

King's Town Bank Co., Ltd. Guidelines for the Prevention, Correction, Complaint and Punishment of Sexual Harassment at Workplace

I. Purpose

To prevent sexual harassment at the workplace, and protects gender equality in the right to work, King's Town Bank Co., Ltd. has formulated the Guidelines for the Prevention, Correction, Complaint and Punishment of Sexual Harassment at Workplace (hereinafter referred to as “the Guidelines”) in accordance with Paragraph 1, Article 13 of the “Act of Gender Equality in Employment” and “Regulations for Establishing Measures of Prevention, Correction, Complaint and Punishment of Sexual Harassment at Workplace” issued by the Ministry of Labor.

II. Eligibility

The Guidelines are applicable to all sexual harassment incidents that occurred among the directors, appointees, and employees (including but not limited to regular employees, dispatched workers, and interns) of this company, as well as between employees and service recipients (including job seekers)..

If the offender is not an employee of the Bank, the Bank shall receive and handle the sexual harassment cases in accordance with the Guidelines.

III. Definition

The term “sexual harassment/power harassment” mentioned in the Guidelines refers to a situation where the offender is subject to any of the following:

1. “Act of Gender Equality in Employment”

- (1) In the course of an employee executing his or her duties, anyone (including employer, supervisors of all levels, employees, customer, etc.) 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 working environment leading to infringe on or interfere with his or her personal dignity, physical liberty or affects his or her job performance.
- (2) An employer explicitly or implicitly makes 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, performance assessment, promotion, demotion, award, and discipline.
- (3) Utilizing power or opportunity to sexually harass individuals under one’s supervision or control in the context of employment, job seeking, or performing one’s duties.

- A. An employee experienced persistent sexual harassment from the same individual within the affiliated business unit outside of working hours.
- B. An employee experiences persistent sexual harassment from an individual within a different business unit, with shared operational or business relations, outside of working hours.
- C. The employee experiences sexual harassment from the highest-ranking executive or employer outside of working hours.
- D. The term 'highest ranking executive' refers to the appointed representative, manager appointed by the bank, or an equivalent position within the organization.

To determine the sexual harassment in question, specific facts, such as the background of the incident, the work environment, the relationships of the parties involved, the words and actions of the perpetrator, and the perceptions of those involved, should be considered.

2. "Sexual Harassment Prevention Act"

Excluding sexual assault crimes, the sexual statements or sexual behavior against another person's will and if there are any of the following situations:

- (1) In any manner, whether explicit or implicit, through discriminatory or insulting words or actions, or by any other means, that damages the dignity of others, creates an atmosphere of fear, hostility, or offense, or inappropriately affects their work, education, training, service, plans, activities, or normal course of life.
 - (2) The act of compelling others to comply with or refuse such behavior, as a condition for oneself or others to gain, lose, or diminish their rights related to learning, work, training, service, programs, or activities.
 - (3) To use one's authority or opportunity for sexual harassment against those under one's supervision, care, or guidance in relationships such as education, training, medical care, public service, business, job seeking, or other similar connections.
3. In addition to the aforementioned recognized principles, the conditions set forth in the following paragraphs may be considered comprehensively:
- (1) Inappropriate behaviors such as staring, touching, hugging, kissing, or smelling other individuals' bodies, or forcing other individuals to do the same with their own bodies.
 - (2) The transmission, storage, presentation, or broadcasting of text, pictures, audio, images, or other content that contains any sexual request, sexual innuendo, or gender discrimination.
 - (3) Repetitive or persistent stalking or pursuing acts against one's will.

IV. Establishment of a Friendly Environment

The Bank shall prevent the occurrence of sexual harassment, provide a working environment free from sexual harassment to employees and job seekers. To eliminate sexual or gender-based hostility in the working environment, so as to protect employees, job applicants, and customers from the threat of sexual harassment.

