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Publishing Office	Council of Labor Affairs, Executive Yuan Taiwan
Address	9F., No. 83, Sec. 2, Yangping N. Rd., Taipei City 10346, Taiwan R.O.C.
Production	Taiwan Institute of Economic Research
Customer service	886-2-25865000

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



DECEMBER 2012

Council of Labor Affairs, Executive Yuan

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## Quarterly Focus

### Ministry of Labor Vision: Independence, Equality and Development

The Council of Labor Affairs, Executive Yuan, will be reorganized in 2013 and become the Ministry of Labor. Describing the Ministry's vision Minister Pan Shi-wei stated that, in the past, policies were centered on labor protection, however, in the future, all the stakeholders in the labor process will be the focus of the Ministry. The Ministry will promote its vision while upholding three principles: independence, equality, and development, moreover create more employment opportunities, pursue social justice and raise the level of national competitiveness.

#### Establish autonomous labor-management relations

Minister Pan, who took up office in October this year, stated that the Ministry will first establish autonomous labor-management relations. The economic system is export-oriented in Taiwan, it rely deeply on the global economy, however, globalization is bringing rapid change and substantial impact on Taiwan's economy. If the relation between labor, employers and related stakeholders maintain more autonomously they will

be more likely to respond to the fast pace of economic change. The government used to play the role of an intermediary between labor and management, coordinated to achieve balance of two sides. However, against the backdrop of globalization, a single country or union in a country is no longer capable of handling multinational company labor-management relations. Consequently, unions must gradually transform into those being able to survive in the free market mechanism framework and handle increasingly complex labor-management relations and collective bargaining issues with global thinking.

Minister Pan said that recently the media has reported on the financial situation of labor insurance scheme, an issue that involves generational justice and the sustainability of social insurance in Taiwan. In addition, the amount of retirement pension has a considerable impact on workers' life in old age, making it important to increase labor pensions in amount and ensure that the pension is sufficient for the workers in the old age. By the custody and trading of labor retirement funds. By now, the labor pension funds are managed by the Labor Pension Fund Supervisory Committee. In the future this will be upgraded



▲ Current CLA Minister Pan Shih-wei

and become the Ministry of Labor Retirement and Welfare Department and be responsible for policy planning and supervisory; while the Bureau of Labor Funds will be responsible for pension fund management

and operation. In addition, allowing workers to self-choose the investment mechanism through which they invest their self-held pension fund and introducing diverse investment channels are being considered to give workers more autonomy with regards to pension investment planning, allow risk to be spread and increase retirement income. In coordination with multi-level guarantees for worker old age income source, the incentives for voluntary payment will be strengthened and this will also be an important mechanism for supplementing worker individual post-retirement economic security.

### Guarantee labor work health and safety

Minister Pan emphasized that striving to ensure labor safety and health is a symbol of the importance the country attaches to human rights. For many years, the CLA has actively promoted the Occupational Safety and Health Promotion Program. In the future, an Occupational Safety and Health Administration will be established underneath the Ministry of Labor, to deal with diverse occupational disease prevention, strengthen labor health and safety guarantees and the system for the rehabilitation of workers involved in occupational accidents, in doing so making the occupational accident labor protection system complete, protecting the basic human rights of workers, providing the country with safety and healthy workforce and reducing insurance payout expenditure and national economic losses. At the same time, in addition to attaching importance to the protection of occupational safety and accident prevention, the CLA is also actively promoting workplace equality, eliminating employment discrimination and is building a friendly work environment. Concrete measures include implementing the Labor Union Act, Regulations for Arbitration on Labor-Management Disputes and Collective Agreement Act and Gender Equality in Employment Act, as well as promoting social dialogue.

Taiwan's demographic trends indicate that the population will get smaller and smaller, which results in needs for industry to consider to develop in an environment with less human

resources. Minister Pan pointed out that we have well-educated and trained human resources in Taiwan, making it harder for workers to be satisfied with doing basic machine operating work. In result, industry should think on a fundamental level if the foreign worker requirement issue is to be resolved and enterprise growth spurred; if more foreign workers are permitted to work in Taiwan, enterprises will remain on making cheaper products and stay at the end of supply chain and fail to rise up. Minister Pan said, apart from raising the level of the workforce, Taiwan's worker salary levels may have risen a bit but are still low; however, industry can't just rely on cheap labor, it must optimize and upgrade, while rise the salary as the workers capability upgraded correspondingly. This is the social responsibility of enterprises.

### Increase the international market competitiveness of Taiwan's manpower

To strengthen and integrate the development and utilization of manpower, the Bureau of Employment and Vocational Training of CLA will reform into the Workforce Development Agency; through workforce skill increase, development and use, the sustainable development of the workforce will be promoted. Employment services, vocational training skills assessment and the entrepreneurship assistance system will also be integrated, creating a comprehensive service channel and providing all workers with career planning services throughout their working lives. Minister Pan pointed out the CLA provides employment services through many channels, including employment expos, large enterprise and SME recruitment events and building a virtual-real employment service channel. At the same time, employment promotion allowance and related employment grants are used to help people in low and medium income households find suitable employment, and, by doing so, leave behind poverty and improve their family's economic situation. In addition to employment matching, in the area of vocational training, the CLA also actively implement various schemes such as the Pre-job Training for the Unemployed, the Youth Talent Training Scheme and the Industrial Talent Investment Scheme to help workers change jobs or find a job successfully. In addition, the CLA also keeps abreast of the personnel recruitment needs of enterprises in its area of jurisdiction and continues to implement the Enterprise Talent Recruitment Match Plan.

Minister Pan reiterated, in the future the Ministry won't only be concerned with protecting labor, it will have to think about to be competitive in international arena. Without competitiveness there will be no employment opportunities and no salary growth; this is a chain effect and the Ministry will do its utmost to allow the more space to provide a better working environment for workers.



## Policies and Regulations

# The Taiwan Workplace Equality Best Practice Promotion Plan

In 2011, the Council of Labor Affairs replaced the Best Family-friendly Workplace Competition with the Taiwan Workplace Equality Best Practice (T-WEB) program. This program aims to promote regular communication and advice-seeking between companies, as well as assist to enterprises establish a family-friendly workplace system. Also, the program will act as a channel for communication, study and promotion of family-friendly workplaces between enterprises.

In 2012, the Council of Labor Affairs continues to promote the Taiwan Workplace Equality Best Practice program for assisting enterprises to implement family-friendly systems. Such matters

include:

1. Measures for work-family balance (e.g. non-pay parental leaves, family leaves, paternity leaves, and family days)
2. Flexible work hours and varied work schedules
3. Career development, training and employment for women
4. The child care facilities or measures
5. The establishment of measures for the prevention and correction of sexual harassment in the workplace

In 2012, the Council of Labor Affairs continues to promote the Taiwan Workplace Equality Best Practice Promotion Plan. Work includes:

### 1. Compiling reference books

2,000 copies of a reference book for the implementation of family-friendly workplace measures were delivered to enterprises, providing these enterprises with the information necessary for putting these measures into practice.

### 2. Conducting workshops

Conducted 3 "Special Workshops for Enterprises Working Towards a Family-friendly Workplace" aimed at company employers, business executives, and contractors in the northern, central and southern regions of Taiwan. These workshops offer courses related to "The concepts, scope, and kinds of family-friendly workplace", "Practical methods for achieving a work-family balance", and "Career development, training and employment for women". Apart from sharing practical methods to achieve a work-family balance, we also arranged demonstrations in the most outstanding family-friendly workplaces, using this as a way to encourage exchange between enterprises.

### 3. Guidance from on-site specialists service

Our guidance from on-site specialists service is aimed at companies that intended to create a family-friendly workplace. We arrange on-site counseling in the workplace, each time arranging for one consultant to visit a workplace for two hours. Each business can use this service up to 4 times (8 hours). The first guidance service will be based around a company analysis. Using face-to-face interviews and discussion as a means to understand the present circumstances of a company, the specialist will provide suggestions and guidance. This year (2012,) on-site advisers have visited workplaces for 40 times, and assisted 10 enterprises work towards achieving a family-friendly workplace at least.

