

臺灣勞工



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Article 54 of the Labor Standards Act was amended by Presidential Decree on July 31, 2024. Employers and Workers may agree to Postpone Retirement to Encourage Workers to Stay Longer at Work

- I. Article 54, Paragraph 1, Subparagraph 1 of the Labor Standards Act stipulates that an employer shall not force a worker to retire unless the worker has reached the age of 65. The legislative intent of this provision is to regulate that an employer shall not arbitrarily force a continuously employed worker to retire until they have reached the age of 65. Article 54 of the Labor Standards Act was amended by Presidential Decree on July 31, 2024. The amendment explicitly prescribes that workers may postpone the retirement age dependent on the agreement reached by employers and workers. On the one hand, this will enable employers to encourage elderly workers to stay in the workplace and, on the other hand, grant elderly workers who wish to stay in the workplace the right to negotiate with their employers. Therefore, the amendment is a further step toward retirement security for both workers and employers.
- II. Furthermore, according to Article 12 of the Middle-Aged and Elderly Employment Promotion Act, "Employers shall not treat middle-aged and elderly individuals differently on the basis of their age when they are seeking employment or are employed." The so-called differential treatment includes matters such as "salary payments or various welfare measures." Thus, if an employer and a worker have agreed to postpone the worker's retirement age under Article 54 of the Labor Standards Act, the employer may not, except for justifiable reasons, reduce the salary or change other working conditions in an unfavorable manner for a worker who is over 65 years of age. For employers in violation of this provision, the local labor authority shall impose a fine of not less than NT\$300,000 and not more than NT\$1.5 million on the employer. In addition, the name of the employer and the name of the company shall be made public.
- III. Since the Labor Standards Act represents the minimum standard for working conditions, the Ministry of Labor (MOL) encourages employers and workers to negotiate working conditions in collective bargaining agreements or labor contracts that are better than those stipulated in the Labor Standards Act, depending on the nature of the work of the industry establishment and the demand. In the future, the MOL will continue to promote advocacy efforts using various channels to encourage the elderly to continue to participate in the labor market.



The MOL Promotes Non-Discriminatory in Employment Practices and Friendly Cooperation in the Workplace

To ensure equal employment opportunities for all citizens, the Employment Service Act explicitly prohibits eighteen types of discrimination in employment, including discrimination based on gender, age, and physical or mental disabilities. Furthermore, the Gender Equality in Employment Act contains a chapter on the prohibition of discrimination on the basis of gender, while the Middle-Aged and Elderly Employment Promotion Act includes a chapter on the prohibition of discrimination on the basis of age. These provisions prohibit employers from discriminating against job applicants or employees on the basis of gender and age to protect the employment rights and interests of the labor force.

"Age discrimination in employment" refers to the unfair or differential treatment of job applicants or employees based on their age. Age discrimination and the resulting differential treatment may be present in job advertising, selection procedures, performance appraisals, promotions, transfers or training, terms and conditions of employment, organizational layoffs, retirement policies, or grievance procedures.

According to the Employment Management and Workplace Equality Survey conducted by the Ministry of Labor (MOL) in 2023, most industry establishments do not consider gender in their business operations. In the past year (from September 2022 to August 2023), more than 90% of employees were unaffected by discrimination in the workplace. The data shows that the most common factor for workplace discrimination besides gender was "age," as reported by 3.9% of women and 4.9% of men.

If a job seeker or an employee discovers that an employer has discriminated against them when seeking employment or providing labor, they may lodge a complaint directly with the competent local authority. The authority shall convene an employment discrimination review committee to assess the facts and decide on the case. If employment discrimination is proven, employers can be penalized with fines of not less than NT\$300,000 and not more than NT\$1.5 million. In addition, the name of the employer and the name of the company shall be made public.

