

NTUB Directions for the Organization and Evaluation of Staff Member Grievances Committee

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Article 1 National Taipei University of Business (hereinafter referred to as "the University") hereby establishes the Staff Member Grievances Committee (hereinafter referred to as "the Committee") and formulates these Directions in accordance with Article 43 of the Teachers' Act, the Ministry of Education's "Guidelines for the Organization and Evaluation of Teachers' Grievance Review Committees," and Article 46 of the University Organizational Regulations, for the purposes of safeguarding teachers' rights, resolving disputes, promoting campus harmony, and fulfilling the functions of education.

Article 2 Teachers who believe that a measure taken by the University concerning them is illegal or inappropriate and has harmed their rights and interests may file a grievance or appeal. Teachers may also file a grievance or appeal if the University fails to take necessary action within a legally prescribed period regarding a lawful application and such inaction is deemed detrimental to their rights and interests. If no time limit is specified by law, the University shall take action within two months of accepting the application.

Article 3 The Committee shall consist of fifteen members appointed by the University President as follows:

1. Ten teachers: three (plus three alternates) from the College of Finance, two (plus two alternates) from the College of Management and the College of International Marketing, and one (plus one alternate) each from the College of Innovation Design and Management, the General Education Center, and the Physical Education Office. The nominated members from the Colleges of Finance, Management, and International Marketing shall each include no less than one-third representation of any gender.

2. One member representing social justice.

3. One academic expert or scholar.

4. One representative from a regional teachers' organization.

5. One representative from the University.

6. One legal professional.

All members shall serve without compensation for a term of two years (from January 1 to December 31 of the following year). If a vacancy occurs, the successor shall serve the remainder of the original term.

At least two-thirds of the committee members shall be teachers not concurrently holding administrative positions.

Each gender must comprise at least one-third of the committee. If this ratio is not met, alternates of the underrepresented gender shall be selected in rotation from the Colleges, General Education Center, or Physical Education Office, with the latter two units limited to a maximum of one alternate each.

Article 4 The first meeting of the Committee shall be convened by the President or their designee. If more than half of the committee members submit a written request, the convener must call a meeting within 20 days.

- Article 5 The Committee Chairperson shall be elected from among the members and shall preside over the meetings. The term of office shall be one year and may be renewed. The University President may not serve as Chairperson.
If the Chairperson is unable to preside over a meeting, they shall designate another member to act on their behalf. If no such designation is made, a temporary Chairperson shall be elected by the members.
- Article 6 Teachers who object to a measure taken by the University may file a grievance to the Committee. If they disagree with the Committee's decision, they may file an appeal to the Grievances Committee of the Ministry of Education.
If the University is shut down, the central competent authority shall handle the appeal following the appeal procedure, with the reasons specified in the decision.
- Article 7 If the University disagrees with the grievance decision, it may appeal to the Ministry of Education's Grievances Committee.
- Article 8 A grievance must be submitted in writing within 30 days from the day after the teacher becomes aware of the measure. Appeals must be submitted in writing within 30 days from the day after receipt of the Committee's decision.
The date of submission shall be based on the date the Committee receives the written grievance.
If a grievance is mistakenly submitted to the wrong institution, the date of receipt by that institution shall be deemed the filing date.
If a teacher fails to file within the prescribed period due to a natural disaster or other non-attributable reason, they may request reinstatement in writing within ten days after the cause ceases, provided that no more than one year has elapsed. The filing behavior must also be completed within that period.
- Article 9 If the petitioner does not reside in the jurisdiction of the receiving Committee, the statutory period shall exclude travel time. This does not apply if the petitioner has an agent residing in the jurisdiction who can act on their behalf.
The travel time shall be calculated in accordance with the regulations for administrative appeals.
- Article 10 If two or more individuals jointly file a grievance over the same facts and circumstances, Articles 21 through 27 of the Administrative Appeal Act shall apply mutatis mutandis.
- Article 11 A grievance petition shall include a grievance letter specifying the following information, signed or stamped by the petitioner or their agent, and shall be accompanied by the original administrative measure and relevant documents and evidence:
1. Petitioner's name, date of birth, identification number, job title, address, and telephone number. In the case of a re-appeal by the University, the name, date of birth, ID number, address, and phone number of the University's representative.
 2. If an agent is appointed, their name, date of birth, ID number, address, and telephone number.
 3. The date the petitioner received or became aware of the measure, and the facts and reasons for the grievance.
 4. The remedial action sought.
 5. The date of grievance submission.
 6. Whether an administrative appeal, litigation, or labor dispute procedure has been filed regarding the same matter. If yes, indicate the relevant agency or court and the filing date.
- Grievances filed under Article 2, Paragraph 2 must also specify the date the application was submitted to the University, the legal basis, and attach a copy of the application and a receipt of acceptance.
For re-appeals, the original grievance and grievance decision must be attached, along with the date and method by which the decision was received.
- Article 12 If a grievance petition does not comply with the required procedure but can be corrected, the University shall notify the petitioner to make corrections within twenty days.
- Article 13 Within ten days from receiving the grievance letter, the Committee shall forward a copy along with related documents to the University and request a written explanation.
The University shall provide its explanation and supporting materials within twenty days of receiving the request. If the University agrees with the grievance, it may rescind or modify

