



Understanding Taiwan's Labour Law and Employment Regulations (EN)

Presenter: Sabrina Chiu

Organiser: **BIPO** | Make Life Easier.

Your Webinar Experience

Housekeeping Notes

01

Presentation slides will be shared.

02

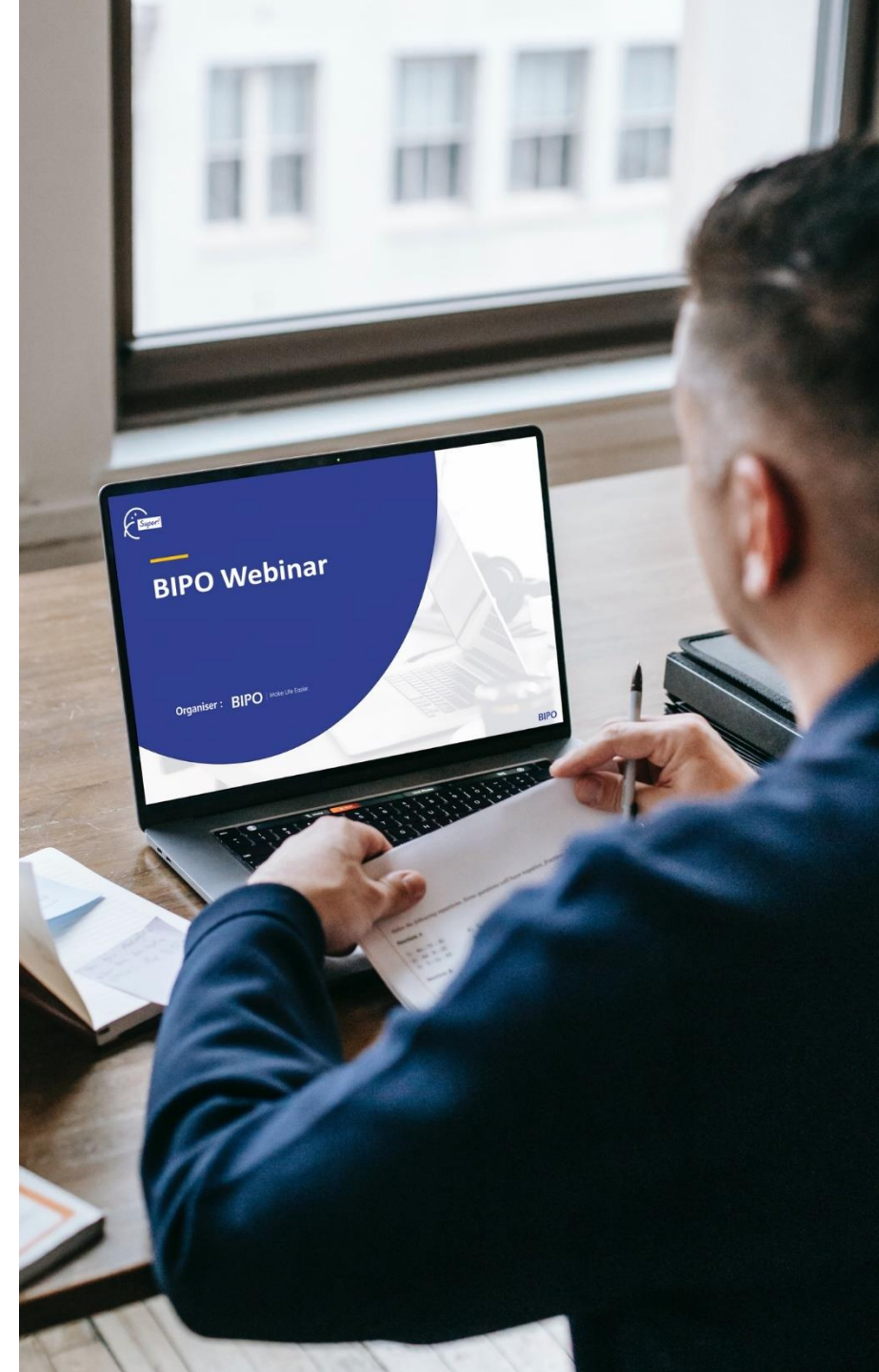
Q&A session is at the end.