For the employees who work in the workplaces beyond the control and management of the Bank, the Bank shall identify the type of sexual harassment risks in the work environment, provide necessary protective measures, and inform them in advance in detail.

V. Education training

The Bank annually provides education and training on sexual harassment prevention and education training to employees (including supervisors), personnel involved in the handling, investigation, and resolution of sexual harassment grievances, and directors. Additionally, the Bank conducts on-the-job training courses on gender equality and sexual harassment prevention. Participants will be granted with official leave and related allowance.

VI. Complaint channel

1. The Bank's sexual harassment complaint channels are as follows:

Designated Office: H33 Human Resources Department

Hotline: +886-6-213-9171 ext. 0402

Fax: +886-6-214-5251

E-mail: H33@mail.ktb.com.tw

The Bank shall assign dedicated personnel to handle and process the sexual harassment complaint after accepting them.

2. If the respondent is the highest-ranking executive or employer, or if the employer fails to address or disagrees with the investigation or disciplinary outcome conducted by the respondent's employer, the employee or job seeker may not only file a complaint through the aforementioned complaint channels but also lodge a complaint with the local competent authority.
3. The respondent does not hold a position of power: Complaints filed more than two years after becoming aware of the sexual harassment will not be accepted, and the same applies to those who file a complaint more than five years after the behavior has ceased.
4. The respondent holds a position of power: Complaints filed more than three years after becoming aware of the sexual harassment will not be accepted, and the same applies to those who file a complaint more than seven years after the behavior has ceased.

5. If the respondent is the highest-ranking executive or employer, the complainant may file a complaint within one year from the date of resignation. However, complaints filed more than ten years after the behavior has ceased will not be accepted.
6. The complainant may withdraw the complaint, as stipulated in the second paragraph of the regulations, before a decision is made when filing a complaint with the local competent authority. After withdrawing an appeal, no further appeal may be made on the same case.

VII. Method of filing a complaint and time limit

1. Complaints about sexual harassment shall be made verbally or in writing. When verbal statements are made by the complainant, the processing personnel or unit shall compile records and the records shall be read to or shown to the complainant. After the complainant confirms the contents, the complainant shall be requested to affix his/her signature or seal.

The records of the complaint or verbal complaint shall specify the following matters:

- (1) The complainant's name, service unit and position, residence, contact telephone number, and appeal date.
- (2) If there is a representative, a power of attorney should be attached, and their name, residence, and contact phone number should be specified.
- (3) Facts and contents of the complaint and relevant evidence.

Where the complaint form or records made based on a verbal complaint do not meet the requirements in the preceding paragraph and such conditions can be rectified, the complainant shall be notified to complete rectification within 14 days.

The Bank carries out the sexual harassment prevention, correction, and remedial obligation in accordance with the "Act of Gender Equality in Employment", and shall not be affected by the rejection of a complaint report.

2. The bank, upon becoming aware of instances of sexual harassment, should immediately notify the local regulatory authorities and take the following immediate and effective corrective and remedial measures. If the victim and the perpetrator belong to different business units and share a common operational or business relationship, the perpetrator's employer should also be notified:

- (1) Upon receiving the victim's complaint and becoming aware of the situation of sexual harassment;

A. Implement measures to prevent the recurrences of sexual harassment

complaints.

- B. Provide or refer complainants to counseling, medical or psychological consultation, social welfare resources, and other necessary services.
 - C. Investigating incidents of sexual harassment.
 - D. Appropriate disciplinary action or addressing the individual's behavior.
- (2) When unaware of sexual harassment incidents due to the aforementioned circumstances:
- A. Clarify the relevant facts as necessary.
 - B. Assist in filing a complaint according to the victim's wishes.
 - C. Moderately adjust the job duties or the workplace.
 - D. According to the victim's wishes, provide or refer to counseling, medical or psychological consultation, social welfare resources, and other necessary services.

