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



The Foreign Worker Long-Term Retainment Plan Has Been Approved By the Executive Yuan, With Hopes That It Is Formally Implemented By the End of April

Premier Su Tseng-Chang officially approved the Ministry of Labor's (MOL) Foreign Worker Long-Term Retainment Plan on February 17, 2022. In the future, the plan will enable employers of foreign workers to apply, on behalf of these workers, for a program which would allow them to work indefinitely in Taiwan in middle-skilled job positions. Eligible foreign workers are required to meet specific salary and skill requirements, and need to have already worked in Taiwan for six years or have obtained an associate degree or a bachelor's degree from a Taiwanese university as international or overseas compatriot students. The plan is expected to be formally implemented before the end of April 2022.

In order to address the increasing shortage of middle-skilled workers in Taiwan, the MOL and other government ministries have been in negotiations to allow foreign workers who have already worked in Taiwan for six years or international and overseas compatriot students who have obtained an associate degree or a bachelor's degree from a Taiwanese university to work in Taiwan at middle-skilled job positions as long as they can meet specific salary and skill requirements. The types of middle-skilled job positions included this plan will initially be limited to those in the marine fishing, manufacturing, construction, agriculture, and caregiving industries.

The MOL stated that, after the plan has been implemented, employers will be able to apply for employment permits to hire foreign workers to fill job positions that they are unable to find domestic employees for, after they have already advertised the position domestically and completed relevant recruitment procedures to find domestic workers. Additionally, in order to raise overall domestic standards of living, foreigners working in middle-skilled positions are already subject to salary thresholds, and are required to have a certain level of skill. In the future, these regulations shall be reviewed on a rolling basis with consideration to the middle-skilled worker retention situation and national demographic policy.



The MOL Has Established the Regulations Governing Personal Information File Security Maintenance Plan and Processing Method for the Human Resources Provision Industry, Helping Businesses Ensure Maintenance of Personal Information Security

On March 9, 2022, the Ministry of Labor (MOL) established and promulgated the Regulations Governing Personal Information File Security Maintenance Plan and Processing Method for the Human Resources Provision Industry (hereinafter referred to as the "Regulations"), due to take effect on June 1, 2022.

The MOL explained that the Regulations have been established pursuant to Article 27 of the Personal Data Protection Act with the purpose of helping human resources provision agencies develop appropriate safety measures to protect the personal information data they hold. The Regulations state that human resources provision agencies should establish plans for the maintenance of personal information files, and also clearly define standards for the five main elements which these plans should cover: personal information protection planning, procedures for managing personal information, measures for managing personal information, personal information processing method after termination of business, and record mechanism, thereby providing these agencies with relevant guidance.

Additionally, the MOL also wants agencies to especially take note of the following: Firstly, when a personal information infringement incident occurs, the agency shall notify the local government where its main business location is based within 72 hours, in addition to actively taking action to notify the victims and limit the damage caused to them. The competent authority shall also take subsequent measures to monitor and manage the situation. Secondly, agencies shall conduct at least one awareness campaign or educational training session each year for their employees to be clear about personal information protection regulations and requirements. Thirdly, agencies shall designate a dedicated employee or establish a team responsible for implementing their personal information maintenance plan and provide them with the necessary resources to do so.

Lastly, the MOL emphasized that since human resources provision agencies are continuously dispatching employees to provide services at the workplaces of its various clients, much personal information held by the agencies often passes through the hands of many different clients. This means that smaller agencies would not necessarily face a lower risk of personal information incidents. Thus, all human resources provision agencies should strictly abide by the Regulations, regardless of their size. The Regulations are set to take effect on June 1, 2022 in order to provide human resources provision agencies with enough time to prepare personal information maintenance plans. The MOL will also work with local governments to jointly educate and assist agencies in the implementation of personal information protection.



