



# 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 revised *Labor Standards Act*

passed its third reading in the Legislative Yuan on January 10<sup>th</sup>, 2018, and will come into effect on March 1<sup>st</sup>, 2018. The Ministry of Labor emphasized that there will be no hiatus in the implementation of the *Act*, and that the Ministry will put in place the necessary mechanisms to ensure that the revised *Act* comes into effect smoothly. And no abuse of the revised provisions.

Taiwan's revised *Labor Standards Act* passed its third reading in the Legislative Yuan on January 10<sup>th</sup>, 2018, and will come into effect as of March 1<sup>st</sup>, 2018. There will be no hiatus in the implementation of the *Labor Standards Act*; the requirement, that employees be given at least 11 hours' rest between shifts will be formally implemented as soon as the revised *Act* comes into effect, and employers may not arbitrarily reduce employees' rest intervals, except in the case of legally-approved special cases or where proper legal procedures are followed.

In order to ensure that the revised *Labor Standards Act* is implemented in accordance with the original intent of the revisions, and to safeguard workers' rights, the following measures will be taken:

1. The Ministry of Labor will be formulating related regulations and ancillary measures to ensure that the revised *Act* can be implemented properly.
2. With respect to state-owned enterprises supervised by central government agencies, and business enterprises located within industrial parks etc. that are supervised by central government agencies (including regular industrial parks, export-processing zones, and science parks), priority will be given to providing guidance regarding the operation of labor-management councils; individual local government authorities will be asked to send out reminder letters as soon as possible instructing those business enterprises located within their jurisdiction that have not yet established a labor-management council to do so within a specified time limit.
3. The Ministry of Labor will be actively implementing working conditions supervisory inspections; priority will be given to the implementation of special working conditions inspections targeting state-owned and public enterprises and transportation sector enterprises, hospitals etc. that implement a shift system where there are public safety concerns.
4. The Ministry of Labor will be establishing an online notification and review system so that business enterprises and local government authorities can complete notification and review processes.

The minimum required rest period between shifts will still be 11 hours in the majority of cases. However, in the case of jobs that have special requirements, or where there are special circumstances, if the central government competent authority for the industry concerned requests that the Ministry of Labor issue a special notification, it may be possible to reduce the minimum rest period between shifts, although the minimum rest period must still be at least 8 hours. Several government agencies, including the Ministry of Health and Welfare, have already taken a preliminary inventory of jobs that have special requirements and of cases where special circumstances apply, and in the future the Ministry of Labor will be implementing review in accordance with the procedures specified by law to determine whether or not exceptions do in fact need to be made in these cases; in the cases where exceptions are made, the Ministry of Labor may specify supplementary conditions and/or a time limit. With regard to the scheduling of the one fixed rest day in every 7-day period that employees are entitled to, in principle, employees may not work for more than 6 consecutive days. This should not be taken to imply that business enterprises may schedule employees' fixed rest days as they see fit; flexible adjustment of fixed rest days within each 7-day period will only be permitted in those industries specified by the Ministry of Labor where the central government competent authority for the industry in question has given its agreement and where one of the following four situations applies: the job involves special hours, the job is carried out in a special location, the nature of the work carried out is special, or there are special circumstances. An inventory-taking has already been carried out with respect to which jobs these requirements may apply to, and in the future the Ministry of Labor will be conducting review in accordance with the procedures specified by law.





## Improved services for direct recruitment for foreign workers! With the launch of online application and single-window services in 2018, the Ministry of Labor is providing first-class digitalized direct recruitment services with consistent quality of service

In order to provide a more diversified range of channels for recruitment of foreign workers, in 2008 the Ministry of Labor (MOL) had established the Direct Hiring Service Center (DHSC), with the aim of reducing the amount of brokers' fees paid when arranging for foreign workers to come and work in Taiwan. Starting from 2018, DHSC will provide even more convenient services to foreign worker. MOL is launching a direct recruitment online application service and adopting a single-window service model; dedicated personnel that will provide customized services, following up on applications and prompting applicants to complete necessary procedures, so as to realize a further enhancement of overall service quality.

The MOL noted that, since the DHSC was first launched, it has provided services to around 150,000 employers. Recently, in response to the global trend towards a greater emphasis on corporate social responsibility (CSR), the MOL has been promoting a new service that allows project-by-project employee selection for manufacturing enterprises. Starting in 2018, a new, upgraded "Direct Recruitment Online Application Service" is being launched. Employers wish to undertake direct recruitment of manufacturing industry operatives, deep-sea fishing vessel crewmembers, home care assistants, home helper and institutional care assistants will be able to use the new online application system to apply for foreign worker recruitment permits, authorization for foreign workers to enter Taiwan, and employment permits (including applications to extend these permits when they expire).

