

Publisher	Wang, Ju-Hsuan
Editor-in-Chief	Pan, Shih-Wei
Editorial Committee	Lee, Lai-Hsi · Chung, Lin-Hui · Lee, Chung-Cheng
Executive editor	Huang, Sheng-Yun
Translation	Earl Wieman
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.

# Taiwan Labor e-Quarterly

DECEMBER 2011



Council of Labor Affairs, Executive Yuan 中華民國精彩一百

## Quarterly Focus

- ◆ "National Vision for the Golden Decade" Focuses on Economic Revitalization through Employment Promotion



## Policies and Regulations

- ◆ Building an Occupational Health Service System to Boost Coverage of Care
- ◆ Implementing the Youth Employment Policy
- ◆ Workers Urged to Undergo Training as Companies Cut Working Hours
- ◆ Former ILO Official George Dragnich Tells about Labor Inspections and the International Experience

## News Outlook

- ◆ Government Reinstates Employment Stabilization Assistance



## Quarterly Focus

### "National Vision for the Golden Decade" Focuses on Economic Revitalization through Employment Promotion

The formation of the globalized economy inevitably subjects Taiwan's market for products and services to the challenge of fierce competition from all over the world. In addition to economic globalization, the international factors that influence changes in the island's labor market include the climate changes and energy shortages that all countries must face. Within Taiwan, changes in the population structure—the ageing society and the trend toward the declining birthrate—are creating short- and long-term pressures. How these pressures are dealt with will affect the future development of Taiwan's job market.

#### Current Status and Challenges

Under the impact of the intense competition that has come with the borderless market and global economic and trade network that have developed in recent years, the change in population structure toward the declining birthrate and the ageing society, along with climate change and energy shortages, Taiwan's economy, although it is approaching maturity, is facing new challenges ahead. While salaries on the island have increased in nominal terms over the past few years, the increase has been wiped out by inflation so that real purchasing power has declined. The growth in salaries has been far less than the rate of economic expansion, with the result that the people are not able to feel any real benefits from economic growth.

Furthermore, along with increased productivity countries all over the world have reduced working hours by an appropriate amount and instituted two-day weekends so that workers will be able to balance their work with family life. A reduction in the statutory number of working hours requires accompanying measures to deal with work assignment, manpower deployment, and holiday time, and so should be evaluated and discussed carefully. Besides collecting and studying related data, the Council of Labor Affairs (CLA) has prepared to call labor and management together at the appropriate time to further discuss the issues involved and form a consensus on them. The reduction in normal working hours has always been a goal of government administration, and it will be carried out vigorously in the future in order to protect the interests of workers.

With the emergence of alternative family types, a person who has both job and family responsibilities faces greater pressures than ever in finding a work-family balance. The inability to strike a proper balance could have such effects as a person with family burdens having difficulty caring for children and elders, especially with low-income families; interference with training and career planning; and even a reduction in fertility resulting from the impact on a couple's desire to bear children. When no suitable coordination can be effected between work and home responsibilities, low income earners might choose to leave the workplace or delay taking a job.

Taiwan's unemployment rate has been dropping steadily and



▲ The CLA strives to build a comprehensive job security system and create a friendly workplace while considering the benefit of society as a whole.

there has been an appreciable increase in job opportunities, but there is still a gap between supply and demand in the job market. Although consolidated vocational training and employment services can be used to boost the employment skills of the jobless in the short term and help employers find the manpower they need, industrial transition brings problems of structural unemployment and so, for the long term, these problems have to be solved through national industrial policy and manpower policy planning, and the linking of the educational system with the job market. Only through such programs as human capital upgrading and manpower development, therefore, plus the creation of a friendly workplace environment and the promotion of female employment, can a state of true happiness at work be achieved.

### The "Happiness at Work" Policy Goal

To achieve the developmental goals of "raising salaries and paying attention to both job and family; promoting employment and boosting the labor participation rate," the CLA has mapped out an overall strategy and come up with related action plans aimed at building a comprehensive employment security system and creating a friendly workplace while also considering social justice, so that everybody will be able to enjoy the happiness of work. The government has set the following targets for the short term (to 2012), medium term (to 2016), and long term (to 2020):

1. Adjustment of the minimum wage, especially the hourly wage, to achieve a reasonable wage system.
2. Mapping out of partial paid family care leave. In consideration of the fact that when natural disasters occur local governments may announce a school but not a work holiday, making it necessary for workers to take leave to care for their children under 12 years of age, salaries will be paid as normal during the period of leave.
3. Adjustment of the statutory number of weekly working hours to 40, with accompanying measures to implement the two-day weekend across the board.
4. Review of the worker leave system and establishment of an effective mechanism that allows workers to take care of their families and their jobs at the same time.
5. Heightening of the labor participation rate from 58% to 60%, and of the female participation rate from 50% to 53%.
6. Promotion of joint corporate day care services and expansion of the number of corporate day care facilities or service measures by an average of 115 per year, and establishment of a labeling system for companies with outstanding performance in caring for workers' children, through professional institutions and groups, evaluation, commendation, seminars, replicating the methods of the outstanding enterprises.
7. Provision of a diversified range of vocational training in response to industrial development and the development of employment and to the availability of local job opportunities,

and encouragement of companies to engage in the work of manpower training. In this way, corporate social responsibility will be fulfilled and the work values of the new generation will be molded. The target figures are pre-employment training for 500,000 persons, youth vocational training for 200,000 persons, and on-the-job training for 300,000 persons, as well as the provision of training for 4,000 indigenous people and assistance in obtaining start-up loans for 2,100 indigenous people.

8. Assistance in finding jobs for 143,400 disadvantaged people. Provision of services to an estimated 66,000 mentally and physically disabled (general services, support services, shelter services), and help in finding jobs for 22,000. Implementation of a multi-channel employment development program and assistance in finding jobs for a projected 7,000 unemployed persons. Training of 2,500 disabled persons and achievement of a post-training employment ratio of at least 35%.
9. Development of social enterprises to promote employment of the disadvantaged and other specific groups.
10. Building of a comprehensive vocational rehabilitation resource delivery system and development of a national testing and certification system for vocational rehabilitation professionals for the disabled.
11. A ratio of at least 10% R&D spending by colleges and universities provided by corporations, and income from intellectual property output in excess of NT\$1 billion.
12. Continued adjustment and revision of manpower supply and demand survey reports for key industries by the agencies in charge of those industries so as to conform to the future needs of industry. Integration of key-industry manpower supply and demand information and mapping out of an industrial manpower development strategy, with follow-up adjustment in accordance with the results of the key-industry manpower supply and demand survey, and with annual review and improvement.
13. The Ministry of Economic Affairs carries out the following measures in order to develop manpower for key industries:
  - (1) Forty research reports on the MOEA's key-industry manpower supply and demand survey reports were completed, and concrete and feasible policy proposals were made, with the aim of carrying out readjustments of related projects and supporting the optimized development of the industrial structure.
  - (2) Sixty competency standards were established, along with assessments of business continuity capability; reference and application were carried out at 15,000 companies, and 16,000 people registered for testing. This promoted the cultivation and development of manpower under similar standards for both the supply and demand sides, and helped to establish an outstanding environment for manpower development.

### Implementation Strategy

The CLA's main strategies for boosting wages while considering the needs of both job and family, promoting employment, and heightening the labor participation rate are as follows:

1. Promotion of private investment and development of local job opportunities
  - (1) Accelerated global investment promotion and vigorous promotion of private investment so that internal and external demand can provide twin engines for economic growth, further stimulating employment and heightening wages.
  - (2) Implementation of the "A Home for Every Industry, an Industry for Every Home" plan to stimulate private investment, bring prosperity to local economies, balance regional development, and bring about an increase in local

employment and a hike in wages.

## 2. Regular review of the minimum wage and assurance of reasonable wages

- (1) The Basic Wage Commission meets regularly every year, in accordance with the Rules for the Fixing of Basic Wage, to carry out timely and appropriate review, and adjustment, of the minimum wage.
- (2) Assurance that the benefits of economic growth are shared by all the people, and encouragement of enterprises to raise salaries.
- (3) Implementations of the "Right to Organize, Right to Collective Bargaining, and Right to Dispute," reinforcement of the collective bargaining mechanism, development of negotiating capability in labor union cadres, in order to raise the real labor wages by negotiation.

