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## 勞工簡訊



**勞動部**  
Ministry of Labor, R.O.C.

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.

# 總統公布《勞動基準法》有關「週休二日」相關修正條文，除另定施行日期之條文外，其餘條文自105年12月23日生效

**The President has promulgated related amendments of the Labor Standards Act pertinent to the "Five-Day Work Week" with the exception of articles with specific dates of implementation, all remaining articles are effective as of December 23, 2016**

總統於105年12月21日公布《勞動基準法》修正條文，除第34條之施行日期由行政院另定，以及第37條、第38條之條文自106年1月1日施行外，其餘條文(第23條、第24條、第30條之1、第36條、第39條、第74條及第79條)自105年12月23日即行生效。此次修法重點包括：

1. 雇主應於發給工資時，提供勞工工資各項目的計算方式。(第23條)
2. 提高休息日出勤工資並將出勤時數納入每月延長工時總數計算，避免勞工過度勞動。(第24條及第36條)
3. 輪班制勞工換班之休息時間至少應有11小時。(第34條)
4. 從制度上建構週休二日之明確法源並兼顧各業勞工之不同需求。(第36條)
5. 國定假日回歸內政主管機關相關規定之一致性規範。(第37條)
6. 提升並強化勞工特別休假權益。(第38條)
7. 有效處理申訴案並強化保障申訴勞工之權益。(第74條)
8. 提高罰則。(第79條)

特別休假日數試算系統 ([http://kmvc.mol.gov.tw/Trail\\_New/html/RestDays.html](http://kmvc.mol.gov.tw/Trail_New/html/RestDays.html)) 及加班費試算系統(<http://labweb.mol.gov.tw/>) 已更新上線；修法詳細內容可至本部網站/常見問答 (<http://www.mol.gov.tw/service/19851/19852/19861/30631/>)。

關鍵字：勞動基準法修法、工資、工時

Key Words: Amendments to the Labor Standards Act; wage; working hours

The President promulgated the amendments to the Labor Standards Act on December 21, 2016. With the exception of Article 34, of which the date of implementation shall be otherwise specified by the Executive Yuan, as well as Articles 37 and 38, which became effective on January 1, 2017, the remaining articles (Articles 23, 24, 30-1, 36, 39, 74 and 79) went into effect on December 23, 2016. Highlights of these amendments include:

1. Employers shall provide employees with wage calculation details when making wage payments. (Article 23)
2. Wages for duties performed on rest days are increased, and these additional working hours are added to the overall monthly hours of overtime work in order to avoid overwork. (Article 24 and Article 36)
3. A rest interval of at least 11 hours between shifts shall be made available to workers on rotation. (Article 34)
4. Regulatory foundations for the five-day work week are systematically established while taking into account the varying needs of workers in different sectors. (Article 36)
5. National holidays are reverted in accordance with the consistent guidelines set forth by the competent authority of internal affairs. (Article 37)
6. Worker rights to annual paid leaves are improved and enhanced. (Article 38)
7. Complaint cases are to be effectively processed while enhancing the protection of the rights of workers who issued complaints. (Article 74)
8. Increased penalties. (Article 79)

Calculators for annual paid leaves ([http://kmvc.mol.gov.tw/Trail\\_New/html/RestDays.html](http://kmvc.mol.gov.tw/Trail_New/html/RestDays.html)) and overtime pay (<http://labweb.mol.gov.tw/>) have both been updated and are available online; for more details on the amendments, please refer to the Ministry's official website/FAQ (<http://www.mol.gov.tw/service/19851/19852/19861/30631/>).



# 106年起勞工保險預防職業病健康檢查新增4項作業種類，增進勞工權益

## From 2017, four new categories shall be added to the labor insurance health examination for prevention of occupational diseases to enhance labor rights

勞動部表示，106年1月1日起勞工保險預防職業病健康檢查新增「溴丙烷」、「1,3-丁二烯」、「甲醛」、「銻及其化合物」等4種特別危害健康作業種類，新增後勞工保險預防職業病健康檢查受檢作業種類總計達31種。

為維護勞工健康，及早發現職業病，勞工保險預防職業病健康檢查將「勞工健康保護規則」所列之31種特別危害健康作業種類全部納入受檢範圍，勞保被保險人實際從事特別危害健康作業，且最近加保年資連續滿一年，由投保單位先向勞保局提出申請，經審查符合資格，被保險人持該局核發之健康檢查證明單，前往指定醫療院接受健康檢查，僅需負擔掛號費，檢查費用由勞保局支付。