The on-site guidance service provides 5 general categories of service:

- (1) Measures for work-family balance: Including guidance on providing the best treatment for female employees during pregnancy (e.g. parking spaces and storage for pregnant women, only), arranging replacement staff during employee

maternity leave or unpaid parental leave. Guidance and training for employees returning to a post following a period of parental leave. Family days, and family activities are also provided.

- (2) Flexible work hours and varied work schedules: Including guidance on providing flexible work schedules for employees, allowing them to set their own working hours, and reduce or adjust their work schedule.

- (3) Career development, training and employment: Including guidance on stopping gender restrictions in employment, broadening the field that employees can work in (e.g. stopping gender restrictions on job transfer, encouraging women to take up industrial technology positions, and providing related training).

- (4) Childcare measures and facilities: Including setting up and improving nurseries, providing childcare facilities (e.g. signing special agreements with neighboring nurseries to provide discounts on childcare), or other family-friendly measures for employees (e.g. services for taking children to and from nursery).

- (5) Establishing measures for the prevention and correction of sexual harassment in the workplace: Including guidance on installing measures for preventing and sexual harassment correction in the workplace, methods of appeal and disciplinary action, as well as conducting training on sexual harassment preventing and correcting.



▲ The government holds training seminars to share enterprise family friendly measures



## Policies and Regulations

# The Allocation Rate for Foreign Workers for new investment cases and returning overseas Taiwan business investment cases

In order to stimulate the economy, boost new domestic investment, and encourage overseas Taiwanese businesses to return and invest in Taiwan, the Executive Yuan invited the Council for Economic Planning and Development, the Ministry of Economic Affairs, and the Council of Labor Affairs to come to a joint decision regarding foreign workers. The Boost Domestic Investment Proposal approves raising the quota for hiring foreign workers by 5% or 10%. Furthermore, companies hiring foreign workers will be exempt from paying the additional employment security fees for a period of 3 years. Returning overseas Taiwanese investors are permitted to hire an extra 15% or 20% foreign workers, and will be exempt from the Employment Stability Fee for a period of 5 years. At the end of this period, employers must return to the 3K5 five-ratio system, and pay the additional employment security fees for any extra foreign workers employed. The Council of Labor Affairs is currently working on the law making process related to the aforementioned system of employing of foreign workers in the manufacturing industry.

## Through dialogue the government has collaboratively formulated foreign worker policy

The government has followed the Employment Services Act Article 42 as its guiding principle for the hiring of foreign workers. The Act states that the employment of foreign workers must not affect the employment opportunities of Taiwan nationals, nor must it effect Taiwan's labor requirements, the development of the national economy, or social stability. Therefore, under the fundamental principle that it will not affect the employment opportunities of Taiwan nationals, the Council of Labor Affairs has increased the hiring quotas for foreign workers in order to provide additional lower-level workers; it is hoped that this will combat the domestic shortage of industrial workers; and, through the Transnational Migration of Labor Policy Consultation Committee's (from here on abbreviated to Policy Committee) labor, management, academia and government social dialogue mechanism a suitable foreign worker policy, in accordance with the economic development needs and the current employment

situation, has been collaboratively formulated.

The current manufacturing industry foreign labor policy was jointly deliberated upon and reviewed by the Council of Labor Affairs and the Ministry of Economic Affairs. A consensus was reached by the Policy Committee through social dialogue. Taking into account the current labor shortage situation, the industry-relational degree, and the 3K industries characteristic model (this is adopted from the Japanese kitsui, kitanai, and kiken industries; in English it would be 3D, or difficult, dirty, and dangerous), the manufacturing industry graded five-ratio system was put into place in 2010. This system adjusted the foreign labor hiring quota for each industry in a five-ratio system of 10%, 15%, 20%, 25% and 35%. Under the new 3K system, traditional industry, and small and medium enterprises, can increase their foreign worker hiring quota. However, the hiring quota for the electronic information industry and for major enterprises will be reduced. The new system uses the calculation labor insurance quantity multiplied by allocation rate, meaning that if companies increase the number of Taiwan nationals they employ, then they can also adjust the number of foreign workers they employ accordingly. In this way, foreign worker quotas can be effectively allocated to the manufacturing industry, while safeguarding jobs for Taiwan nationals. This in turn will help maintain the operation and development of enterprises.

### Formulation of the new "additional employment security fees, increase foreign worker quotas" mechanism

However, for some enterprises that do not have low salary worker cost special requirement, the new 'add the Employment Stability fee, increase the foreign worker quota' mechanism has been formulated, and has been planned in accordance with caution and keeping foreign worker salaries close to those of Taiwan workers. Under this premise, the Council of Labor Affairs has agreed that enterprises that increase the number of foreign workers they hire by "5% and below", "6-10%", and "11- 15%" will be required to pay an additional employment security fees of NT\$3,000, NT\$5,000, and NT\$7,000 respectively. In order



▲ The government ensures labor rights and interests to stabilize labor-management relations

to respond accordingly to the flexible employment needs of industries with labor shortages in special situations, the highest foreign worker allocation rate permitted is still 40%.

The system of the manufacturing industry using foreign workers is adjusted on the basis of the 3K five-ratio system, and the "add the additional employment security fees, increase the foreign worker quota" system has been newly established. Employers are required to pay the extra Employment Stability Fee to prove that they are hiring foreign workers due to a shortage of workers and not because of inadequate work conditions. Additionally, with regards to incentives for new domestic investment cases and returning Taiwanese businesses investment cases, the objective of investing in the building of a new factory within a certain period of time, as well as creating employment opportunities for Taiwan nationals must be achieved; they must be short term incentive measures and create employment opportunities for Taiwan nationals; a punitive inspection mechanism will be established at the same time in order to both safeguard the employment opportunities of Taiwan nationals, and satisfy the needs of employers that lack manpower.



## Policies and Regulations

### Relaxing the work experience restrictions for foreign graduates remaining in Taiwan to work, and the employment salary threshold.



▲ The government has deregulated the provision of foreign students staying in Taiwan after graduation

In view of the raise talent, keep talent idea, the Council of Labor Affairs issued a regulation on June 14 2012. The regulation states that foreign students, overseas Chinese, and ethnic Chinese students, that graduated from a public or registered private university in Taiwan on or after the school year of 2011, are permitted to undertake specialized and technical jobs, providing that their average monthly salary is NT\$37,619 or above. They are not required to have two years work experience.

Previously, foreign students, overseas Chinese, and ethnic Chinese students (Hong Kong & Macao students) who wished to remain in Taiwan after graduation to undertake white-collar foreign professional jobs, would not be accorded special provisions. They had the same employment entitlements as regular white-collar foreign workers. According to present regulations, there are currently six kinds of specialized and technical jobs, that are permitted to employ foreign

professionals in Taiwan. The Council of Labor Affairs has set minimum requirements regarding the academic background and salary of foreigners who undertake these kinds of jobs.

### In accordance with the following qualifications

According to regulations, foreigners who undertake specialized and technical jobs should conform to the following requirements:

1. They have obtained the necessary certificate or professional qualifications in accordance with professional or technical worker exam stipulations.
2. They have obtained a master's degree or above in a related field from a domestic or international university, or have a bachelor's degree in a related field, and at least two years of related job experience.
3. They have worked in a transnational company for at least one year, and have been assigned to a post in Taiwan.
4. They have undergone professional training or self-study, have at least 5 years of related experience, and have an original

idea or special skill.

The above-mentioned foreigners must receive a monthly salary of at least NT\$47,971.

Foreign and overseas Chinese students who have received education in Taiwan and remain in Taiwan to work following graduation, and who are in line with the goals of nurturing talent and investing in education of Taiwan, may reduce the probationary employment period required. This is because foreign and overseas Chinese students have experience of living in Taiwan, and so they can adapt to Taiwan easier than those who are arriving in Taiwan for the first time.