03

Use the **CHAT** function to ask us your questions.

04

Give us your feedback through the form!



Speaker



Sabrina Chiu

Deputy General Manager, Taiwan

Sabrina is Deputy General Manager with BIPO, based in Taiwan

- Over 10 years of HR experience in Talent Acquisition, Compensation & Benefits, Learning & Development, Performance Management, Employee Relations, and HR Compliance
- Has industry experience in IT, software & hardware, consulting firm, Start-up

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30+

Global Offices

3,300+

Clients

460,000+

Users



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Legend

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◆ BIPO Business Partners (153)

Coming Soon (14)

Argentina
Bosnia and Herzegovina
Denmark
Egypt
France
Italy
Ivory Coast
Kenya
Nigeria
Portugal
Romania
Rwanda
Saudi Arabia
Switzerland



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BIPO

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- Best HR Management System (SMB) - **Malaysia**
- Best Attendance Automation System - **Malaysia**



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- Best HC Technology Strategy (System Provider Industries)
- Best Overseas Strategy (System Provider Industries)



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- Human Resource Information System - **Silver**
- Payroll Solution - **Silver**



Best of the Best Awards – Indonesia

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- Global Payroll Outsourcing
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- Enterprises Going-Global
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- **BIPO HRMS + Workio**
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- Supports the **Employee Lifecycle**
from onboarding to off-boarding
- **Payroll and Reporting**
 - > Payslips
 - > Attendance
 - > Leave Management
 - > Multi-language
 - > Multi Statutory Compliance



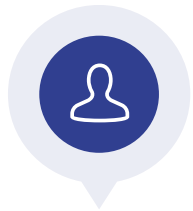
Compliance

- Employment practices and labour regulations
- Payroll, Statutory Benefits & Tax Submission
- Visa & Work Permit applications
- Data security and privacy
 - > ISO 27001 certification
 - > Hosted on AWS and Ali Cloud

About BIPO

- Supported by a professional team of experienced local talents, BIPO's service network **Enterprises and SMEs** scale with ease, **with or without a local HR**.
- Our integrated, one-stop HR service model offers comprehensive solutions for businesses – from global recruitment options, outsourced HR functions, local HR legal consulting to HR compliance management. Stay compliant, achieve efficiency and simplify overseas deployment and global mobility process with cost control.

Without Overseas Business Entity Established



Employer of Record
(EOR)