The MOL explained that, to use the new online application systems, employers will only need to apply for an account number using their enterprise certification card and their Citizen Digital Certificate; they will then be able to enter the required data into the system, upload the required documents and pay the required processing fees, which will enable applicants to avoid unnecessary delay in delivering documents in person or sending them by post. Responding to the introduction of online application service for direct recruitment, the Direct Hiring Service Center (DHSC) is also providing new types of service, with the introduction of "single-window service," handled on a centralized basis by the Taipei office of the DHSC, with dedicated personnel handling every aspect of each application, including follow-up, management items, reminders, etc., to provide a comprehensive customized service for applicants. This seamless provision of direct recruitment application service will enhance the overall level of convenience in the direct recruitment process.

Direct recruitment makes it possible for employers to recruit high-quality foreign workers and to extend their period of employment; it also reduces the financial burden of related fees for both employers and foreign workers. For more information about direct recruitment, or if you have any questions about the service, please contact the DHSC by telephone (Tel: 02-6613-0811) or visit the DHSC website (<https://dhsc.wda.gov.tw>) to download the information you need.

If you have any queries about how to use the online application system, the MOL has a toll-free number that you can call: 0800-035-688. Alternatively, you can access the user manual on the online application website (<https://dhscfwapply.wda.gov.tw>).

The MOL encourages more employers to make use of the new system.



The Ministry of Labor hosts the “2017 Workshop on Fostering Inclusive Growth in APEC Economies-Equal Employment Opportunity Policies and Practices,” with the aim of helping to strengthen collaboration development with other APEC member economies, and contributing to the development of more equal employment opportunities and a supportive social ethos.

APEC's Theme for 2017 was “Creating New Dynamism, Fostering a Shared Future.” In response to APEC's setting of “Fostering Sustainable, Innovative and Inclusive Growth” as one of the Priorities, in 2017 representatives of the Ministry of Labor put forward a proposal regarding “Fostering Inclusive Growth in APEC Economies-Equal Employment Opportunity Policies and Practices” at plenary meeting of APEC's Human Resources Development Working Group (HRDWG), which was approved unanimously; to put this proposal into practice, a “2017 Workshop on Fostering Inclusive Growth in APEC Economies-Equal Employment Opportunity Policies and Practices” was held in Taipei on December 12 – 13, 2017. Several representatives of other APEC member economies – including Mr. William La, a senior analyst at Australia's Department of Employment, Ms. Pham Minh Thu, head of the Research Management Division at Vietnam's Institute for Labour Science and Social Affairs of Ministry of Labour, Invalid and Social Affairs, Mrs. Sri Setiawati, head of the Regional Cooperation Division at Indonesia's Ministry of Manpower, Mrs. Daruput Limprawanit, chief of the Foreign Relations Group at the Department of Employment of Thailand's Ministry of Labour, Mr. Victor Schachter, founder and chairman of the Foundation for Sustainable Rule of Law Initiatives in the U.S.A. and Dr. Paul Michael Swiercz, Professor at The George Washington University in the U.S.A. – participated in the Workshop to engage in discussions and share experience regarding the prevention of employment-related discrimination, realizing gender equality in the workplace, etc. Mr. Vitalijus Novikovas, a legal officer at the European Commission's DG Justice and Consumers, was also invited to attend the Workshop to share his expertise regarding equal employment promotion and discrimination prevention policies, regulations and practical implementation methods in the European Union, with the aim of fostering cross-regional collaboration.

Fostering sustainable, innovative and inclusive growth emphasizes the need for economic growth to be accompanied by equality of opportunity. Besides the representatives of APEC member economies and of the European Union who were invited to attend the Workshop, in order to foster both domestic and international dialogue, a number of Taiwanese participants were also invited to attend – including Senior Executive Officer Yang Xiao-Yun of the Gender Equality Department of Executive Yuan, Professor Liu Mei-Chun of the Institute for Labour Research at National Chengchi University, Associate Professor Ke-Jeng Lan and Assistant Professor Fu Bo-Shone of the Department of Labor Relations, National Chung Cheng University, Adjunct Research Fellow Chiao Cing-Kae of the Institute of European and American Studies, Academia Sinica, Assistant Professor Hsu Yun-Xiang of the Graduate Institute of Law and Government at National Central University, Mr. Cheng Chia-Ching, Executive Director of the European Union Centre in Taiwan (EUTW), and Mr. Hsueh Kuang-Yang, Vice President of Pfizer Taiwan – to pool their expertise with the aim of identifying potential strategies for boosting economic participation among disadvantaged groups and for developing more equal employment opportunities and a social ethos that attaches greater importance to fairness.





## The Ministry of Labor presents the National Occupational Safety and Health Award to the award-winning enterprises, which have been working together with the Ministry to create first-class working environment in Taiwan

On December 1, 2017 the Ministry of Labor (MOL) held a presentation ceremony for the National Occupational Safety and Health Award, to honor business enterprises that have maintained a longstanding commitment to the maintenance of a safe working environment, thereby helping to ensure the health and safety of their employees, as well as individuals who have made a long-term contribution in the health and safety field.

The National Occupational Safety and Health Award is Taiwan's most prestigious health and safety awards. The Award-winners are model firms that have been working over a period of many years to establish and maintain a working environment characterized by first-class health and safety provision, which make the protection of employees' health and safety part of their core values. This year, it was decided that the award ceremony would be held on award-winners' own premises, with all award-winning enterprises being invited to attend so as to have an opportunity to share their experience in this field.

