

BIPO TIMES

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Taiwan : Further Changes to the Labour Standards Act & New Foreign Recruitment Law

Further Changes to the Labour Standards Act

Earlier this year on 10 January, the Taiwanese government passed a set of further revisions to the Labour Standards Act (LSA), within a year after the first amendments were implemented. These amendments were officially implemented on 1 March 2018, and they primarily affect three aspects of the labour law, namely, the structure of the work week, employee paid annual leave and overtime work and pay.

Highlights of the amendments include:

Overtime Pay

Overtime pay for work done on rest days will be calculated on the actual hours worked, rather than in blocks of four hours.

Employees have the option of choosing compensatory leave instead of overtime pay for their overtime work performed, at a compensatory ratio of 1:1 (i.e., one hour of overtime equals one hour of paid leave). If overtime pay is to be paid for any outstanding compensatory leave, it will be calculated based on the salary of the day on which overtime work was done.

Rest Between Shifts

In certain industries and subject to approvals, the minimum rest period for employees working on shift may be reduced to eight hours, as compared to 11 hours before the 2018 amendments.

Weekly Rest Days

Changes have been made to the rule that mandates one fixed rest day and one flexible rest day off each week. Employers will now be able to change the fixed rest day each week provided that they have obtained certain approvals.

Annual Leave

Employees' unused annual leave can now be deferred to the following year, upon agreement with the employer and employee. Any unused carried forward leave at the end of the second year or upon termination of employment must be paid out.

New Foreign Recruitment Law

Additionally, the government also approved a new act governing the recruitment and employment of foreign professionals. The Act for the Recruitment and Employment of Foreign Professionals was officially introduced on 8 February 2018 and will benefit eligible foreign professionals and their dependents through referential requirements relating to visas, work permits and residency rights.

With the implementation of this new law, here are some key changes to immigration and labour rules to note:

Easing of Employment, Visa and Residency Regulations

1. Foreign Professionals

- Foreign professionals will be able to apply for a multiple-entry job-seeking visa, valid for six months.
- The current stay duration of 183-days per year for Alien Permanent Residence Card (APRC) holders to maintain their permanent residence will be cancelled.

2. Foreign Special Professionals

- Foreign special professionals will be able to apply for a four-in-one employment gold card, which is valid for 1 to 3 years. This card combines a work visa that allows them to transition between jobs without legal restrictions, as well as a resident visa, an Alien Resident Certificate and a re-entry permit. When it expires, the holder can re-apply without the approval of his/her employer.
- Foreign special professionals in Taiwan will be able to extend their work permit and APRC for stays from a maximum of three to five years.



Relaxation of Residency Rules for Parents, Spouses and Children

- Requirements for spouses, minor children, and disabled adult children of permanent resident foreign professionals applying for permanent residence are eased.
- When senior foreign professionals apply for permanent residency in Taiwan, their spouses, minor children, and disabled adult children are eligible to apply simultaneously.
- A foreign professional's adult children who meet the specified requirements can apply for a work permit without having to go through an employer.
- A foreign professional's direct family members will be able to apply for a family visit visa which allows them to stay up to a year.

Provision of Retirement, Health Insurance and Tax Benefits

- Foreign nationals who are APRC holders are now included in the retirement pension system under the Labour Pension Act.
- Spouses, minor children, or disabled adult children of foreign professionals will no longer be subjected to a 6-month wait to participate in National Health Insurance.
- Foreign special professionals in Taiwan with an annual salary income of more than NT\$3 million can be exempted from paying income tax on half of their salary for the first 3 years.

TAIWAN

Thank You for Visiting BIPO Booth!



A big thank you to all our attendees, clients and business partners for visiting our booth at these 3 major HR conferences in Shanghai in the month of April:

- **18 April**
HR Tech Summit Shanghai, organised by Human Resource Excellence Centre
- **19 April**
Human Resource Management Innovation Summit, organised by HRoot
- **19-21 April**
International Technology Fair, hosted by the People's Government of Shanghai

The conferences were a great success and they gave us the opportunity to showcase our full range of HRMS solutions and cutting-edge technology that help optimise business operations.



Collaboration with Avvanz & Singapore Business Federation in Singapore

BIPO Singapore supported the 'Background Checks and Due Diligence' seminar which was jointly organised by Avvanz and Singapore Business Federation on 12 April. We had the opportunity to showcase our products and services as well as to network with nearly 100 Singapore Business Federation members.



Come Meet Us at NTUC SME Symposium on 24 May!



About Us

BIPO is a leading one-stop human resources provider in Asia Pacific, focused on providing organisations with innovative ways to manage complex end-to-end HR processes. Through our cloud and mobile-based Human Resources Management system as well as industry-leading solutions such as Payroll Outsourcing, Attendance Automation, Business Intelligence, HR Consulting, Recruitment & Business Process Outsourcing and Flexible Employee Management, we help companies transform their HR operations to and beyond their expectations, while achieving business goals related to cost and profitability.

Founded in 2004, our APAC headquarters is in Singapore and R&D centre in Indonesia. We have offices in Australia, China, Hong Kong, India, Japan, New Zealand, Philippines, Vietnam, Taiwan and Thailand with business links in over 10 countries and regions.

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BIPO Partners China Chamber of Commerce in Indonesia

Kevin Zhou, Senior Consultant of BIPO China was recently invited to participate at the 'Localisation Implementation in Indonesia' seminar, hosted by the China Chamber of Commerce in Indonesia on 16 April. Kevin spoke on the local personnel requirements and shared some best hiring practices.

The workshop was one of many periodic discussions hosted by the China Chamber of Commerce in Indonesia and received positive feedback from the participants.



The Singapore team will be participating at the NTUC SME Symposium – Innovating Today, Reinventing Tomorrow, where approximately 500 small and medium-sized enterprises will come together to discuss their aspirations to become globally competitive in the era of Industrial Revolution 4.0.

Don't miss out on this great opportunity to hear the most updated information about our cost-effective products and R&D capabilities!