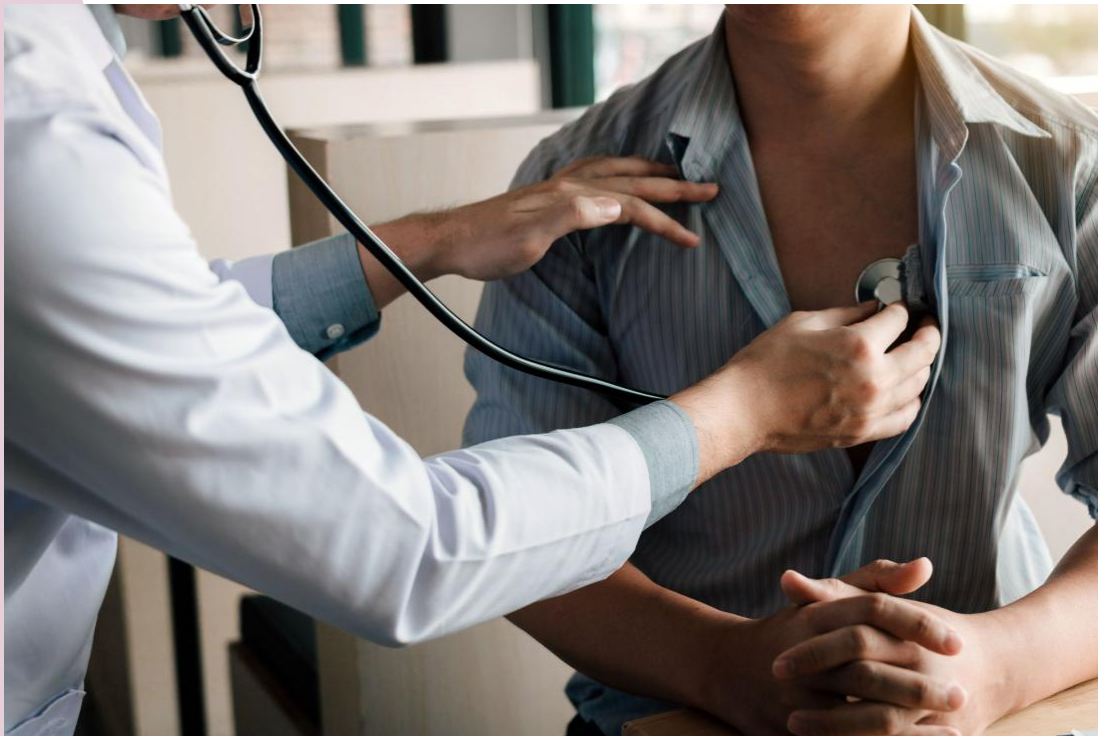
Keywords: Human Resources Provision Industry, Personal Information, Security Maintenance Plan

Prevention Is Better Than Treatment: Insured Units Shall Regularly Arrange Health Examinations for the Prevention of Occupational Diseases On Insured Workers' Behalf

In order to guarantee the occupational safety and health of workers employed in especially hazardous occupations, insured units are eligible to apply for a full subsidy from the Bureau of Labor Insurance each year to fund an annual health examination for the prevention of occupational diseases for its employees.

The Ministry of Labor (MOL) stated that its strategy to combat occupational disease is focused on prevention. Pursuant to the Labor Insurance Act, insured units whose employees conduct tasks in workplaces subject to high temperatures, high levels of noise, lead, particle pollution, or any one of the total of 32 different high-risk physical or chemical conditions described in such Act, may arrange health examinations on behalf of their employees in order to prevent occupational disease. Based on the type of workplace hazard faced by their employees, insurers should arrange for these health examinations to include items such as electrocardiograms, hearing tests, blood tests, urine tests, and chest X-rays, helping workers be aware of their own health status and combating occupational disease through early detection and treatment.

The MOL further stated that the Labor Occupational Accident Insurance and Protection Act will take effect on May 1, 2022. At that time, apart from providing for health examinations to prevent occupational diseases among workers currently employed in hazardous occupations, such Act will also provide for the health of workers who have previously been employed in hazardous occupations but have since transferred to another job type or have been discharged from the insurance. These workers may apply for follow-up health examinations in order to prevent occupational disease or serve to provide evidence for the causes of any occupational diseases.



The MOL Provides Subsidies to Professional Occupational Rehabilitation Institutions, Helping Workers Suffering from Occupational Accidents Return to Work

The Ministry of Labor (MOL) has provided subsidies to 24 professional occupational rehabilitation institutions across Taiwan for the purpose of providing work capability assessments and work hardening training, psychological counseling, social adaptability rehabilitation, and job accommodation services for workers suffering from occupational accidents (both domestic and foreign workers). With the help of occupational therapists and other experts, these efforts will allow workers suffering from occupational accidents to return to work (RTW) as early as possible, reducing the length of work absence, as well as saving medical and social costs. In order to help workers return to work sooner, functional capacities evaluation and work analysis to understand the needs of these workers are being used to set RTW goals.

In one successful case, the MOL helped out a 24-year-old hotel chef, Mr. Yang, who was in a serious traffic accident on his way home from work. The accident resulted in serious injuries, including aortic dissection, hemothorax at both sides, compound fractures of the left femoral shaft, a fracture to his left wrist, and fractures to the T4 and T5 thoracic vertebrae. After Mr. Yang's physical condition stabilized upon treatment and therapy, his doctor referred him to undergo occupational rehabilitation as a way to prepare for returning to work. After a work capability assessment, it was determined that he should follow a work hardening training program focused on developing the strength of his core muscles and learning techniques for carrying heavy weight with less strain, as his job as a chef required him to stand longer for cooking and carrying heavier fruits or vegetables. Work simulation was also conducted in the later parts of the training period. Eight months after his accident, Mr. Yang successfully returned to work.

