



臺灣

勞工簡訊

Taiwan Labor E-Newsletter

中英文版本內容如有出入，以中文版本為準。

The Chinese version rules if any contradiction in meaning exists between the Chinese version and English version.

The Ministry of Labor designated the day for the local elections and referendums of the Republic of China shall be a holiday; workers who have the right to vote and are required to work on the said day shall be given a day off in accordance to the instruction.

On November 8, 2018, the Ministry of Labor announced appointing the Presidential and Vice Presidential Election and Recall Day, Civil Servants Election and Recall Day, and Referendum Day as holidays in accordance to Paragraph 1 Article 37 of the Labor Standards Act.

The Ministry of Labor explained that November 24, 2018 is the day for civil servants elections and referendums in the Republic of China. In order for workers to exercise their right to vote, the ministry specified that all workers with the right to vote and are required to work on the said date shall be given a day off with full salary. With worker's consent, employers may ask workers to come in to work while not obstructing the worker from voting and in this case double salary should be paid for that day. As for those with the right to vote but for which the day is originally a rest day or regular leave in accordance to Article 36 of the Labor Standards Act may exercise their right to vote but are not entitled to an extra day off. Employers who obtain consent from workers to work on a rest day should calculate pay according to Paragraph 2 Article 24 of the Labor Standards Act and cannot obstruct workers from voting. The above mentioned "one-day holiday" refers to the consecutive 24 hours from 0:00 AM to 12:00 PM. Moreover, since the voting right can only be exercised on the day of voting, the nature of this holiday is different from general holidays (national holidays), which cannot be implemented in exchanged for other work days.

The Ministry of Labor reminds workers that employers who fail to give the day off or pay wages according to the law can be fined from NT\$20,000 to NT\$1 million and must repay wages. Any worker whose rights have been infringed upon may appeal to their local labor administrative authority (the labor bureau of their local county or municipal government) to protect their rights and interests.



The Ministry of Labor promotes the "Constructing Win-win Partnerships between Labor and Management and Assisting the Signing of Collective Agreements within Enterprises" project to achieve the three objectives of “preventing labor disputes”, “stabilizing labor relations”, and “signing collective agreements”.

In order to resolve potential labor conflicts, protect labor's right to organize, encourage the signing of collective agreements, and prevent unfair labor practices so as to create a harmonious environment for both labor and management within enterprises, the Ministry of Labor is continuing to promote the Constructing Win-win Partnerships between Labor and Management and Assisting the Signing of Collective Agreements within Enterprises project in 2018 which is contributing towards the three major objectives of “preventing labor disputes”, “stabilizing labor relations”, and “signing collective agreements”, with experts instructing both labor and management in independent negotiation skills and sharing practical experience for signing collective agreements.

With the adjustments to industry structure and the rapid development of information technologies, Taiwan's labor market is becoming more flexible. In order to reduce the impact of this flexibility on labor relations and create a favorable environment for both labor and management, the Ministry of Labor is promoting the Constructing Win-win Partnerships between Labor and Management and Assisting the Signing of Collective Agreements within Enterprises project, amongst which the interest-based negotiation techniques is introduced for interested enterprises, trade unions, and labor representatives. Through an one-day introductory training or case-by-case counseling, the ministry assists labor and management in establishing preventive mechanisms for self-handling disputes and adjusting interests in order to reduce the occurrence and externalization of labor disputes and thus stabilize labor relations. Participating parties only need to provide relevant equipment and administrative services such as projectors and conference venues. Expenses regarding lecturers and handouts will be financed by the Ministry of Labor instead of the participating enterprises. Therefore, the Ministry is calling on enterprises, representatives of trade unions, and labor conferences who have yet to participate in the project to sign up as soon as possible.

In addition, in order to increase the willingness of both employers and employees in signing collective agreements, the project also provides on-site professional consultations according to the needs of the union or employer, helping promote speedy negotiations between labor and management and in turn more collective agreements. Also, in order to recognize the contribution of trade unions in signing collective agreements and fighting for members' rights and interests, in recent years the Ministry of Labor has provided incentives ranging from NT\$ 50,000 to NT\$ 250,000 to trade unions which have signed collective agreements.



Village offices which set up neighborhood long-term care stations may become insured units to apply for labor insurance for their employees.

