



QUARTERLY FOCUS



New Labor Pension System celebrating 10th year of retirement protection

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New Labor Pension System celebrating 10th year of retirement protection

Everyone hopes that after a lifetime of hard work, they can live a worry-free retirement and enjoying the rest of their life. The pension we accumulate determines what kind of retirement life we will have. Pension accumulation is dependent on the pension system, and a full pension system is built on the government's social insurance system, labor pension payments from businesses, and the individual laborer's savings capacity, hence forming a three-tier security system built together by the government, businesses and laborers.

The birth of the New Labor Pension System

To provide retirement security to laborers, the "Labor Standards Act" was implemented in 1984 to build a foundation

for the second protection tier of Taiwan's labor pension system. In accordance with the Labor Standards Act, laborers must work for more than 25 years in the same institution, or work for 15 years or more until the age of 55, or work over 10 years until the age of 60 in order to retire voluntarily and apply for pension from the employer. The purpose of this design was to encourage employees to long-term service in the same institution and reduce labor turnover. Due to changes in industrial development, the possibility of laborers working in the same institution for life is greatly reduce, and even if they do not change work, the organization they worked for might go out of business, become bankrupt and other unpredictable events that might not allow laborers to reach the retirement conditions set by the Labor Standards Act, and successfully receive their pensions.



▲ Tenth anniversary New Labor Pension achievement exhibition. Third from left is the Minister of Labor, Mr. Chen, Hsiung-Wen

Given that the Old Pension System had the problem of "seeing but not receiving," the Council of Labor Affairs (now the Ministry of Labor), began reforming the labor pension system in July 1990. In August 2001 the convened Economic Development Advisory Committee reached consensus for the planning of a "Portable Pension System", which the CLA used to plan forward the "Draft for the Labor Pension Act", to the Executive Yuan for deliberation, and then to the Legislative Yuan in March 2002 for review. After multi-party communication and coordination with the government, legislators, labor groups, etc., finally on June 11, 2004, the Legislative Yuan on the third reading passed the "Labor Pension Act", opening again a historic new page for the protection of labor retirement.

A decade of achievements with the New Labor Pension System

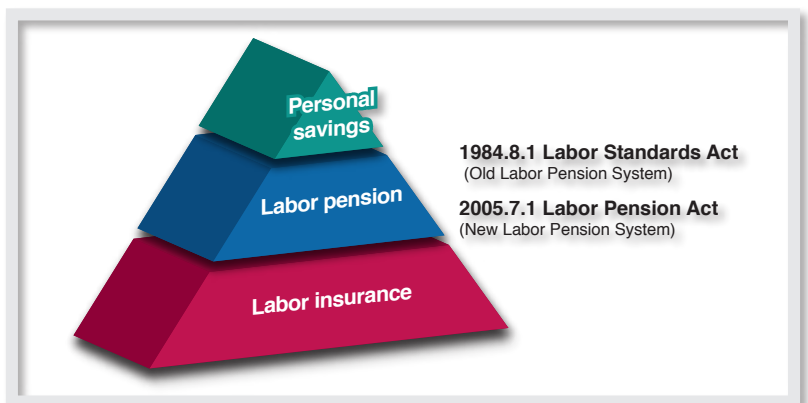
On July 1, 2005, the Labor Pension Act (New Labor Pension System) was enacted: this was the biggest change since the pension system of the "Labor Standards Act" was enacted. Since then, laborers can enjoy a "seeing and receiving" pension system, while also enjoy the security of a three-tier pension structure comprising labor insurance, labor pension and personal savings.

The New Labor Pension System uses an individual labor pension account system, where employers have to pay a pension of at least 6% of their employed workers' wages each month to their individual labor pension accounts, the pension's amount is determined by each personal account's principal and earnings. These accounts are owned by the workers, so workers will no longer be denied their pension due to change of employment or going out of business or bankruptcy. Work seniority from different businesses can also be calculated together.

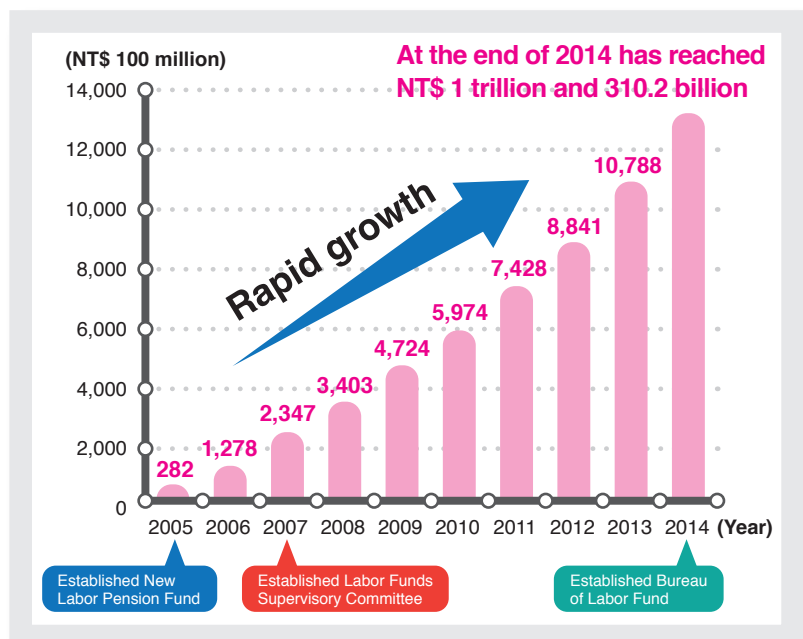
In addition to more security for pension rights and interests, the system also increases career planning flexibility. The New Labor Pension System also provides a way for additional savings for laborers to voluntarily contribute a pension within 6% of their salary each month, and through tax incentives, encourage workers to a head start in accumulating their pension. The "New Labor Pension System" ensures workers their pension payments, and allows businesses to have clear operation costs for easier operations. Overall, Taiwan's labor-management relations have become smoother after the implementation of the New Labor Pension System.

