

靜宜大學職技員工申訴評議委員會組織及評議要點
Providence University Staff's Appeal Review Committee

Amendments were approved in the University Council meeting on Jun3 28, 2021

1. To protect the rights and interests of full-time staff, technical workers, and contracted personnel (hereinafter referred to as technical staff), and to promote harmony on campus, this university has established a Technical Staff Appeal Review Committee (hereinafter referred to as "the Committee") and formulated these guidelines.
2. The Committee shall be composed of the following members:
 - (1). Each college shall nominate two representatives from faculty members (one male and one female) who do not hold administrative positions, with the General Education Center, Sports Office, and International College jointly nominating their representatives. The latter shall then select, through mutual election, a total of three male and three female committee members based on the highest number of votes, along with one male and one female alternate member.
 - (2). Seven representatives from full-time technical staff shall be elected by technical staff members who have served continuously at the university for three years or more. The gender distribution of the technical staff representatives shall be elected in order of the highest votes received by different genders, until the composition of the committee meets the threshold of at least one-third representation of either gender. Additionally, one male and one female alternate member shall be designated.

Members of the Technical Staff Review Committee cannot concurrently serve as members of this Committee.

3. The term of the Committee members shall be two years, with the possibility of re-election for one additional term. If a member is unable to serve for any reason, an alternate member shall take their place, serving until the original term expires. The chairperson shall be elected by the members, with the principle that the chairperson does not serve consecutive terms. The Committee shall appoint one Executive Secretary, who shall be the Secretary General.
4. When the Committee meets, members must attend in person and cannot delegate their attendance to others. A quorum of two-thirds of the members must be present to convene the meeting, and any decisions require the approval of at least two-thirds of the members present. If the chairperson is unable to preside over the meeting, they may designate a member to act in their place; if no designation is made, the members shall mutually select someone to preside.
5. When the Committee convenes, if necessary, it may invite relevant personnel to attend and provide reports or explanations.
6. **Appeal Requirements:** Staff and technicians of the school who believe that an administrative decision or action by the school has harmed their personal rights may file an appeal if the matter remains unresolved after coordination with the relevant units.
7. **Appeal and Processing Procedures:**
 - (1). The aggrieved staff and technicians must submit a written appeal to the Secretariat, detailing the following items in the appeal form (see Attachment 1):
 - Name, age, position, unit, and address of the appealing staff/technician.
 - Facts, reasons for the appeal, and the desired remedies.
 - Relevant documents, evidence, or names and addresses of witnesses.
 - Date of application.

- (2). Appeals must be filed within thirty days of becoming aware of the harm.
- (3). The Secretariat shall convene a meeting within twenty days from the next day after receiving the appeal to review the procedures and eligibility, deciding whether to accept the appeal.
- (4). If the Committee decides to accept the appeal, within ten days from that decision, it shall request the original measures unit to provide explanations in writing, along with a copy of the appeal and related documents. The original measures unit must respond within twenty days of receiving the notification. If they fail to respond in time, the Committee may proceed with its evaluation.
- (5). After submitting the application, the appellant may withdraw their appeal by completing a withdrawal form (see Attachment 2) before the Committee's decision is delivered. Upon withdrawal, the Committee will not proceed with evaluation and will terminate the process, notifying both the appellant and the original measures unit.
- (6). The Committee shall evaluate the appeal based on written materials, and meetings shall not be open to the public. However, if deemed necessary, the Committee may invite the appellant, the respondent, or relevant personnel to explain their positions.
- (7). The Committee shall first reach a conclusion on the evaluation and designate members to draft the evaluation report for discussion and approval in a meeting. The deliberations and votes by Committee members shall be kept confidential.
- (8). The Committee must make a ruling and prepare the evaluation report within three months from the day after receiving the appeal. An extension may be granted if necessary, with notification to the appellant. The extension is limited to one time and cannot exceed two months. The evaluation report shall include the following:
 - Name, age, position, unit, and contact address of the appealing staff/technician.
 - Overview of the appeal incident.
 - Statements and claims from the appealing staff/technician and relevant parties.
 - Results and reasoning of the evaluation.
 - Specific recommended remedial measures.
 - Date of evaluation.
- (9). The evaluation report shall be issued under the name of the "Providence University Staff and Technician Appeal Evaluation Committee" and delivered to the appellant, the respondent, and relevant units within the school.
- (10). If the parties involved in the appeal are members of the Committee, or have close relations (spouses, relatives within the third degree), they must recuse themselves. If there are substantial facts suggesting bias, the appellant may request the recusal of a member.
- (11). The Chair shall follow the sequence below during evaluations:
 - Confirm the identity of the appealing staff/technician and their details in the appeal.
 - Allow the appealing staff/technician to present their facts, reasons, and related documents/evidence.
 - Hear testimony from witnesses of the appealing staff/technician.
 - Allow representation by a technician or legal professional on behalf of the appealing staff/technician.
 - Hear statements from relevant parties or their witnesses.
 - Hear testimony from relevant witnesses.
- (12). If either the appellant or the school disagrees with the evaluation results, they should negotiate a resolution. If negotiations fail, either party may resort to litigation.

- (13). After accepting the appeal, the Committee may recommend the school to suspend the execution of the original decision or measures against the appealing staff/technician until the evaluation report is finalized.
 - (14). Appeals regarding matters that clearly fall under the jurisdiction of the court will be not accepted.
 - (15). If the appellant, the opposing party, or other interested parties file civil, criminal, or administrative lawsuits concerning the appeal or related matters, they must notify the Committee immediately. Evaluation of the appeal shall be suspended until the litigation concludes.
8. Appeal Review:
- (1). The decisions of this Committee do not affect the rights of the appealing staff or the university to pursue judicial litigation.
 - (2). An appeal will be decided as non-accepted for the following reasons:
 - The appeal was filed beyond the time period stipulated in point seven.
 - The appellant is not eligible.
 - The matter does not pertain to the rights of technical staff and should be adjudicated by the court.
 - An appeal is filed again for the same reasons after a decision has already been made or a previous appeal has been withdrawn.
 - The appeal no longer has practical benefit.
 - There is no evidence or explanation provided that indicates the matter could not be resolved after coordination with the relevant units.
9. If the original measures unit finds the appeal decision contradicts the law or is practically unfeasible, they may submit specific reasons for reconsideration to the Committee within ten days from receiving the decision.
10. These guidelines will be implemented after approval by the University Council Meeting and the president's announcement. The same process applies to any amendments.

Approved in the University Council meeting on January 15 28, 2018