~職場不法侵害行為自主檢核表—主管層級 (E-07-A002-F04)~~
- 5.5 職場不法侵害預防措施查核及評估表(E-07-A002-F05)
- 5.6 職場不法侵害預防之作業場所環境檢點紀錄表-物理環境方面(E-07-A002-F06)
- 5.7 職場不法侵害預防之作業場所環境檢點紀錄表-工作場所設計方面(E-07-A002-F07)
- 5.8 職場不法侵害預防之作業場所適性配工檢點紀錄表(E- 07-A002-F08)
- 5.9 職場不法侵害預防之作業場所工作設計檢點紀錄表(E- 07-A002-F09)
- 5.10 職場不法侵害預防之作業場所環境檢點紀錄表-行政管制措施方面(E-07-A002-F10)

6 參考文件

- 6.1 勞動部：執行職務遭受不法侵害預防指引
- 6.2 職業安全衛生法
- 6.3 職業安全衛生法施行細則
- 6.4 職業安全衛生管理辦法
- 6.5 勞工健康保護規則

7 附件

- 附件一 研華股份有限公司預防職場不法侵害書面聲明
- 附件二 潛在造成職場不法侵害之行為樣態
- 附件三 職場不法侵害事件處理流程圖

研華股份有限公司預防職場不法侵害書面聲明

本公司為保障所有**工作者**在執行職務過程中，免於遭受身體或精神不法侵害而致身心理疾病，特以書面加以聲明，絕不容忍任何本公司之管理階層主管有職場不法侵害之行為，亦絕不容忍本公司員工同仁間或顧客、客戶、照顧對象及陌生人對本公司**所有工作者**有職場不法侵害之行為。

一、職場不法侵害的定義：工作人員在與工作相關的環境中（包含通勤）遭受虐待、威脅或攻擊，以致於明顯或隱含地對其安全、福祉或與健康構成挑戰的事件。

二、職場不法侵害行為的樣態：

- (一) 職場暴力
- (二) 職場霸凌
- (三) 性騷擾
- (四) 就業歧視

三、**工作者**遇到職場不法侵害怎麼辦：

- (一) 向同事尋求建議與支持。
- (二) 盡可能以錄音或任何方式記錄加害者行為做為證據。
- (三) 向公司提出申訴。

四、本公司所有員工均有責任協助確保免於職場不法侵害之工作環境，任何人目睹及聽聞職場不法侵害事件發生，都應立即通知本公司人事部門或撥打員工申訴專線，本公司接獲申訴後會採取保密的方式進行調查，若被調查屬實者，將會進行懲處。

五、本公司絕對禁止對申訴者、通報者或協助調查者有任何報復之行為，若有，將會進行懲處。

六、本公司鼓勵同仁均能利用所設置之內部申訴處理機制處理此類糾紛，但如員工需要額外協助本公司亦將盡力協助提供。

七、本公司職場不法侵害諮詢、申訴管道：

申訴專用電子信箱／Violence/Harassment Complaints mailbox
：Workplace.Infringement@advantech.com

潛在造成職場不法侵害之行為樣態

- 一、職場暴力：包括勞工於勞動場所中，受到他人肢體或言語的虐待、威脅或攻擊，並影響其身心健康、安全或福祉之行為，例如攻擊性的語言、恐嚇、罵髒話、毆打、抓傷、拳打、腳踢、被物品丟擲等。
- 二、職場霸凌：包括勞工於執行職務，在勞動場所中，受同仁間或主管及部屬間，藉由職務、權力濫用或不公平對待，所造成持續性的冒犯、威脅、冷落、孤立或侮辱行為，使受害勞工感到受挫、被威脅、羞辱、被孤立及受傷，進而危害其身心健康或安全。

例如：

1. 對同仁吹毛求疵，在小事上挑剔，把微小的錯誤放大、扭曲。
 2. 同仁或主管以各種方式鼓動同事孤立特定勞工、不讓其參與重要事務或社交活動，把其邊緣化，忽視、打壓排擠及冷凍。
 3. 主管在同仁面前對特定勞工咆哮、羞辱、威脅、名譽損毀、嚴重辱罵。
 4. 主管總是批評並拒絕看見同仁的貢獻或努力，也持續地否定同仁的存在與價值。
 5. 主管不准同仁請假或接受必要的訓練，導致其工作績效不佳。
 6. 主管給特定勞工過重的工作，或要其大材小用去做無聊的瑣事，甚至完全不給其任何事做。
 7. 主管給予同仁不實際的工作目標，或當其正努力朝向目標時，卻給同仁其他任務，以阻礙其前進。
- 三、性騷擾：指勞工於執行職務時，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；或雇主對勞工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，例如批評胸部大小或觸摸臀部，使勞工感覺被冒犯（性別平等工作法）。
 - 四、就業歧視：指雇主以勞工「與執行該項特定工作無關之性質」決定其勞動條件，且雇主在該項特質上的要求有不公平或不合理之情事，例如年齡歧視、性別歧視、性傾向歧視、容貌歧視、婚姻歧視或身心障礙歧視等（就業服務法）。