On May 4 2011, the Council of Labor Affairs invited the related departments to a joint discussion meeting, in which all departments agreed to deliberate carefully on the topic of outstanding foreign and overseas Chinese students. On June 14 2012, it was announced that regulations would be amended to enable outstanding foreign and overseas Chinese students to smoothly stay in Taiwan to work.



## Policies and Regulations

# Promotion of the Guidelines for the Youth Employment Subsidy

On January 1<sup>st</sup> 2012, the Council of Labor Affairs promotes the Guidelines for the Youth Employment Subsidy, aimed at people between 18 and 29 years old who are looking for a job for the first time or have been unemployed for more than six months. The plan will offer two years NT\$120,000 in training and studying grants to encourage unemployed youths to strengthen their working skills and improve their abilities for finding a job, as well as promoting employment.

According to the Manpower Utilization Survey published in 2011 by the Directorate General of Budget, Accounting and Statistics (DGBAS), people between 15 and 24, the main reason for having problems finding a job is lacking technology skills (55.29%). The second reason is that the job functions do not suit the candidate (22.88%). Regarding the challenges youths face when seeking a job, the main goals consist of improving their working skills and shortening the technology gap. Therefore, aim of the Guidelines for the Youth Employment Subsidy is to provide youths with a "fishing rod" to enhance their skills, in order to help them find a job after self-training and studying. Furthermore, the plan also has the following features:

### 1. Expand the scope of young people's training and studying

Besides the training courses which held, commissioned and subsidized by Bureau of Employment and Vocational Training, BEVT's Vocational Training Centre grants, the plan's scope of training and studying is expanded to courses directly related to seeking employment provided by legal training units which have been evaluated by the TTQS (Taiwan TrainQuali System) within the past 3 years and awarded a bronze medal (or higher) when most recently evaluated, as well as government-held and commissioned courses.

### 2. Increase the autonomy of youth training and studying

Unemployed young people can freely choose a suitable course among the aforementioned training and studying courses, giving priority to personal motivation, the course's features and whether it benefits the candidate's future goals and formulated with personnel of public employment service institutions. The personnel will help youths understand the situation of job market and the direction of their future profession. After agreement youth can participate in the course to strengthen their capacity for self-training and studying.

### 3. Provide employment counseling to guide unemployed youth to systemized training and studying

Employment counseling is provided by public employment service institutions. The training and studying plan, formulated together with unemployed youth, will combine future profession direction and training and studying goals together via systemized or intensive courses to strengthen the youth career guidance function. Furthermore, youths not participating in training and study will have to regularly go to the employment service institutions for employment counseling to use the employment service's existing resources and be actively helped to participate in training, learning and employment.

Although the Guidelines for the Youth Employment Subsidy

**青年就業讚**

101年勞委會推動「青年就業讚計畫」  
—給青年「釣竿」補助青年自主學習—

**補助對象**

- (一)年滿18至29歲(29歲生日當天)本國籍未就業青年。
- (二)不在學(亦非休學期間)、初次尋職者或連續失業6個月以上者。

**補助內容**

自完成資格認定之日起2年內,經公立就業服務機構同意訓練學習計畫並完成結訓,最高補助新臺幣12萬元(訓練學習自付額補助)。

**詳細資料查詢管道**

符合本計畫規定之訓練學習課程,可上職訓網(www.e-training.gov.tw)「青年就業讚專區」查詢。

**申請方式**

本人攜帶身分證親洽  
公立就業服務站 → 辦理「求職登記」及「資格認定」 → 搜尋培訓課程、職訓諮詢、擬定學習計畫

報名培訓課程  
參加甄別考試 → 錄取後,參與職訓課程 → 訓練結束後60天內申請自付額補助。

★詳情請洽各地就業服務站查詢。

站別	電話	站別	電話
板橋就業服務站	(02) 2959-8856	花蓮就業服務站	(03) 832-3262
三芝就業服務站	(02) 2976-7157	玉里就業服務站	(03) 888-2033
新店就業服務站	(02) 8911-1750	金門就業服務站	(082) 311-119
基隆就業服務站	(02) 2422-5263	建江就業服務站	(0836) 23576
龍巖就業服務站	(03) 954-2094		

▲ The poster of Guidelines for the Youth Employment Subsidy

has been designed to help young people find a job after self-training and studying, we must consider the substantial training and studying resources required. In the design of the plan, the public employment service institution that verified their qualifications must approve their training plan before they can register, pay the fee and then participate in the course in order to strengthen the career guidance and counseling services.

Furthermore, youths who want to obtain a NT\$1,200,000 grant within two years required to comply with the following requirements: within ten days of the day after starting to attend the course, they shall reply attending record to the public employment service institution that verified their qualifications and finish the training course to obtain a completion certificate or a course credit certificate.

Therefore, during the training process, public employment service institutions shall go to the training unit to conduct checks and keep track of students. If one has suspended the class or changed the time of the class, when it has not been agreed yet, has provided personal information to other course for participating in the training course or participate in the training course on behalf of someone, has avoided, obstructed or refused checks or has absence from attending class accumulated to tenth of the total hours of lectures, the public employment service institution must refuse to issue the grant in order to promote an effective investment in human capital. Furthermore, the public employment service institutions will pressure youths who has been qualified. If someone has not participated in the training course for half a year, the person's qualifications shall be revoked. Expect that the aforementioned measures shall encourage youths to actively participate in the training course and eventually help them to plunge into their

career.

At present, until October 23 2012, the Guidelines for the Youth Employment Subsidy has helped 14,053 people complete verification of their qualifications, 6,749 people complete the training and studying plan and 6,042 people employed.

### How to apply for the Guidelines for the Youth Employment Subsidy

Young people who want to apply for the Guidelines for the Youth Employment Subsidy may go to a "Youth Counter" in a BEVT public employment service office to finish job-seeking registration and verify qualifications. The professional personnel of the public employment service institution shall provide employment counseling and shall help youth formulate a training plan.

Youth who has participated in the training course and has obtained a training completion certificate, in accordance with the relevant provisions of subsidy application in the plan can go to the employment service institutions to apply for the subsidy. During this period, the employment service institution shall continue to provide youth career guidance, job-seeking and employment promotion services and accompany with youth during their job search period.

Detailed plans, application forms and information of the training courses are available at the National Employment Network ([www.ejob.gov.tw](http://www.ejob.gov.tw)). Youth can also call the Employment Service 24-hour free telephone number (0800-777-888) or make an inquiry at the closest public employment service institution.



## Policies and Regulations

# Maternity Protection for Women Workers The Council of Labor Affairs opens "Maternity Protection at Work Consulting Clinic"

Since 1919, the International Labor Organization's Maternity Protection Convention has stipulated the relevant provisions for the protection of mothers. Noting the provision of Universal Declaration of Human Rights (1948), the Convention on the Elimination of All Forms of Discrimination against Women (1979), of United Nations and under the principles of maternity protection and employment equality, the ILO has adopted measures to protect pregnant or nursing mothers from the hazards of workplace, as well as other pregnant and breastfeeding women health protection measures, in accordance with the MPC revision of 2000.

### 'Maternity Protection' is the key to create a female-friendly workplace

According to Labor Safety and Health Act, employers have the obligation to ensure that pregnant and breastfeeding women are not exposed to any danger at work, including not requiring them to perform any dangerous work and appropriate measures must be taken on the basis of a health assessment. In response to international trends, (according to Directorate-General of Budget, Accounting and Statistics, Executive Yuan (DGBAS),) the labor participation rate of female in Taiwan has increased to 49.97% in 2011. Thus creating a female-friendly work environment has become an urgent matter, of which maternity protection is the key.