HR Compliance
Consultancy



Dedicated local
support and
communication



Work Permit
Application

With Overseas Business Entity Established



Local salary
computation



HR Compliance
Consultancy



Dedicated local
support and
communication



Work Permit
Application

Payroll & People Solutions

Speaker



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01

Objectives

Objectives

Participants to have an overview about the development streams in Taiwan

Understand the Taiwan's Labour Law & Employment Regulations

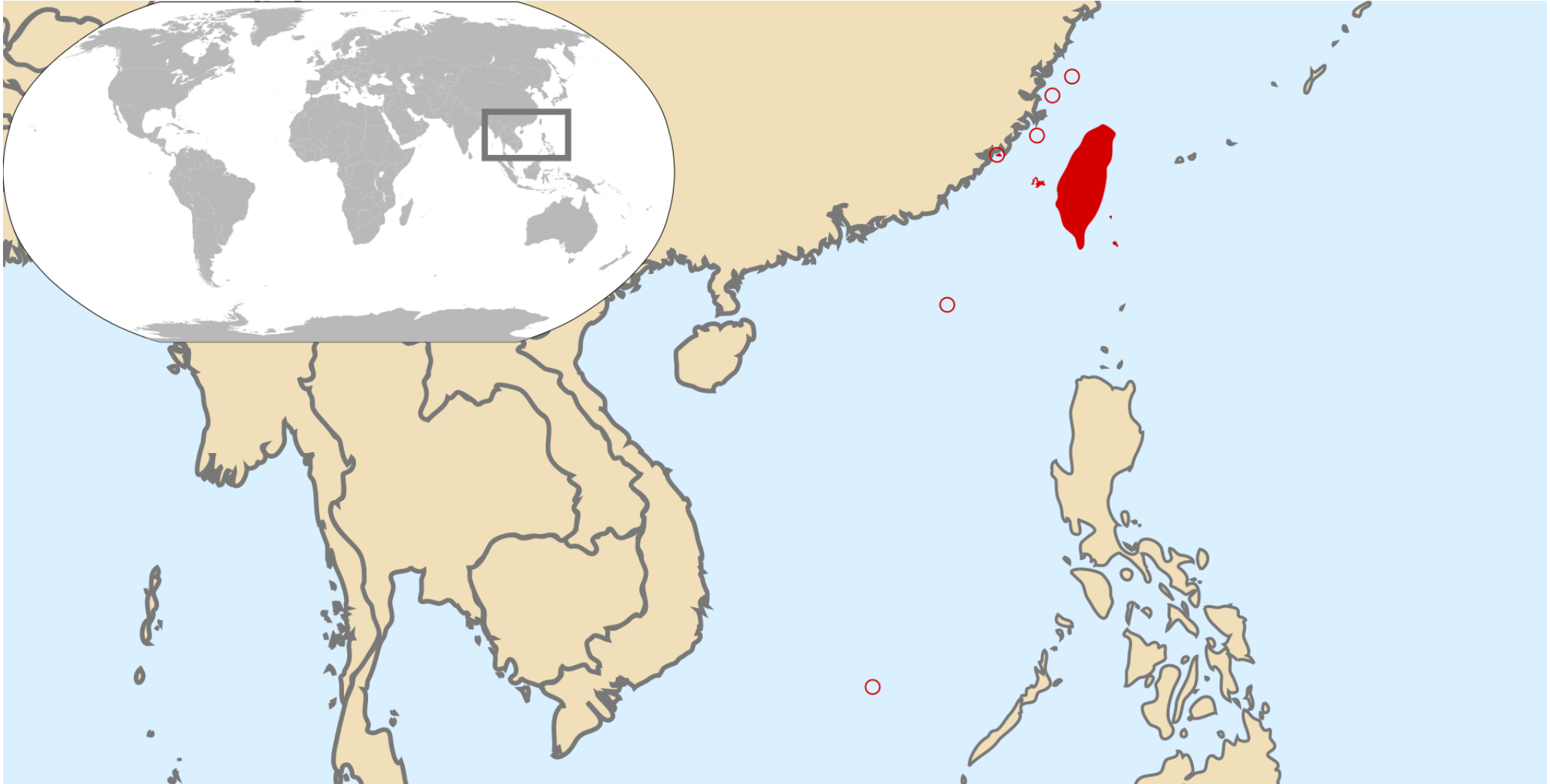
Understand the principle of Statutory Contribution and the implications to company

Gain knowledge on the procedures and implication for foreign work permits and visa

02

Introduction to Taiwan

About Taiwan



Why Invest Taiwan

High Quality Human Resources

Ranked 1st in total R&D personnel per capita in the IMD World Digital Competitiveness

Strategic Economic Hub in Asia Pacific

An Asia-Pacific Logistics Hub connecting Northeast and Southeast Asia.

Outstanding International Rankings

Ranked 6th in the world in the Index of Economic Freedom (IMD, 2022)
Ranked 7th in World Competitiveness

Comprehensive Infrastructure

Comprehensive transportation network
100% availability of water, electricity, and telecommunication facilities.

Abundant Capacity for Innovation

Hardware & IoT
Health Tech

Friendly and Comfortable Living Environment

90% satisfaction rate for safety, healthcare, affordability, and friendliness of the people in the "Expat Insider 2021" survey.