Advantech Written Statement on Prevention of Workplace Misconduct

The Company is committed to protecting all **worker** from physical or mental harm resulting in physical or mental injury in the course of their duties.

We hereby declare in writing that we will not tolerate any workplace harassment by any of our management or supervisors, nor will we tolerate any workplace harassment of **workers** by fellow employees or by customers, clients, caregivers or strangers.

1. Definition of Workplace Wrongful Assault: An incident in which a workforce member is abused, threatened, or assaulted in a work-related environment (including commuting) In a way that presents an obvious or implied challenge to his or her safety, well-being, or health.
2. The pattern of wrongful acts in the workplace:
 - (i) **Workplace violence**
 - (ii) **Workplace bullying**
 - (iii) **Sexual harassment**
 - (iv) **Employment discrimination**
3. What should **workers** do if they are victimized in the workplace?
 - (i) Seek advice and support from colleagues.
 - (ii) Recording the victimizer's behavior by audio or any other means as evidence as far as possible.
 - (iii) To lodge a complaint with the Company.
4. All employees of the Company have the responsibility to help ensure that the work environment is free from workplace harassment. Anyone who witnesses or hears of workplace harassment should immediately notify the Company's human resources department or call the Employee Grievance Hotline, and upon receipt of the complaint, the Company will investigate the complaint confidentially, and will penalize those who have been investigated.
5. The Company absolutely prohibits any retaliatory behavior towards complainants, informants or those who assisted in the investigation, and will

penalize them if they do so.

6. The Company encourages all employees to make use of the internal complaint handling mechanism to handle such disputes, but if employees need additional assistance, the Company will also try its best to assist in providing such assistance.

7. Consultation and complaint channels for the Company's workplace illegal infringement:

Complaints Specialized Electronic Mailbox/Violence/Harassment Complaints mailbox :Workplace.Infringement@advantech.com