## 3. Reduction of statutory working hours, review of the leave-taking system, and measures to implement the two-day weekend package

- (1) Reduction of statutory working hours to 40 hours per week.
- (2) Adjustment of national holidays to achieve nation-wide uniformity.
- (3) Flexible adjustment of working timetables and shifts in line with the reduction of working hours.
- (4) Revision of Article 84-1 of the Labor Standards Act to prevent abuse of the responsibility system.

## 4. Creation of a workplace that is friendly to both family and jobs and promotion of female employment

- (1) Realization of equal employment rights and establishment of a friendly employment and entrepreneurial environment.
- (2) Strengthening of the family support system by teaming up with the private resources.
- (3) Reinforcement of the professional empowerment of women and enhancement of the value-added of the female workforce.
- (4) Encouragement of start-up by women and provision of necessary assistance and support.



▲ A friendly workplace that takes family needs into consideration helps women find employment.

## 5. Strengthened investment in human capital to heighten employment ability and the employment rate

- (1) Strengthening of manpower training for key industries to develop the talent they need.
- (2) Provision of a diverse range of vocational training to strengthen the job competitiveness of the unemployed.
- (3) Enhancement of the job skills of the disabled and other specific groups, and helping them to find jobs.
- (4) Joint training by ministries and councils of outstanding national champions, and participation in international skills competitions.

## 6. Development of knowledge economy talent and renewal of the education industry

- (1) Implementation of a demand-oriented talent development program for the knowledge economy.
- (2) Implementation of knowledge value-added and students-trainees cooperation programs.



## Policies and Regulations

# Building an Occupational Health Service System to Boost Coverage of Care

The demand for occupational health services increases continuously with the passage of time and the changes in the economic structure and working conditions that are constantly taking place. Among the objectives of the "Global Plan of Action for Workers' Health 2008-2017" published by the World Health Organization (WHO) in 2007 were that every worker in every workplace should be given care by occupational health services and that occupational health should be included as a priority issue in national planning. In Taiwan, the ratio of services in the economy is growing daily; and in addition to the traditional occupational hazards of the workplace, today's workers face additional hazards to health including performance stress, excessive working hours, shift work, and psychological stress. In response to the increase in emerging occupational ailments such as overwork-related cardiovascular disease and musculoskeletal disorders, and to the decreasing birth rate of the future, the government must waste no time in building up an occupational health service system for Taiwan that can ensure a safe and healthy labor force.

The Council of Labor Affairs (CLA) is working steadily to establish an occupational health service system for the

country with the aim of boosting occupational health care coverage. Under the revision of the Regulations of the Labor Health Protection that was completed on Jan. 21, 2011, large enterprises employing 300 or more workers, or enterprises with 100 or more workers engaged in operations particularly hazardous to health, are required to hire or contract occupational health care staff to carry out worker health consultation, health risk assessment, graded health management, and the health promotion according to the nature and scale of the enterprises involved. The enterprises are also required to carry out workplace health services through three measures: demand for the qualification of healthcare workers, written records of the content of services, and reporting of the results of regular health examinations. The goal is expected to heighten the coverage of occupational health care in Taiwan to 50%.

In addition, the CLA initiated the "Basic Occupational Health Service" system in 2009, carrying out the training of occupational health service personnel and compiling guides for different types of occupational health services in order to reinforce the quality of such services. A professional team made

up of experts in occupational medicine, occupational nursing, and industrial safety and health was also organized to provide occupational health services for small and medium enterprises as well as especially hazardous operations. More than 1,000 occupational health care staff have been trained to date, and they have performed more than 700 cases of on-site services.

Since Taiwan has signed the UN's International Covenant on Economic, Social and Cultural Rights, and to protect the right of everyone to a safe and healthy working environment, and in response to the increasing inclusion of SME workers within the scope of health protection, the CLA is aggressively pursuing a revision of the Labor Safety and Health Act to expand the

scope of coverage by clearly stipulating that the Act's provisions apply to all occupations step by step. Those enterprises require to hire or contract occupational health care staff to provide worker occupational health services, and to carry out a staged expansion of workers covered by labor health protection. For small enterprises that employ fewer than 50 people, the CLA will set up occupational health promotion centers, by district, to expand the provision of assistance for related health services. The aim is to boost the coverage of occupational health care to at least 90% and catch up with the levels of the advanced countries.



## Policies and Regulations

# Implementing the Youth Employment Policy



▲ The government helps will all kinds of job matchmaking services.

The tide of globalization subjects Taiwan's young people to the fluctuations of the international economy, with the result that the unemployment rate among the island's young is similar to that of many other countries. According to the results of a human resources survey carried out by the Directorate General of Budget, Accounting and Statistics in 2010, the biggest cause of unemployment in the 15~24 age group was "first-time job seeking," which accounted for 54.76% of the total. This category was followed by "job dissatisfaction," with 23.48%, and "workplace shutout or business shrinkage," with 13.19%. Among the 25~29 age group, the main causes were "job dissatisfaction" with 35.02% of the total, workplace shutout or business shrinkage" with 27.55%, and "first-time job seeking" with 25.39%.

These figures indicate that young people entering the job market for the first time face a fiercely competitive employment environment, so that it takes them some time to find work. In addition, they face relatively light family economic burdens. For these reasons they are picky about the jobs they accept, and would rather remain jobless than take disliked jobs. In addition, people who are first exploring and learning about the job market have a high rate of turnover, so employment among the young is higher than those of other age groups.

## Youth Employment Vision to Help 120,000 Find Jobs

Young people are a vital resource for national development, and a high rate of youth unemployment means that young human resources are not being utilized effectively—and this will affect national development in all areas. The vision adopted by the Council of Labor Affairs (CLA) for the stimulation of employment in 2011 focuses on "youth employment," with the planning and implementation of a variety of employment services and training measures to help an estimated 120,000 young people find jobs. Following are brief introductions to these services:

### 1. Building of proper workplace concepts

Pre-job training courses and, in cooperation with colleges and universities, youth employment service programs are offered with the aim of providing training and activities for interview skills, proper workplace concepts, domestic employment conditions, and workplace visits.

### 2. Help with youth career discovery

A special "youth counter" has been set up in the public employment services agency to address the needs of young people and strengthen youth job matchmaking services. Personal one-on-one management services are also provided in cases of need to offer in-depth employment consultation and aptitude testing to help young people with career discovery and rapid job placement.

### 3. Integrated virtual and physical channels strengthen employment matchmaking services

- (1) Large-scale employment expos, campus recruitment events, and all kinds of medium- and small-scale recruitment activities are held. Five employment expos have already been held in 2011, with participation by 481 companies offering 33,159 jobs and attendance by 24,831 visitors. A total of 9,941 job seekers had found jobs by April. 26, for a hiring ratio of 29.98%.
- (2) The "Global Employment Network" includes a job-wanted, talent-wanted databank so that unemployed young people can go online at any time to find out about job vacancies and register their personal data. They can also go to any of Taiwan's 4,700 or so 7-Eleven convenience stores as service locations (including those on the islands of Penghu and

Kinmen) and learn about the latest job opportunities in the counties and cities all over Taiwan, and about vocational training courses and recruitment activities, on the ibon homepage.

- (3) Jobless young people can call the toll-free service hotline, 0800-777-888, where dedicated personnel provide 24-hour job matchmaking and consultation services.
- (4) A youth employment training information platform has been established and in use, by cooperation with the Ministry of Education, to enter data on new college and university graduates into the databank of the Bureau of Employment and Vocational Training. There, the unemployed are screened out (by comparing with labor, military, and government and education insurance data) and contacted for the provision of employment services enthusiastically.
- (5) A "National Employment e-Network" has been set up on Facebook to provide information on the latest developments in the job market, recruitment activities, and hot job openings. This enables young people to find jobs on Facebook.

#### 4. Subsidizing colleges and universities for carrying out employment programs

College and university students two years before graduation are targeted in the provision of subsidies to the schools for carrying out employment programs, for bringing in trade professionals to set up practical courses, for carrying out workplace experience activities, and for offering core competency courses designed to upgrade the knowledge, skills, and attitudes of graduates, boost their competitiveness in the job market, and help them match the needs of the job market.

#### 5. The dual system of Vocational Training Flagship Plan

Schools provide academic education for graduates of junior high schools and above and, in coordination with enterprises, offer on-the-job training to develop quality technical manpower that meets the needs of the private sector.

#### 6. Sponsoring industry-academy and training cooperation

The Bureau of Employment and Vocational Training provides professional technical preparatory training whereby young people can continue with their regular academic education during the day or night, or on weekends while interning with enterprises during the day.

