



***Report on Bilateral Agreement
on Recruiting and Managing of
Foreign Workers: The Case of
Taiwan***

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2006.2.16-18

I、 The Need for Bilateral Agreement on Recruiting Foreign Workers

1. Excessive Referral Fees
2. The Rising Number of Missing Workers

II、 Number of Bilateral Agreements

So far Taiwan has signed bilateral agreements with Indonesia, The Philippines, Mongolia, Thailand and Vietnam

Taiwan and the Philippines

1. The Memorandum of understanding between the Manila Economic and Cultural office in Taipei and the Taipei Economic and cultural office in the Philippines regarding the Special Hiring Workers , Sept 1999 , Dec 2001 , April 2003

Taiwan and Thailand


Bilateral Agreement Between
the Taipei Economic and Cultural office
in Thailand and
The Thailand Trade and Economic
Office in Taipei
on Employment of Thai Workers
December 2002

Taiwan and Mongolia

Memorandum of understanding between Mongolia and Taiwan regarding labor cooperation Oct 2001.

This is one of the most complete agreements because it spells out employment conditions, duties and responsibilities of the labor sending organization ,the labor receiving organization, duties and responsibilities of the employers, of the employees, arbitration procedures.

III、 Purpose of the Agreement :
to recruit the number of
workers needed by
Taiwanese Employers and to
Improve the Managing of
foreign Workers in Taiwan

The background of the slide is a photograph of a multi-story residential building with a mix of red and white brickwork. The image is slightly blurred and has a semi-transparent white rectangular box overlaid on it, containing the text. The text is in a large, black, sans-serif font.

IV、 Labor Sending Countries
Promise to Send the Number
of Required and Qualified
Workers to Taiwan within
Certain Period

Example:

The Taipei Economic and Cultural Office in Hanoi (hereinafter referred to as "Party A") and the Vietnam Economic and Cultural Office in Taipei (hereinafter referred to as "Party B")

Acknowledging the mutual desire of promoting friendship and expanding co-operation under the principle of equality and mutual benefit to both countries,

Desiring to ensure appropriate working conditions for the Vietnamese workers working in Party A's country (hereinafter referred to as "the Vietnamese workers") and supply competent workers to employers who hire Vietnamese workers (hereinafter referred to as "Employers") in Party A's country,

■ ARTICLE 1

- Party A agrees to receive Vietnamese workers to work in Party A's country. Employment categories and quota is at the discretion of Party A.

■ ARTICLE 2

- Vietnamese workers working legally in Party A's country shall enjoy protection under the laws of Party A's country

■ ARTICLE 3

- In the case of any labour dispute between Vietnamese worker(s) and Employer(s) in Party A's country, the dispute shall be handled under the laws and regulations of party A's country.

■ ARTICLE 4

- Party B shall provide concrete and effective measures to guarantee the compliance of Vietnamese workers with the laws and regulations of Party A's country and the fulfillment of contract obligations by the Vietnamese workers. Party B shall remain in contact with the said workers at all times.

■ ARTICLE 5

- Vietnamese workers coming to Party A's country for employment shall beforehand provide party A with written proof of technical skills, health certificate, non-criminal record, and other necessary documents as stipulated in the laws governing the employment of foreign labourers in Party A's country