Useful Information

Useful Information	Website
Business Registration	https://onestop.nat.gov.tw/oss/identity/Identity/init.do
MOEA	https://www.moea.gov.tw/Mns/populace/home/Home.aspx
InvestTaiwan	https://investtaiwan.nat.gov.tw/homePage?lang=cht
Labour Department	https://english.mol.gov.tw/
Taiwan Tourism	https://www.taiwan.net.tw/
Visa Application (BOCA)	https://www.boca.gov.tw/np-3-1.html
EZ Work Taiwan	https://ezworktaiwan.wda.gov.tw/en/

03

Labour Laws & Employment Regulations



Introduction

Labour Standards Act (LSA)

Main regulation governing the terms and conditions of employment in Taiwan.

- As it states the minimum terms and conditions of employment, employers are encouraged to provide better terms and conditions than those stipulated.
- To respect and fulfil the rights of workers, for example, on the working hours, rest day, overtime payment, paid leave, and minimum wage for all workers.

Act of Gender Equality in Employment (GEEA)

This law incorporates anti-sexual-discrimination regulations and other working conditions.

Occupational Safety and Health Act

It is an order relating to the safety, health and welfare of employees at work in workplaces.

Employment Contract Type

	Non-fixed Term Contracts	Fixed Term Contracts
Type	A contract for continuous work	In nature for temporary, short-term, seasonal, specific work
Period	Without a fixed-term. The employment contract can only be terminated by the employee in the following circumstances: voluntary resignation, dismissal, or retirement.	With a fixed-term. If the duration of the employment exceeds one year, it should be approved by the competent authority.
Severance pay	YES Severance pay is calculated based on the length of service when an employee is dismissed.	NO Employers are not required to pay severance to who resign upon completion of their employment contract.

Probationary Period

The Labour Standards Act does not have provisions related to the probationary period.
The duration of the probationary period can be agreed upon by both the employer and the employee in the employment contract, typically for a period of three months.

Probationary period may be extended upon mutual agreement.
No further extension is allowed after 1st extension.

Termination of Employment

Voluntary Termination

- Fixed-term Contract expiry
- An employee who wishes to resign must give the required notice of resignation

Involuntary Termination

資遣 (Article 11, LSA)

- Under the following situation:
 1. Where the employers' businesses are suspended, or has been transferred.
 2. Where the employers' businesses suffers an operating losses, or business contractions.
 3. Where force majeure necessitates the suspension of business for more than one month.
 4. Where the change of the nature of business necessitates the reduction of workforce and the terminated employees can not be reassigned to other suitable positions.
 5. A particular worker is clearly not able to perform satisfactorily the duties required of the position held.
- File the terminated information to government
- Severance Pay: Approximate equal to one month's average wage for each year of service

Termination of Employment

Involuntary Termination

解雇 (Article 12, LSA)

- Under the following situation:
 1. Where an employee misrepresents any fact at the time of signing of a labour contract in a manner which might mislead his/ her employer and thus caused him/her to sustain damage therefrom.
 2. Where an employee commits a violent act against or grossly insults the employer, his /her family member or agent of the employer, or a fellow worker.
 3. Where an employee has been sentenced to temporary imprisonment in a final and conclusive judgment,
 4. Where an employee is in serious breach of the labour contract or in serious violation of work rules.
 5. Where an employee deliberately damages or abuses any machinery, tool, raw materials, product or other property of the employer or deliberately discloses any technical or confidential information of the employer thereby causing damage to the employer.
 6. Where an employee is, without good cause, is absent from work for three (3) consecutive days, or for a total of six (6) days in any month.
- No need to file the terminated information to the government
- Without Severance Pay & Notice Period

Termination of Employment

Notice Period

- During the 3 months probationary period, employment may be terminated by either party without any notice.
- During 3 months to 1 year of services, employment may be terminated by not less than **10 days'** written notice or payment of salary in lieu thereof.
- During 1 year to 3 years of services either party may terminate employment **20 days** in advance.
- If your years of service is more than 3 years, either party may terminate your employment on not less than **30 days'** written notice or payment of salary in lieu thereof.