勞動部提醒，投保單位可多加利用勞工保險預防職業病健康檢查，如果投保單位沒有依規定申請預防職業病健康檢查，被保險人也可直接向勞保局申請，以維護自身權益。如需更詳細資訊，可洽詢勞保局（電話：02-2396-1266，地址：臺北市羅斯福路1段4號，網址<http://www.bli.gov.tw>）。

According to the Ministry of Labor, four categories of tasks with special health hazards including "bromopropane", "1,3-butadiene", "formaldehyde" and "indium and its compounds" have been added to the labor insurance health examination for prevention of occupational diseases since Jan. 1, 2017. Following these additions, the number of categories covered by the labor insurance health examination for prevention of occupational diseases reaches a total of 31.

In order to ensure worker health and facilitate the early diagnosis of occupational diseases, labor insurance health examination for prevention of occupational diseases now includes all 31 categories of tasks with special health hazards as listed in the Labor Health Protection Regulations. Insured persons of labor insurance who are actually engaged in those tasks with special health hazards and have remained under insurance coverage for at least one year consecutively in recent enrollment can proceed to designated hospitals for health examinations by presenting health examination certificates issued by the Bureau of Labor Insurance, after applications submitted by the insured unit have been vetted and approved by the Bureau. The insured persons are only required to pay for registration fees as examination fees shall be covered by the Bureau of Labor Insurance.

The Ministry of Labor reminds insured units to take advantage of the labor insurance health examination for prevention of occupational diseases as much as possible. In case insured units fail to apply for the health examination for prevention of occupational diseases as required by regulations, insured persons can also submit their applications directly to the Bureau of Labor Insurance to ensure their personal rights. For more detailed information, please contact the Bureau of Labor Insurance (Telephone: 02-2396-1266; address: No.4, Sec. 1, Roosevelt Rd., Taipei City; website <http://www.bli.gov.tw>).



關鍵字：職業病、健康檢查、危害健康作業

Key Words: Occupational diseases; health examination; operations posing risks to health

# 105年外籍勞工管理及運用調查統計結果

## 2016 Foreign Workers Management and Utilization Survey Results and Statistics

為蒐集事業面(製造業及營建工程業)及家庭面雇主對外籍勞工的管理、運用及其工作概況，作為外籍勞工引進及管理政策參據，辦理「105年外籍勞工管理及運用調查」，調查統計結果摘述如下：

1. 105年6月事業面外籍勞工薪資平均為2萬5,440元，外籍家庭看護工薪資平均為1萬9,643元。
2. 事業面外籍勞工6月工時平均為210.7小時，其中正常工時為177.4小時，加班工時為33.3小時，放假天數平均為8.0天。
3. 家庭面外籍家庭看護工每日實際工作時間平均為9.8小時，9成3外籍家庭看護工每日連續休息時間超過8小時。
4. 事業面雇主為外籍勞工辦理保險之比率占99.9%，其中以「勞工保險」占99.1%最高。家庭面雇主為外籍家庭看護工辦理保險之比率占99.8%，其中以「全民健康保險」占96.2%最高。
5. 事業面及家庭面雇主在管理及運用外籍勞工時，有遭遇困擾分別占45.9%及36.6%，困擾原因均以「語言溝通困難」最高。



The 2016 Foreign Worker Management and Utilization Survey was conducted to collect data regarding the management, utilization and general working conditions of foreign workers by employers from both productive industries (Manufacturing and Construction) and private households. Survey results and statistics, which will be used as policy-making references for the future introduction and management of foreign workers, are summarized as follows:

1. The average monthly wage of foreign workers employed by productive industries in June, 2016 reached NTD 25,440, while the average monthly wage of foreign family caregivers was NTD 19,643.
2. The average working hours of foreign workers employed by productive industries in June were 210.7 hours, 177.4 hours of which were normal working hours while the remaining 33.3 hours were overtime hours. Their average leave days were 8.0 days.
3. The average actual working hours of foreign family caregivers were 9.8 hours per day. 93% of foreign family caregivers were able to rest for more than 8 consecutive hours per day.
4. 99.9% of foreign workers employed by productive industries were insured by their employers. Among the insurance policies, Labor Insurance accounted for 99.1%. 99.8% of foreign family caregivers were insured by their employers. Among the insurance policies, National Health Insurance accounted for 96.2%.
5. 45.9% of productive industries and 36.6% of private households hiring foreign workers encountered troubling problems relating to the management and utilization of foreign workers, with "communication difficulties in language" cited as the most common reason.