A decade since its implementation, the New Labor Pension System has yielded bountiful results, with the participation of more than 10 million workers, the collection rate of the New Labor Pension System has reached 99.80%. In the future, arrears of pensions to workers from employers will not happen again; the decade of achievements are as follows:

1. As of end of May 2015, billing units for the payment of the



▲ Three-tier security for retired workers



▲ Labor Pension Fund through the years

New Labor Pension System's pensions are about 470 thousand units, the number of individual accounts have exceeded 10.17 million accounts.

2. As of end of 2014, the New Labor Pension System Fund's has reached NT\$ 1 trillion 310.2 million.
3. Revenue from the Fund's diversified investment from 2008 to the end of 2014 is NT\$ 183.9 million, with a 3.78% earnings yield. In 2014, the Fund's revenue from utilization reached a new record high of NT\$ 75.4 million, with a 6.38% earnings yield.

Since its organization restructuring in February 17, 2014, the Ministry of Labor has become responsible for the policy and supervision of the Labor Pension System. It has established a "Labor Funds Supervisory Committee", which convenes each month for review and supervision. The New Labor Pension System's revenues, expenditures and safeguard are handled by the Bureau of Labor Insurance, and the Labor Pension Fund is integrally managed and the investments are utilized by the newly established Bureau of Labor Fund. The division of labor between the Department of Employment Welfare and Retirement, Ministry of Labor, the Bureau of Labor Insurance and the Bureau of Labor Fund is very clear, and they form the three points of a tight golden triangle, continuing in their effort to improve labor pension rights.

The future of the New Labor Pension System

The New Labor Pension System has already been implemented for ten years. The First ten years set the foundation for a bright outlook with bountiful results. The New Labor Pension System is still growing, and the Ministry of Labor, while continuing to uphold its "People-oriented, dignity for laborers" policy, will also continue to refine its operations to bring "Four More Goods" to laborers:

1. Complete legal system with more protection:

Actively promote law amendment, provide multiple pension payment alternatives to workers (i.e.: workers reaching 15 years of work seniority may choose monthly pension payment or lump sum payment), pension's credit receives priority to normal credit repayment, pension payments not given in accordance with law are penalized with increased penalties and employer's name will be publish, etc., to protect the pension interests of workers.

2. Simplified policies and more convenient:

BLI provide better query for individual retirement accounts, expand e-billing services, enhance network capabilities and automatically notify laborers qualified for pension payment.

3. More benefits for voluntary contribution:

The amount of voluntary pension contribution is fully tax deductible and enjoys tax concessions. Revenue generated by the government's investment guarantees a minimum profit (of not less than 2% annual fixed deposit interest rate from local banks) that is safe, reliable, easy for financial planning, and safe retirement.

4. More profit for the Fund's investment:

The Bureau of Labor Fund will endeavor to long-term stable performance, implement investment policies, adequate asset allocation, strengthen multiple global positions and diversify investment portfolio risks, and strive to enhance the Fund's utilization performance to increase the laborers' pensions.

We believe that in the next decade, all the Ministry of Labor's staff will continue to uphold the principles of professionalism, safety, efficiency and transparency, and with continued efforts to create greater well-being for all laborers in the hopes that all laborers will be able to have a "happy retirement "life.



▲ Clearly defined Golden Triangle

POLICIES & REGULATIONS



The Ministry of Labor amends "Regulations for the Mediation of Labor-Management Disputes" to strengthen dispute resolution



The number of labor-management dispute cases accepted by all levels of labor authority is about 20 thousand cases per year, of which up to 99% are disputes over rights. Amendments to the "Regulations for the Mediation of Labor-Management Disputes" that came into effect on May 1, 2011, set up an "arbitrator" mechanism which allowed a coordinator title transfer into said mechanism. The purpose of this mechanism is to assist the parties in the dispute to preempt disputes as soon as possible through a professional and neutral mediation system. In the past three years, labor disputes processed through this mechanism accounted for about 60% of overall cases, but there are still 40% of the dispute cases that could not be resolved through mediation.

Ensuring the implementation of labor rights

To further implement the protection of labor rights and interests, last year (2014), the Program for Assistance to Workers Lawsuit specially added a "Civil Procedure Referee's Fee" and "Attorney Representation Fees for Unfair Labor Practices." However, if the amount for the subject-matter requested by the parties concerned is not substantial, and mediation failed to solve the dispute, another judicial way must be pursued. Nonetheless, workers are often deterred by the process due to time restraints and economic factors, hence results in their legal rights and interests failing to obtain a timely, convenient and economic response, which in turn is not beneficial to the stability of labor relationships.

On the other hand, after failure of conciliation for disputes on labor rights issues, if the parties concerned agree to the effect of the arbitration made by the labor dispute arbitration assistance division, this arbitration, according to the Act for Settlement of Labor-Management Disputes, Article 37, has the same effect as court decisions. Also, when the applicant bears no expenses, the average required time is about two months. If arbitration is used, the applicant has to choose from sole arbitrator or labor dispute arbitration committee. Unlike legal proceedings, arbitration has the advantages of being

more economical, rapid and offering higher participation and opportunities to the parties concerned. In view of stable labor-management relations, rebuild the sense of trust between employers and employees, when labor disputes on rights issues arise, both parties may make more use of arbitration to resolve disputes.