04

Labour-Management Meeting

Labour-Management Meeting

Submit the representative members to the Ministry of Labour

Send the official letter and get approval from the Ministry of Labour

Some Topics must be approved by Labour-Management Meeting like:

1. Flexible Working Hours
2. Overtime

05

Working Hours

Working Hours

Non-shift worker

- Regular Working Hours is **8 hours** in one day / No more than **40 hours** in one week
- There should be 2 days of rest in every 7 days, one fixed day off (Sunday) and one rest day (Saturday)
- The extension of working hours, combined with the regular working hours, shall not exceed **12 hours** in a given day and total overtime may not exceed **46 hours** in a month. The employer must pay for the employee's overtime work.
- Employers shall prepare and keep attendance records for five (5) years.

Flexible Working Hours

Shift worker

The implementation of flexible working hours must meet the following requirements:

- There should be 2 days of rest in every 7 days, one fixed day off & one flexible rest day
- Compliance with the legal provisions of the industry.
- Agreement by the labour union or labour-management meeting.
- Agreement by individual employees.
- Official Announcement.

Types	Restrictions	Fixed day off + Flexible rest day	Maximum daily working hours	Maximum weekly working hours	Maximum working hours
Two weeks	Not allowed to work for more than 6 consecutive days	2 + 2	10	48	80
Eight weeks	Not allowed to work for more than 6 consecutive days	8 + 8	8	48	320
Four weeks	There should be 2 days off per week within a 14-day period	4 + 4	10	X	160

Two (2) Weeks Flexible Working Hours

Applicable to all industries under the Labour Standards Act

Example
1

Week	Monday	Tuesday	Wed.	Thur.	Friday	Sat.	Sunday
1	Day off	8	8	8	8	8	8
2	Day off	8	8	8	8	Rest Day	Rest Day

Example
2

Week	Monday	Tuesday	Wed.	Thur.	Friday	Sat.	Sunday
1	Day off	Rest Day	10	0	10	10	10
2	Day off	Rest Day	8+2	0	8+2	8+2	8+2



Eight (8) Weeks Flexible Working Hours

Applicable to industries like Logistics, Manufacturing and Construction...

Example

Week	Monday	Tuesday	Wed.	Thur.	Friday	Sat.	Sunday
1	Day off	Rest Day	Rest Day	Rest Day	Rest Day	Rest Day	Rest Day
2	Day off	8	8	8	8	8	8
3	Day off	8	8	8	8	8	8
4	Day off	8	8	8	8	8	8
5	Day off	8	8	8	8	8	8
6	Day off	8	8	8	8	8	8
7	Day off	8	8	8	8	8	8
8	Day off	8	8	8	8	Rest Day	Rest Day

Four (4) Weeks Flexible Working Hours

Applicable to industries F&B, Hotel, Banking industry...

Example
1

Week	Monday	Tuesday	Wed.	Thur.	Friday	Sat.	Sunday
1	0	10	10	10	10	Rest Day	Day off
2	0	10	10	10	10	Rest Day	Day off
3	0	10	10	10	10	Rest Day	Day off
4	0	10	10	10	10	Rest Day	Day off

Example
2

Week	Monday	Tuesday	Wed.	Thur.	Friday	Sat.	Sunday
1	Day off	Day off	8	8	8	8	8
2	8	8	8	8	8	8	8
3	8	8	8	8	8	Day off	Day off
4	Rest Day	Rest Day	Rest Day	Rest Day	8	8	8

Overtime (OT)

- Overtime has to be paid if the employee is required to work beyond his regular hours of work. The overtime payment can be referred in below table.
- Overtime shall not exceed 12 hours in a given day and total overtime may not exceed 46 hours in a month.

Rate	*1	*1.34	*1.67	*2	*2.67
Working Day	x	0~2 hours	>2~4 hour	x	x
Rest Day	x	0~2 hours	>2~8 hours	x	>8~12 hours
Public Holiday	<8 hours = 1 day	>8~10 hours	>10~12 hours	x	x
Day off (not allowed to work)	Unless there is a natural disaster, an incident, or an emergency that requires employees to work. If an employee does work overtime on a Day-Off, they must be paid double their regular wages and given a compensatory day off. The company must report to the authority within 24 hours.				