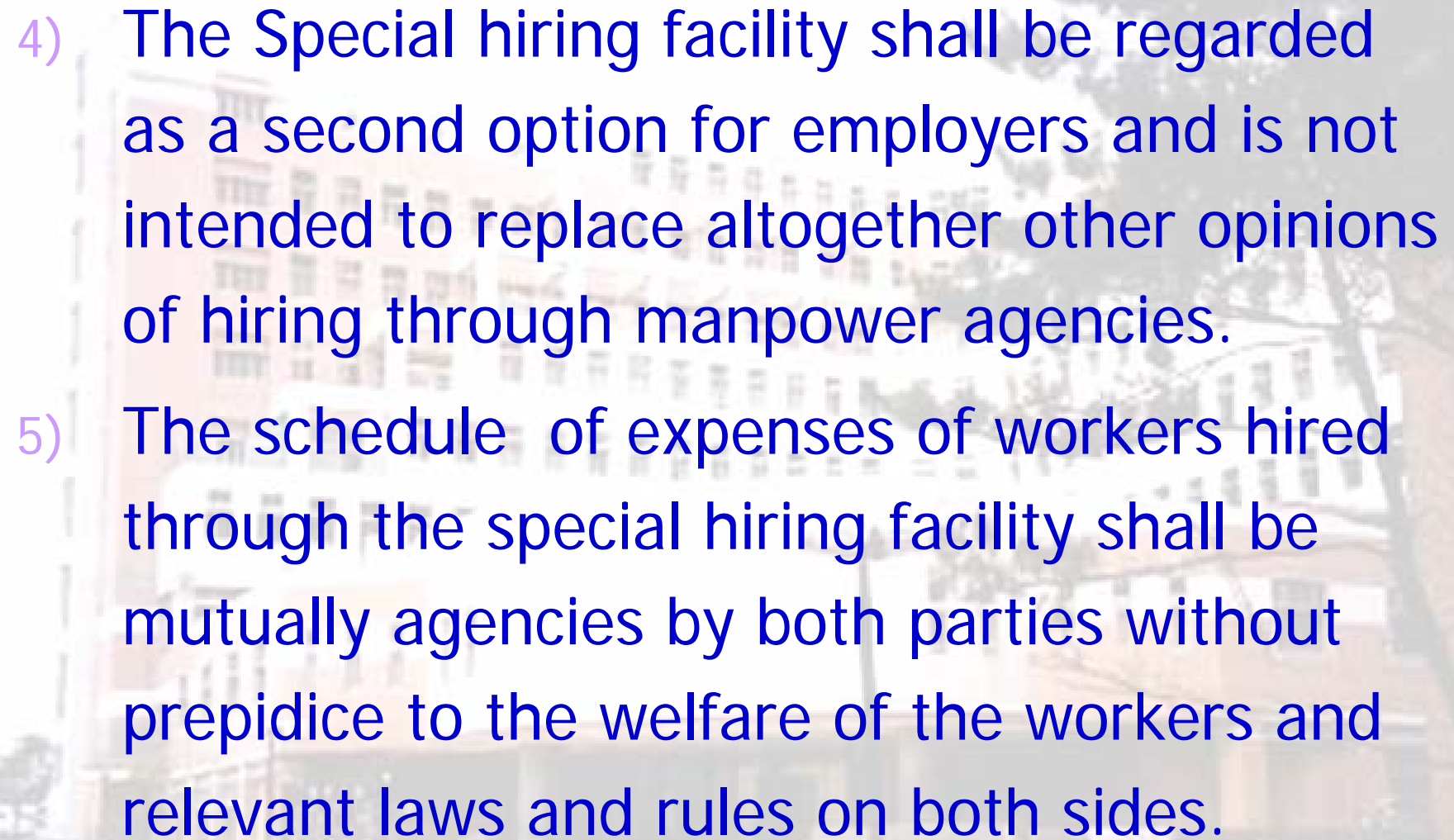
■ ARTICLE 6

- In order to simplify the procedures and guarantee the interests of both Employers and Vietnamese workers matters related to the sending of Vietnamese workers to Party A's country shall be administered by the competent authorities of the respective countries.