According to relevant literature, some workplace hazards not only affect the health of the women themselves, but also their

ability to have children. For example, certain chemicals (such as lead, mercury, chromium, arsenic and anti-cancer drugs) may cause infertility or increase abortion and stillbirth rates. Physical hazards (such as noise, vibrations, high temperature, heavy lifting, ionizing radiation, abnormal air pressure, standing for a long time, sitting for a long time and shift working) may provoke injuries in a pregnant woman and lead to premature birth. Biological hazards (such as Hepatitis B, chicken pox, shingles and rubella) may cause low fetal weight, miscarriages and birth defects.

Controlling workplace hazards can help protect mother and child during pregnancy. As the nation is currently facing families having fewer children, an aging society and social changes, strengthening the health protection of mothers not only is a labor issue, but also a part of safeguarding social security and women's rights.

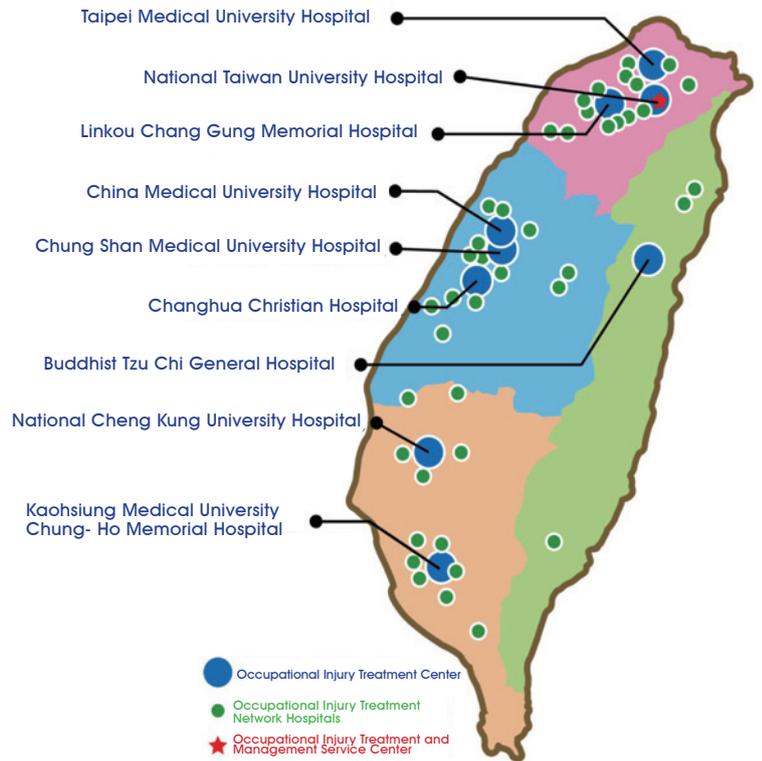
### Opening of the Maternity Protection at Work Consulting Clinic strengthens maternity protection

Taiwanese law only requires that enterprises with over 300 people in a work place must engage or arrange labor health services doctor to provide workplace hazard and high risk labor health evaluation. In order to meet the needs of women whose workplaces do not provide the service, the CLA has set up a "Maternity Protection at Work Consulting Clinic" at each of

the nine Work Injury Treatment Centers; specialist doctors and gynecologists provide assessments of work and environmental hazard exposure for pregnant and breastfeeding women, suitable work suggestions, as well as related enquiry services. For work allocation requirements, an evaluation and suggestion book can also be issued, which will comprehensively evaluate any hazards affecting female workers in the workplace and their health situation. Besides helping work units improve their work environment, these measures will also help them improve their facilities and make adjustments in order to enhance maternity protection.

The Maternity Protection at Work Consulting Clinic, since its opening in May, 2012, offers services across 16 clinic/times, with 196 people visited, of which 82% are pregnant. Standing for a long time, feeling indisposed or feeling stress at work can affect the health of a mother and her child and therefore female workers visit the clinic. The majority of women visiting the clinic are nurses, teachers and operators in the science and technology industry. In total, for work allocation requirements, 10 women have been provided with a doctor's evaluation and suggestion form that was passed to their work units so that suitable work was allocated and maternal protection measures adopted in accordance with relevant regulations.

The pressure women face at work is different from that of their male colleagues. For gender equality is an international consensus, the CLA shall strengthen maternity protection related laws and measures to implement the protection of female labor rights.



▲ Working mother Maternal Health Enquiry Clinic Resource Map



## News Outlook

# Labor rights on demand The Council of Labor Affairs has introduced a Bureau of Labor Insurance (BLI) Mobile Service App and an enquiry service on labor insurance accessible through one's Postal ATM card.

On 27<sup>th</sup> September 2012, alongside the increasing popularisation of Wi-Fi, smartphones and computer tablets, the Council of Labor Affairs, introduced an individualised mobile service through the integration of Citizen Digital Certificate and Electronic Signatures into APP technology. This service not only provides more diverse and convenient channels for labor insurance enquiries, but the integrating of Citizen Digital Certificate and Electronic Signatures into an APP is also a first for government agencies.

In the past, personal information relating to Labor Insurance, Employment Insurance, Farmers' Health Insurance, Labor Pension and National Pension Program could all be accessed by the public through channels such as; over the counter enquiries, telephone enquiries, written enquiries, or through using one's Citizen Digital Certificate or Labor Insurance Card. In order to address the increase in use by the public of Wi-Fi, Smartphones and Computer Tablets, on 27<sup>th</sup> September 2012 the BLI introduced a mobile APP service supported on IOS, Android and Windows Phone systems which allows the public to check their labor rights anytime, anywhere.

To protect the sensitive personal information required by enquiries through the BLI Mobile Service APP, upon initial downloading of the APP users should first register with the BLI e-service system using their Citizen Digital Certificate, this will allow their account password to be obtained and thereby complete the mobile



authentication process. Following authentication, users will be able to log in to the APP through Wi-Fi and access their labor rights and associated information without restrictions of time or place, whenever or wherever they wish.

The BLI Mobile Service APP has launched the first stage of its enquiry services; already available are the following enquiry services: Information relating to state and changes of various insurance types, details of changes, accumulated insurance seniority, as well as individual labor pension account details. 2013 should see the launch of the second stage of enquiry services, namely, benefit claim status, Labor Insurance

Retirement Benefit and National Insurance Old-age Pension calculations, overdue premium records, service location information and document pick-up booking services. In the future other services may be introduced or refined according to public need with the view to offer a better and more personal service.

In other news, the Chunghwa Post Co., Ltd., having already issued over 10 million ATM cards, has expanded its service locations all over the country; from sprawling cities to far away

mountain communities Chunghwa ATMs can be found. In order to provide a more convenient and considerate service for workers, allowing them to more easily check labor insurance and labor pension information, the BLI has established a cooperative relationship with Chunghwa Post Co., Ltd. From November 2012 Chunghwa Post Co., Ltd. will be commissioned by the BLI to offer a labor guarantee enquiry channel; this will result in more than another 3,000 service locations made available at which workers will be able to grasp their labor rights and interests.



## News Outlook

### From January 1 2013 Minimum Hourly Wage to be raised to NT\$109

The Council of Labor Affairs announced the minimum hourly wage will be raised from NT\$103 to NT\$109 beginning January 1, 2013. If hourly wage is below the adjusted rate as agreed upon by labor and management, it should be rectified in accordance with the law from January 1<sup>st</sup> 2013.

The Council of Labor Affairs stressed that the wage agreed upon by employee and employer must not be lower than the minimum wage. If this regulation is violated, once disclosed, the employer will be subject to a fine of between NT\$20,000-

NT\$300,000. Depending on the severity of case the supervising agency can also decide to announce the business name, names of business owners or who being responsible. On top of this, the employer will be required to make up to minimum wage level.

If you have reason to believe your labor rights, or the labor rights of others have been violated, please contact your local labor administration authority [Department of Labor or Department of Social Welfare] or contact the Council of Labor Affairs on 0800-085151 to begin legal investigations.