Public Holidays

Name of the Holiday	Date of Holiday
Foundation Day	January 1 - 2
Lunar New Year's Eve	The last day of the lunar calendar, which generally falls between mid-January and mid-February
Lunar New Year	The first 3 days of the lunar calendar
Peace Memorial Day	February 28
Children's Day	The day prior to Tomb Sweeping Day, which normally falls on April 4
Tomb Sweeping Day	Ching Ming Festival, April 5
Labour Day	May 1
Dragon-Boat Festival	5th day of the 5th month of the lunar calendar, which generally falls between late May and early June
Mid-Autumn Festival	15th day of the 8th month of the lunar calendar, which generally falls between mid-September and early October
National Day	October 10

06

Leave Types

Annual Leave

Years of Service	Leave Entitlement (No. of days)
More than 6 months but less than 1	3
More than 1 but less than 2	7
More than 2 but less than 3	10
More than 3 but less than 5	14
More than 5 but less than 10	15
More than 10	1 additional day for each year of service over 10 years up to a <u>maximum of 30 days</u>

Other Leave Types

Leave Type	Entitlement	Content	Pay/No Pay Leave
Marriage Leave	8 days	The employee shall be entitled to eight days of marriage leave with pay; with the consent of the company, the leave application may be completed within one year starting from 10 days before your marriage date.	Full Pay Leave
Compassionate Leave	8 days	On the death of parent, foster-parent, step-parent, spouse, the employee shall be entitled to 8 days of funeral leave with pay.	Full Pay Leave
	6 days	On the death of grand-parent, son or daughter, parent of spouse, foster-parent or step-parent of spouse, the employee shall be entitled to 6 days of funeral leave with pay.	
	3 days	On the death of great-grandparent, brother or sister, grand-parent of spouse, the employee shall be entitled to 3 days of funeral leave with pay.	
Sick Leave	30 days/year	The employee shall provide supporting document for sick leave.	Half Pay Leave
Menstrual Leave	1 day/month for female	Female employee having difficulties in performing her work during menstruation period may request 1 day menstrual leave each month. If the cumulative menstrual leaves do not exceed 3 days in a year, shall not be counted toward days off for sick leave. All additional menstrual leaves shall be counted toward days off for sick leave. For menstrual leaves, whether said leaves are sick leaves or non-sick leaves as prescribed in the preceding Paragraph, shall be half pay leave.	Half Pay Leave

Other Leave Types

Leave Type	Entitlement	Content	Pay/No Pay Leave
Personal Leave	14 days / year	In the event of matters which an employee must personally deal with, he shall be entitled to personal leave without pay not exceeding 14 days in one year,	No Pay Leave
Official Leave / Public Leave	NA	Employees shall be entitled to public leave with pay according to legal regulations, the time limit of which shall be determined by actual requirements.	Full Pay Leave
Maternity Leave	8 weeks	A female employee shall be granted maternity leave before and after childbirth for a combined period of eight weeks.	Full Pay Leave
	4 weeks	In the case of a miscarriage after the first three months of pregnancy, the female employee shall be permitted to discontinue her work and shall be granted maternity leave for a period of four weeks.	
	1 week	In the case of a miscarriage after being pregnant for over two months and less than three months, the female employee shall be permitted to discontinue work and shall be granted a maternity leave for one week.	
	5 days	In the case of a miscarriage after being pregnant for less than two months, the female employee shall be permitted to discontinue work and shall be granted a maternity leave for five days.	
Hospitalisation Leave	1 year	The total of hospitalised and non-hospitalised sick leave shall not exceed one year; when an employee diagnosed with cancer (including carcinoma in situ) or pregnancy with threatened abortion by physician, out-patient treatment period shall be included to hospitalized sick leave.	No Pay Leave

