

Commission for overseas placement service

- I. Most migrant workers seek jobs in Taiwan through overseas job brokers and pay the fee for the services incurred. Indeed, the commission charge and related expenses incurred from the placement service of overseas job brokers for migrant workers to work in Taiwan (such as health examination, training, passports, visa fee, airfare and administrative fees) are almost always settled in the form of loans.
- II. The commission for overseas job brokers is regulated by the respective workforce exporting countries on the basis of their laws governing labor conditions. Taiwan has already suggested these workforce exporting countries to set the limit for the aforementioned placement service at no more than 1 month of the salary of the migrant workers working in Taiwan, and lower the interest rate for the loans to these migrant workers to avoid placing an excessive economic burden on these workers.
- III. The expenses incurred from the arrangement of these foreign workers to work in Taiwan in the form of advance to foreign workers are explicitly stated in the “Affidavit of Expenses and Salaries for Foreigners Working in Taiwan” to set the standards for the commission charges and related expenses imposed on the foreign workers before coming to work in Taiwan for transparency, and to avoid undue exploitation before arriving in Taiwan. Taiwan calls for

bilateral labor force cooperation meetings at regular intervals to ask the respective workforce exporting countries to intensify the control of the commission charges and related expenses for placement service to the foreign workers. In addition, the payment items and billing standards for the service to the foreign workers to work in Taiwan are also explicitly stated. Respective workforce exporting countries are asked to intensify the supervision of the job brokers to protect the rights and privileges of the foreign workers.

Commission for domestic placement service

- I. Domestic placement service companies may collect only a “service charge” from the foreign workers as required by the Ministry of Labor to prevent the domestic placement service companies from charging the foreign workers excessive fees. In addition, they have to prove the supply of service as stated in the service agreement before collecting the fee and cannot charge in advance. The said service charge is limited to NT\$1,800 , NT\$1,700 and NT\$1,500 for the 1st, 2nd and 3rd year of employment of the foreign workers after they arrived in Taiwan for employment cumulatively. The governments of respective counties and cities are responsible for supervising the collection of the service charge. If any of the domestic placement service companies charge excessive fees from the foreign workers, the offending company will be liable to a fine, ranging from 10 to 20 times the amount of the excessive payment or even

ordered to discontinue the operation under the Employment Service Act and other applicable laws. This will help avoid the exploitation of the foreign workers by the domestic placement service companies.

II. The links for the related legal references are shown below:

<http://law.moj.gov.tw/LawClass/LawContent.aspx?PCODE=N0090028>