Therefore, in order to encourage both parties to make use of arbitration to resolve disputes of labor rights issues, to avoid lengthy litigation to both quickly resolve the dispute, and enhance the effectiveness of arbitration to stabilize labor-management relations, it is added in the Act for Settlement of Labor-Management Disputes, labor dispute mediation committee or arbitrator, that during failure of conciliation, the parties concerned may be informed, in accordance with the provisions in Paragraph 1, Article 25 of said Act, of their rights to jointly apply for arbitration to the municipality or county (city) competent authority (hereinafter referred to as "the local authorities"). The mediation committee or arbitrator analyzes the advantages of agreed delivery to arbitration process, and record the case's situation in the mediation records.

Continue to build a sound Labor Dispute Mediation System

In addition to strengthening dispute resolution, in order to continue to build a sound labor dispute mediation system, local authorities are also required to implement an effective and appropriate monitoring mechanism for those with facilitator qualifications but are also still performing mediations. This mechanism includes participating every 2 years in courses recognized by the competent authorities on mediation related services, with at least 10 hours lecture, aimed toward all arbitrators. In this amendment, in addition to requiring arbitrators having already received the arbitrator certificate issued by the central competent authority, it is also expanded to include arbitrators qualified using other identities to pass the assessment organized each year by the local authorities, before being re-appointed as arbitrators. This is done to unify the standard for arbitrator re-appointment.

In sum, in order to protect workers' rights and interests, the government on one hand is committed to regulate labor legislation, and implementing the law through labor inspection. However, labor disputes are inevitable. Therefore, how to effectively assist the parties concerned in labor disputes to restore their proper rights in addition to resolving the disputes, and to further maintain harmony between labor and management, is also one of the government's important long-term policies. Since almost all domestic labor disputes are about rights matters, although the parties concerned can seek relief through legal channels, given the lengthy legal proceedings, laborers are often afraid to exercise this right and give up on their rights and interests. The government therefore has built a mechanism to process disputes, and provide both

labor and management the opportunity to resolve the dispute, outside the legal proceeding system.

Overall, Taiwan's establishment and implementation status on labor disputes settlement mechanism is economical and rapid. Since the performance quality of dispute resolution lies on the quality of the arbitrator, after the passing of the Settlement of Labor-Management Disputes and the establishment of the arbitrator mechanism, it has

POLICIES & REGULATIONS



Relaxing the restriction of 6 month-stay for international academic talents working in Taiwan, and extending working hours for foreign students to 20 hours

To recruit international academic talents, and actively create a favorable academic environment to attract outstanding foreign talents to Taiwan, the Ministry of Labor has relaxed the restriction of 6 month-stay for international academic talents working in Taiwan. Also, in response to current practical needs, and in view of the legislation of other advanced countries, working hours for foreign students, overseas Chinese students and Chinese students have been extended to 20 hours a week. The outlines for these policies and regulations focus are as following:

Relaxing the restrictions of 6 month-stay for international academic talents working in Taiwan

The old Employment Service Act (hereinafter referred to as the Act) stipulated that those approved by the Ministry of Education as hired by public or registered private universities for 6 months short-term courses or academic researches do not have to apply for a work permit. However, the original regulation limited the interest of outstanding foreign talents to work in Taiwan, and did not conform to the school's requirements, and could even hinder recruitment. By lifting the restrictions for short-term hiring and relaxing the need to apply for work permit regardless of the foreigners' hiring period, this will indeed help to create a favorable environment to attract outstanding foreign scholars to Taiwan. According to the regulations by the Ministry of Education recognizing universities hiring foreigners for short-term seminars and

indeed substantially increased the officers' quality. The implementation of certification and assessment system has prompted arbitrators to treasure this qualification, so when dealing with mediation cases, they comply with the specified requirements, properly handle disputes, and induce quite an improvement margin to the government's overall function and policy quality in regards of solving disputes.

academic researches, universities hiring foreigners for short lectures or academic researches must be a Nobel Prize winner or equivalent ranking awards, national science or engineering academicians, fellowship in societies of international importance, or having outstanding achievements in other academic or professional fields, etc. Since such talents are lacking in Taiwan and the introduction of such international academic talents will not limit the employment opportunities for natives.

In sum, according to the provisions of subparagraph 1, paragraph 1, Article 48 of this Act regarding the hiring of foreigners as consultants or researchers, provisions in subparagraph 3, paragraph 1, Article 48 of this Act are amended so that foreigners hired by public or registered private universities for lectures of academic researches, regardless of hiring period's length, after being approved by the Ministry of Education, do not need to apply for work permits. This is done to shape environmental benefits attractive to outstanding foreign scholars, so that international talents recruited meet the actual demands.

Extending the winter and summer holiday working hours for international foreign students to 20 hours

The provisions in Article 50 of this Act were amended on January 21, 2002 to extend the working hours for foreign students, overseas Chinese students and other Chinese students outside of winter and summer vacation from 12 hours to 16 hours per week. More than 10 years have passed since this amendment was made, hereby in response to current actual needs, and in view of legislations of other advanced countries, such as the United States allowing foreign students to work within the university they are attending, with a weekly limit of 20 hours, Australia allowing foreign students to work within the territory of Australia, with a weekly limit of 20 hours, and Japan allowing foreign full-time university students, whether it is work-study on or off-campus, a weekly limit of 28 hours, 14 hours for auditing students, 28 hours for special college students, therefore working hours outside of winter and summer holiday for foreign students is extended to 20 hours for foreign students in Taiwan.