Other Leave Types

Leave Type	Entitlement	Content	Pay/No Pay Leave
Paternity Leave	7 days	<p>When an employee accompanies their spouse for pregnancy checkups or such spouse is in labour, their employer shall grant the employee 7 days off as pregnancy checkup accompaniment and paternity leaves.</p> <p>Regular wages shall be paid for pregnancy checkups, pregnancy checkup accompaniment and paternity leaves.</p>	Full Pay Leave
Prenatal Exam Leave	7 days	During an employee's term of pregnancy, their employer shall grant them 7 days of leave for pregnancy checkups.	Full Pay Leave
Leave of Absence - Childcare (without pay)	3 months – 1 year	After being in service for one year, employees may apply for non-pay parental leaves before any of their children reach the age of three years old. The period of this leave is until their children reach the age of three years old but cannot exceed two years. When employees are raising over two children at the same time, the period of their parental leave shall be computed aggregately and the maximum period shall be limited to two years in which the youngest child raising has received.	No Pay Leave

07

Wage

Minimum Wage

The Meaning of Wage

- Agreed upon by both employers and employees, but cannot be lower than the minimum wage.
- This regulation aims to protect the basic living and purchasing power of employees.

What is Wage

- The wage refers to the remuneration earned by workers during “Regular Working Hours”. It does not include wages for overtime, incentive... and other variable income.

Minimum Wage

	Minimum Wage (TWD)	Minimum Wage (TWD)
Monthly pay	TWD 26,400	USD 880
Hourly pay	TWD 174	USD 5.8

Wage

Equal Pay for Equal Work

- No Discrimination Based on Gender, Race, Nationality

Legal Tender

- Legal tender in Taiwan: TWD
- Payment should be made in legal tender. Wages should be fully and directly paid to the workers.

Pay Regularly

- Wages should be paid monthly or paid twice regularly.
- The employer should provide a detailed breakdown Payslip.



Overview of Adjustments

Year	Monthly	Hourly
2022	25,250	168
2021	25,250	160
2020	24,000	158
2019	23,100	150
2018	22,000	140
2017	21,009	133

08

Statutory Contribution

LI / NHI / LP

Statutory Contribution

Social Insurance:

- Mandatory social insurance programs that employees and employers are required by law to contribute to

Items	Calculation	Employee Contribution %	Employer Contribution %
Health Insurance	$5.17\% \times (1 + \text{no. of dependents}) \times \text{insured salary} \times \text{Contribution \%}$	30%	60%
Labour Insurance	$\text{Approximate } 12\% \text{ of insured salary} \times \text{Contribution \%}$	20%	70%
Employer Pension/ Employee Optional Pension	$\text{Insured salary} \times \text{Contribution \%}$	0%~Cap. 6%	Min. 6%

Statutory Contribution

Withholding Tax

- Mandatory to be deducted from income if the employee's income is above

Items	Conditions	Employee Contribution %
Withholding Tax for resident	Above TWD 86001	5% or by Tax Table
Withholding Tax for non-resident	Below TWD 39600 (1.5 minimum wage)	6%
	Above TWD 39600	18%

09

Visa for Expat

Work Permit

Work Permit | Alien Resident Certificate (ARC) | Resident Visa

Type	Description	Duration Term	Requirements	Application Process Time
Worker Permit	For a long-term employment or project	1 - 3 years subject to the duration endorsed by the Government Renewable	<ol style="list-style-type: none">1. A valid passport with at least 6 months of validity remaining.2. A job offer from a Taiwan-based employer3. Proof of relevant qualifications and/or work experience.4. A completed application form for the work permit.5. Payment of the application fee (TWD 500) for the work permit.	1- 2 months

Resident Visa & Alien Resident Certificate (ARC)

Type of Visa	Description	Duration Term	Requirements	Application Process Time
Resident Visa	Allows foreign nationals to stay in a country for an extended period of time	Maximum 3 months Non-renewable	<ol style="list-style-type: none">1. A passport valid for at least six months;2. A duly completed application form with two passport-size photos in color within 6 months;3. Supporting documents or official letters of approval from a competent authority of the ROC;4. Other relevant documents.5. Health Certificate if applicable	Approximately 8 days
Alien Resident Certificate (ARC)	ID card that serves as proof of their legal status in Taiwan	1-3 years Renewable	<ol style="list-style-type: none">1. A passport valid for at least six months;2. A duly completed application form with two passport-size photos in color within 6 months;3. Work Permit & employment certificate;4. Other relevant documents.5. Health Certificate if applicable	Approximately 10-15 working days