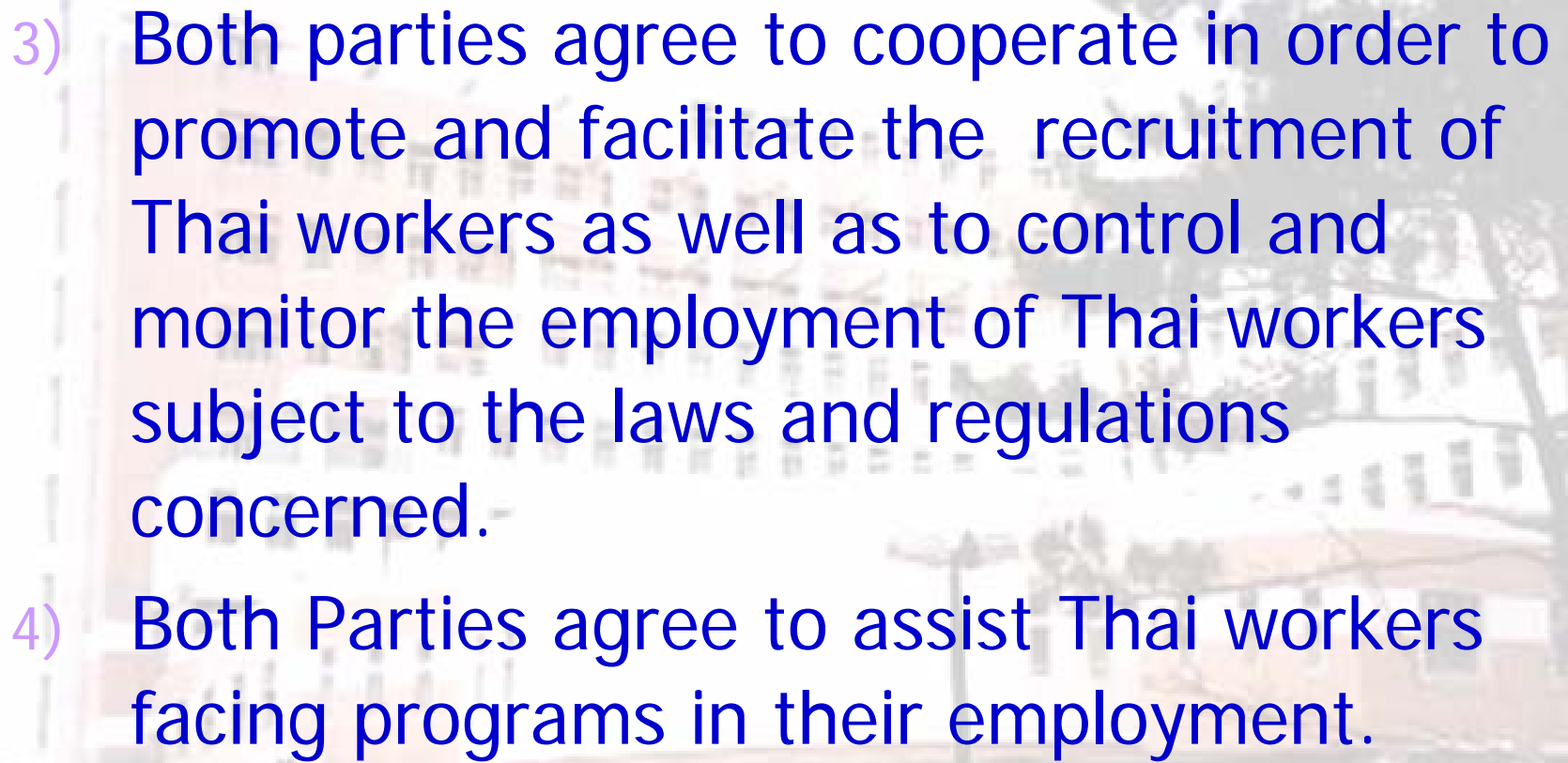
■ ARTICLE 7

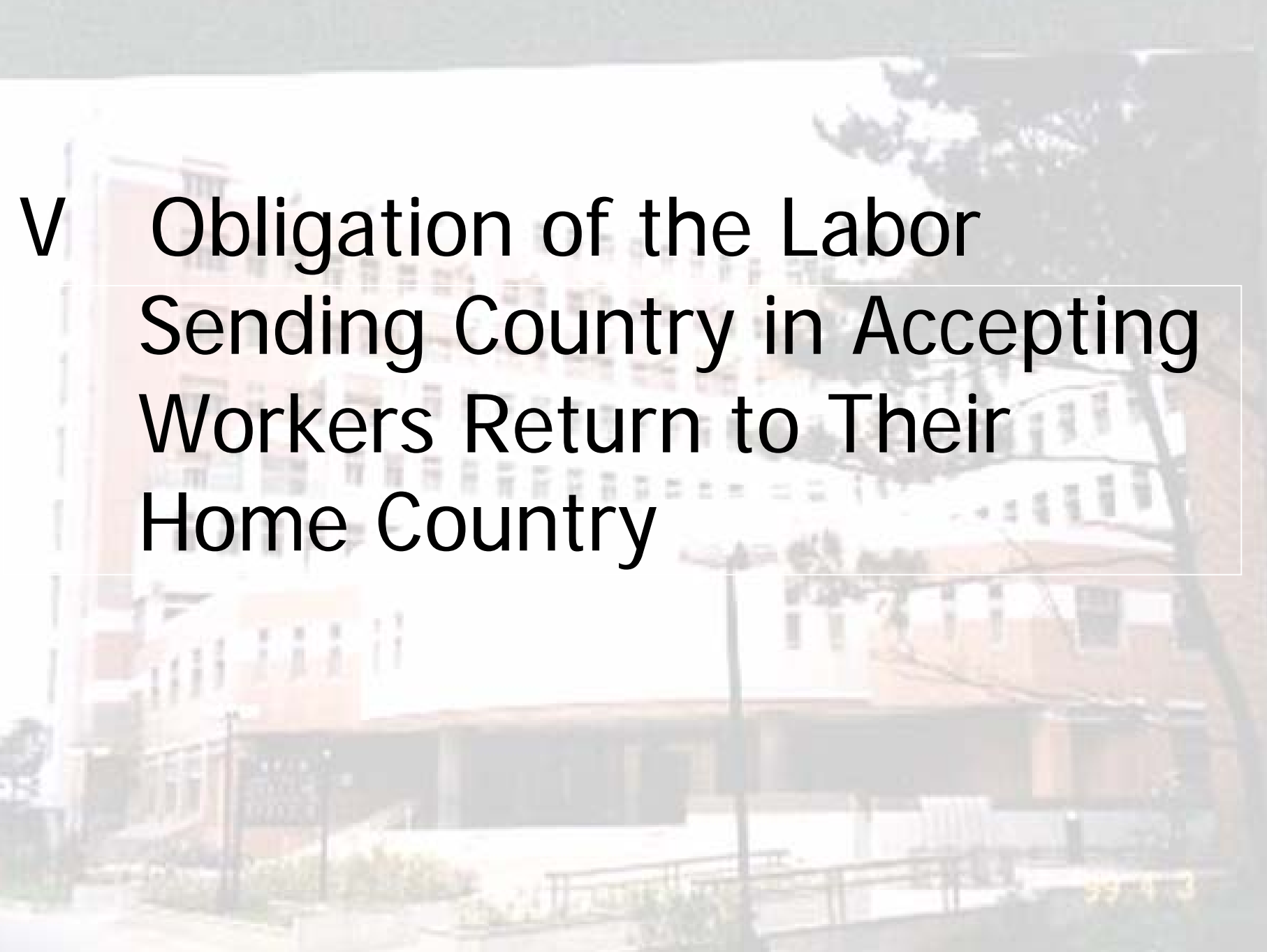
- Party B guarantees to send Vietnamese workers to Party A's country within one month after the signing of the recruitment contract between Employer(s) or their representatives and Vietnam's duly-designated labour sending companies.

- 1) Whereas, it is the desire of TECO and MECO to immediately implement a special hiring facility which will enable employers in the ROC to hire Filipino Workers without the intervention of manpower agencies from both parties.
- 2) The special hiring facility shall be on a trial basis.
- 3) There shall be no discrimination between special hiring facility and existing hiring system through the manpower agencies.

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- 4) The Special hiring facility shall be regarded as a second option for employers and is not intended to replace altogether other opinions of hiring through manpower agencies.
 - 5) The schedule of expenses of workers hired through the special hiring facility shall be mutually agreed by both parties without prejudice to the welfare of the workers and relevant laws and rules on both sides.

- 1) Both parties agree to set up direct employment program which will enable employers in Taiwan to employ Thai workers without the intervention of private employment agencies both parties.
- 2) The direct employment program shall be regarded as one of the options to recruit Thai workers for employers in Taiwan, and is not intended to replace the recruitment through private employment agencies.

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- The background of the slide is a faded photograph of a large, multi-story building with a reddish-brown facade and a white upper section. There are trees and a fence in the foreground, and the overall scene is slightly out of focus.
- 3) Both parties agree to cooperate in order to promote and facilitate the recruitment of Thai workers as well as to control and monitor the employment of Thai workers subject to the laws and regulations concerned.
 - 4) Both Parties agree to assist Thai workers facing programs in their employment.

The background of the slide is a faded photograph of a residential area. It shows a multi-story brick building with several windows, a black metal fence in the foreground, and some trees. The overall tone is light and slightly desaturated.


V、Obligation of the Labor Sending Country in Accepting Workers Return to Their Home Country

■ ARTICLE 8

- Upon expiration or termination of an employment contract or when Vietnamese workers are requested to leave Party A's country in accordance with its laws and regulations. Party B shall accept the immediate return of the said workers to Vietnam.

■ ARTICLE 9

- Party B shall appoint competent official(s) to Party A's country to work within the framework of Party B to handle labour affairs relative to this Agreement.

