

Ming Chuan University Employee Grievance Review Committee Procedures

Passed at the Administrative Council Meeting on April 12, 2010

- Article 1. The Employee Grievance Review Committee Procedures is established to protect the rights of employees and promote a harmonious campus.
- Article 2. The employees referred to in this procedure include all full-time paid teaching assistants, staff, general laborers and contract employees.
- Article 3. The committee consists of 15 members. Vice President for Academic Affairs and the Director of Legal Affairs Office are ex-officio members. The rest are nominated members appointed by the president, to include three administrative directors, two academic directors, two faculty members with no administrative appointment, four staff and two technical staff members. Two legal professionals shall be included on the committee. However, no less than one third of the committee members may be of one gender.
- According to the professional field of the case involved, two other professionals may be appointed as advisory committee members. They may attend the grievance hearing if the need arises.
- Committee members of Employee Review Committee may not concurrently serve as Employee Grievance Review Committee members.
- The term of the Committee members is one academic year, and members are not paid. The committee members can be re-nominated when the term expires.
- Article 4. When the University Employee Review Committee is convened, the committee members must be present in person, and may not designate a proxy to attend the meeting. Quorum for this committee is half or more of the members present. To be valid, a resolution must have been passed by a majority of the members present. However, the resolution documents require an affirmative vote of two thirds of the members present.
- The Vice President for Administrative Affairs acts as the convener and chairs the committee. The General Secretary's Division will assist the chairperson in administrating committee affairs.
- Article 5. If the arbitration decision is not accepted by the grievant, it may be appealed in accordance with these procedures within 30 days of receiving the resolution letter. Appeals arriving after the specified date will be rejected. However, any delays due to natural disaster or other force majeure are not subject to this restriction.
- Article 6. Employees who wish to file a grievance should submit the grievance in writing. The letter must include the following information:
1. The grievant's name, date of birth, position title, unit and address
 2. Facts and reasons for the grievance, along with expected remedies
 3. Applicable documents and proof, or the witness' name and address are to be attached.
 4. Year, month and date of submitting grievance
- Article 7. Within 20 days after receiving a grievance submitted by an employee, the committee convener should convene a Employee Grievance Review Meeting to determine whether to accept the case or not. An attribution letter shall be drawn up within 60 days after receiving a grievance. The notice of the grievance review meeting should be sent to committee members, the grievant, related party(ies) and witness(es) no later than seven days before the date of review meeting.
- Article 8. If the plea meets one of the following conditions, reasons for not accepting the case should be specified:
1. Plea exceeds the period of time regulated in Article 5.
 2. Grievant is not qualified.
 3. Affairs addressed in the plea should be judged by a court of law, and do not pertain to faculty rights and interests.
 4. There is no actual benefit in pleading this grievance.

5. Appeals are based on the same reasons and facts considered in the original plea, already decided on or withdrawn.

Article 9. The grievant may withdraw his or her appeal before a decision is reached by the Committee. If a plea is withdrawn, the committee should end the case without arbitration, and notify the grievant and the organization of the original measure.

After the grievant withdraws a plea, another plea may not be proposed regarding the same reason and facts.

Article 10. The arbitration letter should clearly state the following terms:

1. The grievant's name, date of birth, ID Number, name of service unit, home address and phone number.
2. Name, date of birth, ID number, address and phone number of the deputy or representative, if there is one.
3. Unit executing the original measure
4. Main text
5. Statement of facts and reasons. Should an appeal have been dismissed, the facts are not required for record.
6. Signature of the chairperson of the Committee
7. Date, month and year of the resolution decision.

Article 11. Without proper reasons verified by the Committee, the grievant must attend the resolution meeting upon the receipt of notification, or the case will be considered to be withdrawn.

The committee should select a committee member to draw up a resolution letter. The resolution letter must be signed by the chairperson of the Committee.

Article 12. The committee meeting is not open to the public. Members and other persons present must maintain strict confidentiality and not release any information regarding cases outside the meeting. Should a conflict of interest occur, the concerned member must voluntarily request to be excused from the meeting

Article 13. The case will be reported to the president for review within 14 days of receipt of the resolution notice. A resolution document will be sent to the grievant and the respondent.

Article 14. Should the president consider a resolution to have been obstructed in any way, he or she may return the resolution to the committee for further discussion or modify the resolution directly.

Article 15. Matters not covered in these procedures will be dealt with in accordance with the Ministry of Education laws and related university procedures.

Article 16. Upon being passed at the Administrative Council Meeting and approved by the president, these procedures were implemented. Any revision must follow the same procedure.

****In the event of any inconsistency or discrepancy between the Chinese and other language versions of this document, the Chinese version shall prevail.****