The MOL informs workers suffering from an occupational accident that they can visit their local service branches to have personalized assessments conducted by qualified professional therapists, and to obtain occupational rehabilitation and training plans. Besides, workers can receive labor rights consultation services from case managers at local labor agencies or occupational disease prevention centers authorized by the MOL. The Labor Occupational Accident Insurance and Protection Act is set to be enacted on May 1, 2022, and professional occupational rehabilitation institutions will be gradually approved by the MOL to provide occupational rehabilitation services. This will allow occupational rehabilitation services to become more accessible. For more related information, please visit the Occupational Safety and Health Administration website.



Mr. Yang (right) successfully returned to work eight months after an occupational accident upon receiving occupational rehabilitation service

Application for Labor Insurance Maternity Benefits Can Now Be Completed Online Without Physical Documents, "Right After Birth"!

The Bureau of Labor Insurance (BLI) has once again continued to upgrade its online services. Insured persons who have given birth in Taiwan and have yet to register the birth of their infant can apply for labor insurance maternity benefits online using their citizen digital certificate. The procedure only requires that you agree to send your birth notification information to the BLI through the MyData platform, and does not require any birth registration documents. Citizens are encouraged to use this quick and convenient method to apply.

From January 2015 onwards, insured persons have been able to apply for labor insurance maternity benefits online through the Personal Online Application and Query system on the BLI website. However, if the insured person had not yet registered the infant's birth or reported a stillbirth, previously, relevant physical documents still needed to be sent to the BLI after the online application had been received; the maternity benefits application would only undergo further review after the insured person registered the infant's birth. In order to make this process more convenient, the BLI has made it possible from 29 December, 2021 onwards for applicants to link their information on MyData, a platform established by the National Development Council, and agree to download their birth notification information and send it to the BLI. The requirement of a birth certificate is thereby waived, and because this information already includes whether the infant was born alive or dead, it also makes providing a certificate of stillbirth unnecessary in the event of a stillbirth. By making the application process more convenient, the BLI achieves the goal of providing a fully-online application process.

The BLI especially reminds citizens that, apart from personally applying for labor insurance maternity benefits online using their citizen digital certificate, insured persons can also provide a letter of consent authorizing their insurer to apply for maternity benefits on their behalf online, send an application notice for maternity benefits through a household registration office or deliver physical documents for maternity benefits. Please only apply for maternity benefits using a single method. Insured persons who have already applied online should not send extra application documents to the BLI to prevent repeated applications from delaying the review process.



Results of the 2021 Workers' Living and Employment Conditions Survey

In order to understand the working conditions faced by workers and how satisfied they are with their working environment and career plans, the Ministry of Labor conducts an annual Workers' Living and Employment Conditions Survey with all domestic workers covered by national labor insurance as subjects. The results of the 2021 survey are described below:

- I. **In 2021, 72.5% of workers were satisfied with their overall employment conditions.** This represents an increase of 1.3% compared to 2020, with 25% of workers reporting that they were neutral towards their employment conditions and 2.5% reporting that they were dissatisfied. Workers who reported being satisfied with their overall employment conditions were most satisfied with gender equality at work out of all surveyed items, at 97.4%.
- II. **46.3% of surveyed workers reported that they worked overtime.** This represented an increase of 2.5% compared to 2020 and, on average, workers reported working 14.9 hours of overtime each month. 57.7% of workers in the professional/science or technology sectors reported working overtime, the most out of all industries.
- III. **87% of workers who worked overtime reported that they were paid overtime pay or received extra time off as compensation.** Workers in the educational sector reported being the least compensated for working overtime, with 31.4% of overtime workers in the sector reporting that they neither received overtime pay nor extra time off as compensation.
- IV. **14.5% of workers reported that they have responded to work-related messages and performed work tasks immediately outside of working hours.** This represents an increase of 2.1% compared to 2020 but, on average, time spent performing actual work per month fell to 4.6 hours, 0.5 hours lower than 2020's average.
- V. **83.6% of workers reported that they wanted to keep working the same amount of hours they are currently working.** This represents an increase of 2.1% compared to 2020. 11% of workers reported that they wanted to work fewer hours, while 5.3% of workers reported that they wanted to work more hours.
- VI. **7.5% of workers reported that they have plans to work overseas.** This represents a slight decrease of 0.1% compared to 2020, with the most respondents reporting that they wanted to work in China, Hong Kong or Macau, at 3.4%.
- VII. **On average, workers reported that they planned to retire at 61.3 years of age.** This represents a decrease of 0.3 years compared to 2020, with male workers reporting an average planned retirement age of 61.8 years and females reporting an average planned retirement age of 60.8 years, meaning that there is a one-year average difference between the two groups. Workers mostly reported that they planned for their Old-Age Labor Benefits and Labor Pension or personal savings to serve as their retirement funds.
- VIII. **4.9% of workers reported working a part-time job in addition to their main job.** On average, these workers reported working 1.2 additional part-time jobs, with the main reason being "to increase my income and raise my standard of living", at 1.7%.



Keywords: Workers, Employment Conditions, Career Plans