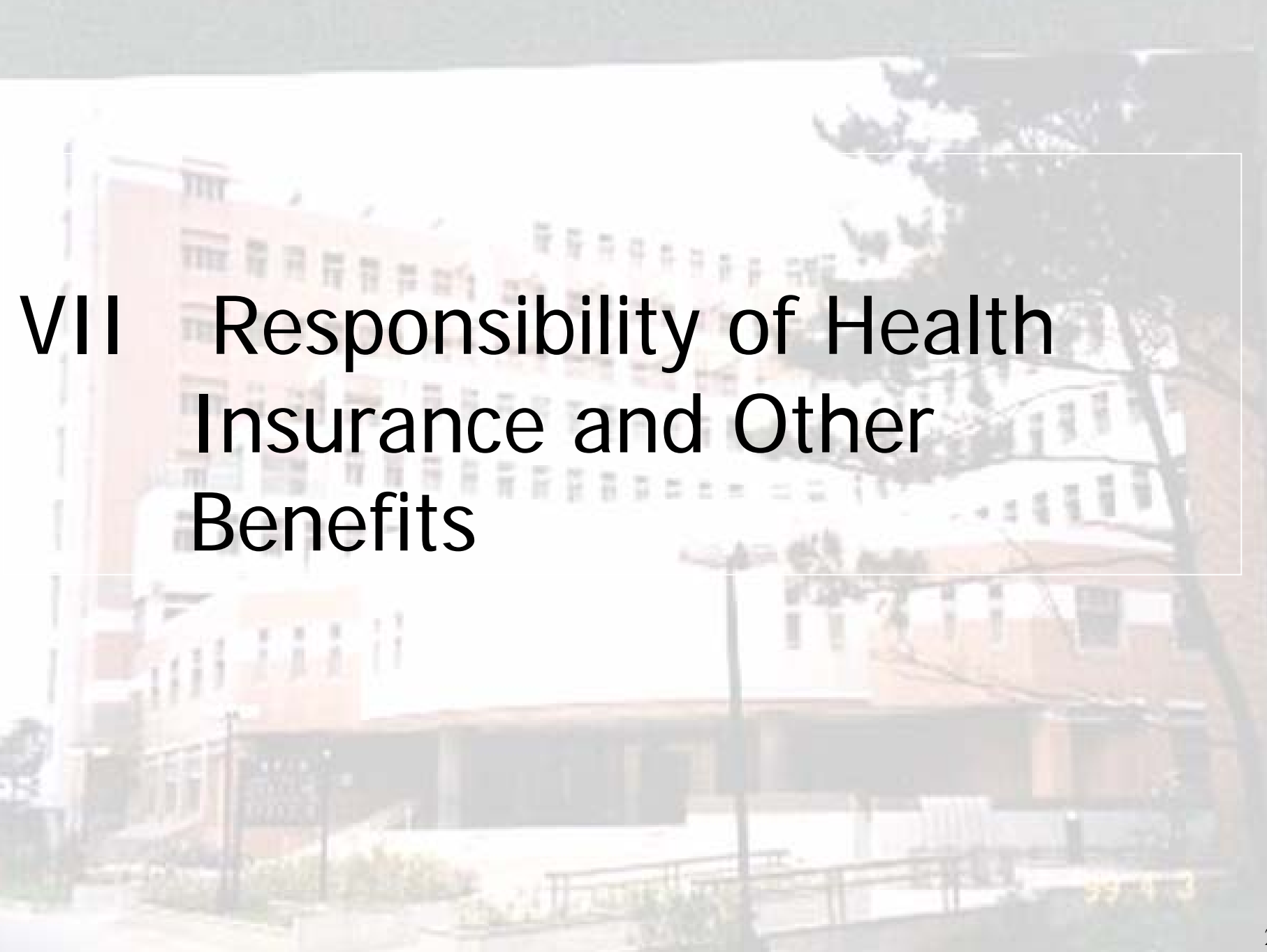
The background of the slide is a faded photograph of a large, multi-story brick building with many windows. To the right of the building, there are several trees with green foliage. The overall scene is slightly out of focus, giving it a soft, background appearance.

VI、 Duration of the Current Agreements is 3 years they can be Terminated by Either Party with Advance Notice

Example:

ARTICLE 11

- This Agreement shall enter into force upon signature and remain effective for a period of three years. Either Party may at any time give written notice to the other party of its intention to terminate this Agreement. In such case, this Agreement shall terminate three months after the date of receipt of such notice by the other Party. Employment contracts signed prior to the date of termination of this Agreement shall remain effective without any prejudice to any rights or obligations accruing or incurred under this Agreement.



