

Taiwan: Workplace harassment amendments pass

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The Legislative Yuan yesterday passed amendments to a gender equality law that aim to better protect the rights and interests of victims of sexual harassment in the workplace.

The revisions to the Act of Gender Equality in Employment (勞基法) follow the passage of a similar bill last week involving harassment in educational settings, and comes amid a #MeToo movement in Taiwan spurred by accusations of sexual misconduct against a range of public figures.

The amended law stipulates that when serious workplace harassment allegations are made against a person in a position of authority, the company must place them on leave or move them to another role during the investigation.

If the allegations are proven true and are of a certain severity, the company is required to terminate the offender's work contract within 30 days after the investigation has ended.

In addition to conducting an internal probe, companies are required to report sexual harassment complaints and the results of their investigations to their local city or county labor department.

In cases where the victim does not accept the results of the company's probe, they would be allowed to file an appeal with the labor department, the amended law states.

The revisions also require companies with between 10 and 29 employees to set up a sexual harassment reporting mechanism, expanding on rules applicable only to companies with 30 or more employees.

Under the amended law, companies that are found to have been aware of sexual harassment complaints, but failed to take corrective measures face a fine of NT\$20,000 to NT\$1 million (US\$636 to US\$31,817).

If the owner or person in charge of a company is themselves found guilty of harassment, they can be fined NT\$10,000 to NT\$1 million by local labor authorities.

Regarding civil compensation, the amendments would require courts to award workplace harassment victims two to three times more than the assessed damages if the offender was in a position of power, and three to five times more if the offender is the head or owner of the company.

However, as the changes would require staffing and budgetary adjustments by companies and local governments, some of the amendments approved yesterday would only take effect on March 8 next year.

The legislature yesterday also passed amendments to the Sexual Harassment Prevention Act (性騷擾防治法), which, among other things, would set the fine for those found guilty of exposing the personal data

or other identifying information of a sexual harassment victim at NT\$60,000 to NT\$600,000.

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