Those applying for Labor Insurance Pension payment in 2010 will have pension amount increase by 5.45% according to the CPI's cumulative growth rate starting from May 2015

Since the cumulative growth rate of the consumer price index (hereinafter referred to as the CPI) has reached 5.45% for those applying for Labor Insurance Pension payment in 2010, this has reached the statutory adjustments standard of 5%, and will therefore have their the amount of pension payments increase by 5.45% from May 2015. For example, if the original amount was NT\$20,000, it will be NT\$21,090 after the increase, an additional NT\$1,090 monthly payment included. As for those applying for labor pension payments in 2009 and from 2011 to 2014 (for those applying in 2009, the increase after 2014 will be based on the recalculated cumulative CPI growth rate of 2013), since the CPI has not reached the legal adjustment standard, there will be no pension payments amount adjustments in 2015.

A total of 54,000 people benefited in 2015

According to statistics, in 2015, those benefited from the adjustment to labor pension payments according to the

cumulative annual growth rate of CPI adjustment totaled 54,000 people (labor pension: 53,000 people, disability benefits: 200 people, dependent allowance: 1,000 people), the average increase is about NT\$775 per person per month.

In order to help those applying for pension payments in 2009 clearly identify the adjusted pension amount, when they updated their passbook with the pension amount in June, May pension payments would be noted in two amounts, one for the original amount received with passbook summary showing the original issuing text messages (pension listed as "labor pension", disability pension as "labor disability", dependent pension as "labor dependent"), and the second amount being the adjusted amount of 5.45% CPI cumulative growth rate, with passbook summary showing "price adjustment". However, this was a one-time only separate payment. Starting July 2015, payment will be in one adjusted amount and passbook summaries will return to the originally displayed text messages.



▲ If the public have questions related to adjustment issues, please visit the BLI website (URL: www.bli.gov.tw), and consult the "Labor Pension" Area / FAQ link on the main page.



Broaden eligibility for labor and employment insurances for election staff employed by public officials with intent to register for elections

In response to the Presidential, Vice Presidential and legislator elections early next (2016) year, in order to protect the rights of the election staff employed by public officials with intent to register for elections (hereinafter referred to as election candidates), the Ministry of Labor intends to expand the application from election candidates for insured unit to the Bureau of Labor Insurance by presenting the attached "political contributions account establishment permission" issued by Control Yuan and other documents and photocopies, so that the staff they employ can participate in labor insurance and employment insurance.

Conditions extended to the candidates' insured units

In the past, candidates had to wait until after being officially registered candidates, and attach documentation such as the "acceptance as registered election candidate" document and others in order to apply for the establishment of insured unit to apply for labor and employment insurances for staff involved in election activities. Considering that less than 2 months may pass in between official candidate registration and Election Day, but each candidate for public office has already employed staff long before registration to conduct street sweeps, campaigning and other election activities, the risks of occupation hazards are high. To avoid damage to the laborers' interests, hence the expansion of applications from intended candidates for insured unit by presenting "political contributions account establishment permission" and other documents and photocopies, so that the staff they employ can participate in labor insurance and employment insurance. For those who did not apply for the establishment of political contributions account, after registering as a candidate, they can apply for insured unit by attaching the "acceptance as registered election candidate" and other documents and photocopies, and handle insurance participation for their campaign staff.



To avoid damaging laborers' rights, time of participation in labor and employment insurances can be appropriately advanced

This amendment to the labor and employment insurance-related provisions coordinates with the timing for candidates to open political contributions accounts, to allow the staff's participation in labor and employment insurance can be appropriately advanced -- one year before the expiration of the current President and Vice President's terms of office, Presidential and Vice Presidential candidates may insure their election staffs, and 10 months before the expiration of current legislators' terms of office for legislators candidates. After the Control Yuan allows the opening of political contributions account, candidates can apply for the establishment of insured unit and for staff participation in insurance. However, to avoid difficulties in the clarification of employment relationship, candidates for public offices may not add their spouses, lineal ascendants (descendants), second degree of kinship blood relatives and in-laws to the insurance.

It is expected, through this amendment, the work and life safety and security of employed staff will be enhanced. Each candidate for public office, through the aforementioned opening of a political donations account, can add the staff employed in their campaign office to participate in labor and employment insurances to protect the labor rights and interests of these workers.



iCare about your health — New Health Management Tool for Workers

The Occupational Safety and Health Act stipulates that employers shall implement regular health checks for workers, and handle health management, occupational disease prevention, health promotion and other labor health protection measures. Since the majority of domestic firms are SMEs, they lack sufficient resources for health management after performing health checks. In order to avoid having regulations becoming a formality, the Ministry of Labor has especially developed two E-tools, namely the "fatigue risk assessment and personal health management system" and the "workplace health service management system" for enterprises to easily handle matters in line with regulations, and for workers to pay attention to changes in their own health status, and remind them to perform self-health management. To link or download related tools, consult the E-tool zone in the Workers' Health Services Information Platform (<http://ohsip.osha.gov.tw/>) for more related information and use, or dial the free health helpline: 0800-068580.

Am I overworked? Managing your own health

The "fatigue risk assessment and personal health management system" is an integrated software for fatigue assessment and health management related functions, by inputting personal years of service, working hours and job stress situation and related health examination data, risk degree for fatigue-related diseases, such as myocardial

infarction, stroke, etc., can be calculated. If individuals want to further understand the changes in their own health status over the years, they can also enter and store their health check data into the system and generate their own health chart. In addition to allowing them to easily understand and manage their health, if there is a need for health counseling or medical treatment, printouts are provided for the physician's reference. For companies, this can also be used as to screen high-risk overworked groups, and be used as reference for fitness for work and health management.