關鍵字：外籍勞工、外籍家庭看護工、調查統計

Key words: Foreign workers; foreign family caregivers; survey statistics



## 協助失業者提升技能， 勞動部106年自辦失業者職前訓練課程出爐

### To Help the Unemployed Improve Work Capabilities, the Ministry of Labor Unveils Self-organized 2017 Pre-employment Training Courses For the Unemployed



勞動部勞動力發展署為協助待業者提升或培養就業技能以促進其就業，每年均由所屬 5 分署依據區域產業發展及就業市場需求，辦理就業導向的職業訓練，如針對目前勞動部統計薪資較高的電子零組件製造業、資訊及通訊傳播業，辦理資訊電子應用、數位電子裝置設計等課程，另時下流行的文創產業，也有辦理數位圖文傳播、視覺傳達設計等課程。

106年分署規劃辦理的訓練職類非常多元，如智慧自動化與機器人、物聯網應用、水電、精密機械、服裝設計、景觀設計、建築裝潢、食品烘焙、物流管理及旅遊從業人員等，平均訓後就業率將近9成。

相關課程資訊可上「台灣就業通網站」(<http://www.Taiwanjobs.gov.tw/>)查詢，或直接撥打24小時免付費客服專線0800-777-888洽詢職業訓練相關資訊。

In order to help the unemployed improve or cultivate job skills that facilitate future employment, the five regional branches of the Workforce Development Agency of the Ministry of Labor administer job-oriented vocational trainings in accordance with regional industrial developments and job market demands on an annual basis. Training courses such as information and electronic applications as well as digital electronic device design are conducted to cater to higher-paying sectors based on the Ministry of Labor surveys, including electronic parts manufacturing, information, and communication. In addition, courses such as digital graphic communication and visual communication design are also conducted to cater to the currently trending cultural & creative industry.

Vocational training programs organized and conducted by the regional branches in 2017 are highly diverse and include categories such as smart automation and robots, IoT applications, plumbing and electrician, precision machinery, apparel design, landscape design, construction and interior decoration, foods and baking, logistics management and travel tourism, etc. Employment rates at the conclusion of training approached 90%.

For information on courses offered, please visit "TaiwanJobs" (<http://www.taiwanjobs.gov.tw/>), or dial the toll-free customer hotline number at 0800-777-888 for more information on vocational training.

關鍵字：職前訓練、職業訓練、提升就業力

Key words: Pre-employment training; vocational training; improving employability

## 勞動部啟動春安計畫 加強勞動檢查

### The Ministry of Labor Launched New Year Security Program to Enhance Labor Inspection

每逢春節，事業單位歲修、清理或趕工等臨時性及動態性作業增加，發生職業災害及超時工作之過勞風險，也相對升高。為強化歲末及春節期間之防災作為，勞動部於106年1月13日正式啟動為期32天之「春安期間加強勞動檢查實施計畫」，透過加強檢查、宣導及輔導等措施，督促事業單位落實各項防災機制，並遵守過勞預防相關規定。

勞動部表示，歲末年終及春節期間，多數行業較平時忙碌，但雇主對勞工安全衛生設施及過勞預防的要求，更不能疏忽，如石化及化學工廠應強化危害物管理與動火許可、營造工程應落實施工架與模板支撐倒塌崩塌之災害預防、工廠歲修作業應確實辦理進場管制與承攬管理，以避免發生災害。各勞動檢查機構於春安期間除加強檢查及宣導外，將一併分送新修正勞動基準法之修法說明及勞動條件自主檢視表，以協助事業單位落實法令。

勞動部職業安全衛生署表示，勞動檢查只是最後一道防線，勞工的工作安全及勞動條件還需每位雇主的關心，也特別提醒雇主務必加強安全管理，讓每位勞工朋友都能平安回家過年團聚。

關鍵字：春安期間、勞動檢查、過勞預防

Key words: CNY security period; labor inspection; overwork prevention



During Chinese Lunar New Year, there is a rise in the frequency of temporary and dynamic operations conducted by businesses and organizations for annual maintenance, cleaning and other urgent tasks. As a result, the likelihood of occupational accidents and risks associated with overwork is also relatively higher. In order to reinforce disaster prevention measures during the year-end and Chinese New Year periods, the Ministry of Labor officially launched the 32-day-long "Enforcement program for enhancing labor inspection during the Chinese New Year security period" on January 13, 2017. The Ministry of Labor hopes to supervise and urge businesses and organizations to enforce various disaster-prevention mechanisms as well as abide by related regulations on overwork prevention through measures such as enhanced inspection, promotion and guidance.