the original measure and notify the Committee.

If no explanation is submitted within the deadline, the Committee shall issue a reminder. If the explanation remains inadequate, the Committee may proceed to deliberate directly.

The ten-day period restarts upon correction under Article 12; if no correction is made, it starts from the expiration of the correction period.

In re-appeals, the University must inform the original petitioner that they may supplement their statement within a specified period.

Article 14 A grievance may be withdrawn by the petitioner before the grievance decision is delivered. Upon withdrawal, the Committee shall terminate the review and notify both the petitioner and the University in writing.

A grievance that has been withdrawn may not be refiled based on the same facts.

Article 15 If a grievance is mistakenly filed with an incorrect agency or institution, the receiving institution shall forward the case to the appropriate Committee within ten days and notify the petitioner.

Article 16 If the resolution of a grievance depends on the outcome of an administrative appeal, litigation, or labor dispute resolution, the Committee may suspend its review and notify the petitioner in writing. Once the underlying issue is resolved, and upon notice from the petitioner, the University, or the competent authority—or once the Committee becomes aware—it shall resume the review and notify the petitioner.

If a teacher files both an administrative appeal and a grievance based on the same issue, the Committee shall suspend the grievance review and notify the petitioner in writing. Once the reason for suspension ceases, the Committee shall resume its review.

Article 17 Committee meetings shall generally be held privately.

When necessary, the Committee may invite the petitioner, relevant parties, scholars, experts, or personnel designated by relevant agencies to attend and explain.

If a petitioner has a legitimate reason to request an in-person explanation, the Committee may set a time and location for this purpose. The petitioner may be accompanied by one or two assistants.

If on-site inspection is necessary, the Committee may appoint three to five members to conduct the inspection.

Article 18 A Committee member shall recuse themselves from participating in a case under the following conditions:

1. Any situation specified in Article 32 of the Administrative Procedure Act.

2. Any interest or stake in the grievance case.

If there are specific facts suggesting potential bias, the petitioner may apply for the recusal of the member, stating the reasons.

Such applications shall be decided by the Committee.

If a member fails to recuse despite meeting the criteria, and no application for recusal is filed, the Committee may recuse the member ex officio.

Committee members may not have off-record contact with parties involved in the grievance unless authorized by the Committee.

Article 19 Except in cases suspended under Article 16, the Committee shall reach a decision within three months from the day after receiving the grievance. When necessary, a one-time extension of up to two months may be granted, with notice to the petitioner.

If corrections were made under Article 12, the review period begins the day after the correction. If no correction is made, it begins after the correction deadline. In cases suspended under Article 16, the period restarts from the resumption date. If additional reasons are submitted during review, the period starts from the date the final reasons are received.

Article 20 The Committee shall render a decision of inadmissibility for the following reasons, with justification:

1. The grievance does not meet legal procedural requirements and cannot be corrected or is not corrected within the deadline.

