

# 因應嚴重特殊傳染性肺炎雇主聘僱移工指引：

## 移工工作、生活及外出管理注意事項

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# Foreign Worker Employment Guidelines in Response to Severe Pneumonia with Novel Pathogens (COVID-19): Managing the Work, Life and Outdoor Activities of Foreign Workers

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### 一、前言

嚴重特殊傳染性肺炎已擴大至全球大流行，我國疫情並進入社區傳播階段，有鑑於國內已有移工宿舍爆發群聚感染，疫情升溫且社區傳播風險增加，考量我國移工居住特性及假日有群聚現象，為避免再有發生移工群聚感染情事，爰在移工國民待遇原則及符合相關勞動法令之前提下，配合已發布之「新型冠狀病毒感染防疫行為指引」、「社交距離注意事項」、「企業因應嚴重特殊傳染性肺炎(COVID-19)疫情持續營運指引」、「COVID-19(武漢肺炎)疫情期間民眾假期生活防疫指引」及「COVID-19(武漢肺炎)」阻絕社區傳染策略」等，加強移工防疫措施，兼顧落實雇主生活照顧義務與管理責任，並以確保社區防疫安全為首要目標，

提供本指引，以利雇主、私立就業服務機構及移工有所依循。

## **1. Preface**

Severe Pneumonia with Novel Pathogens (COVID-19) has already spread around the world and pandemic prevention work in Taiwan entered the community-transmission stage. Following the identification of cluster infections in foreign worker dormitories, the increased spread of the coronavirus and greater risk of community transmission, after considering the nature of foreign worker living accommodation and their tendency to gather in groups on days off, based on the equal treatment of foreign workers and Taiwanese nationals and adhering to the provisions of related labor laws, the authorities have issued a series of new rules and regulations in an effort to prevent more cluster infections. These include the “Guidelines to Prevent Coronavirus Infection,” “Social Distancing Precautions,” “Guidelines on the Continued Operations of Enterprises Responding to the Severe Pneumonia with Novel Pathogens (COVID-19),” “Guidelines for Activities When Not at Work During the Period of Pandemic Prevention Work” and “Strategies to Block Community Transmission of COVID-19.” These guidelines are provided to strengthen foreign worker related pandemic prevention measures and ensure employers live up to their obligations and management responsibilities in the area of life care, the primary objective being to guarantee the efficacy of community pandemic prevention work, to the benefit of employers, private employment service agencies and foreign workers.

## **二、 工作及生活管理措施**

雇主應加強移工工作場所及住宿地點之防疫管理，落實相關管理措施，並向移工辦理宣導，以避免群聚感染風險，致影響移工與國人安全健康，或因有確診個案造成工作場所停工衍生無法營運之情事發生。又雇主如有需要，得委託私立就業服務機構辦理，應辦理措施及事項如下：

## **2. Work and Life Management Measures**

Employers should enhance pandemic prevention work in locations where foreign workers live and work. This involves implementing related management measures, while also disseminating important information among workers to avoid the risk of cluster infections which could adversely impact the health and safety of foreign workers and Taiwanese nationals, or a situation where one positive COVID-19 case leads to the closure of workplaces making operations impossible. Where necessary, employers can commission a private employment service agency to take responsibility for the following measures:

(一) 僱主應辦理措施：

依僱主聘僱外國人許可及管理辦法(下稱僱聘辦法)第 19 條規定略以，僱主應為移工規劃住宿等事項並確實執行，爰僱主未善盡僱主責任，安排下列住宿及防疫措施等事項，已違反就業服務法第 57 條第 9 款及僱聘辦法第 19 條規定，後續將由地方主管機關予以裁處：

(1) Measures to be implemented by employers:

According to Article 19 of the “Regulations on Permission and Administration of Employment of Foreign Workers” (hereafter Regulations on Employment), employers are required to plan and provide accommodation for foreign workers. Anyone who fails to live up to their responsibilities as an employer by introducing the following accommodation and pandemic prevention measures is in violation of Paragraph 9, Article 57 of the Employment Service Act and Article 19 of the Regulations on Employment and will be dealt with by the local competent authority:

1、落實分流分艙原則，地方主管機關得令僱主限期改善：

- (1) 住宿於同一房間之移工，應安排於同一工作地點之同一工作區域、生產線或工作崗位，避免與住宿於其他房間之移工混雜。
- (2) 上下班及辦公動線分流，不同工作區域之移工出入應有分流管制(例如使用不同出入口、分流管制不同電梯停靠不同樓層)，並禁止移工於不同工作區域、樓層之間移動。

2、避免不同僱主所聘之移工接觸，地方主管機關得令僱主限期改善：

僱主委任私立就業服務機構辦理移工生活管理，禁止安排不同僱主所聘移工，或同一僱主所聘但所屬不同工作地點之移工住宿於同一樓層。

3、明定工作規則及宿舍管理規則，強化移工工作及生活管理，且至少須有以下內容：

- (1) 住宿地點之公共區域(如盥洗衛浴或衣服洗滌空間)應依移工之住宿樓層或區域，分時段交錯使用。
- (2) 禁止移工於公共區域所在樓層以外之其他樓層或區域移動，且住宿於不同樓層或區域之移工，不得同時使用公共區域之設施設備或一起用餐。
- (3) 工作場所或住宿地點如設有用餐區域，桌與桌距離應保持 1.5 公尺以上或設有隔屏，桌上應設有隔板，如為自助餐型態之餐廳，應有適當遮罩食物，或改以餐盒方式用餐。
- (4) 僱主應針對工作場所及住宿地點進行定期消毒、清潔環境，並應提供肥皂、清水或酒精性乾洗手液。
- (5) 僱主如設置交通車、通勤車等交通運輸措施，應於移工上車前量測體溫並要求佩戴口罩，且有車內常態性的清理流程(至少每 6 小時一次)，針對經常接觸的