The MOL noted that this year's award-winners all have their own unique safety culture. At Powerchip Technology Corporation, senior management has taken the lead in building a corporate culture that aims to achieve “zero occupational injuries.” Kuozui Motors has incorporated safety measures into production activities, aiming to prevent industrial accidents “at source.” Vanguard International Semiconductor insists on monitoring every stage in the production process, and refuses to compromise on safety. The firms that won the Awards for small and medium enterprises (SMEs) and for companies in “traditional” industries – Total Lubricants and Aviocast respectively – are both relatively small firms, and yet they have invested proactively in industrial safety, adopting advanced production process equipment and working to improve the health and safety aspects of their working environment; companies across a wide range of industries could learn from their example. Individual Award-winners Dr. Wang Jung-Der and Dr. Shih Tung-Sheng have been responsible for developing many health and safety and industrial accident prevention systems, and related initiatives, that have attracted attention both in Taiwan and overseas; their achievements have been truly impressive.

The MOL emphasized that it will continue working to promote the development of workplace environments characterized by high health and safety standards, and that this will require a combined, three-way effort on the part of business enterprises, employees and the government. In the future, the MOL will continue to refine accident prevention and mitigation measures, so that all employees can work and grow in the environment that gives them dignity and safety!



## The Ministry of Labor is planning to hold “Work-Life Balance Awards 2018,” Enterprises providing employee-friendly measures are welcome to participate in competition for the award.

In order to encourage enterprises to promote work-life balance measures and create positive working environments, the Ministry of Labor (MOL) is planning to hold the “Work-Life Balance Award 2018,” and seeking enterprises implementing innovative work-life balance measures.

The MOL noted that enterprises promote work-life balance measures is a sustainable operation strategy. When enterprises create an employee-friendly culture employees can balance their work and personal lives, and work more efficiently. Also the enterprises will build a positive corporate image, and create a “win-win situation” for both labor and management.

The “Work-Life Balance Award 2018” is subdivided into three major categories, including “Childcare-friendly Measures,” “Work Flexibility Measures” and “Employees Assistance.” The focus of “Childcare-friendly Measures” is helping employees meeting childcare needs such as establishment of childcare centers and kindergartens or provision of childcare allowance. The “Work Flexibility Measures” include providing flexible working hours, working at home, or providing leaves superior to legal requirements for employees. Also, the “Employees Assistance” stresses the establishment of mechanisms to help employees, including the provision of consultation and assistance helping employees dealing with work-related, family-related or health-related problems, thereby helping employees mentally and physically healthy.

The enrollment for the “Work-Life Balance Awards 2018” will start from March 1 to April 30 2018. Information is available at the “Work-Life Balance” website (<https://wlb.mol.gov.tw>), or phone 02-87977333 ext. 106 or 112. Also the MOL will hold introductions about the award in March 2018. The MOL looks forward to inviting enterprises that make efforts to create friendly workplaces, so as to create a workplace that help employees to maximize their enthusiasm and potentiality.





## Outlook on Global Economy and Investment Planning for Labor Funds in 2018

The global economy has been recovering moderately since 2017, and the performance of financial market gets progress on the whole. Economic data are improving following the booming up of global manufacture and trade. The outlooks of most economies tend to be optimistic. The U.S., Japan and Eurozone grow steadily, while most Asian economies are better than 2016. However, the divergent monetary policy among central banks, the impact of fiscal policies, trade protectionism and geopolitical risk remain uncertain for the coming year.

The forecast from International Monetary Fund (IMF) has a positive view for the year of 2018. According to IMF, global economy growth rate will rise to 3.7% in 2018 from 3.6% in 2017. Regarding the outlook in 2018, global interest rate will still be in low level, and inflation will be moderate comparatively. American economy will grow steadily, and keep the reform on finance and tax cut. Eurozone will speed up its growth; however, China's economy will be stable. Although some developed countries had adopted or considered tightening, global economy will get support owing to the comparatively sufficient fund supply. Taiwan's economic growth rate in 2017 is better than expected aligning steady recovery of global economy, rising foreign demand, and expansion of export. Taiwan's economy is still stable and optimistic in the future.

In view of the environment with low interest rate and volatility, the Bureau of Labor Funds (BLF) will strengthen global diversified investment strategy in 2018 and enhance performance. BLF would increase the domestic mandate position of absolute and relative return, as well as the proportion of foreign equity and alternative investment. In regard to foreign investment, BLF will proceed with the mandate of absolute return equity. By adopting absolute return benchmark, it's expected that managers could manage the volatility of portfolio and provide protection for downside risk. We anticipate that it will increase long term performance of the Funds by accommodative management.

In responding to the ever-changing financial market and economy, BLF always upholds the strategy of diversified investment and prudent allocation. We pursuit stable performance and implement social responsibility. In the future, we will give close attention to the situation of global politics, economy and markets, calibrate our portfolios accordingly and consider market risk. It's expected that the Funds could obtain long-term stable return and safeguard the economic security of retirees.