The Ministry of Labor expressed that according to the Ministry of Health and Welfare's Overall Community Care Service System Project, village offices may set up neighborhood long-term care stations to provide services such as social participation, health promotion, communal dining, and the prevention and delaying of the onset of disabilities. In order to protect the rights and interests of employees working at village offices, the Ministry is appealing to village offices approved to establish neighborhood long-term care stations based on the project to become an insured unit under the Bureau of Labor Insurance, Ministry of Labor as soon as possible, and when hiring employees, apply for labor insurance for them.



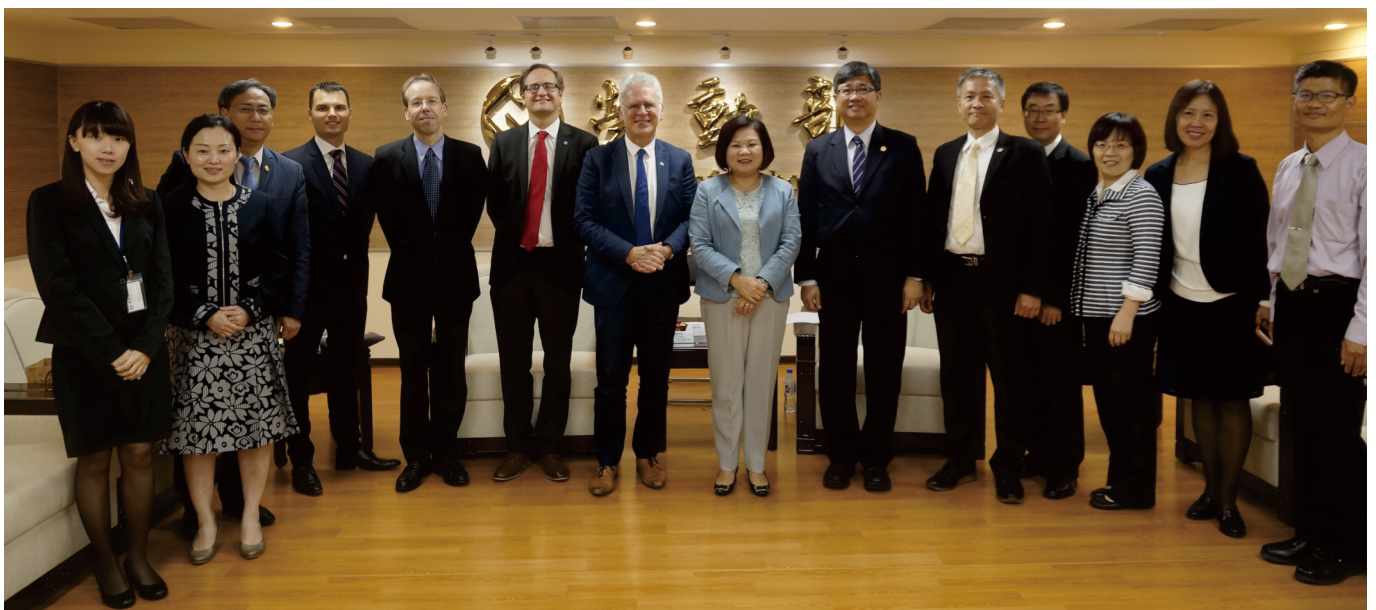
Fons Leroy, CEO of VDAB, the Flemish Employment and Vocational Training Agency, Belgium visited Taiwan, opening doors for substantive cooperation on employment and vocational training between Belgium and Taiwan.

The Ministry of Labor invited Mr. Fons Leroy, CEO of VDAB, the largest employment and vocational training agency in Belgium, and its Strategic Director, Mr. Sven De Haeck, to visit Taiwan from October 28 to November 2, 2018. The two sides exchanged views on employment and vocational training policies, measures, and practices.

During his visit to Taiwan, the CEO Leroy gave a speech at the Ministry of Labor and visited the Taoyuan-Hsinchu-Miaoli Regional Branch Office and the Youth Salon and Maker Base at the Taichung-Changhua-Nantou Branch Office under the Workforce Development Agency, the Ministry of Labor, the Taipei City Employment Services Office and its Mengjia Service Station, the Nantou Life Reconstruction Association (social enterprise) and the Nantou Senior Citizens Education and Development Association (multiple employment), etc., and exchanged views on issues such as overall labor policy planning, youth and senior employment policies and programs, maker bases, multiple employment programs, skills testing and certification, public employment services, and vocational training. The CEO Leroy was also invited to give the opening speech for the Senior Citizens Embracing New Challenges: Taipei International Forum on Senior Employment at Department of Labor, Taipei City Government on October 29 this year.