#### 7. The Youth Placement Flagship Plan

For young people 15~29 years of age who lack work experience and professional skills, the Bureau of Employment and Vocational Training's vocational training centers and other training institutions provide special training classes and on-the-job training to meet the needs of industrial talent-seeking units and help the young people find jobs.

As of the end of October a total of 49,290 people had taken part in youth pre-job training courses and 258,980 college and university youths had participated in employment service studies, and 332,960 young people had been assisted in finding jobs. The CLA will continue its vigorous efforts to help young people facing the competitive job environment and will address such factors as the skill gap, job market disorientation, and inadequate work experience in providing employment services and vocational training programs so that young people will be able to smoothly enter the job market and find quality full-time jobs.



## Policies and Regulations

# Workers Urged to Undergo Training as Companies Cut Working Hours

As a result of the gloomy economic outlook in the United States and Europe, the recession brought on by the Japanese earthquake and tsunami, turbulence in financial markets, and the threat of a double-dip recession, some Taiwanese companies are suffering a decline in orders and are facing the possibility of losses. Among other measures, they are responding by cutting back on working hours. To encourage workers to make good use of this timeframe by taking training classes, to continue developing the skills needed by individuals, to maintain the livelihoods of workers in training, and to stabilize employment, the Council of Labor Affairs (CLA) has launched a "Recharge and Restart Training Program" designed to enable workers to undergo further training and continue their careers with strengthened qualifications.

### Government Subsidy for Training Allowances

To alleviate the impact on workers of a potential second economic decline, the stipulation of, Article 23 of the Employment Services Act quote, "When facing massive scale of unemployment due to economic recession, the Central Competent Authority may, in order to avoid lay-offs, encourage employers to negotiate with labor union(s) or labor by way of reducing working hours, adjusting wage, and/or holding educational training

programs..." The "Recharge and Restart Training Program" has been designed pursuant to this provision, and in reference to the experience of implementing the "recharge value-added plan" that was implemented in 2009. The most important feature of the new program is that it combines the implementation of training courses with training allowances so that workers can make use of the time during which their employers adjust factory utilization to participate in free training courses while receiving a training allowance of NT\$100 per hour, up to 100 hours, with the number of subsidized hours per month limited to the number of reduced working hours. The training courses include "Common Core Competencies," "International Communication Skills," "Using Digital Power," "R&D and Innovation Skills," "Specialized Technologies," and "Management." This offering of a variety of free training courses together with training subsidies, it is hoped, will encourage workers to use the extra time on their hands because of reduced working hours to upgrade their knowledge and skills, and develop the competencies they need for their future careers, by joining the training courses.

In addition to approved training institutions and the training centers of the Bureau of Employment and Vocational Training, the training courses can also be provided by enterprises themselves if their work force reaches a certain size (100 or



▲ The government encourages companies to provide training and maintain the employability of workers.

more for manufacturing enterprises, 50 or more for service and other businesses). The enterprises offering their own training are required to reach an agreement with their workers to cut ordinary working time by at least 16 hours every two weeks, coordinate with the curricula of the Bureau of Employment and Vocational Training, and continue employing the trainees during their period of training. They will also have to keep the size of their work force at 90% or more. Once those applications of enterprises are approved, they will be fully subsidized, the maximum amount is 1.9 million NT dollars.

Besides helping workers make use of reduced working hours to upgrade their skills, the "Recharge and Restart Training Program" will also have a positive effect on employees, employers and society as a whole, as detailed below:

### 1. Workers

- (1) Helping workers maintain stable employability: Workers who make use of reduced working hours to participate in training courses can upgrade their knowledge and skills and, by keeping up their real incomes with the training allowances, maintain their standards of self-investment in learning so as to develop the skills needed for their future career development. In this way they will maintain their

employability by enhancing the value of their human capital to their current employers and to industry as a whole.

- (2) Maintaining the scale of employment: Enterprises that participate in the training program will have the ability to retain manpower that is subject to reduced working hours and will commit to maintaining their work force at a certain scale, providing some extent of protective function for overall employment and reducing the extent of the deterioration in employment.

### 2. Employers

- (1) Building up energy for the next wave of economic surge: The training subsidies provided by the program will enable enterprises to offer training during periods of reduced working hours, allowing idled workers to make optimal use of their free time to develop human capital to meet the future needs of the enterprise.
- (2) Helping enterprises to focus on normal operations: Enterprises that join in the training program will be able, through the subsidy provided for the training allowances, to avoid dissatisfaction and disputes caused by reduced working hours and salaries, and the potential negative impact on management costs, by turning the potential negative effects into a positive enhancement of the capabilities of the enterprise's human capital so that it can focus its attention on further development.

### 3. Society and the Economy

Workers who participate in the training program will receive allowances to maintain their level of income, so that any impact on family livelihoods that might result in social unrest can be avoided. This will, in addition, prevent a continuous deterioration in consumption power and alleviate the risk of further economic slump.

The "Recharge and Restart Training Program" is designed to help both employers and employees to overcome the current difficult economic situation by encouraging them to negotiate mutually agreed adjustments in working hours; and the CLA hopes, through this program, to provide the timely assistance that workers need. Besides helping to stabilize employment and maintain the livelihoods of workers, the program will encourage workers to acquire the skills they need so that, when the economy recovers, they will be able to take advantage of the opportunities arisen.



## Policies and Regulations

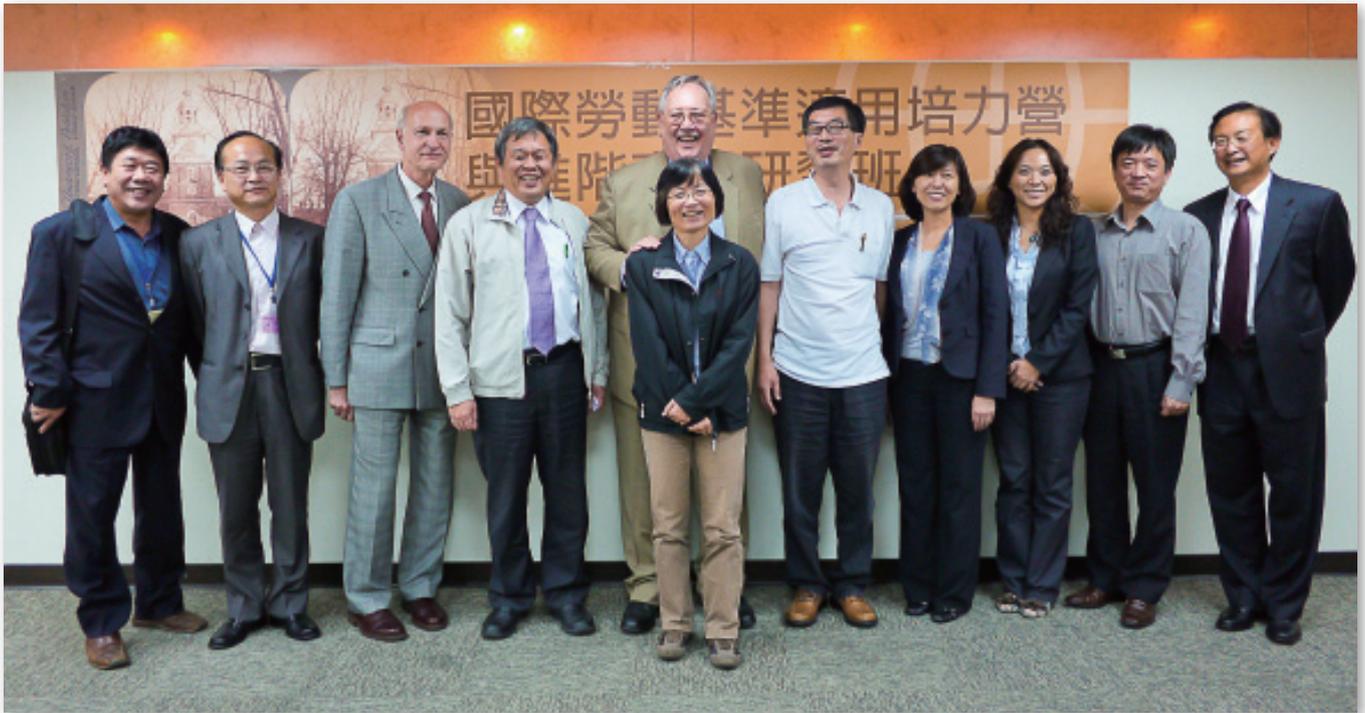
# Former ILO Official George Dragnich Tells about Labor Inspections and the International Experience

George Dragnich, former Executive Director for Social Dialogue of the International Labor Organization (ILO), visited Taiwan in November, at the invitation of the Council of Labor Affairs (CLA), to serve as a lecturer during the 2011 Seeds Programme for the Application of ILO Core Labour Standards. During a talk at the CLA on Nov. 9, Mr. Dragnich emphasized that it is not enough just to have a complete set of labor standards regulations, but that the rules must be accompanied by effective labor inspections if workers are to enjoy reasonable labor standards. The key points of the lecture are described below:

### 1. International labor inspection standards

International covenants related to labor inspections include the C81 Labor Inspection Convention, C110 Plantations Convention, C129 Labor Inspection (Agriculture) Convention, C155 Occupational Safety and Health Convention, and C178 Recruitment and Placement of Seafarers Convention.