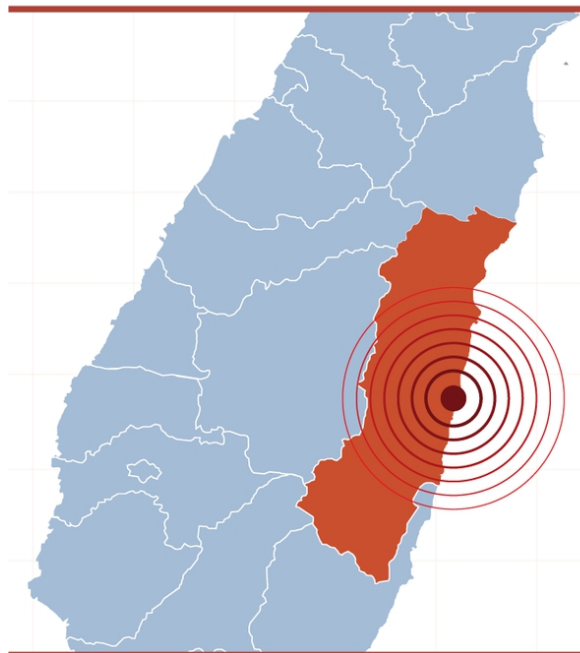
The MOL uses various channels such as seminars, websites, Facebook, and brochures to enforce and raise awareness of the prohibition of employment discrimination in the work place. This prohibition has been included as one of the main promotional focuses and employers have been encouraged to comply with the law. The MOL calls on employers to create a friendly working environment by hiring people based on their abilities without limiting their employment opportunities by considering characteristics unrelated to the job in question.



To Promote the Stable Employment of Workers, the MOL Offers Insurance Premium Subsidies for Industry Establishments Affected by the April 3 Earthquake in Hualien County

To support the reconstruction and recovery efforts after the April 3 earthquake in Hualien and to stabilize the labor market, the Ministry of Labor (MOL) recently introduced measures to provide insurance premium subsidies for insured units. To ensure stable employment for workers, the MOL announced on June 4, 2024 the Key Points of Insurance Premium Subsidies for Insured Units Affected by the April 3, 2024 Earthquake in Hualien County. The scheme targets insured units that employ workers covered by employment insurance in Hualien County which are privately-owned industry establishments and operate in sectors that were severely affected by the earthquake. These sectors include "agriculture, forestry, fishing, and animal husbandry," "accommodation and food services," "support services," "arts, entertainment, and recreation services," "mining and quarrying," "stone product manufacturing," "cement manufacturing," "ready-mixed concrete manufacturing," and "cement and concrete product manufacturing." The MOL will subsidize half of the premiums for labor insurance, occupational accident insurance, and employment insurance payable by the insured units for the months of June through August 2024.

According to the MOL, for the sake of simplicity and convenience, the Bureau of Labor Insurance will subsidize eligible insured units based on system information when payment notes are issued. It is not necessary for the insured units to apply for the subsidies separately.



April 3 Hualien Earthquake

MOL introduces a "Insurance Premium Subsidies for Insured Units" ensuring stable employment for workers

Skills Attack: The Results of the 54th National Skills Competition Were Announced in the Presence of President Lai Ching-te at the Closing and Awards Ceremony

The Ministry of Labor (MOL) hosted the 54th National Skills Competition, which is the largest youth technical skills event in Taiwan. In 2024, the competition featured 56 skills and 13 junior skills, with a total of 1,031 competitors showcasing their prowess at the Nangang Exhibition Center. The closing and awards ceremony on July 21 was held in the presence of President Lai Ching-te, who presented the prizes to the winners.

Lai said in his speech that the National Skills Competition is like a grand gathering of martial artists who must possess genuine skills and abilities to be allowed to step on stage. In the past, when he still served as premier, Lai called on the Ministry of Education and the MOL to work together to open up new opportunities for technical and vocational education. Lai said that schools must have good vocational teaching staff, and the relevant ministries should invest in upgrading the machinery and equipment available in schools. At the same time, it is important to strengthen cooperation between industry and schools, reduce the gap between theory and practice, and align with international standards, Lai added.

Minister of Labor Ho Pei-Shan said that the National Skills Competition was attended by more than 100,000 visitors, most of whom were junior high school students. Ho added that the attendees would prove to be good friends of future technical professionals. The MOL hopes to work with all ministries involved in the industrial sector to ensure that technical and vocational education is firmly established through inter-ministerial efforts. In addition, the MOL hopes that students will be able to find jobs while still in school and that there will be no shortage of mid-level vocational workers.

Although this year's National Skills Competition has come to an end, the refinement of technical skills must continue. In November 2025, Taiwan will host the WorldSkills Asia Competition. The MOL hopes that when the time comes, Taiwanese competitors will be able to demonstrate their exceptional abilities and shine on the skills competition stage.