Enterprises' good helper, nice and easy labor health management

The "workplace health service management system" is a management system designed with reference to the Occupational Safety and Health Act's requirement that employers handle health care matters. The system is mainly for professionals within enterprises. Features of this management system include: tracking and managing staff with abnormal health checks, health care and injury treatment management service, and statistical reports of health related service analysis and other services. The system is a stand-alone software compatible with Windows systems, companies can download it free from the Internet, and use this tool as an aid to handle health management matters stipulated by law.



▲ Workers' Health Services Information Platform

台灣勞工簡訊

TAIWAN LABOR e-QUARTERLY

中華民國勞動部 Ministry of Labor, R.O.C

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專題報導



勞工退休金新制滿十年，
保障勞工退休好生活

政策法規

- 勞動部修正勞資爭議調解辦法強化爭議解決
- 放寬國際學術人才來臺工作不受6個月以下期間的限制，並將外國留學生等人除寒暑假之工作時間延長為20小時

新聞瞭望

- 99年度請領勞保年金者，年金給付金額自104年5月起依CPI累計成長率調高5.45%
- 放寬擬登記參選公職人員所僱用從事競選活動之工作人員參加勞、就保
- 您的健康 iCare — 勞工健康管理新工具

專題報導



勞工退休金新制滿十年， 保障勞工退休好生活

每個人都希望辛苦工作一輩子，退休後可以過著無後顧之憂、頤養天年的生活。平時累積的退休金，決定了我們未來想過的退休生活。退休金的累積則仰賴退休金制度，而一個完整的退休金制度是由政府建立社會保險制度，企業給付勞工退休金，勞工個人視能力儲蓄，政府、企業、勞工共同架構三層保障體系。

勞工退休金新制誕生

為提供勞工朋友退休生活保障，民國73年施行「勞動

基準法」，為我國勞工退休金制度的第二層保障建立了基礎。依勞動基準法規定，勞工必須在同一事業單位，工作25年以上，或工作15年以上年滿55歲，或工作10年以上年滿60歲，滿足其中一項條件才能自請退休，向雇主申請發給退休金。其設計目的是鼓勵員工於同一事業單位長期服務，降低勞工流動率。由於產業發展變遷，勞工終生在同一事業單位服務的可能性降低，即使沒有轉換工作，亦有可能遭遇到事業單位歇業、倒閉等種種無法預測的



▲ 勞工退休金新制十週年成果展示，左三為勞動部陳雄文部長

事件，使得多數勞工難以成就勞基法之退休條件，順利領取退休金。

鑑於舊制退休金存在「看的到、領不到」的問題，行政院勞工委員會（現為勞動部）自79年7月開始著手勞工退休金制度的改革工作。90年8月召開經濟發展諮詢委員會達成規劃「可攜式退休金制度」的共識，勞委會依此研擬「勞工退休金條例草案」報行政院審議，並於91年3月送立法院審查。經過與朝野立委、勞資團體等多方溝通協調下，終於在93年6月11日立法院三讀通過「勞工退休金條例」，為勞工退休生活保障再度開啓歷史性的新一頁。

勞工退休金新制十年成果

94年7月1日勞工退休金條例（勞退新制）施行，這是「勞動基準法」退休金制度施行以來最大變革，從此我國勞工朋友可以享有一個「看的到、也領的到」的退休金制度，同時也確立我國勞工老年生活保障建構在勞工保險、勞工退休金及個人儲蓄的三層體系。

勞退新制採個人退休金專戶制，雇主都要為所僱用的勞工按月提繳至少工資6%的退休金到個人退休金帳戶，退休金的給付額則視個人專戶的本金與收益之結果而定。專戶所有權屬於勞工，勞工不再因為轉換職場或關廠歇業而領不到退休金，不同事業單位的工作年資可合併計算，除了退休金權益更有保障，也增加職涯規劃的彈性。勞退新制也另外提供勞工可以在每月工資6%範圍內，自願提繳退休金的儲蓄管道，透過賦稅優惠，鼓勵勞工及早累積

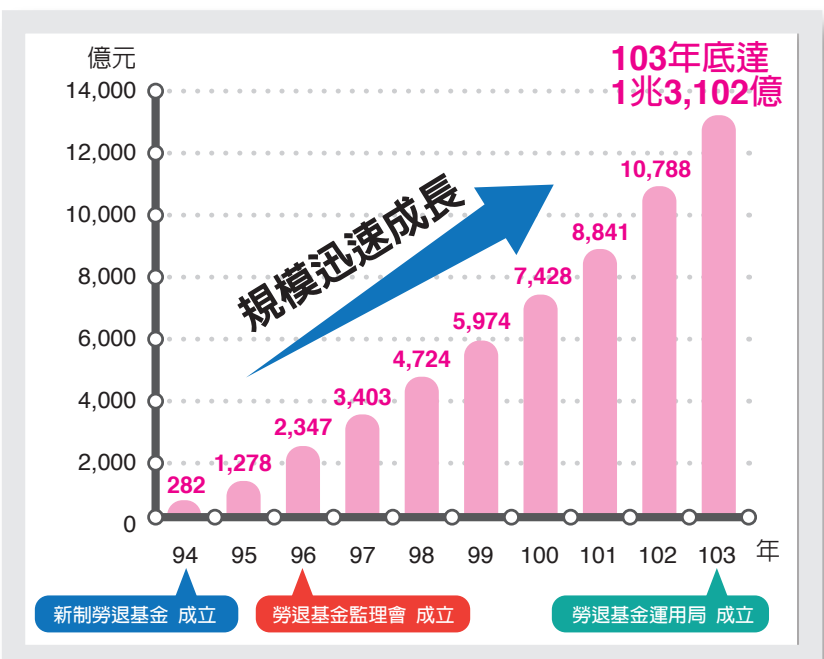
退休金。「勞退新制」讓勞工朋友保證領得到退休金，事業單位也因經營成本明確，更容易經營事業。總體而言，我國勞資關係在施行新制勞工退休金制度以後更加和諧。