In addition, the Declaration of Fundamental Principles and Rights at Work, issued by the ILO in 1998, encompasses the C87 Freedom of Association and Right to Organize Convention, C98 Right to Organize and Collective Bargaining Convention, C29 Forced Labor Convention, C105 Abolition of Forced Labor



▲ Mr. George Dragnich (3rd left) and CLA Deputy Minister Pan Shih-wei take a photo with representatives from different sectors.

Convention, C138 Minimum Age Convention, C182 Worst Forms of Child Labor Convention, C100 Equal Remuneration Convention, and C111 Discrimination (Employment and Occupation) Convention. All of these conventions have relevance to labor standards, and the fundamental protections of workers can be realized only through inspections.

## 2. Function and Scope of Labor Inspections

Labor inspections have three main functions:

- (1) To assure the enforcement of laws and regulations on labor conditions and the protection of laborers at work.
- (2) To provide employers and workers with technical information and advice.
- (3) To bring to the notice of the competent authorities defects or abuses not covered by existing laws.

Labor inspectors in different countries can generally accomplish the first two functions, but not every country can achieve the third. The reason is that if that standard is to be met, labor inspection has to be treated not merely as a kind of job but as a sort of specialized profession. The occurrence of a toxic milk powder incident might be prevented, for example, if labor inspectors can detect an abnormality in the white powder in the factory and report it to the inspection units.

The current scope covered by labor inspections includes the protection of income (salary and overtime pay), hours of work and overtime, holiday and rest time, fundamental labor rights and discrimination, health and safety conditions, and welfare facilities. It also encompasses accident investigations, workers' compensation, and employment issues (from illegal hiring and work permits to employment promotion).

As practiced in various countries, labor inspections can be divided into two major types: inspections of labor conditions, such as salaries and discrimination, and inspections related to worker safety and health. In the United States these two types of inspection are carried out by separate dedicated units. Labor inspection systems in different countries come under either central or local government jurisdiction according

to the countries' constitutions, government structures, and needs. Centralized and divided inspection authority each has its advantages and disadvantages. If it is centralized in the national government, for example, it is harder for corruption to occur; but if it is divided among local governments, it is easier to obtain information on factory operations. There is no single correct answer, therefore, as to whether inspection authority should belong to the central or local governments.

Some labor and employer groups feel that labor inspections should be carried out by the government. With the rise of globalized commerce, however, the ILO, World Bank, and other international organizations have jointly implemented the "Better Work Programme" of cooperation with multinational companies such as Levi's and H&M. These companies not just sell blue jeans and garments but also market their brands; they care deeply about their labels and their reputations, and emphasize corporation social responsibility. They hire private inspectors and check whether the source countries of their products comply with inspections as dictated in ILO conventions, and sometimes set up inspection mechanisms with even stricter standards. Government officials in Vietnam, for example, have stated that private inspectors do a better job than government inspectors.

## 3. Service Conditions of Labor Inspectors

Government labor inspectors must be civil servants under stable employment, and in hiring them only their qualifications should be considered (women, too, should be qualified to serve as labor inspectors). To execute their jobs properly they should undergo appropriate training and receive necessary instruction and support, and in carrying out their responsibilities they should be fair, independent, and free from improper external influences. Their salaries and career prospects should be good enough to attract and keep talented people. High salaries can keep good people and prevent them from being lured away by high pay, as Saudi Arabia's inspectors were hired away by Dubai.

The number of inspectors should be determined by the

importance of their task, and especially the number, nature, size, and quantity and type of workers of factories to be inspected, as well as the number and complexity of the regulations to be carried out. International experience shows, however, that the number of labor inspectors is never enough. To boost the efficiency of labor inspections, India, for example, monitors the bank cards of relatively low-paid workers, and Saudi Arabia uses computer programs to monitor the bank cards of migrant workers, looking for abnormal salary situations. This kind of online inspection enables the inspection agencies to discover problems at an early date, but it still needs to be carried out together with actual inspections. Violators should be ordered to improve within a set deadline or cease operation immediately, or the competent authorities should be requested to initiate sanctions or punitive proceedings. This cannot be replaced by

online inspection.

#### 4. New Labor Inspection Challenges

As changes take place in the economic situation, industrial structure, and society, inspectors face ever-stricter challenges. Outsourced work, for example, may mean that workers do not know who their true employers are; the growth of small enterprises brings more workplaces, possibly wearing inspectors out with constant running around; and chemical and carcinogenic substances in the workplace threaten the health of inspectors. This confronts inspectors with greater uncertainties and faces them with more complex interactions and responsibilities. Only through life-long learning will they be able to respond to the new regulations and new dangers which they face on a daily basis.



### News Outlook

## Government Reinstates Employment Stabilization Assistance

The financial tsunami of 2008 fomented an "unpaid leave storm" the aftereffects of which linger yet today. At that time the Council of Labor Affairs (CLA) responded to the severe economic changes caused by the tsunami and moved to prevent social problems that might be caused by massive numbers of unemployed people if companies should seek to cut operating costs by dismissing workers. In accordance with Article 23 of the Employment Services Act, it organized, on Nov. 24, 2008, an Employment Stabilization Team made up of representatives from competent authorities for target industries and local administrative agencies in charge of labor, and professionals from the fields of law, human resources, finance, public relations, and operations. The team's task was to formulate win-win measures to weather the hard times and stabilize employment through negotiations between labor and management.

According to CLA statistics, during the first phase of employment stabilization (up to March 2010, when the economy was recovering), the dedicated telephone hotline received 416 calls, of which 55 were requests for assistance (the remainder were requests for information). These requests resulted in 44 cases of on-site factory assistance; 23 enterprises agreed to negotiate with workers about the signing of alternative solutions, and nine signed employment stabilization measures in line with the "Short-term Plan for Promoting Employment Skills," which provided on-the-job training subsidies.

### Government Aid to Help Labor and Management Weather the Hard Times

The European and American debt crises of 2011 struck a blow at international financial markets, weakening corporate investment and consumer confidence around the world. This affected Taiwan's domestic corporate operations and employment situation, making it essential for the government to provide help in resolving corporate problems and stabilizing employment. The impact of the drastic changes in economic conditions struck in the third quarter of 2011; orders fell, leading to business losses or sharply reduced capacity utilization. Faced with the resulting corporate and labor difficulties, the CLA reinstated the Employment Stabilization Team which, in cooperation with the Inter-departmental Joint Diagnostic Task Force organized by the Ministry of Economic Affairs, visits companies imposing unpaid leave to provide diagnosis and help labor and management together weather the hard times. The team also helps companies improve their operating difficulties so as to secure the maximum interests of workers.

According to the accumulated records of reports by local labor administration agencies on working-hour reductions negotiated by labor and management, announced by the CLA on Nov. 16, up to Nov. 15 a total of 48 enterprises and 5,513 personnel were reported, with 5,021 persons actually put on short hours. Compared with the previous period, the increase in the number of personnel on report was under double. Further, three of the 12 enterprises reported in the previous period had ceased to carry out unpaid leave and resumed normal work.

### Formation of the Cross-departmental Joint Diagnostic Task Force

The CLA visits factories reported for instituting unpaid leave, in coordination with the MOEA's Cross-departmental Joint Diagnostic Task Force, to gain an understanding of capacity and manpower utilization, and to inform them of the administrative resources and assistance provided by the government. The CLA assistance mechanism immediately dispatches personnel to visit enterprises affected by the economic situation, adopting the case counseling model to help the companies and their employees carry out the intercommunication of information and labor-management dialogue. Internal training in corporate labor-management relations is used to promote the negotiation of employment stabilization measures, reduce labor-management conflicts, alleviate downsizing, and protect the right to work, thereby creating a win-win situation for both labor and management.