VII、 Responsibility of Health Insurance and Other Benefits

Example:

■ ARTICLE 10

- Medical expenses incurred by Vietnamese workers during their stay in the country of Party A's when these workers are not qualified for health insurance shall be borne by the Vietnamese labour sending companies using a fund established by the companies for this purpose and under the appropriate supervision of Party B.

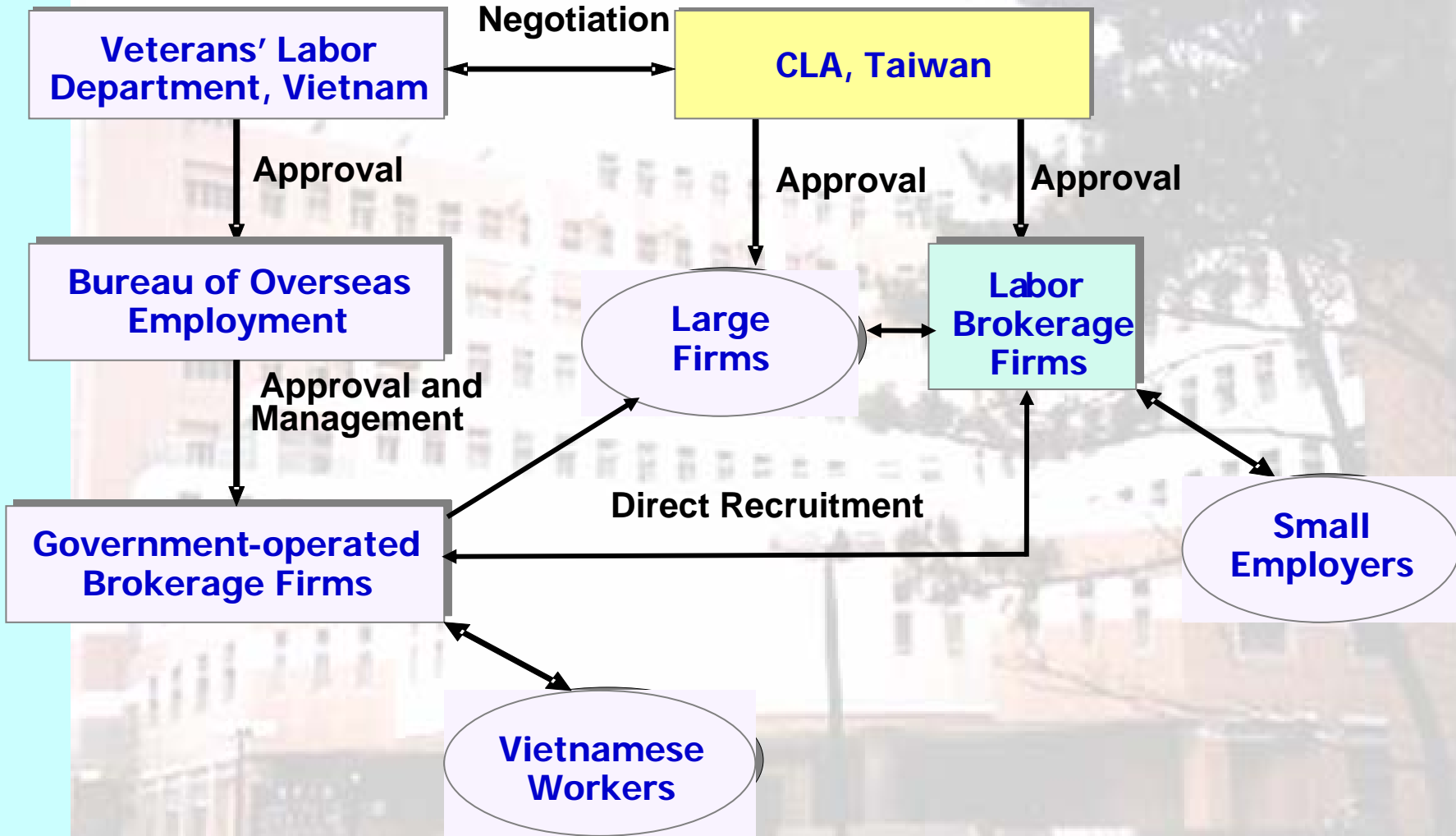


Diagram 1: Bilateral Recruitment Arrangements between Taiwan and Vietnam

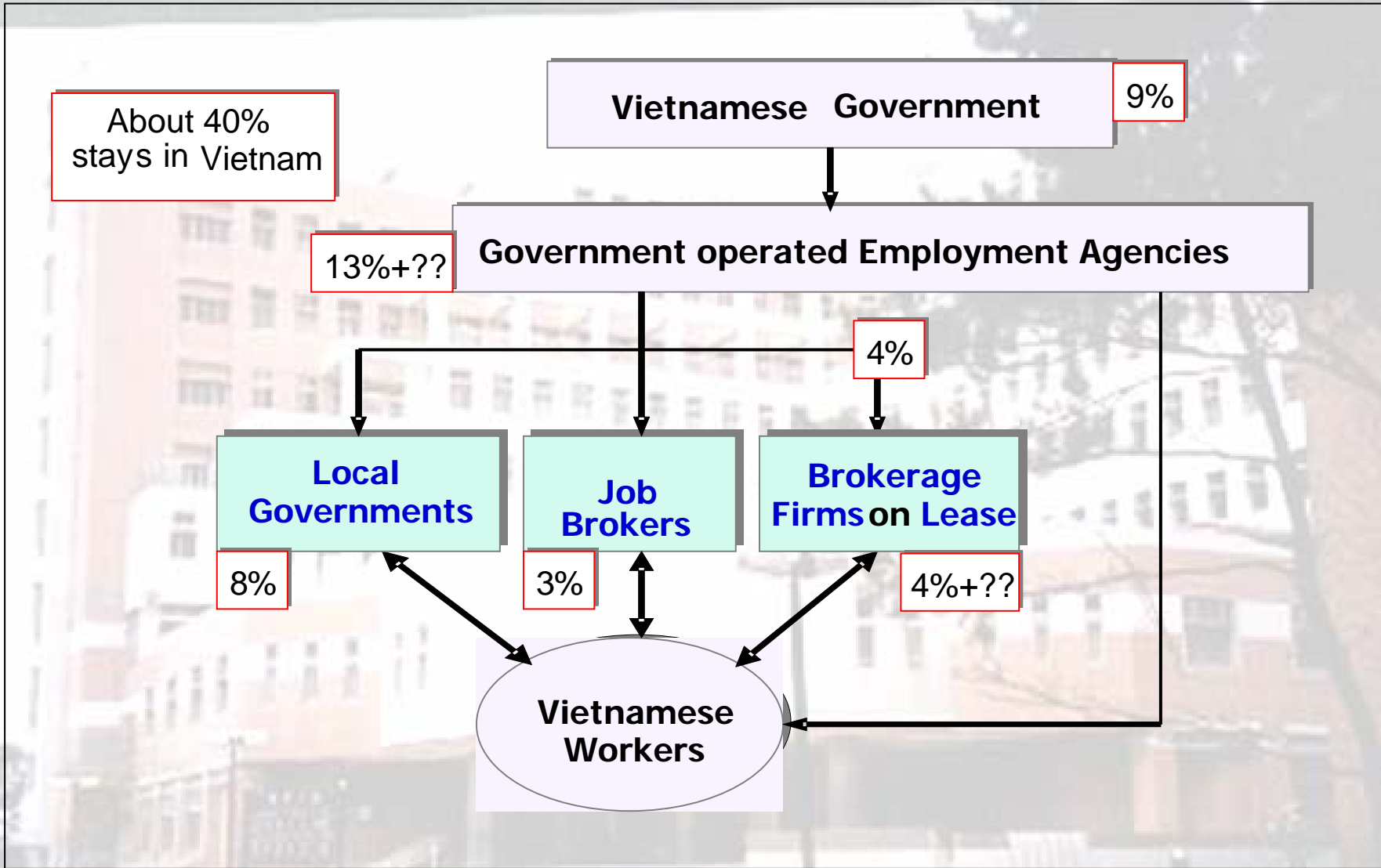


Diagram2 : Actual Recruitment Process and the Distribution of Profits Vietnam Side

Table 1 Fees collected by Vietnamese Government

Item	Fees regulated by gov't	US dollars
Health check	VND \$500,000-600,000	31.84-38.22
Training	VND\$1,050,000/month maximum 3 months	66.88-200.64
Good Citizen Certification	VND \$ 100,000	6.37
Passport	VND \$ 200,000	12.74
Taiwan Visa	US\$66/common US\$99/emergency	66.00 99.00
Air fare	VND\$4,700,000~5,000,000	300.00-318.47
Departure fees	US\$14.00	14.00
Sub total		596.83-755.44
Income Tax by Taiwan Government	NT\$1,320(month) NT\$15,840(year)	40.00 480.00

Source: Bureau of Overseas Employment, 2005, So 148/QIIDNN-TTLD 31/01/2005.