勞退新制開辦十年以來成果豐碩，參加的勞工已超過1,000萬人，新制勞工退休金收繳率已經高達99.80%，不會再發生雇主積欠勞工退休金情形，十年來的成果如下：

- 一、截至104年5月底新制勞工退休金開單提繳單位數為47萬餘家，個人專戶數突破1,017萬餘戶。
- 二、截至103年底新制勞工退休基金規模已達新台幣1兆3,102億元。
- 三、自97年多元投資至103年底基金收益數1,839億元、收益率3.78%；103年度基金運用收益數創新高達754億元、收益率6.38%。



▲ 勞工老年生活三層保障



▲ 歷年勞退基金規模

勞動部去（103）年2月17日組織改造後，勞工退休金制度的政策及監理由勞動部負責，並成立「勞動基金監理會」，每月召開監理會議進行審議及監督。新制勞工退休金收支保管業務由勞工保險局辦理，勞工退休基金運用則由新成立的勞動基金運用局統籌管理及投資運用。勞動部勞動福祉退休司、勞工保險局及勞動基金運用局分工明確，形成緊密的金三角，持續努力以增進勞工退休金權益。

勞工退休金新制未來展望

勞退新制施行已屆十年，我們前十年踏穩了腳步，成果非常豐碩，展望未來，勞退新制仍不斷成長，勞動部將持續秉持「以人為本、尊嚴勞動」的政策主軸，繼續精進業務，帶給勞工朋友「好四多」：

一、法制完善保障多：

積極推動修法，賦予勞工多元選擇退休金請領方式（例如：工作年資滿15年的勞工，可以選擇每月領退休金或一次領取退休金）、退休金債權優先普通債權受償、未依法給付退休金，加重罰則並公布雇主姓名等以保障勞工的退休金權益。」

二、簡政親民方便多：

勞保局提供更優質的個人退休專戶查詢、擴大電子帳單服務、強化網路功能及主動通知符合退休金請領之勞工等更為主動、簡便的措施與服務。

三、自願提繳好處多：

自願提繳退休金的金額，可自當年度個人綜合所得總額中全數扣除，享有賦稅優惠；交由政府運用產生收益，並保證最低收益（不得低於當地銀行2年期定期存款利率），安全又可靠，理財規劃，退休保障從這開始。

四、基金投資收益多：

勞動基金運用局將致力於績效長期穩健，落實投資政策，做好資產配置，加強全球多元布局及分散投資組合風險等，努力提升基金運用績效，以增加勞工的退休金。

相信未來的十年，在勞動部全體同仁秉持專業、安全、效率、透明的原則下，持續不斷地努力，必能為全體勞工朋友創造更大的福祉，冀盼所有勞工都能有「快樂退休」的生活。



勞動部
退休制度及基金監理

勞工保險局
勞退新制之收繳及給付

勞動基金運用局
勞退基金之操作運用

▲ 分工明確的金三角

政策法規



勞動部修正勞資爭議調解辦法 強化爭議解決



我國各級勞動主管機關受理之勞資爭議調解案件數，每年大約有2萬餘件，其中高達有99%為權利事項之勞資爭議，100年5月1日勞資爭議處理法修正施行後，已建立「調解人」機制，並將協調員轉銜為該機制，旨在透過專業、中立之調解制度，以協助當事人儘速弭平紛爭，此類勞資爭議經調解協處而成立者，近3年來約占整體案件之6成左右，惟仍有4成爭議案件，尚無法透過調解獲致解決。

落實勞工權益之保障

為進一步落實勞工權益之保障，去（103）年於勞工訴訟扶助專案特增加「民事訴訟裁判費」及「不當勞動行為律師代理酬金」，但如當事人請求標的金額不高，又未能經調解獲致解決時，尚須另循司法途徑，勞工將常因時間及經濟之因素而卻步，其法定權益未能獲得及時、便利與經濟之回復，將不利勞動關係之穩定。

另一方面，權利事項之勞資爭議於調解不成立後，如雙方當事人同意再以勞資爭議仲裁協處，所作成仲裁判斷之效力，依勞資爭議處理法第37條規定，於勞資爭議雙方當事人間，與法院之確定判決具有同一效力，且申請人無須負擔費用，所需時間平均為2個月；仲裁方式得由申請人選擇為獨任仲裁人或勞資爭議仲裁委員會。仲裁與訴訟