The government needs to adopt a multi-pronged approach in responding to the economic situation; so when the CLA goes to enterprises to encourage labor-management negotiations on weathering the hard times, it works in concert with on-the-job training programs by encouraging workers to cope with the economic problem by making use of reductions in normal working hours to participate in training courses offered by training institutions or their enterprises themselves. This will stabilize employment and help workers to continue developing the skills they need. On Oct. 26, 2011 the CLA's Bureau of Employment and Vocational Training announced the "Recharge and Restart" program, offering an allowance of NT\$100 per hour each for workers participating in training classes, up to a total of 100 hours, with the number of subsidized hours per month limited to the number of hours of reduced working time. Subsidies are also provided to cover the full cost of the training. Applications are now being accepted for this program. ❀

發行人 王如玄  
 總編輯 潘世偉  
 編輯委員 李來希、鐘琳惠、李仲辰  
 執行編輯 黃聖紘  
 英譯 魏伯儒  
 發行所 行政院勞工委員會  
 地址 10346台北市大同區延平北路2段83號9樓  
 編輯製作 台灣經濟研究院  
 電話 02-25865000  
 編者註 中英文版本內容如有出入，以中文版本為準

行政院勞工委員會

Council of Labor Affairs, Executive Yuan



中華民國精彩一百

## 專題報導

- ◆「黃金十年國家願景」活力經濟之促進就業施政主軸



## 政策法規

- ◆建構職業健康服務制度，提高職業健康照護率
- ◆推動青年就業政策
- ◆因應企業縮減工時，鼓勵勞工參訓
- ◆國際勞工組織（ILO）卸任官員Mr. George Dragnich介紹勞動檢查與國際經驗

## 新聞瞭望

- ◆景氣趨緩 穩定就業輔導再次啟動



## 專題報導

### 「黃金十年國家願景」活力經濟之促進就業施政主軸

隨著全球化經濟之形成，我國產品與勞動市場無可避免的必須接受全球化經濟下劇烈市場競爭的挑戰。影響我國勞動市場變遷的國際性因素，除了全球化經濟外，尚有各國同樣必須面對的氣候變遷、能源短缺等因素。就國內環境而言，近年來少子女化與高齡化人口結構的改變，亦造成短期或長期之壓力。這些壓力如何因應，將影響我國就業市場未來之發展。

#### 現況及挑戰

近年來，隨著全球無疆界經貿市場與全球經貿網絡形成的劇烈競爭、少子女化與高齡化人口結構的改變、氣候變遷、能源短缺等因素影響下，我國經濟發展雖已趨成熟，然考量經濟、社會及勞動人口等各方面需求，近幾年民衆名目薪資雖有增加，但因增幅被物價上漲所抵銷，實際購買力反而下降。薪資成長率遠低於經濟成長率，致民衆未能感受到經濟成長的實益。

此外，隨著生產力的提高，為使勞工家庭生活與工作得以平衡，合理縮減工時、實施週休2日已為國際潮流。法定正常工作時間縮減，涉及排班、人力調配、國定假日等相關配套措施，應予以審慎評估及研議。勞委會除已蒐集相關資料進行研議外，亦擬定於適當時機邀集勞資雙方，就相關議題進一步討論以凝聚共識。有關正常工時之縮減，向為政府施政之目標，未來將積極辦理，以維護勞工權益。

隨著多元家庭型態產生，身兼家庭責任的勞工，在家庭與工作之間的分配面臨比過去更大壓力。當工作與家庭無法平衡可能造成的影響包括：家庭負擔者難以適當照顧子女與老人，尤其是低薪所得家庭，亦會妨礙其教育訓練與生涯規劃，甚至影響夫妻生育意願降低生育率。尤其當工作與家庭責任不能協調時，較低薪資者可能選擇離開職場或延遲工作。

近來失業率雖持續下降，工作機會明顯增加，但就業 ►►



▲ 建構完善就業安全制度，營造友善職場，兼顧社會公義。

市場仍存在勞動供需落差現象，雖短期可透過加強職業訓練與就業服務，提升失業者就業技能，協助雇主儘速取得所需人力，但受到產業轉型影響，確有結構性失業問題存在，長期須透過國家產業政策及人力政策規劃、教育制度與就業市場銜接等方式方能有效解決。因此，唯有提升人力資本、人才培育等高勞動力資質方案，加上營造友善職場環境，促進婦女就業，才能達到樂業就是幸福。

## 「樂業幸福」政策目標

為達成「提高薪資、兼顧工作與家庭；促進就業、提高勞動參與率」之發展目標，勞委會積極研擬總體策略並研提相關行動計畫措施，建構完善就業安全制度與營造友善職場，兼顧社會公義以達到人人都樂業幸福。政府規劃以短期（2012年）、中期（2016年）、長期（2020年）完成以下目標：

- 一、調整基本工資幅度，尤其時薪部分，落實合理薪資制度。
- 二、研議部分「家庭照顧假」給薪，考量因天然災害發生，縣市政府通報停課不停班，致須請假親自照顧12歲以下子女時，請假期間工資照給。
- 三、調整每週法定工時至40小時，配套推動全面週休2日制。
- 四、檢討勞工休假制度，建立有效機制使勞工得以兼顧工作與家庭。
- 五、勞動參與率自58%提高至60%，婦女勞動參與率自50%提高至53%。
- 六、推動企業聯合托育服務，擴大辦理企業托育設施或措施服務每年平均115家；建立照顧勞工子女績優企業之標章制度、透過專業機構團體辦理評鑑、表揚、座談等，複製優良企業之作法。
- 七、因應產業發展與國民就業職業發展，並結合地方就業機會，提供多元化職業訓練，並引導企業投入人才培訓工作，充分發揮企業社會責任，重塑新一代

青年工作價值，累計提供職前訓練50萬人，青年職業訓練20萬人，在職訓練服務30萬人。提供4,000個原住民訓練機會，協助2,100位原住民創業貸款。

- 八、協助14萬3,400人次就業弱勢族群就業。預估累計服務6萬6,000名身心障礙者（包括一般性、支持性、庇護性），並累計協助2萬2,000人次就業。辦理多元就業開發方案，預估共協助7,000名失業者就業。訓練2,500餘名身心障礙者，結訓後就業率達35%以上。
- 九、發展社會企業，促進特定對象及就業弱勢者就業。
- 十、建構完善職業重建服務資源輸送體系，並發展身心障礙者職業重建專業人員國家考試認證制度。
- 十一、大專校院研發經費來自企業比例達10%以上，智財產出收入逾新臺幣10億元。
- 十二、各重點產業之中央目的事業主管機關，每年持續調整修正重點產業人才供需調查報告，以符合產業未來需求。完成整合重點產業人才供需資訊，並訂定產業人才資源發展策略，後續再依據重點產業人才供需調查調整結果，每年檢討改進。
- 十三、經濟部為強化關鍵專業人才培訓，以滿足產業創新發展所需人才，辦理如下措施：
  - （一）累計完成經濟部重點產業人才供需調查報告40份研究報告，並研提具體可行之政策建議，促成相關計畫調整以支持產業結構優化發展。
  - （二）累計建置職能基準60項及持續營運能力鑑定，並推廣1萬5,000家次參考應用及1萬6,000人次報考，促使人才供需兩端以相同標準培育及發展人才，進而建構優良人才發展環境。

## 實施策略

為提高薪資、兼顧工作與家庭；促進就業、提高勞動參與率，勞委會主要推動策略如下：

### 一、促進民間投資，開發在地就業機會

- （一）加速推動全球招商，積極促成民間投資，使內、外需為經濟成長雙引擎，進一步帶動就業、提高薪資。

### 二、定期檢討基本工資，落實合理薪資

- （一）每年依據基本工資審議辦法定期召開基本工資審議委員會議，適時、適度檢討、調整基本工資額度。
- （二）落實經濟成長的成果為全民所共享，鼓勵企業為員工加薪。
- （三）落實勞動三權，強化集體協商機制，培養工會幹部協商能力，透過協商程序，提高勞工實質所得。

### 三、縮短法定工時，檢討勞工休假制度，配套推動週休2日制

- (一) 縮減法定正常週工時至 40 小時。
- (二) 調整國定紀念假日全國一致。
- (三) 配合工時縮短，彈性調整工作時間。
- (四) 修訂勞基法 84 條之 1，防止責任制之濫用。