Behaviors that may cause unlawful infringement in the workplace

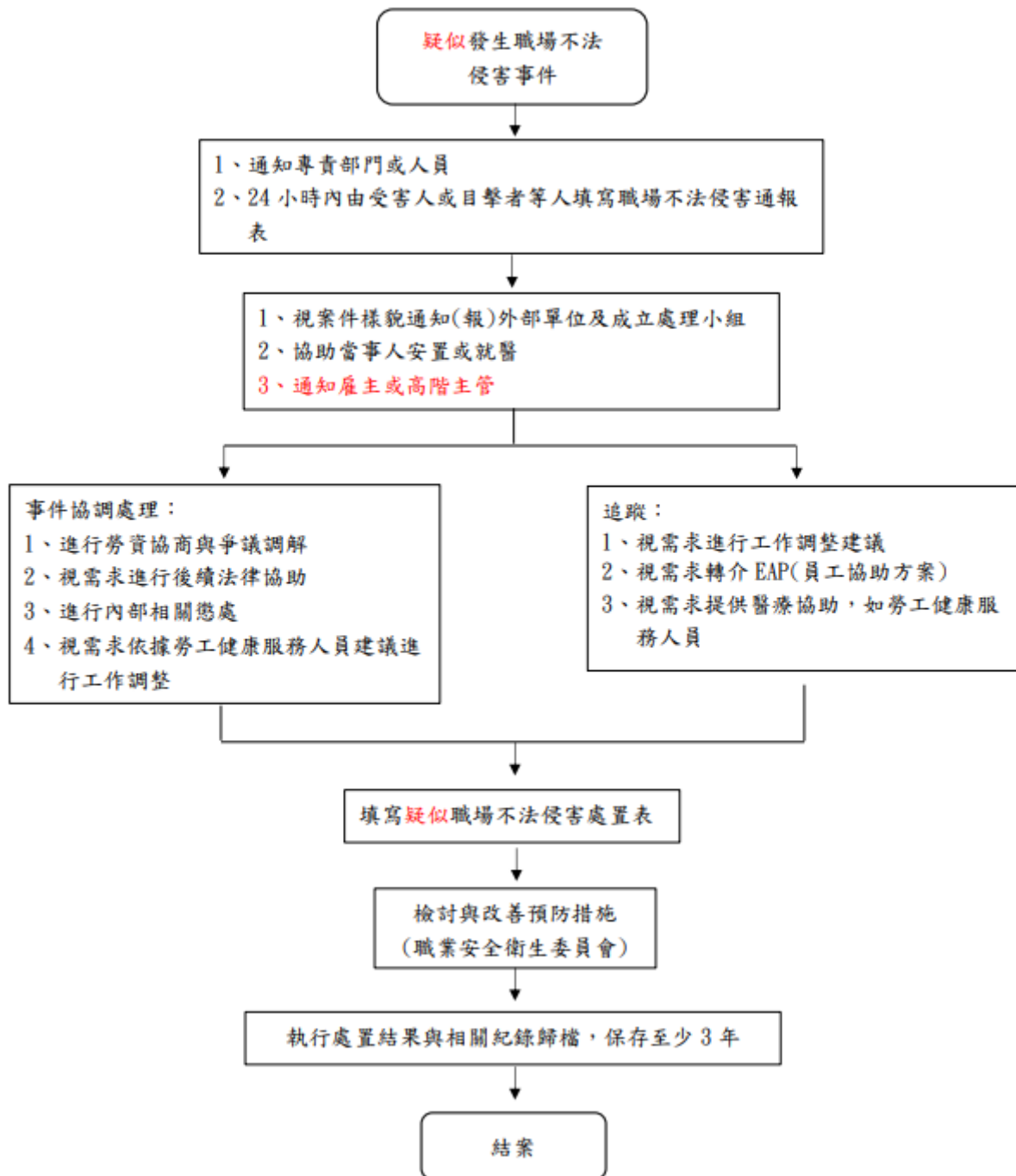
1. Workplace violence: refers to physical or verbal abuse, threats or attacks by others in the workplace, which affects the physical and mental health, safety or well-being of workers, such as offensive language, intimidation, swearing, beating, scratching, punching, kicking, throwing objects, etc
2. Workplace bullying: It includes persistent offense, threats, neglect, isolation or insults caused by a worker in the performance of his or her duties, by a colleague or between a supervisor and his subordinates through abuse or unfair treatment of his or her position or power, causing the victim worker to feel frustrated, threatened, humiliated, isolated and injured, thereby endangering his physical and mental health or safety.

For example:

- (i) Nitpicking with colleagues, being picky about small things, magnifying and distorting small mistakes.
- (ii) Colleagues or supervisors encourage colleagues to isolate specific workers, prevent them from participating in important affairs or social activities, marginalize them, ignore, suppress and exclude them in various ways.
- (iii) The supervisor shouts, humiliates, threatens, defamation, and seriously abuses specific workers in front of colleagues.
- (iv) The supervisor always criticizes and refuses to see the contribution or efforts of colleagues, and also continuously denies the existence and value of colleagues.
- (v) The supervisor does not allow colleagues to ask for leave or receive necessary training, resulting in poor work performance.
- (vi) The supervisor gives a specific worker too much work, or asks him to do boring chores, or even does not give him anything at all.
- (vii) The supervisor gives the employee unrealistic work goals, or when he is trying to move towards the goal, he gives the colleagues other tasks to hinder his progress.

3. Sexual harassment: refers to any person who creates a hostile, coercive or offensive working environment for a worker in the performance of his or her duties by means of sexually demanding, sexually explicit or discriminatory words or behaviors, thereby violating or interfering with his or her personal dignity and personal freedom or affecting his or her work performance; or the employer's explicit or implicit sexual demands, sexual connotations, or sexist discrimination against the worker, in exchange for the establishment, existence, alteration or distribution, allocation, remuneration, performance appraisal, relocation, demotion, reward and punishment of the worker, such as criticizing the size of the chest or touching the buttocks, making the worker feel offended (Act of Gender Equality in Employment).
4. Employment discrimination: refers to the fact that the employer's working conditions are determined by the nature of the worker "unrelated to the performance of the specific job", and the employer's requirements for this characteristic are unfair or unreasonable, such as age discrimination, gender discrimination, sexual orientation discrimination, appearance discrimination, marital discrimination, or disability discrimination (Employment Services Act).

職場不法侵害事件處理流程圖



Flow chart for handling workplace wrongful infringements