程序相較，有較為經濟、迅速及當事人能有較高參與機會之優點，基於穩定勞動關係，重建勞雇雙方之信任感，遇有權利事項之勞資爭議時，雙方當事人可多利用仲裁解決紛爭。

因此，為鼓勵勞資爭議雙方當事人遇有權利事項之勞資爭議時，可利用仲裁解決紛爭，不需再透過冗長訴訟，以快速解決爭議，以及兼顧提升仲裁之效能，快速穩定勞動關係，爰於勞資爭議調解辦法中增訂勞資爭議調解委員會或調解人，於該爭議案件調解不成立，向勞資爭議雙方當事人說明後續救濟途徑時，雙方當事人得依勞資爭議處理法第25條第1項規定，勞資爭議調解不成立者，雙方當事人得共同向直轄市或縣（市）主管機關（以下簡稱「地方主管機關」）申請交付仲裁，並分析透過合意交付仲裁處理之優點，以及將說明情形載明於調解紀錄中。

持續健全勞資爭議調解制度

除了強化爭議解決，為持續健全勞資爭議調解制度，更要求各地方主管機關對於具調解人之資格且仍在執行調解業務者，實施有效且適當的監督機制，內容包括原本就針對所有調解人，每2年應參加主管機關認可與調解業務相關之研習，時數至少10小時。此次增訂除已取得中央主管機關核發調解人認證證書之調解人外，擴大納入以其他身分取得調解人之資格者，皆應通過地方主管機關每年度所辦理之評量，經地方主管機關簽證後，始得續任調解人，以一致化調解人續任之標準。

綜上，為能保障勞工權益，政府一方面致力於勞動立法之規範，也不斷透過勞動檢查，落實法令之效果，惟勞資爭議發生，確實難以完全避免，如何有效協助勞資爭議雙方當事人，除能解決紛爭，恢復雙方當事人應有之權益外，進一步維持勞資和諧，長期亦為政府重要施政項目之一。由於我國勞資爭議類型幾乎都為權利事項，雖得循司法途徑尋求救濟，但因訴訟程序較為冗長，勞工往往怯於行使而放棄權益，政府爰建構爭議協處機制，提供勞資雙

方爭議解決機會，亦屬訴訟外紛爭處理制度類型之一。

整體而言，我國勞資爭議處理制度之建構及執行情形，尚能達到經濟、快速處理之目標，由於爭議解決質量之良窳，居中之協處人員當為重要關鍵，因此勞資爭議處理法通過後所建制之調解人機制，確實大幅提高爭議協處

人員之素質，且認證、評量之實施，更促使調解人珍惜資格，於處理調解案件時，遵守各項要求之規範，妥為處理爭議，也促使政府整體紛爭解決之功能及施政品質，得到相當幅度的提昇。

政策法規



放寬國際學術人才來臺工作不受6個月以下期間的限制，並將外國留學生等人除寒暑假之工作時間延長為20小時

為延攬國際學術人才，積極創造吸引國外優秀學術人才來臺之有利環境，勞動部已放寬國際學術人才來臺工作不受6個月以下期間的限制。另為因應現行實際需要，並參酌其他先進國家之立法例，放寬符合規定情形之外國留學生、僑生及其他華裔學生等人除寒暑假之工作時間延長為20小時。以下茲就政策法規重點概略說明：

放寬國際學術人才來臺工作不受6個月以下期間的限制

原就業服務法（以下簡稱本法）規定，受聘僱於公立或經立案之私立大學進行6個月內之短期講座、學術研究經教育部認可者，不須申請工作許可，但考量原規定對吸引國外優秀人才來臺有限，且較不符合學校之需求，甚至形成攬才障礙，又考量取消短期聘僱期間之限制，放寬外國人無論聘僱期間長短，均由教育部認可後，不須申請工作許可，確有助塑造吸引國外優秀學者來臺之有利環境，又依教育部認可大學聘僱外國人進行短期講座及學術研究

注意事項規定，外國人受聘僱於大學進行短期講座或學術研究須具備諾貝爾獎或相當等級獎項之得主、國家級科學或工程院院士、國際重要學會會士、或其他在學術專業領域有傑出成就等之資格，考量國內尚缺乏該等人才，故該等國際學術人才之引進，尚不致排擠本國人之就業機會。

綜上所述，爰比照本法第48條第1項第1款學術研究機構聘請外國人擔任顧問或研究工作者之規定，修正本法第48條第1項第3款規定，開放外國人受聘僱於公立或經立案之私立大學進行講座或學術研究無論期間長短，均由教育部認可後，不須申請工作許可，以塑造吸引國外優秀學者來臺之禮遇環境，延攬國際優秀人才及符合實際需求。

放寬國際外國留學生等人除寒暑假之工作時間延長為20小時

本法第50條自91年1月21日修正，將外國留學生、僑生及其他華裔學生寒暑假以外之工作時間由每星期最長12小時延長為16小時，迄今已逾10年，茲為因應現行實際需要，並參酌其他先進國家之立法例，如美國規定外籍生可於就讀之大學校園內從事工作，每星期以20小時為上限；澳大利亞規定外國學生皆可於澳洲境內工作，並以每星期20小時為上限；而日本規定外國學生無論於校內或校外工讀，大學以上正規生以每星期28小時為上限、旁聽生以每星期14小時為上限，爰將外國留學生等人除寒暑假外之工作時間酌予延長為20小時。





99 年度請領勞保年金者，

年金給付金額自104年5月起
依CPI累計成長率調高5.45%

99年度請領勞保年金給付的民衆，因消費者物價指數（以下簡稱CPI）累計成長率為5.45%，已經達到法定調整標準5%，因此，勞動部在104年4月24日公告，該年度請領勞保年金給付的民衆，年金給付金額自104年5月起都會調高5.45%。假設原領金額為20,000元，調高以後為21,090元，每月多領1,090元。至於98年度及100至103年度請領勞保年金給付的民衆（98年度請領勞保年金給付的民衆，於103年調整後以102年為基期重新計算CPI累計成長率），因尚未達到法定調整標準，104年度不會調整年金給付金額。