## News Outlook

### The Institute of Occupational Safety & Health is energetically working towards improving the workplace for workers

The Institute of Occupational Safety & Health (hereafter referred to as IOSH) has been offering guidance to businesses regarding investment in industrial safety and improving workplace conditions. Since 2009, the IOSH has helped 366 enterprises mitigate cutting and entanglement hazards and improve ventilation, reducing the cases of workers suffering from disability and injury at work by 36.1% and 22.8%, as well as achieving energy expenditure savings of NT\$223,240,000 and NT\$76,170,000 being put into improving industrial safety shortcomings, giving an industrial safety investment rate of 34.1%.

On December 12, the IOSH held the Enterprise Industrial Safety Investment and Guidance Achievement Presentation Meeting at the NTUH International Convention Center, at which companies that have performed excellently with respect to industrial safety investment and reducing occupational injuries were commended. This event displayed safety and health guidance achievements of four years and invited companies that have an excellent track record in terms of investing in industrial safety to share their experience, as well as providing an "air compressor noise, light and energy saving connected module", giving attendees an experience of the way health and safety and energy affect each other; the event contents were rich and practically useful; attendees were labor health and safety management officers from various businesses, workers, students and staff from occupational health and safety related college departments and people who care about industrial safety.

More than 98% enterprises in Taiwan are small and medium enterprises, which means industrial safety is under less

supervision generally. In light of this, in 2009 the IOSH began using the energy saving re-investment in industrial safety guidance model to assist enterprises in Taiwan reduce energy bills; the enterprises then voluntarily used over 15% of the money saved every year (occupational safety investment) in improving industrial safety shortcomings in factories. Over the past four years the enterprises the IOSH has provided guidance to range from traditional manufacturing industry metal surface treatment SMEs to high-tech semi-conductor companies; 648 cases of improvements of cutting, pinching and rolling equipment that can likely cause worker injury and ventilation that exposes workers to danger have been carried out. In addition, an occupational danger training film, related industrial safety forms and proposals that meet the requirements of regulations, worker reference processes for high risk work, health and safety improvement legends and integrated health, safety and energy saving improvement technology guide and promotional materials have been produced and provided to companies that have not received guidance so that they can follow the steps to improving and investing in industrial safety. More detailed achievements were announced during the meeting.

The IOSH has already used the energy saving re-investment in industrial safety guidance model to create a value-added result that is a win-win-win situation for enterprises, labor and the government. It is hoped, through this activity, to give businesses a better understanding of the fact that investment in industrial safety can really reduce the occurrence of occupational injuries. Finally, the CLA reiterates that "For business to do industrial safety well, sufficient investment in improvement is needed".♣

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行政院勞工委員會  
 Council of Labor Affairs, Executive Yuan

## 專題報導

- ◆ 勞動部願景：創造自主、公平、發展的勞動市場



## 政策法規

- ◆ 「台灣職場雙贏平台」推動計畫
- ◆ 新增及返臺台商投資案外勞核配比率
- ◆ 放寬僑外畢業生留臺工作「年資經驗」限制及「僱用薪資」門檻
- ◆ 推動「青年就業讚計畫」
- ◆ 保障職場母性身心健康  
勞委會開辦「職場母性健康諮詢門診」



## 新聞瞭望

- ◆ 勞動權益隨時查！  
勞委會推出「勞保局行動服務APP」及郵局金融卡勞動保障查詢服務
- ◆ 自102年1月1日起，每小時基本工資調整為109元
- ◆ 勞研所積極改善勞工作業場所



## 專題報導

### 勞動部願景：創造自主、公平、發展的勞動市場

行政院勞工委員會2013年將改制為「勞動部」，主委潘世偉闡述勞動部願景表示，過去以勞工保護為政策主軸，未來整個勞動過程中所有的利害關係人，都是勞動部關注的重點。勞動部將秉持「自主、公平、發展」3大方向以推動未來願景，並創造更多就業機會，追求社會公平正義，提升國家競爭力。

#### 建立更自主的勞資關係

甫於今年10月上任的主委潘世偉表示，勞動部首先要

建立更自主的勞資關係。臺灣在出口導向的環境之下，相當依賴世界經濟，但全球化變遷快速，對臺灣經濟造成很大影響，如果勞工與雇主或相關利害關係人可以更自主地運作，更有能力因應經濟快速變遷。過去政府扮演一個中間人的角色，可以在勞資平衡之間用制度的力量去平衡雙方力量，但在全球化的背景下，單一國家或其國內的單一工會已不足以應付跨國企業的勞資關係。因此，工會也須逐漸轉型為有能力因應自由市場機制架構的工會，具備全球性的思維，才能應付日漸複雜的勞資關係及集體協商議題。



▲ 現任勞委會主委潘世偉

潘主委表示，近來媒體報導勞保財務的議題，牽涉勞保制度的世代公平及臺灣未來社會保險能否永續發展，需審慎規劃。另外，勞工退休時所領取退休金的數額，直接影響勞工老年生活之保障，因此如何透過勞工退休基金之保管、運用，使勞工退休金增值，確保勞工老年領取之退休金數額足夠，亦為重要工作。目前新制勞工退休基金由勞工退休監理會保管、運用與管理，未來將提升至勞動部勞動福祉退休司負責政策規劃及監理業務，並由勞動基金運用局負責退休基金管理與運用事宜。此外，研議規劃開放勞工運用自有退休基金，自選投資機制，引進多元化投資管道，增加勞工選擇退休金投資規劃自主權，分散投資風險，提高勞工退休所得。配合勞工老年經濟來源之多層保障，強化自願提繳誘因，也是補充勞工個人退休後經濟安全的重要機制。

### 保障勞工安全健康

潘主委強調，致力於保障勞工安全健康是國家重視基本人權的表徵，勞委會多年來積極推動「職業安全衛生促進方案」，未來勞動部將成立「職業安全衛生署」，以因應多樣化的職業病防治、強化保障勞工安全健康及職災勞工重建服務系統，進而完備職業災害勞工保護體系；維護勞動基本人權，提供國家安全健康勞動力，減少保險給付支出及國家經濟損失。同時，除了注重職業安全維護與防範外，勞委會也積極推動職場平等，消除就業歧視，並建

構友善職場工作環境，具體措施包括：落實勞動三法、推動社會對話、性別工作平等法。

依照臺灣的人口結構趨勢，人口會越來越少，產業界也應思考在人力稀少的環境中發展。潘主委指出，臺灣有優秀的人才資源，普遍受過高等教育以及專業技術訓練，當然不會只想做基層的操作型工作，產業須從根本思考，才能解決外勞需求問題，並促使企業發展；如果開放更多外勞，企業的思維將停留在生產更廉價的產品上，持續落在供應鏈最末端，永遠無法提升。潘主委並表示，除勞動力提升之外，臺灣勞工薪資水準雖有微薄的成長卻偏低，然而產業無法只靠廉價勞力，必須要優質化、向上提升，勞工素質提升，薪資當然相對也要提升，這是企業的社會責任。

### 增強臺灣人力國際市場競爭力

為強化並整合勞動力發展與運用，職業訓練局將改制為「勞動力發展署」，透過勞動力技能提升及開發運用，促進勞動力永續發展。另將整合就業服務、職業訓練、技能檢定及創業協助體系，打造全方位服務通路，提供所有勞動者終身職涯服務。潘主委指出，勞委會透過多項管道辦理就業服務，包括就業博覽會與大中小微型徵才活動、建立虛實整合的就業服務通路。同時也運用就業促進津貼及相關僱用獎助，協助低收入戶及中低收入戶適性就業，進而脫離貧窮，改善家庭經濟。除了就業媒合，在職業訓練方面，勞委會也積極辦理多元化方案，例如：「失業者職前訓練」、「青年人才培訓深耕方案」、「產業人才投資方案」等，協助勞動者順利轉換或進入職場。此外，勞委會還掌握轄區內企業的求才需求，持續推動企業求才速配計畫。

潘主委重申，未來勞動部不會只有勞工保護，還要思考如何讓臺灣人力在國際市場上競爭；沒有競爭力就沒有就業機會，也不會有薪資成長，這是一連串的連鎖效應，勞動部將讓政府有更多發揮空間，為勞工朋友提供更好的勞動環境。