President Lai Ching-te, Minister of Labor Ho Pei-Shan, and Minister of Education Cheng Ying-Yao with the gold medal winners of the youth category of the 54th National Skills Competition

Keywords: 54th National Skills Competition, Closing and Awards Ceremony, Skills Attack

The OSHA Organized the "Double tenth Anniversary of Enforcement of the Occupational Safety and Health Act and the Establishment of the OSHA" to Boost Support for Occupational Health and Safety

On the morning of July 3, the Occupational Safety and Health Administration (OSHA) of the Ministry of Labor (MOL) held the "Double tenth Anniversary of Enforcement of the Occupational Safety and Health Act and the Establishment of the OSHA" at the International Conference Hall B1 in the Xinzhuang Joint Office Tower. The event was moderated by Minister of Labor Ho Pei-Shan. Invited participants included former OSHA directors-general, national representative organizations, safety and health partners, labor authorities of each county and city, labor inspection agencies, and representatives from public owned and private enterprises. In addition to reviewing the results of promoting occupational safety and health over the past ten years, the event also featured practical forum discussions and exchanges in the hope of continuing to work with all sectors to promote a healthy labor force.

Minister Ho said in her speech that the Occupational Safety and Health Act came into effect on July 3, 2014, extending the scope of safety and health protection to all industries and all workers. In addition, more than sixty related laws and regulations have been amended, ushering in an epochal change for Taiwan's occupational safety and health. In the same year, as part of the organizational restructuring of the MOL, the OSHA was established. The OSHA's purpose is to vertically integrate the formulation of Taiwan's occupational safety and health policies into labor inspections, to strengthen measures aimed at preventing occupational accidents, and to further horizontally integrate various measures related to "prevention, compensation, and reconstruction."

The Director-General Tzou Tzu-Lien of OSHA further explained that new types of hazards have emerged in workplaces due to the impact of the COVID-19 pandemic as well as industry advancements in the era of digital technologies and green manufacturing. In response, the OSHA has formulated a number of risk mitigation strategies. The agency aims not only to use inter-ministerial cooperation to improve foundational management practices and strengthen monitoring and management mechanisms for occupations with high levels of occupational hazards and risks, but also to utilize innovative approaches to disaster prevention and mitigation through exchanges with developed countries. Furthermore, in response to the declining birth rates and aging population in Taiwan, the OSHA has issued the GRI 403 Guidance on OSH Indicators for CSR Reporting Toward SDGs, which enterprises can refer to and apply. The document calls on companies to make occupational health and safety ESG a priority issue and to promote the human-centered and sustainable values of diversity, fairness, and inclusion.

Minister of Labor Ho Pei-Shan attended the event to deliver a speech



Keywords: Double tenth Anniversary, Workplace Safety and Health, "Prevention, Compensation, and Reconstruction"

Labor Day-Themed Short Film "Long Live Labor 2023" Was Shortlisted for the 2024 Cannes Lions Award

The Cannes Lions Award is the highest honor sought by all professionals in creative communications, advertising, and other related industries worldwide. Each year, tens of thousands of outstanding creative works from around the globe are submitted to the competition. "Long Live Labor 2023" being selected among these works is therefore a significant achievement and shows that works of excellent quality produced in Taiwan are capable of holding their own on the world stage.

The shortlisted "Long Live Labor 2023" tells the story of a worker engaged in the production of traditional Taoist paper offerings and describes the warmth of a relationship between a father and a son. The short film conveys that there is a human need behind every job and that every profession should be respected. Furthermore, it demonstrates the manner in which professions and industries are woven into the fabric of society and should be admired, for therein lies the value and importance of work.

After the short film was shortlisted for the world-renowned Cannes Lions Award, the film's director, Lo Ging-Zim, said on his Facebook page that the film represents "our shared concern for the appearance of labor, local culture, and social phenomena, as well as the unparalleled trust and tacit understanding between us." Lo added that he was "very happy that Taiwan, which we love so much, has once again been seen by the world."

The Ministry of Labor (MOL) expressed its gratitude to the director and the production team of the short film for their efforts to create a touching and work that resonates with audiences. In the future, the MOL will continue to work hard to promote various laws and policies and provide strong support for workers across Taiwan. If you are interested in the short film, you can watch it on YouTube.



The thematic short film "Long Live Labor 2023" competed for the Cannes Lions Award