104年度共5萬4千餘人受惠

經統計，104年度依CPI累計成長率調整勞保年金給付的受惠人數共計5萬4千餘人（老年年金5萬3千餘人，

失能年金2百餘人，遺屬年金1千餘人），平均每人每月多領775元。

為了使99年度請領勞保年金給付的民衆，在年金給付款項入帳刷存摺時，可以清楚辨識年金給付金額已經依CPI累計成長率調整5.45%，勞保局在104年6月29日核發104年5月份年金給付款項時，將給付款項分列2筆金額核發，其中1筆為原領取金額，存摺摘要顯示原領文字訊息（老年年金為「勞保老年」，失能年金為「勞保失能」，遺屬年金為「勞保遺屬」）；另1筆則為加計CPI累計成長率5.45%的調整金額，存摺摘要顯示「物價調整」文字訊息。但是從104年7月起，會恢復以調整後的金額1筆入帳，存摺摘要恢復顯示原領文字訊息。



▲ 民衆如對相關調整事宜仍有疑義者，可至勞保局全球資訊網（網址：www.bli.gov.tw），連結首頁「勞保年金」專區 / FAQ參覽。



放寬擬登記參選公職人員 所僱用從事競選活動之工作人員 參加勞、就保

因應總統、副總統與立委選舉將於明（105）年初展開，為保障擬登記參選公職人員（下稱擬參選人）競選辦事處所僱用工作人員之權益，勞動部放寬擬參選人可以檢附監察院核發之「政治獻金開戶許可函」等文件影本，向勞保局申請成立投保單位，並為所僱用工作人員辦理參加勞工保險及就業保險手續。

放寬擬參選人投保單位之條件

以往擬參選人必須等到正式登記參選後，檢附「受理登記為候選人之公文」等證明文件，才能申請成立投保單位，為競選活動工作人員申請投保勞、就保。考量公職候選人從辦理參選登記時起到投票日止，期間可能未達2個月，但各公職候選人可能早在登記參選前即須僱用工作人員在外進行掃街、拜票等選舉活動，發生職災的風險很高。為避免勞工之權益受損，因此放寬擬參選人可以監察院核發之政治獻金開戶許可函等文件影本成立投保單位，為其競選工作人員辦理參加勞工保險及就業保險。至於未申請設立政治獻金專戶者，在登記為候選人後，亦可檢附「受理登記為候選人之公文」等文件影本申請成立投保單位，並為競選工作人員辦理加保手續。



為免勞工權益受損，就保期間可適度提前

本次勞、就保相關規定的修正，係配合各公職擬參選人得開立政治獻金專戶之時間點，讓其工作人員辦理參加勞、就保的期間可以適度提前。如總統、副總統擬參選人得自總統、副總統任期屆滿前1年起；立法委員得自立法委員任期屆滿前10個月起，經監察院許可政治獻金開戶後，申請成立投保單位並為所屬工作人員辦理加保。但為避免僱傭關係難以釐清，公職擬參選人不得為其配偶、直系血親尊（卑）親屬、二親等內血親及姻親申報加保。

期望藉由本次修正，提升受僱工作人員之勞動生活安全保障。各公職擬參選人可經由前述開立政治獻金專戶方式，提前為競選辦事處所僱用工作人員辦理參加勞、就保，以周延保障該等工作人員之勞動權益。



您的健康 iCare— 勞工健康管理新工具

《職業安全衛生法》規定雇主應幫勞工定期實施健康檢查，且辦理健康管理、職業病預防及健康促進等勞工健康保護事項，但是國內多數為中小企業，欠缺足夠資源做好健康檢查後的健康管理工作，為避免法規規定流於形式，因此，勞動部特別開發兩項簡易工具（E-tool），分別為「過勞風險評估及個人健康管理系統」與「職場健康服務管理系統」，讓企業可輕鬆辦理符合法規規定的事項，而勞工也可留意自己健康狀況的變化，以提醒自己做自我健康管理。相關工具之連結或下載，可至勞工健康照護資訊平台（<http://ohsip.osha.gov.tw/>）E-tool專區，若想要進一步瞭解相關資訊與使用方式，亦可撥勞工免費健康諮詢專線：0800-068580（您要幫我幫您）。

我過勞了嗎？自己的健康自己管

「過勞風險評估及個人健康管理系統」是一款整合過勞評估及健康管理相關功能的軟體，其藉由輸入個人的工作年資、工時與工作壓力狀況及健康檢查的相關數

據，即可計算促發過勞相關疾病，如心肌梗塞、中風等的風險程度；若個人想要進一步瞭解自己歷年健康狀況的變化情形，亦可將健康檢查之數據輸入系統儲存，即可產出健康圖表，除讓您輕鬆瞭解與管理自己的健康狀況外，若有健康諮詢或就醫之需求，亦可自行列印提供醫師參考，縮短醫病間資訊的獲取。對企業而言，也可作為篩選過勞高風險群，作為其適性配工及健康管理之參考。

企業的好幫手，輕鬆做好勞工健康管理

「職場健康服務管理系統」是參照《職業安全衛生法》要求雇主辦理健康服務事項所設計的管理系統，其使用對象以企業內之專業人員為主，此管理系統之功能包含：健康檢查異常人員追蹤與管理、健康照護與傷病處理服務管理及健康相關服務分析統計報表等，其設計為相容於Windows系統之單機軟體，企業可免費於網路下載，運用此工具輔助辦理法令規定之健康管理事項。



▲ 勞工健康照護資訊平台