### 政策法規

## 「台灣職場雙贏平台」推動計畫

為增進企業間定期溝通、分享及諮詢，協助企業建立制度化的家庭友善措施，因此勞委會自民國100年起，將「友善職場優良事業單位評選活動」轉型成立「台灣職場

雙贏平台」，做為企業間建立家庭友善措施交流、觀摩及推廣的管道。

101年持續推動「台灣職場雙贏平台」相關事宜，以 ▶▶

協助企業實施制度化的家庭友善措施，包括：一、平衡工作與家庭措施（如：育嬰留職停薪、家庭照顧假、陪產假、家庭日等）。二、彈性工時及多元化的工作安排。三、女性的職涯開發、培育、任用。四、托兒設施或措施。五、建立職場性騷擾防治措施等。

101年度勞委會持續推動「台灣職場雙贏平台推動計畫」，內容包括：

### 一、編製參考手冊

編製企業實施家庭友善措施參考手冊2,000本分送企業，俾供企業推動相關措施參考。

### 二、辦理研習會

辦理「企業推動家庭友善措施種子訓練研習會」，針對各事業單位雇主、相關業務主管及承辦人等，於北、中、南區辦理3場次研習會，對於「家庭友善措施的概念、範圍及類型」、「平衡工作與家庭措施的具體作法」、「女性的職涯開發、培育及任用」開設相關課程，除分享友善措施的具體作法外，另安排實施家庭友善措施的優良事業單位觀摩，藉此活絡企業間的交流。

### 三、「專家入廠輔導」服務

針對有意推動家庭友善措施之企業，提供「專家入廠輔導」服務，安排實地入廠諮詢，每次安排1位顧問諮詢，時間為2小時，每企業以使用4次為上限（8小時）。第1次輔導服務以企業診斷為主要服務內容，經由實地面對面訪談與討論，瞭解受輔導單位目前狀況，並提出輔導建議。今（101）年度至少入廠輔導40場次及輔導10家事業單位規劃推動家庭友善措施。

入廠輔導服務針對下列5大類別提供服務：

- （一）平衡工作與家庭措施：包括如何提供女性員工懷孕期間友善對待措施（如：懷孕女性專用停車位、懷孕女性專用置物櫃）、員工產假或育嬰留職停薪期間的人力安排、育嬰留職停薪復職的輔導訓練、企業家庭日及親子活動等。
- （二）彈性工時及多元化的工作安排：包括如何提供多模式班別由員工自由排定、減少或調整工時等。
- （三）職涯開發、培育、任用：包括如何打破性別職種限制，擴大員工職場領域（如：打破性別轉任限制，鼓勵女性員工加入工業技術體系職務，並給予技術相關之訓練）。
- （四）托兒設施、措施：包括如何設置完善托兒所、提供托兒措施（如：與鄰近公司托兒所簽訂特約優惠）或其他對於員工育兒之友善措施（例：課後接送安親輔導服務）。
- （五）建立職場性騷擾防治措施：包括如何訂定工作場所性騷擾防治措施、申訴及懲戒辦法、辦理防治性騷擾教育訓練。



▲ 政府積極辦理訓練研習會分享企業友善家庭措施



## 政策法規

# 新增及返臺臺商投資案外勞核配比率

為推升經濟動能、促進國內新增投資及臺商回臺投資，行政院邀集經建會、經濟部及勞委會協商決議，國內新增投資案同意附加5%或10%之外籍勞工數額，得豁免3年外加就業安定費；另臺商回臺投資案附加15%或20%之外籍勞工數額，得豁免5年外加之就業安定費，期滿後應回歸3K5級制及外加就業安定費附加外籍勞工數額機制辦理。前述製造業外籍勞工進用機制，勞委會刻正進行法制作業。

## 政府透過協商對話，共同研商外勞政策

政府開放引進外籍勞工基本原則，係依據《就業服務法》第42條規定，為保障國民工作權、聘僱外國人工作，不得妨礙本國人之就業機會、勞動條件、國民經濟發展及社會安定。所以，在不影響國人就業機會的基本原則下，勞委會對於國內所缺乏的基層勞工，採取補充性方式開放引進外籍勞工，以補充國內產業勞動力不足的現象，並透過跨國勞動力政策協商諮詢小組（以下簡稱政策小組）之

勞資學政社會對話機制，配合國家經濟發展需要與就業情勢，共同研商適切的外籍勞工政策。

現行「製造業外籍勞工政策」係勞委會與經濟部經跨部會通盤協商檢討，並經政策小組社會對話取得共識。考量缺工情形、產業關聯度及3K產業特性，於民國99年10月1日起，施行製造業5級制，調整各業聘僱外籍勞工的適用比率，分級為：10%、15%、20%、25%、35%等5級制；於3K新制下，傳統產業及中小企業可增加外籍勞工名額，電子資訊產業及大型企業外籍勞工名額相對減少，且新制改以「勞保人數乘以核配比率」核算，廠商倘增加僱用本國勞工人數，可依比率相對增加外籍勞工引進人數，以有效分配製造業外籍勞工名額，並兼顧穩定保障國人就業及適當運用外籍勞工，以協助企業維繫營運與發展。

### 研議「外加就業安定費附加外籍勞工數額」新機制

但對部分事業單位非以考量低薪資勞動成本之特殊需求，另研議「外加就業安定費附加外籍勞工數額」之新機制，並以「謹慎」及「貼近本國勞工薪資」原則規劃辦理。在此前提下，勞委會同意增加核配比率「5%以下」、「6%至10%」及「11%至15%」，分別再外加就業安定費依次為新臺幣3,000元、5,000元、7,000元，但



▲ 政府積極保障勞工權益，穩定勞動關係

聘僱外籍勞工的最高核配比率上限仍為40%，以因應產業特殊狀況缺工之彈性用人需求。

製造業外籍勞工進用機制，係在3K5級制為基礎下進行調整，且新建立外加就業安定費附加外籍勞工數額機制，雇主必需繳納額外就業安定費，以證明雇主缺工非因勞動條件偏低所致；另國內新增投資案及臺商回臺投資案優惠部分，需於一定時間內達成新設廠投資及創造本國勞工就業機會之目的，且屬於短期優惠措施，進而創造本國勞工就業機會，並將同時建立查核及處罰機制，以兼顧保障本國勞工就業權益及滿足雇主缺工人力需求。



### 政策法規

## 放寬僑外畢業生留臺工作「年資經驗」限制及「僱用薪資」門檻



▲ 政府放寬僑外畢業生留臺工作規定

基於育才與留才之考量，勞委會已於101年6月14日發布相關規定，自100學年度起，於國內公立或已立案私立大學校院畢業之外籍留學生、僑生及其他華裔學生，受聘僱從事專門性或技術性工作，聘僱薪資達月平均新臺幣3萬7,619元以上者，不需具備2年工作經驗，即可申請從事專門性或技術性工作。

先前在臺灣的外國留學生、僑生與華裔生（港澳生）畢業後，如欲繼續留臺從事白領外籍專業人員工作，其受聘僱資格與一般白領外國人資格相同，並無給予特別規定。依據現行規定，目前共開放專門性或技術性等6類工作得聘僱外籍專業人士。勞委會針對從事該類工作的外國人，訂有相關學經歷及受聘僱薪資下限規範。

## 符合下列資格

依規定，從事專門性或技術性工作的外國人，應符合下列資格：

- 一、依專門職業及技術人員考試法規定，取得證書或執業資格者。
- 二、取得國內外大學相關係所之碩士以上學位者，或取得相關係所之學士學位而有2年以上相關工作經驗者。
- 三、服務跨國企業滿1年以上經指派來我國任職者。
- 四、經專業訓練，或自力學習，有5年以上相關經驗，而有創見及特殊表現者。

