

Regulations for Handling Complaints Concerning Gender Equality in Employment

Amended Date 2008.07.10

Article 1 These measures are enacted pursuant to Paragraph 2 to Article 34 of the Gender Equality in Employment Act (hereinafter referred to as the Act).

Article 2 When an employee or an applicant file a complaint to a local competent authority, pursuant to Article 34 of the Act, the Committee on Gender Equality in Employment of the local competent authority shall examine the complaint in accordance with these regulations. When an employer, an employee or an applicant is not satisfied with the decision made by the local competent authority, he (or she) may file an administrative appeal directly, or file a complaint to the Committee on Gender Equality in Employment of the Council of Labor Affairs of the Executive Yuan in written form within ten days after the decision is rendered. If the said period has expired, his (or her) complaint will not be accepted. The written form referred to in the preceding paragraph shall contain the following items and signed or sealed by the applicant or his (or her) agent:

(1) Name of the applicant, his (or her) address or residence, contact telephone number and I.D. number. If the applicant is a juristic person or other group with an administrator or a representative, its name, office or business office, name, address or residence, contact telephone number and I.D. number of the administrator and representative.

(2) Name, address or residence, I.D. number of the legal representative and agent of the applicant.

(3) Subject-matters, facts and reasons of the complaint.

(4) Authority which makes the decision and the name of its head.

(5) Year/month/day.

Article 3 When an applicant files a complaint to the committee on gender equality in employment of a competent authority for examination, he (or she) may withdraw the application before the delivery of the decision. When an application for examination is withdrawn, the applicant may not file another complaint on the same case.

Article 4 If an application for examination is not in standard form or pattern, the

competent authority shall inform the applicant to supply and correct within fifteen days after the receipt of the notice. If the supplement and correction cannot be completed within the prescribed period, the application shall not be processed.

Article 5 The committee on gender Equality in employment of the central competent authority shall deliver the photocopied or duplicated copy of the application for examination to the local competent authority. The local competent authority shall respond and explain within seven days after the receipt of the official documents and forward related documents and materials to the central competent authority.

Article 6 When the committees on gender equality in employment of the central and local competent authorities are in the process of examining complaints, they may notify the applicants or other related persons to present and make statements.

When the committee on gender equality in employment of the central competent authority is in the process of examining complaints, it may invite local competent authorities to attend of whom no voting right is entitled.

Article 7 The central or local competent authorities shall render decisions within three months after the receipt of the application for examination. If necessary, the three-month period may be extended. This extension may not exceed three months and the applicant shall be informed.

Article 8 When the committees on gender equality in employment of the central and local competent authorities are in the process of examining the applications, they may designate over two members of the committees to organize special sub-committees to investigate the cases, if necessary. When the special sub-committees are in the process of investigation, they shall protect the privacy rights of the applicants, respondents of the complaints and the related third-parties. After the process of investigation, the special sub-committees shall make investigation reports and forward them to the committees on gender equality in employment of the competent authorities for examination.

Article 9 When the result of an examination is pending on the settlement of other legal relationship and that legal relationship is not yet ascertainable, the

committees on gender equality in employment of the competent authorities may, in accordance with their authorities or after the application of the related parties, suspend the proceedings of the examination and inform the applicants.

Article 10 In principle, the proceeding of the examination of the application cases shall be held in private.

Article 11 The committee on gender equality in employment shall render decisions in accordance with the findings of the examination. The decisions shall be informed to the applicants and respondents to the complaints in writing by the competent authorities.

Article 12 These measures shall be effective on the date of promulgation.