### 四、營造兼顧家庭與工作之友善職場，促進婦女就業

- (一) 落實工作平權，建構友善的就業與創業環境。
- (二) 結合民間資源，健全家庭支持系統。
- (三) 強化女性專業培力，提升女性勞動力附加價值。
- (四) 鼓勵女性創業，提供必要的協助與支持。

### 五、加強人力資本投資，提升就業力與就業率

- (一) 加強關鍵專業人才培訓，培育符合產業需求人才。
- (二) 提供多元職業訓練，強化失業者就業競爭能力。
- (三) 提升身心障礙者及特定對象勞工就業技能，協助就業。



▲ 兼顧家庭與工作的友善職場，幫助婦女就業。

- (四) 部會合作共同培訓優秀國手，積極參與國際技能競賽。

### 六、培育知識經濟人才與創新教育產業

- (一) 知識經濟需求導向人才培育方案。
- (二) 落實知識增值與產學合作方案。



## 政策法規

# 建構職業健康服務制度，提高職業健康照護率

隨著時代演變、經濟結構和工作條件不斷改變，職業衛生服務需求持續增加，2007年世界衛生組織（WHO）所提出「全球職業健康行動計畫（2008-2017）」的目標中，明白指出「任何工作場所、任何勞動者均應受職業健康服務之照顧」，且「國家計畫應將職業衛生列為施政優先議題」。臺灣服務業比例日增，工作場所中除傳統的職業危害之外，勞工尚面臨績效壓力、工時過長、輪班、心理壓力等健康危害，為因應過勞、肌肉骨骼等新興職業病之增加，及未來少子化趨勢，建構我國職業健康服務制度，以確保「安全且健康之勞動力」，是政府刻不容緩的重要工作。

勞委會為逐步建構我國之職業健康服務制度，以提高職業健康照護率，於民國100年1月21日完成「勞工健康保護規則」修正，針對勞工人數300人以上之大型企業，或從事特別危害健康作業勞工人數在100人以上者，規範

雇主應依其性質規模，僱用或特約從事勞工健康服務之醫護人員，辦理勞工健康諮詢、健康風險評估、健康分級管理及健康促進等勞工健康服務事宜，並且透過以下3項措施，包括：一、醫護人員資格要求；二、服務內容紀錄的書面資料；三、定期健康檢查結果管理的報備資料，使得職場健康服務工作得以落實，預期可提升我國職業健康照護率至50%。

此外，勞委會自98年起試辦職場健康服務制度（Basic Occupational Health Service），積極辦理職業健康服務專業人員之訓練、研訂職業健康服務各項工作指引，以強化職業健康服務品質；並透過由職業醫學、職業護理及工業安全衛生等專家組成專業團隊，針對中小企業或具特殊危害企業，提供臨廠職業健康服務，迄今已培訓逾千名醫護人員，提供事業單位逾700場次之臨廠服務。

另鑑於我國已簽署聯合國「經濟社會文化權利公

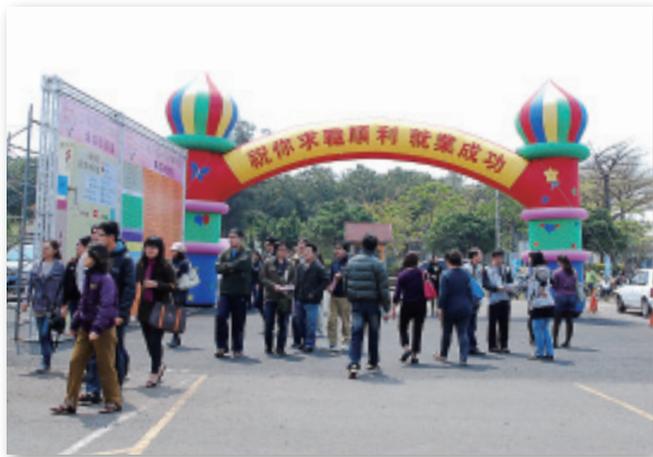
約」，為確保人人享有安全衛生的工作環境權利，亦應逐步將中小企業之勞工納入健康保護範圍，因此，勞委會積極推動「勞工安全衛生法」修正草案：除明定該法原則適用於各行各業，以擴大該法適用範圍外，亦將應僱用或特約從事勞工健康服務醫護人員之事業單位規模，修正至勞

工人數50人以上者，並以分階段實施方式，逐步擴大勞工健康保護對象；至於勞工人數未滿50人的事業單位，將由勞委會逐步分區建置相關健康推進中心，以擴大提供相關健康服務協助，並以提升職業健康照護率達90%以上為目標，迎頭趕上國際先進國家水準。



## 政策法規

### 推動青年就業政策



▲ 政府協助辦理各項就業媒合服務

臺灣處於全球化浪潮下，青年失業率受到國際景氣的起伏影響，臺灣青年失業情形與世界各國相近。依據行政院主計處2010年人力資源調查，15~24歲青少年失業原因，主要以「初次尋職」失業者最多，分別占54.76%，其次「對原有工作不滿意」23.48%，再次為「工作場所歇業或業務緊縮」13.19%；另25~29歲青年失業原因，則以「對原有工作不滿意」最高占35.02%，其次為「工作場所歇業或業務緊縮」27.55%，再次為「初次尋職」25.39%。

由上面統計資料顯示，青（少）年初入職場面臨競爭激烈之就業環境，較需要花一段時間找尋工作，又因較無家庭經濟負擔，故對工作條件較為挑剔，寧願失業也不願遷就；另一方面，因在就業市場學習摸索階段，轉換工作之頻率偏高，以致造成青（少）年失業率較其

他年齡為高。

### 「青年就業」願景協助12萬名青年就業

青年為國家建設之重要人力資源，青年失業率偏高，致青年人力資源無法有效運用，將影響國家各項建設。為促進青年就業，勞委會於2011年之就業願景以「青年就業」為重點，規劃推動多項就業服務及職業訓練措施，預計協助12萬名青年就業。該服務措施如下：

#### 一、建立正確職場觀念

辦理青年就業先修班及結合大專院校辦理青年就業服務計畫等，提供求職面試技巧、正確職場觀念、國內就業情況、職場參訪等課程及活動。

#### 二、協助青年職涯探索

於公立就業服務機構設立「青年專櫃」，針對青年之需求，加強辦理青年就業媒合服務，並視需要提供一對一個案管理服務，提供深入之就業諮詢及職業心理測驗等，協助青年職涯探索及儘速就業。

#### 三、運用虛實整合通路加強就業媒合服務

(一) 辦理大型就業博覽會、校園徵才活動及各類中、小型徵才活動。今(2011)年已辦理5場次「職訓精彩 就業滿百 - 旺兔順利 GO」就業博覽會，計有481家廠商參加，提供3萬3,159個就業機會，2萬4,831人次參加。截至4月26日止，求才僱用9,941人，求才利用率為29.98%。

- (二) 「全國就業 e 網」擁有全國求職求才資料庫，失業青年可隨時上網查詢職缺並登錄求職資料，亦可在 7-Eleven 約 4,700 多個服務據點（含澎湖及金門）之 ibon 首頁「生活」大項點選「找工作」後，即可進入查詢介面，隨時查詢各縣市最新的工作機會、職訓課程及徵才活動等訊息。
- (三) 失業青年可撥打 0800-777-888 免費服務專線，由專業客服人員 24 小時提供就業媒合及諮詢等服務。
- (四) 建置青年就業訓練資訊服務平臺，透過與教育部合作，將各大專院校畢業生資料匯入勞委會職訓局資料庫，經與勞、軍、公保碰檔後篩選未就業者，主動聯繫提供就業服務。
- (五) 於 Facebook 上建置「全國就業 e 網」粉絲團，提供就業市場最新動態、徵才活動快訊、熱門職缺等，可使青年第一手掌握就業訊息，上臉書就能找工作。

#### 四、補助大專校院辦理就業學程計畫

針對畢業前 2 年在校大專校院學生，補助大專校院辦理就業學程，引進業界專業人士開設業界實務課程、辦理職場體驗及共通核心職能課程，以提升大專生之就業知識、技能、態度，增加職場競爭力及便利與職場接軌。

#### 五、辦理雙軌訓練旗艦計畫

針對國中畢業以上之青少年，由學校進行學科教育，配合事業單位負責工作崗位訓練，培訓契合企業需求之優質專業技術人力。

#### 六、辦理產學訓合作訓練

由職訓中心提供專業技術養成訓練提供青少年參訓，學員於日間、夜間或例假日持續接受一般學科教育，並安排日間至事業單位實習。

#### 七、辦理青年就業旗艦計畫

針對 15~29 歲缺乏工作經驗或專業技能之青年，由勞委會職訓局所屬職訓中心與訓練單位，依據產業用人單位需求，提供實體專班訓練及工作崗位訓練，以協助青年順利就業。