According to the Ministry of Labor, businesses tend to be extremely busy at year end and during the Chinese New Year holiday period. Employers nevertheless cannot afford to overlook the importance of labor safety and sanitary measures and prevention against overwork. For example, petrochemical and chemical plants should enhance the management of hazardous substances and hot work; construction projects should implement disaster prevention against the collapse of construction scaffolding and struts; annual factory maintenance operations should be conducted in strict compliance with approach control and undertaking management in order to prevent harm and injury. In addition to enhanced labor inspection and promotion during the Chinese New Year security period, all labor inspection units shall distribute instructions on the newly amended Labor Standards Act as well as the autonomous inspection chart for labor conditions to help businesses fully implement the updated laws and regulations.

According to the Occupational Safety and Health Administration, MOL, labor inspection is merely the last line of defense; it is the duty of employers to pay better attention to the job safety and labor conditions of their employees. The Administration also reminds employers to ensure that their safety management is enhanced so that workers can return home safely to their new year family reunions.



# 106年全球經濟展望與勞動基金投資規劃

## 2017 Global Economic Outlook & Labor Funds Investment Planning

國際經濟機構預測 106 年全球經濟將緩步復甦，美國漸進式升息，其他主要經濟體續行量化寬鬆貨幣政策，另因川普政策和德法大選影響，預期全球股市仍將大幅波動；中國經濟結構調整及產油國是否遵守減產協議等，亦將牽動全球經濟表現。

國內經濟成長率轉正，景氣對策信號續呈綠燈，景氣緩步回溫。股市基本面支撐力道加強，相對高殖利率亦具吸引力，惟面對全球貿易保護主義升溫等眾多不確定因素影響，波動可能加劇。

鑑於全球市場動盪及低利率環境，勞動基金 106 年持續強化全球多元投資策略，將規劃全球社會責任投資委託經營，並為因應市場波動度提高，於未來升息機率提高環境下，強化下檔風險保護，辦理「全球 ESG (環境、社會及公司治理) 混合指數被動股票型」及「絕對報酬債券型」之投資委任。

勞動基金向來秉持多元投資、穩健布局之策略，除追求穩定獲利外，亦致力踐行社會責任，並將持續審慎因應金融情勢變化調整投資組合，以降低資產波動風險，獲取基金長期穩健收益。

According to forecasts by international economic institutions, the global economy is set to rebound slowly in 2017 and the U.S. will incrementally increase its interest rates, while other major economies will continue their quantitative easing monetary policies. On top of that, stock markets around the world are projected to fluctuate significantly under new Trump policies and the general election results of Germany and France. Adjustments in China's economic structure as well as the question of whether oil-producing countries will adhere to the agreement to curtail oil production will also have significant bearing on economic performances around the world.

Taiwan's domestic economic growth is swinging back into positive territory as the monitoring indicators continue to remain a green light, signaling that the economy is slowly recovering. Fundamental support for the stock market is on the increase, and relatively high yield ratios are also very tempting. However, fluctuations may become more drastic under the influence of various uncertainties, including the escalation in global trade protectionism.

In view of global market fluctuations and a low interest rate environment, the Labor Funds will continue to enhance its global diversified investment strategy in 2017 and plans for a mandate program of global socially responsible investment. Moreover, in response to increasing market volatilities, the Labor Funds planned to manage downside risk and have released the "Global ESG Quality Mix Equity Indexation Mandate" and "Absolute Return Fixed Income Mandate" in an environment where interest rates are likely to increase going forward.

Adhering to the longstanding strategies of diversified investment and surefooted deployment, the Labor Funds is devoted to performing its social responsibilities in addition to the pursuit of steady profitability. The Labor Funds will also continue to cautiously adjust its investment portfolios in keeping with the latest changes in financial situations to lower the risks associated with asset volatilities while securing stable long-term yields.

關鍵字：106 年全球經濟、勞動基金投資規劃、全球多元投資  
Key words: 2017 global economy; Labor Funds investment planning;  
global diversified investment