2. The grievance was submitted after the time limits specified in Article 8.

3. The petitioner is not eligible to file a grievance.

4. The matter does not fall within the scope of teacher grievance relief.

5. The original measure no longer exists or the grievance has no practical benefit.

6. In cases filed under Article 2, Paragraph 2, the University has already taken action.
7. A grievance is refiled on the same facts after a decision has been made or withdrawn.
8. If the Committee resumes review under Article 16 and the original measure constitutes an administrative disposition.
- Article 21 Prior to reviewing a grievance case, the Committee shall prepare handling recommendations along with the case file and evidence for deliberation.
When necessary, the Committee may designate three members to conduct a preliminary review. After examining the case files, analyzing the facts, and applying relevant regulations, they shall submit a written review to the Committee.
- Article 22 If the grievance does not fall under any of the circumstances listed in Article 20, the Committee shall, during deliberation, take into account the case history, the damage suffered by the petitioner and the remedy sought, the arguments of both parties, the impact on public interest, and other relevant circumstances.
- Article 23 If the grievance is deemed groundless, the Committee shall render a decision to dismiss it.
If the reasoning behind the original measure was inappropriate, but the measure is deemed justifiable for other reasons, the grievance shall still be considered groundless.
- Article 24 If the grievance is deemed justified, the Committee shall render a decision accordingly. If remedial measures are required, such measures shall be specified in the ruling.
If the ruling annuls the original measure or the previous grievance decision and remands the case to the original unit or the prior grievance committee, a deadline for appropriate action shall be specified.
For grievances filed under Article 2, Paragraph 2, if justified, the Committee shall order the University to take appropriate action within a specified timeframe.
- Article 25 Committee meetings shall only be convened when more than half of the members are present. Grievance decisions require approval by at least two-thirds of attending members. Other resolutions require a simple majority.
Members who are disqualified due to conflict of interest shall not be counted in the number of attending members.
Members who are absent without leave from ten consecutive meetings may be dismissed.
- Article 26 Committee decisions shall be made by consensus, show of hands, or secret ballot. The deliberation process and individual member opinions shall remain confidential.
The method and result of the vote shall be recorded in the meeting minutes. For secret ballots, the votes shall be sealed, signed by the meeting chair and designated scrutineers, and securely stored by the Committee.
- Article 27 Each case reviewed by the Committee shall have a designated staff member to document the deliberation. If any member holds a dissenting opinion, they may request to have it included in the record.
- Article 28 The written grievance decision shall include the following:
1. Name, date of birth, identification number, title, address, and phone number of the petitioner.
2. Name, date of birth, identification number, address, and phone number of any agent or representative.
3. Ruling.
4. Facts and reasoning (not required in cases of inadmissibility).
5. Signature of the Committee Chair. If the Chair is unavailable, the Acting Chair shall sign and indicate the reason.
6. Date of issuance of the decision.
The decision shall also include a notice that, if the petitioner is dissatisfied, they may file a re-appeal to the agency stated in Article 7 within 30 days of receiving the decision.
- Article 29 The grievance decision shall be issued in the name of the University. A certified copy shall be delivered to the petitioner and the original decision-making unit via registered mail within 15 days of issuance.
If the petitioner has a representative or agent, the decision shall be delivered to them (unless the agency relationship is limited). If there are multiple agents or representatives, delivery to one is sufficient.
- Article 30 The grievance decision shall be deemed final under the following circumstances:

1. Neither the petitioner nor the University files a re-appeal within 30 days of receiving the decision.

2. The re-appeal decision has been served to the re-appellant.

Article 31 Once the grievance decision is finalized, the University shall implement it accordingly. If the original measure was annulled, the responsible unit shall take appropriate action in accordance with the decision and notify the Committee in writing of the results.

Article 32 All grievance statements and required documentation under these Directions shall be written in Chinese.

If foreign-language materials are cited, a Chinese translation must be provided, along with the original source.

Article 33 These Directions shall be implemented after being approved by the University Affairs Meeting and ratified by the President. Amendments shall follow the same procedure.

For grievance cases under review prior to the June 28, 2020 amendment of these Directions, the remaining procedures shall be concluded in accordance with the amended Directions.