In addition, the Ministry of Labor's Workforce Development Agency signed a Memorandum Of Understanding (MOU) with the VDAB on employment and vocational training on November 2 this year, aiming to promote cooperation on public employment services and the formulation of vocational training policies between the two parties, facilitate exchanges between personnel and enhance the quality of training, and share information on workforce development and cooperation mechanisms such as public employment services and the best practices for vocational training. This is expected to create good opportunities for cooperation on public employment services and vocational training for both sides.

Belgium is a federal state, and regional governments have independent powers in economy, transportation, education, culture, and employment affairs. Presently, Taiwan and the Flemish region of Belgium have achieved concrete results through exchanges of the economy and trade investment, sustainable energy, and education. This time, the CEO Leroy of the regional employment and vocational training visited Taiwan and signed a MOU with Taiwan, opening the door to exchanges and cooperation in the field of employment and vocational training between Belgium and Taiwan.



Work-Life Balance Awards 2018 announced, enterprises won for their creative measures

In order to encourage enterprises to promote work-life balance and implement corporate social responsibility, the Ministry of Labor hosted the Work-Life Balance Awards 2018. After the three stages of assessment, a total of 32 enterprises stood out and won awards.

The Work-Life Balance Awards are bestowed upon excellent enterprises which support their employees in balancing work, family, and personal life. The Award includes three groups: Friendly-childcare, Work Flexibility, and Employee Assistance. Award-winning enterprises of this year offered 141 creative measures, fully demonstrating the value they place on their employees. Award-winning measures employed in the Friendly-childcare group included: Setting up nursery centers or kindergartens, or giving a monthly childcare allowance of NT\$2,000 to \$4,000, depending on the age of a child, until S/he graduates from primary school, so that novice parents have no worries about childcare. For Work Flexibility group, measures included: Providing employees with leaves or paid leaves superior to decrees, such as 12 weeks of maternity leave and parental leave, fully-paid family care leave, or creative leave such as mood leave, birthday leave, engagement leave, etc. As for the creative measures for the Employee Assistance group examples are included: establishing employee care programs, individualized employee assistance measures, new employee assistance programs, healthy eating, etc.

Minister Hsu Ming-chun presented the awards personally this year, and expressed gratitude and recognition to the award winners. She emphasized that promoting work-life balance is the best strategy with which enterprises can retain talent and continue to innovate. The Ministry of Labor will also continue to promote work-life balance policies and work with enterprises to create friendly, positive, and happy workplaces! Regarding the winners of the Work-Life Balance Awards 2018 and their creative measures, please visit the Ministry's Work-Life Balance website.



Latest results of the Ministry of Labor's evaluation for excellent human resources agencies to find employees!

The Ministry of Labor announced the evaluation result for human resources agency evaluations on October 31, 2018. Of the 1,370 agencies evaluated, 600 agencies were rated grade A (scoring more than 90 points) or 43.79% of the total; 717 agencies were rated grade B (scoring 70 to 90 points), or 52.34% of the total; and 53 agencies were rated grade C (scoring less than 70 points), or 3.87% of the total. The average scores of national human resources agencies increased from 85.68 points in 2016 to 87.48 points in 2017 and the percentage of level A agencies also increased from 36.6% in 2016 to 43.79% in 2017.

The public mostly seek foreign care workers, foreign workers, or overseas employment through human resources agencies. The management and service quality of such agencies have a significant impact on the rights and interests of both employers and employees in Taiwan. Through the annual Private Employment Service Agency Foreign Workers Service Quality Assessment Scheme, the Ministry of Labor evaluates different aspects of an agency, such as quality management, violations and disciplinary actions, and customer service. This urges human resources agencies to focus on customer service and helps maintain order in the human resources market.

A total of 1,370 agencies were evaluated this year and the results has been published on the website of Workforce Development Agency (WDA), Ministry of Labor. The public can access to the Private Employment Services Agency Inquiry System on WDA website to make inquiries and search for the human resources agencies based on region, scale (number of workers needed), type of workers, customer services or percentage of missing workers to suit their needs.

In addition to evaluation results, the Ministry of Labor reminds the public that, before signing a contract, to learn more about the services human resources agencies provide, whether their fees comply with regulatory limit, and whether their refund policy is reasonable, etc. They should also pay attention to what obligations the signatories have and sign the contract in writing to protect their own rights and interests.