截至 10 月底止，已有 4 萬 9,290 人參加青年就業先修班、25 萬 8,930 名大專青年參加就業服務研習，並已協助 33 萬 2,960 名青年就業。勞委會將持續積極協助青年面對競爭的就業環境，並針對學用落差、就業市場迷思、工作經驗不足等因素，提供各項就業服務及職業訓練計畫，使青年朋友順利進入職場取得正職工作。



### 政策法規

## 因應企業縮減工時，鼓勵勞工參訓

有鑑於歐美經濟前景不佳、日本大地震引發衰退，金融市場波動不安，二次衰退的經濟危機隱然成形，我國部分相關產業訂單，亦受到景氣影響，而有受損之虞，致部分事業單位以減少工時等方式因應此次景氣波動。為鼓勵勞工運用暫時減少工作時間之期間，參加訓練課程，持續發展個人所需技能，維持參訓人員生計，並穩定就業，勞委會遂推動「充電再出發計畫」，期能鼓勵勞工利用短暫期間充電進修後，積蓄「再出發」動能，於職場上一展長才。

### 政府補助訓練津貼

為因應景氣二次下滑可能對勞工造成衝擊，勞委會爰依據就業服務法第 23 條規定：「中央主管機關於經濟不景氣致大量失業時，得鼓勵雇主協商工會或勞工，循縮減工作時間、調整薪資、辦理教育訓練等方式因應，以避免裁減員工。」並參採民國 98 年「充電加值計畫」執行經驗推出「充電再出發計畫」。該計畫之主要特色，在於結合訓練課程的實施與訓練津貼的發放，期勞工得以運用事業單位調節產能利用率期間，免費參加訓練課程，另補助



▲ 政府鼓勵企業辦訓，維持勞工穩定就業能力。

勞工每人每參訓1小時100元訓練津貼，最高補助100小時（每月補助時數以縮減之工時為上限）。該計畫課程種類包括：「共通核心職能課程」、「國際溝通能力課程」、「運用數位能力課程」、「研發創新能力課程」、「專業技術課程」及「管理課程」。希望藉由多元化免費訓練的提供及訓練津貼的扶持，鼓勵勞工運用減少工時期間參加訓練，更新知識技能，培養未來職涯發展所需能力。

該計畫之訓練課程除由核定的訓練單位或職訓局各職業訓練中心辦理外，亦可由具一定員工人數規模（製造業僱用勞工人數至少達100人以上；服務業或其他業別者，僱用勞工人數至少達50人以上）之事業單位自行辦理。前開事業單位與參訓勞工達成協議，同意減少正常工時達每2週16小時以上，並配合執行訓練課程，且同意訓練期間持續僱用參訓人員，並維持員工僱用規模達90%以上者，可檢具訓練計畫及相關表件向職訓中心提出申請，經審核通過者，可獲得全額之訓練補助費，最高可達190萬元。

「充電再出發訓練計畫」除協助勞工運用縮減工時期間提升本身職能外，對事業單位及整體社會亦具有正面效果。以下分就勞工、事業單位及整體社會等3部分簡

要說明：

### 一、就勞工而言

- （一）協助勞工維持穩定就業能力：勞工運用減少工時期間參加訓練，得以更新知識技能，且因訓練津貼可助其維持實質收入，勞工可維持投資自主學習水準，培養未來職涯發展所需能力。故其人力資本對目前任職的企業、乃至於整體產業價值將可提升，維持穩定就業能力。
- （二）維持就業機會規模：參與該計畫之事業單位，有能力維持僱用縮減工時之人力，且需承諾維持員工一定僱用規模，故對整體就業機會將發揮一定程度的保障作用，縮小失業率持續惡化的程度。

### 二、就事業單位而言

- （一）蓄積下一波景氣發展動能：藉由該計畫的訓練補助，事業單位利用縮減工時辦理訓練，閒置人力可獲得最有效益運用，培養企業未來所需人力資本。
- （二）協助事業單位專注於正常經營：參與該計畫的事業單位，藉由訓練津貼之補助，可避免勞工因縮減工時及薪資所衍生的不滿與糾紛，及可能產生負面的管理成本，並轉化為正面提升事業單位人力資本的努力，聚焦於企業發展。

### 三、就整體社會、經濟狀況而言

參加該計畫訓練的勞工可獲得訓練津貼，維持薪資水準，避免衝擊勞工家庭生活，造成社會不安，另亦可避免消費能力不斷弱化，紓緩經濟景氣進一步下滑的風險。

「充電再出發訓練計畫」係為鼓勵勞雇雙方相互協議調整以因應所面臨的經濟難關，勞委會期望藉由此一措施，適時提供勞工必要的協助。除協助穩定就業維持生計外，並鼓勵勞工充實本身所需技能，以掌握景氣再起之契機。



## 政策法規

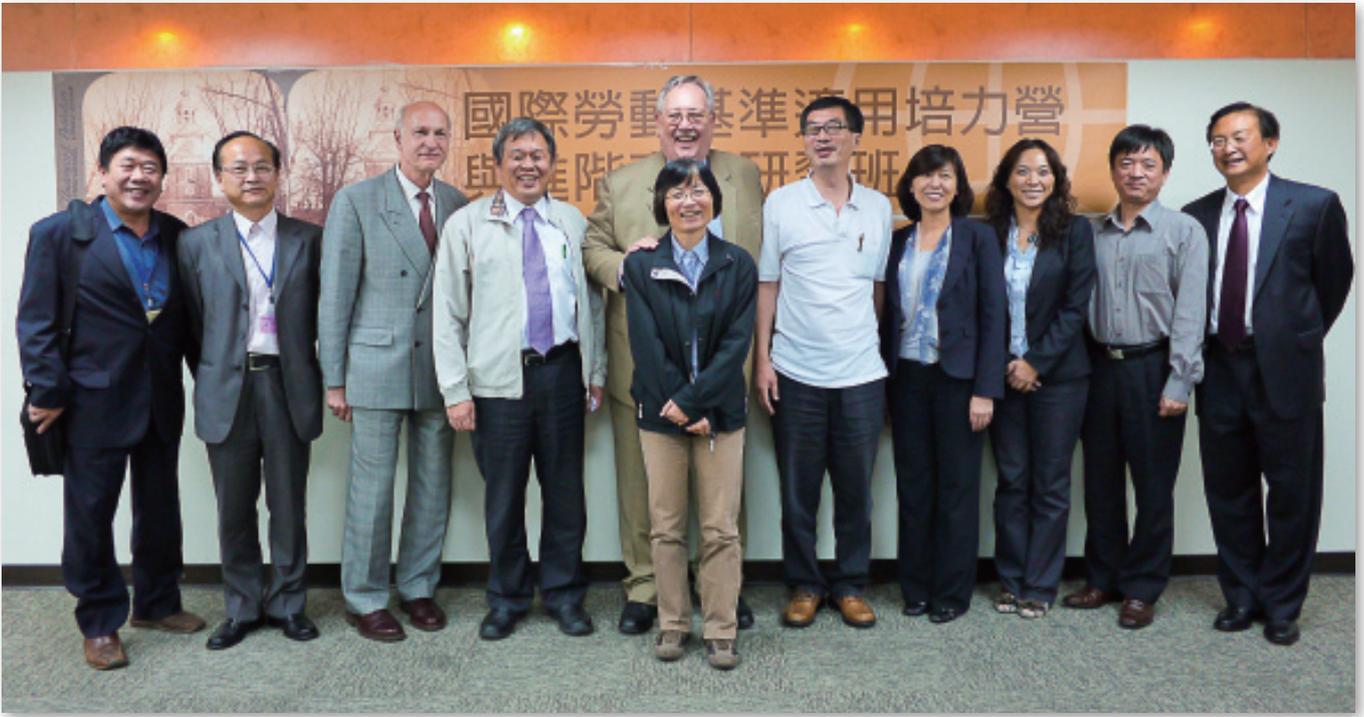
# 國際勞工組織（ILO）卸任官員Mr. George Dragnich 介紹勞動檢查與國際經驗

勞委會邀請國際勞工組織（ILO）前對話總署署長Mr. George Dragnich訪華擔任「2011國際勞動基準適用培力營」講師，並於今（2011）年11月9日至勞委會進行專題演講，他強調，有完備的勞動基準法規是不夠的，還要