以上各款外國人，其受聘僱薪資，需達每月新臺幣4萬7,971元整。

惟考量外國留學生及僑生在我國接受教育，其畢業後若留臺工作，亦符合我國育才及教育投資目的；且因外國留學生及僑生有在臺生活經驗，較一般從國外初次來臺工作的外國人更能適應臺灣，相對地可縮短工作時勞雇雙方磨合期。

勞委會前於100年5月4日邀請相關單位共同研商，各相關部會於會議中均同意針對優秀外國留學生及僑生留臺資格進行檢討，並於101年6月14日發布相關修正規定，俾利優秀僑外生能順利留臺工作。



## 政策法規

### 推動「青年就業讚計畫」

勞委會於101年1月1日推動「青年就業讚計畫」，針對初次尋職或連續失業6個月以上之18歲至29歲青年朋友，提供2年新臺幣12萬元的訓練學習自付額補助，鼓勵未就業青年強化技能及提升就業能力，以促進就業。

依據主計處100年人力運用調查報告，15歲至24歲青年失業尋找工作過程中遭遇困難之最主要原因為技術不合（占55.29%），其次為工作性質不合（22.88%），故針對青年就業之困難，主要仍在於提升其工作技術，解決技術落差為主。因此，「青年就業讚計畫」就是提供青年提升技能的「釣竿」，透過自主訓練學習後順利就業。另外，還有以下特色：

#### 一、擴大青年訓練學習範圍

除勞委會職訓局所屬職業訓練中心自辦、委辦及補助辦理的職業訓練課程外，該計畫訓練學習範圍另增加了最近3年內曾接受職業訓練局訓練品質評核系統（TTQS）訓練機構版評核，且其最近一次評核結果等級為銅牌（含）以上之合法辦訓單位所開辦與就業目標直接關聯之課程，以及其他政府機關（構）自辦或委辦之課程。

#### 二、增加青年訓練學習之自主性

失業青年可依前述訓練學習範圍自主選擇適合的課程，提出個人學習動機、課程特色、對於個人未來就業目標之助益等，與公立就業服務機構人員共同擬定訓練學習計畫，協助青年瞭解就業市場狀況及未來職業方向，同意後參加訓練學習課程，以強化青年自主訓練學習能力。

#### 三、結合就業諮詢，指引失業青年進行系統化之訓練學習

由公立就業服務機構提供就業諮詢，並與失業青年共同擬定訓練學習計畫，將未來職業方向與訓練學習目標及課程相互結合，透過系統化或較為密集化的課程，以強化對青年職涯導引的功能。另外，青年未參加訓練學習時，則必須定期前往就業服務機構接受就業諮詢，以運用就業服務機構現有就業服務資源，積極協助參加訓練學習及就業。

★詳情請洽各地就業服務站查詢。

站別	電話	站別	電話
板橋就業服務站	(02) 2969-8856	花蓮就業服務站	(03) 832-3262
三重就業服務站	(02) 2976-7157	玉里就業服務站	(03) 888-2033
新店就業服務站	(02) 8911-1750	金門就業服務站	(082) 311-119
基隆就業服務站	(02) 2422-5263	連江就業服務站	(0836) 23576
龍巖就業服務站	(03) 954-2094		

雖然「青年就業讚計畫」就是要讓青年透過自主訓練學習後順利就業，但考量訓練學習資源寶貴，在方案設計上，青年仍須先經完成資格認定之公立就業服務機構同意訓練學習計畫後，才可報名繳費及參加訓練學習課程，以強化對青年職涯導引與諮詢服務之功能。

另外，青年若要獲得2年12萬元訓練學習自付額補助，尚須符合下列規定：自參加訓練學習課程之翌日起10日內，將參訓情形回覆卡通知完成資格認定之公立就業服務機構，及完成訓練學習課程並取得結訓或學分等相關證明文件。

因此，公立就業服務機構在青年接受訓練期間，將前往訓練單位進行查核與追蹤，若青年有暫停上課或轉換上課時間等情事，甚至有未經同意轉換訓練課程、提供個人身分資料供他人參訓或代他人參訓、規避、妨礙或拒絕查核，及請假、曠課時數累積達全期訓練總時數十分之一者等情形，公立就業服務機構仍將不予發給補助，以促進人力資本有效投資。另外，公立就業服務機構對於完成資格認定之青年亦可施予訓練學習壓力，若半年期間未參加訓練學習課程，則廢止其資格認定。期望透過以上措施，鼓

勵青年積極參加訓練學習後，投入職場。

目前「青年就業讚計畫」自今（101）年推動至10月23日止，已協助1萬4,053人完成資格認定、6,749人完成訓練學習計畫及6,042人就業。

### 如何申請「青年就業讚計畫」補助

青年朋友如欲申請「青年就業讚計畫」補助，可先向勞委會職訓局所屬公立就業服務站「青年專櫃」辦理求職登記及完成資格認定，就業服務機構專業人員將提供就業諮詢，與青年共同擬定訓練學習計畫。

青年經參訓並取得結訓證明後，並且符合該計畫中領補助之相關規定，便可向完成資格認定之就業服務機構申請補助，同時就業服務機構在這段期間會持續提供青年職涯導引、全程尋職陪伴及推介就業等服務，讓青年朋友在求職路上不孤單。

詳細計畫、申請表單及訓練學習課程等內容可於全國就業e網（[www.ejob.gov.tw](http://www.ejob.gov.tw)）查詢；亦可撥打24小時免付費就業服務電話0800-777-888詢問，或就近向勞委會職訓局所屬公立就業服務機構洽詢。



### 政策法規

## 保障職場母性身心健康 勞委會開辦「職場母性健康諮詢門診」

源自1919年國際勞工組織（ILO）「母性保護公約」即有母性保護的相關規定，惟鑑於1948年「世界人權宣言」、1979年「聯合國消滅各種形式對婦女之歧視公約」，在兼顧母性保護與就業平權原則下，國際勞工組織於2000年修正「母性保護公約」，對妊娠或哺乳中的工作者，採取危害暴露評估等母性健康保護措施。

### 「母性保護」為營造女性勞工友善就職的重要關鍵

依據「勞工安全衛生法」規定，雇主有義務照顧懷孕、產後哺乳的女性勞工免於職業原因引起孕婦及胎兒之危害，包括不得使其從事危險性及有害性工作，且須依其健康評估結果採取適當措施。基於國際趨勢，且依據行政院主計處資料顯示，我國女性勞動參與率於民國100年已提升至49.97%，營造女性勞工身心健康之友善工作環境已成為當前迫切的議題，其中又以母性保護至為關鍵。

依據相關文獻顯示，有些職場的危害暴露不僅影響女性本身健康，亦會影響下一代之孕育，如化學物質（如

鉛、汞、鎘、砷、抗癌藥等）可能造成不孕、增加流產或死產率；物理性危害（如噪音、振動、高溫、提重物、游離輻射、異常氣壓、久站、久坐、輪班）可能造成孕婦傷害及引起早產、流產、畸胎；生物性危害（如B型肝炎、水痘、帶狀疱疹病毒、德國麻疹等）則可能造成胎兒體重過輕、流產、畸胎等。

控制職場上的職業危害，可使妊娠期間的母體與胎兒獲得妥善保護。面對國內少子化、高齡化等社會變遷趨勢下，加強母性健康保護不僅是勞工議題，亦為社會安全及婦女人權保障的一部分。