VIII. Filing of complaint and investigation

1. The Bank shall set up a Sexual Harassment Complaint Handling Committee (hereinafter referred to as "the Committee") to receive and investigate sexual harassment complaints. The Committee shall be composed of five members, consisting of both employees and the management. The President of the Bank shall act as the chief member and chair of the committee meetings. If the chair of the committee meeting is unable to preside for any reason, he/she may appoint another member to act on his/her behalf. The other members shall be appointed by the President as professionals with a sense of gender equality, and the President may hire experts and scholars as to the committee members, when deemed necessary.

The Committee's investigative members should include external professionals with gender awareness. These professionals can be sourced from the Workplace Sexual Harassment Investigation Talent Pool maintained by the central competent authority.

The number of female members shall be no less than one-half of the total number of committee members. When the Committee conducts investigations, it may ask the parties involved and other related parties to be present and make statements.

The committee meetings can only be convened with the attendance of more than half of the members of the Committee and a resolution can only be made with the approval of more than half of the members in attendance. Where the number of votes is the same, the decision shall be made by the chair.

All the personnel who handle sexual harassment complaints shall keep the confidentiality of the names of the parties, other information that can identify them, and the content of the complaint unless required for the investigation or public

security. Violators shall terminate their participation, and may be subject to punishments or related liabilities based on the severity of the violation and the appointment or employment may be terminated.

2. In case of any following situation, the party to a sexual harassment complaint may apply for recusal by the handling, investigating, or resolving person:
 - (1) Where the person involved in the incident or his spouse, former spouse, any of his relative by blood within the fourth degree or relative by marriage within the third degree, or a person having previously such relationship with the person, is a party to the matter.
 - (2) Where the person involved in the incident, or his spouse or former spouse is connected with the party in a relationship of joint holders of rights or co-obligors in the matter.
 - (3) Where the person is currently or was once an agent for or assistant to the person involved in the incident.
 - (4) Where the handling, investigating, or resolving person was once a witness or appraiser in the incident.

In case of any following situation, the party to a sexual harassment complaint may apply for recusal by the handling, investigating, or resolving person:

- (1) Where the handling, investigating, or resolving person fails to recuse himself/herself in spite of the existence of any of the circumstances specified in the preceding paragraph.
- (2) Where there are specific facts to support sufficiently the belief that the handling, investigating or resolution person is likely to be biased in the exercise of his/her functions.

For the complaint stated in the preceding paragraph, the reasons and facts shall be specified, submitted, and appropriately explained to the Committee. The investigating person the party to the incident applies for recusal by may give his/her written comments on the complaint report.

The handling, investigating, or resolving person by whom the person involved in the incident applies for recusal shall stop his/her investigating work before the Committee rejects the application. However, if there is an urgent situation, the complaint report shall still be handled.

The Committee shall order the handling, investigating, or resolving person to recuse himself/herself, if he/she fails to recuse himself/herself in spite of the existence of any of the circumstances specified in the preceding article, and the person involved in the incident does not apply for recusal.

3. When investigating sexual harassment complaints, the Company shall follow the

investigation principles stated below:

- (1) Sexual harassment incidents should be investigated confidentially to protect the personal privacy and the legal interests of personality for the parties involved as well as the investigators involved. Unless necessary for the investigation or public safety reasons, identifiable information, including names, should remain confidential.
 - (2) Any sexual harassment shall be investigated in the principles of objectivity, fairness, and professionalism, and the persons involved in the incident shall be given the opportunities to fully state their opinions and defense.
 - (3) If the victim's statement is clear and there is no need for interrogation, repeated interrogations shall be avoided.
 - (4) When the Committee conducts investigations, it may ask the parties involved and other related parties to be present and make statements and other persons with related expertise and experience may be invited to provide assistance.
 - (5) If there are any unequal power relations between the parties to or witnesses of sexual harassment, the confrontation between them shall be avoided.
 - (6) The investigating personnel, as required for investigation, may compile written records and the records shall be read to or shown to the parties to the extent that no confidentiality obligation is breached.
 - (7) During the investigation of sexual harassment incidents, mental counseling, medical aid, and legal assistance shall be recommended or provided depending on the physical and mental conditions of the persons involved in the incident.
 - (8) During the course of the handling of the complaint, investigation, or examination of sexual harassment incidents, the complainant, witnesses, persons who provide help, or persons involved in the incidents shall be treated without discrimination.
 - (9) Forgery, alteration, destruction, or concealment of evidence related to workplace sexual harassment incidents is strictly prohibited.
4. Investigations on a sexual harassment complaint must begin within 7 days of the receipt of the complaint or the referral of a complaint. Investigations must be completed within 2 months. Where necessary, the investigation period may be extended by 1 month, but limited to only 1 extension.
- Before the Committee makes a resolution, the complainant or his/her authorized agent may withdraw the complaint in writing. Where a complaint is withdrawn, the complainant shall not file another complaint about the same incident.
5. Sexual harassment complaints shall not be accepted under any of the following circumstances:

- (1) Where the complaint form or records made based on a verbal complaint are not rectified within the deadline specified in Paragraph 3 of Article 7.
- (2) Where the investigation (including appeals) for the same incident is completed and the investigation results have been returned to the complainant, the complainant may not file another complaint about the same incident.

Where the Bank does not accept a complaint, the complainant shall be notified in writing within 20 days of the complaint or referral, and such matter shall also be notified to the competent authority.

6. The findings of the Committee's investigation should be documented in writing and should include the causes of the sexual harassment grievance, the statements of the parties involved, records of the investigative interviews, dates and individuals involved, findings of fact and reasoning, and recommendations for disposition of the situation, archive the records for three years, make written resolutions with reasons, and provide recommendations for punishment or other processing procedures. The investigation resolution shall be reported to the persons involved in the incidents and the competent authority of the local city or county.

The aforementioned notice shall specify the following available remedial procedures for any person who raises objections to the resolution.

- (1) Appeal mechanism regarding the "Act of Gender Equality in Employment"
 1. The persons involved in the incidents may file an appeal with the Committee within 20 days from the date of receiving the resolution. However, the term of the complaint appeal shall be calculated from the date when it occurs or it is known, whichever the latter.
 2. Appeal shall be filed with written reasons, and it shall be handled as resolved separately by the resolution at a committee meeting. Once the case is closed, no complaint may be made for the same incident.
- (2) Re-application mechanism for complaints regarding the "Sexual Harassment Prevention Act": Re-application for a complaint shall be made with the competent authority of the local city or county within 30 days from the date of receiving the investigation results.

IX. Penalties

1. In cases of sexual harassment complaints, if the accused holds a position of power and the situation is serious, the bank may temporarily suspend or adjust the accused's duties during the investigation. If the investigation does not confirm the accusation of sexual harassment, the salary for the period of duty suspension should be retroactively paid.
2. In cases where sexual harassment is found to be true after an investigation, the

company should consider the severity of the situation and take appropriate disciplinary actions against the employee, such as verbal warnings, written warnings, reassignment, demotion, or salary reduction. If the company's investigation determines that the behavior constitutes serious sexual harassment, the company may terminate the labor contract without prior notice within thirty days of becoming aware of the investigation results.

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

3. The Bank shall track, assess, and monitor the resolution and handling of the sexual harassment incidents, so as to ensure the effective implementation of disciplinary or handling measures, and avoid the occurrence of the same incident or retaliation.
 4. The Bank may not terminate, transfer or take any disciplinary action that is adverse to employees who personally file complaints or assist other persons to file complaints regarding sexual harassment.
- X. The Guidelines and any amendments thereafter shall become effective upon announcement after approval of the President.

The Guidelines were enacted on August 12, 2011.
The 1st amendment was made on October 26, 2015.
The 2nd amendment was made on March 14, 2018.
The 3rd amendment was made on October 16, 2023.
The 4th amendment was made on March 5, 2024.