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老挝劳动法和雇佣条例解读
Lao Labour Law & Employment Regulations

概述

老挝人民民主共和国是东南亚地区快速发展的经济体之一。该国拥有丰富的矿产、农产品和林业。至2020年，在老挝国内生产总值(GDP)中，农业贡献18.21%，工业贡献32.16%，服务业贡献49.63%。服务业的贡献率为49.63%。该国经济受益于湄公河沿岸水电站(FDI)的海外直接投资，以及铜和黄金开采等增长。

首都
万象

人口
750万

货币
老挝基普
(LAK (1美元基普=0.0081美元))

人均GDP
USD 2,629.70
(截至2019年)

一、雇佣合同

在老挝，雇佣合同必须以书面形式呈现，并由双方签署。雇佣合同可以规定固定期限或无固定期限。固定期限雇佣合同可以延期不超过3次，一旦合同到期，雇主必须续签为无固定期限合同。如果雇主在合同到期前30天内未续签，则合同期限将自动延长至合同到期后的30天内续签。

所有雇佣合同必须包含以下条款：

- 雇主和雇员的信息；
- 雇员的工作范围、权利、义务、责任和薪酬待遇；
- 雇员的薪酬；
- 雇员的福利、保险和带薪休假；
- 雇员的雇佣期限；
- 雇员的支付方式；
- 试用期限；
- 为雇员提供的福利及其他政策；
- 工作目的、休息日和节假日；
- 雇员在雇佣期间应遵守的纪律和规定；
- 双方约定的其他事项。

雇佣期限	备注
固定期限合同	最长不得超过3年
无固定期限合同	试用期不得超过30天

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Lao Labour Law & Employment Regulations

Overview

Laos

The Lao People's Democratic Republic is one of the fastest-growing economies in East Asia. The country is rich in minerals, agricultural commodities, and forestry.

In terms of gross domestic product (GDP) by sector, agriculture contributed 18.21%, the industry sector contributed 32.16%, and services contributed about 49.63% in 2020. The country's economy has also benefited from foreign direct investments (FDI) in hydropower dams along the Mekong river and copper and gold mining, among other projects.

Capital
Vientiane Capital

Population
7.5 million

Currency
Lao Kip (LAK)

GDP Per Capita
USD 2,629.70
(as of 2019)

1. Lao Labour Law

The Lao labour law provides the minimum standards of operations for organisations to establish their system of governance, monitoring, recruitment, evaluation, and labour protections.

The labour law is a guideline for both employer and employee relations under the specific employment, as it is tailored to fit organisational purposes. Organisations, however, typically have their own practice, giving enhanced benefits while still respecting the implications of the Lao labour law.

2. Employment Contract

Employment contracts have to be in written format. The employer has to give at least 15 days' notification for fixed-term contracts before the contract expires. The extension will have to commence within 60 days of the contract's expiration.

合同期限	备注
固定期限合同	最长不得超过3年
无固定期限合同	试用期不得超过30天

E-BOOK

Data Driven HR: People Analytics for the New World of Work

People Analytics for the New World of Work

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8 Virtual Onboarding Tips for the Hybrid Workplace

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WHITEPAPER

SaaS Security for Business 4.0 Whitepaper

SaaS Security for Business 4.0 Whitepaper

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INFOGRAPHIC

SaaS Solutions Made Easy Infographic

SaaS Solutions Made Easy Infographic

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INFOGRAPHIC

4 Tips to Ensure Compliance Across the Greater Bay Area (GBA) Infographic

4 Tips to Ensure Compliance Across the Greater Bay Area (GBA) Infographic

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Q&A

THANKS



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in : <https://www.linkedin.com/in/sabrina-chiu-tw/>



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