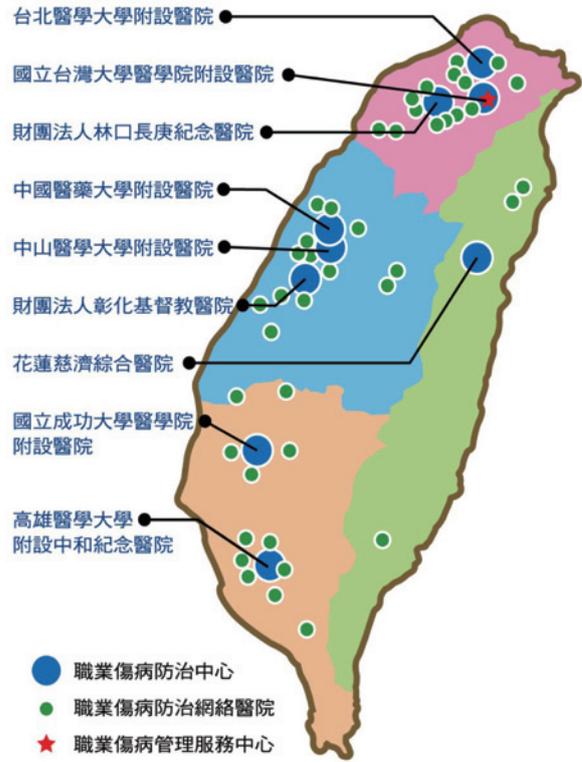
### 開設「職場母性健康諮詢門診」強化母性保護

目前我國法令僅規範同一工作場所300人以上事業單位方須聘任或特約勞工健康服務醫師，提供親近性職場工作環境及作業危害辨識評估，與高風險勞工健康風險評估。為滿足未聘任或未特約醫師之廠場女性勞工的需求，勞委會特委託9大職業傷病防治中心開設「職場母性健康諮詢門診」，由職業醫學科與婦產科專科醫師共同合作，

提供準備懷孕、妊娠與產後哺乳的女性工作者有關工作環境及作業危害暴露之評估，適性之配工建議，以及相關諮詢等服務，對於配工有需求者，亦可開立評估建議書，而該評估建議，係就工作環境及作業危害暴露與女性勞工身體狀況，提出綜合評估建議，讓事業單位除可採取改善作業環境外，尚可採取輔助設施、工作調整、工作更換、工時改變等措施，以達到母性保護目的。

「職場母性健康諮詢門診」自101年5月開辦迄今，每週共計提供16診次的服務，共計約有196人就診諮詢，其中約82%為懷孕中的婦女，因長期站立致身體不適，或因擔心該工作環境或作業會影響母體與胎兒之健康，因此至該門診諮詢。而多數諮詢之女性為護理人員、教師及科技業之作業員，並計有10位因配工之需求，由醫師開立評估建議書，提供予事業單位依法適性配工及採取相關母性保護措施。

職場女性勞動者所面臨的工作壓力有別於男性勞動者，而性別平權，為國際共識，為落實保障女性勞動權益，勞委會將廣續強化母性保護之相關法制與措施。



▲ 職場母性健康諮詢門診資源圖



新聞瞭望

## 勞動權益隨時查！ 勞委會推出「勞保局行動服務APP」及郵局金融卡 勞動保障查詢服務

隨著無線網路、智慧型手機及平板電腦愈來愈普及，勞委會勞保局於101年9月27日推出以自然人憑證電子簽章結合APP的個人化行動服務，這項服務不但提供民衆更多元、更便利的勞動保障查詢管道，以自然人憑證電子簽章結合APP的作法，更是政府機關的首創。

過去民衆查詢勞保、就保、農保、勞退、國保等個人資訊的管道包括：臨櫃辦理、來電查詢、書面申請、使用自然人憑證或勞動保障卡查詢等，然而隨著愈來愈多的民衆開始使用無線網路、智慧型手機及平板電腦，為了讓民衆可以隨時隨地關心自身的勞動權益，勞委會勞保局從9月27日起新增APP查詢管道，同時支援IOS、Android、Window Phone等3種系統。

由於「勞保局行動服務APP」提供的查詢內容涉及個人資訊，為保護民衆個人資訊安全，民衆在首次下載APP後，須以自然人憑證於勞保局e化服務系統註冊，取得帳號密碼，並完成行動裝置的認證，之後只要有在無線網路的地方，就可以不受時間與空間的限制，隨時隨地透



過智慧型手機或平板電腦登入APP，查詢自己的勞動保障相關資訊。

「勞保局行動服務APP」推出的查詢項目分為兩個階段，目前已經推出的查詢服務包括：被保險人在勞保局的各類保險異動狀態、異動明細、年資，以及勞工退休金個人專戶與核發試算。預計102年再推出第2階段查詢服務，增加的查詢功能包括：申請各類給付案件的辦理情形、勞保老年給付試算、國保老年年金試算、個人

欠費、服務據點相關資訊及預約取件。未來也會視民眾需要，調整服務項目，以提供民眾更完善、更貼心的個人化服務。

此外，鑑於中華郵政金融卡發卡量已超過1千萬張，服務據點遍布全國各鄉鎮，連高山偏遠地區都有自動櫃

員機；為提供勞工朋友更貼心便捷的勞保、勞退資料查詢服務管道，勞保局邀集中華郵政研定雙方合作模式，從今年11月起，增加委託中華郵政提供勞動保障查詢服務，增加3千多個查詢據點，提供勞工朋友即時掌握自身的勞動權益。



新聞瞭望

## 自102年1月1日起，每小時基本工資調整為109元



勞委會於日前公告，自102年1月1日起，每小時基本工資將由現行新臺幣103元調整為109元。勞資雙方約定之每小時基本工資如有低於調整後之基本工資者，應自102年1月1日起依法調整。

勞委會特別提醒，勞雇雙方約定的工資，不得低於基本工資。雇主如違反基本工資規定，一經查獲，除可處新臺幣2萬元至30萬元的罰鍰外，主管機關亦得視情況公布事業單位或事業主的名稱、負責人姓名；此外，雇主仍應補足工資。

勞工如有權益受損者，可就近向當地勞工行政主管機關【各縣（市）勞工局或社會局（處）】或勞委會專線（0800-085151）申訴，將立即依法查處。



新聞瞭望

## 勞研所積極改善勞工作業場所

行政院勞工委員會勞工安全衛生研究所（以下簡稱勞研所）輔導企業雇主投資工安，改善勞工作業場所，98年迄今，已協助366家企業完成切割夾捲等安全危害改善和可能造成勞工健康暴露危害之通風工程改善，讓勞工發生職業殘廢和傷害件數分別減少36.1%和22.8%外，並省下新臺幣2億2千324萬元的能源經費和投入7千617萬元改善工安缺失，工安投資比率達34.1%。

勞研所於101年12月12日假臺大醫院國際會議中心辦理「企業工安投資與輔導成果發表會」，表揚致力於工安投資和顯著降低勞工職業傷害的績優廠商。此次活動展現4年的安全衛生輔導成果和邀請工安投資績優廠商進行經驗分享外，也提供「空壓機產生的噪音、照明與節能之連動性模組」，讓與會者體驗安全衛生與能源彼此相互影響情形，活動內容相當豐富精彩，參加者為各事業單位、勞工安全衛生管理人員、勞工、學校相關職業安全衛生科系師生和關心工安者。

國內98%是中小企業，易有工安漏洞，勞研所自98

年開始運用結合節能轉投資工安輔導模式，協助國內企業節省能源經費，並將節能所省下來的錢，每年自願提撥約15%以上（即工安投資），改善廠內的工安缺失。勞研所4年來，所輔導過的廠商從中小型傳統製造業的金屬表面處理業至高科技半導體業都有，且協助廠商改善648個「易造成勞工高傷殘之不安全的切割夾捲設備改善」和「可能造成勞工健康暴露危害之通風工程改善」，並編撰勞工危害認知教育訓練影片、符合法令相關工安表單與計畫書、高危害作業勞工參考作業程序、安全衛生改善圖例、安全衛生和節能整合性改善技術指引和宣導品等，提供給未參與輔導的廠商依循改善和投資工安。更詳細成果內容，發表於成果會中。

勞研所運用結合節能轉投資工安的輔導模式，已成功創造企業、勞工和政府三贏的工安加值成果。期望透過這次的活動，讓事業單位更瞭解，工安投資確實能降低勞工發生職業傷害。最後，勞委會再次呼籲，事業單位「工安做得好，投資改善不能少」。❖