佐以有效的勞動檢查，才能讓勞工得以享有合宜的勞動基準。以下是Mr. George Dragnich的演講摘錄。

### 一、與勞動檢查相關的國際基準

與勞動檢查相關的國際勞工公約，包括第81號工業與



▲ Mr. George Dragnich (左三) 與勞委會副主委潘世偉 (左四) 及各界代表合影。

商業公約、第110號農場公約、第129號農業公約、第155號職業安全衛生公約、第178號海事公約等。

另外，ILO於1998年提出工作基本原則與權利宣言，涵括第87號結社自由及組織權保障公約、第98號組織權與集體協商權公約、第29號強迫勞動公約、第105號廢除強迫勞動公約、第138號最低年齡公約、第182號最惡劣形式童工公約、第100號公平報酬公約、第111號就業與職業歧視公約。上述公約都與勞動基準有關，也需要透過勞動檢查來落實對勞工的基本保障。

## 二、勞動檢查的功能與範疇

勞動檢查的主要功能，可分為3項說明：

- (一) 確保執行勞動條件及勞工在工作時的保護相關法令規定。
- (二) 提供雇主與勞工技術性資訊與建議。
- (三) 對現行法令未涵括的弊害或缺失，能通報主管機關。

通常各國的勞動檢查員都能做到前開2項，但不是每個國家都能做到第3項；因為要達到該項標準，勞動檢查則不僅只是一種工作，而是一項特殊專業。舉例而言，倘若在毒奶粉事件發生前，勞動檢查員能察覺在工廠中的白色粉末有異，而能採取檢體，並通報檢驗單位，或許就能及早預防案件的發生。

目前勞動檢查範圍包括：保障所得（工資、加班費）、工時與加班時數、假日與休息期間、基本勞動權與歧視、健康、安全條件與福利設施，此外尚有意外事故調查、職災補償、就業相關事務（從非法僱用、工作證至就

業促進）等。

從各國實踐來看，勞動檢查大致可分為2種：其一為勞動條件檢查，如工資、歧視，另一則為勞工安全衛生方面的檢查，例如美國就上開2種檢查分屬不同專責單位；而各國也依其憲法、政府結構、需求，而有勞動檢查隸屬中央或地方之檢查機制。檢查權集權或分權各有其優缺點，如集權中央，較不易產生貪污；但如果分權委由地方處理，則較易掌握工廠資訊，因此檢查權應屬中央或地方，並無單一正確答案。

惟部分勞雇組織認為勞動檢查應由政府來執行，但是隨著全球商業興起，ILO與世界銀行等國際組織，合作推動「更好工作計畫（Better Work Programme）」，與跨國公司合作，如Levi's、H&M等，這些公司其實責的不僅是牛仔褲或成衣，也是品牌行銷，他們愛惜商標和榮譽，重視「企業社會責任」，透過僱用私人檢查員，到採購來源國進行是否遵循ILO公約的檢查，甚至設立更高標準的檢查機制。若從越南經驗來看，該國官員即曾指出，私人檢查員做得比政府檢查員還要好，凸顯檢查權隸屬地方的優勢。

## 三、勞動檢查員的服務條件

必須確保勞動檢查員是受到穩定僱用的公務員，聘僱時應僅考量其資格條件（女性也應有資格擔任勞動檢查員），而為執行職務，檢查員亦應經過適當的訓練，受到必要之指示與支持、具承擔責任的能力，且能公正、獨立，不受外界不當影響。另外即是薪資與職涯前景能以

吸引且留住人才，如薪資充足，就容易留住檢查人才，而不會有類似沙烏地阿拉伯的檢查員被杜拜政府重金禮聘的狀況發生。

至於檢查員數量的決定標準，則需視擔任職務之重要性，特別是受檢查工作場所之數量、性質、大小、受僱勞工之數量與類別、執行法令條文之數量及複雜度等因素決定，但從各國經驗顯示，勞動檢查員永遠都不足。

例如，為了讓勞動檢查更有效率，印度實施監看薪資較低員工之金融卡，沙烏地阿拉伯也運用電腦程式監看移工金融卡，以發掘不正常薪資狀況，這種網路檢查可以讓檢查單位及早發現問題，但是網路檢查仍需要搭配實際檢

查，讓違反規定者定期改善、立即停工或向主管機關建議啓動制裁或處罰等，這些都無法由網路檢查所取代。

#### 四、勞動檢查的新挑戰

隨著經濟情勢、產業結構與社會期待的改變，檢查員面臨更為嚴峻的挑戰。例如外包工作可能讓勞工不明瞭真正的雇主是誰；小企業的成長，讓工作場所變更多，可能讓檢查員疲於奔命；或是工作場所中的化學物、致癌物等，對檢查員的健康造成威脅等。檢查員面臨許多不確定性，並面對更複雜的互動與責任，也要應付新法規及新危險，更需要終身學習來因應這些挑戰。



新聞瞭望

## 景氣趨緩 穩定就業輔導再次啓動

2008年金融海嘯釀成的「無薪假風暴」至今仍令人餘悸猶存，當時勞委會為因應金融海嘯的嚴峻經濟變化情勢，避免企業以解僱勞工方式做為降低營運成本手段，致大量勞工失業造成社會問題，即依據就業服務法第23條規定，自2008年11月24日召集各目的事業主管機關代表、各地方勞工行政主管機關代表及跨法律、人力資源、財務、公關、經營專業領域人員共同組成「穩定就業輔導團」，以達到勞資雙方透過協商方式，形成共度經營困境及穩定就業之勞資雙贏就業安定措施，符合「企業勞工」施政目標。

據勞委會統計，前一波穩定就業輔導措施，截至2010年3月景氣回溫為止，專線電話接獲416通電話，其中申請輔導55件（其餘均為諮詢電話），已入廠輔導44件（其中23家事業單位同意與員工協商簽定替代方案），且有9家配合立即充電計畫簽訂就業安定措施，給予勞工在職訓練補助。

### 政府協助勞資雙方共度困境

今（2011）年歐美債信危機延燒，衝擊國際金融市場，造成全球各國企業投資與市場消費信心衰退，已影響國內企業經營及國民就業情勢，政府實須積極協助企業解決營運困境，並穩定勞工就業。自民國100年第3季起，國內部分企業受當前嚴峻經濟變化情勢影響，導致訂單不足、營業虧損或產能利用率驟降，勞委會面對企業及勞工困境，已再度啓動「穩定就業輔導團」，並配合經濟部「跨部會聯合診斷小組」，前往實施所謂「無薪休假」企業的訪視診斷，協助勞資雙方共度經營困境及輔導企業改善經營上的困難，以確保勞工最大權益。

依據勞委會於11月16日公布地方勞工行政主管機關通報之事業單位實施勞雇雙方協商減少工時累計紀錄，截至11月15日止，共計48家，通報人數5,513人，實際實施人數5,021人，與前期人數相比，這期通報增加人數未達1倍。另外，前期12家通報事業單位中，已有3家停止實施所謂「無薪休假」，已恢復正常工作。

### 成立「跨部會聯合診斷小組」

對於前述通報實施「無薪休假」的企業，勞委會已積極配合經濟部跨部會聯合診斷小組，主動入廠瞭解企業產能狀況及人力運用情形，並告知目前政府可提供之行政資源及協助。另一方面，面對受景氣影響的事業單位，輔導團機括立即啓動相關專業人員入廠，採取個案輔導模式，協助其與員工進行良好訊息互動及勞資對話，並透過企業內部勞資關係相關訓練，促使勞資雙方順利協商簽訂「就業安定措施」，降低勞資衝突並減緩事業單位裁減勞工，維護勞工工作權，以形成共度經營困境及穩定就業之勞資雙贏就業安定措施。

政府因應景氣措施應多管齊下，因此，勞委會於進入企業鼓勵勞資協商共度難關的同時，亦結合勞工在職訓練計畫，鼓勵在職勞工因應景氣影響，利用暫時減少正常工時期間，參加訓練單位公開辦理或事業單位自行辦理訓練課程，持續發展個人所需技能，並穩定就業。勞委會職訓局已於2011年10月26日令頒「充電再出發訓練計畫」，補助勞工每人每參訓1小時新臺幣100元訓練津貼，每月補助時數以縮減的工時為上限，最高補助100小時，同時全額補助勞工參加訓練課程的訓練費用，已開始受理申請。❖