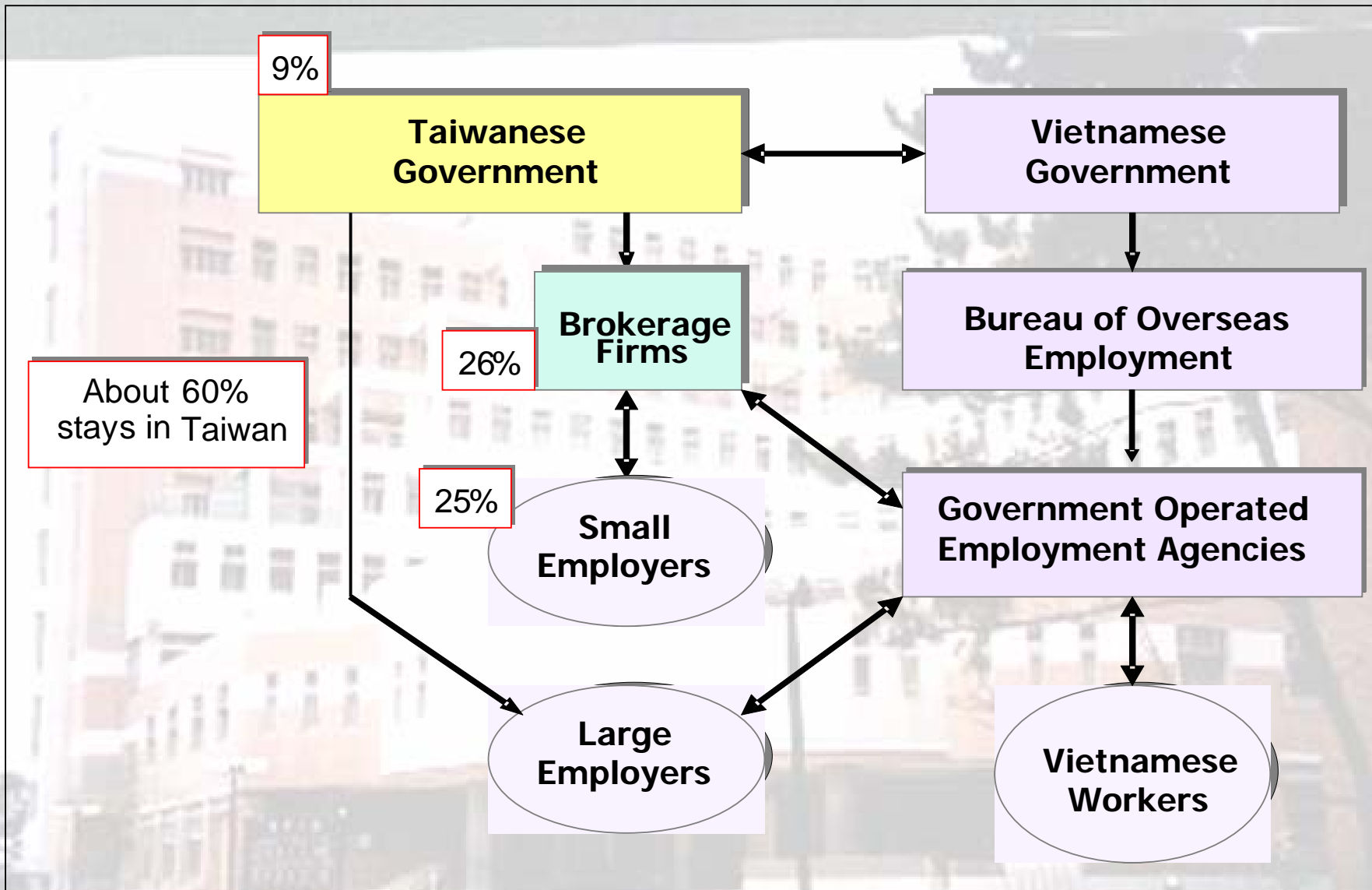


Diagram3: Actual Recruitment Process and the Distribution of Profits Taiwan Side