物體表面進行消毒，並在維持搭乘人員社交距離之原則下，對乘客提供空間分隔。

(6) 僱主對於移工工作場所及住宿地點之人員進出應有管控機制，並應記錄有關旅遊史、接觸史及是否群聚等資訊，包括放假期間之足跡、停留 15 分鐘以上地點、搭乘之交通工具及接觸對象等。

1. The local competent authority will give employers a fixed period of time to make improvements and ensure a clear division between work and accommodation locations:

(1) Foreign workers who live in the same room should come from the same work area, production line or work positions in the same work location, to avoid mixing with workers who live in other rooms.

(2) There should be a clear division of lines of movement for clocking-on and clocking-off from work; The coming and going of workers from different work areas should be subject to flow controls (for example, the use of different entry and exit points and different elevators stopping on different floors), while strictly forbidding foreign workers from moving in between different work areas and floors.

2. The local competent authority will give employers a fixed period of time to make improvements and avoid contact between foreign workers who work for different employers:

Private employment agencies commissioned by employers to take responsibility for foreign worker life management are strictly forbidden from placing foreign workers who work for different employers, or the same employer but different work locations, in accommodation on the same floor.

3. Clearly stipulate work regulations and accommodation management rules, with enhanced work and life management for foreign workers including the following:

(1) Foreign workers should be allocated times to use common areas in accommodation locations (bathrooms, laundry washing rooms etc) based on the floor or area where they live.

(2) Foreign workers are strictly forbidden from moving between floors or areas other than those where their own public area is located. In addition, foreign workers who live on different floors or in different areas must not use the facilities or equipment in public areas at the same time or eat together.

(3) If the workplace or accommodation has a dining area, there must be a space of more than 1.5 meters between the tables or partitions between them, with dividers on the tables. In dining areas that provide buffet meals the food should be suitably covered or be provided in lunch boxes.

(4) Employers should regularly disinfect and clean workplaces and accommodation

locations, while also providing soap, clean water or alcohol based hand sanitizer for foreign workers to wash their hands.

(5) If employers provide transportation to and from work, foreign workers should have their temperature checked before being allowed to board and wear a face mask for the duration of the journey. The vehicles should also be regularly cleaned (at least once every six hours) with any frequently touched surfaces disinfected. Under the principle of maintaining social distance between passengers, space should be maintained between them.

(6) Employers should introduce a mechanism to control the coming and going of personnel in places where foreign workers live and work, while also recording their related travel history, contact history and any gatherings, including their movements when not at work, places where they stayed for longer than 15 minutes, public transport taken and people they came into contact with etc.

#### 4、 加強防疫宣導：

(1) 僱主應透過多元管道(如張貼海報、發送簡訊、建立 Line 等即時通訊軟體群組或於移工住宿地點播放影片等)或訂定工作規則，強化移工衛教及防疫觀念，並提醒移工倘有身體不適，應立即向僱主或私立就業服務機構反映，或撥打衛生福利部 1922 疫情通報及諮詢專線、勞動部(以下簡稱本部)1955 專線尋求協助。

(2) 應於各住宿地點出入口張貼規範，或以廣播等方式，宣導移工保持衛生，並持續更新宣導防疫資訊。

5、 掌握移工健康狀況及安排就醫：僱主應每日量測及記錄移工身體健康狀況並造冊，如移工有嚴重特殊傳染性肺炎疑似症狀，包括發燒、頭痛、流鼻水、喉嚨痛、咳嗽、肌肉痠痛、倦怠/疲倦、腹瀉、嗅味覺異常等身體不適狀況，應安排其就醫及進行篩檢。有關僱主或私立就業服務機構協助就醫流程，詳如附件 1。

6、 預為準備 1 人 1 室且有獨立衛浴房間(以下稱 1 人 1 室房間)：為利移工之工作場所或住宿地點若發生群聚感染時，移工應進行篩檢並依據衛生單位通知入住集中檢疫場所及其同住者由僱主安排 1 人 1 室進行隔離，僱主應提前準備與該應隔離人數相同之 1 人 1 室房間，可為自有宿舍及在外租賃房屋。

#### 7、 移工若經篩檢確診或快篩陽性之應辦事項：

(1) 協助匡列：僱主應通知衛生單位，並協助匡列密切接觸者。

(2) 進行清消：確診或快篩陽性移工之工作場所及住宿地點應進行清消，執行清消之工作人員須經過適當訓練，應穿戴個人防護裝備(手套、口罩、隔離衣或防水圍裙、視需要使用護目鏡或面罩)。

(3) 房間住宿人數減壓：移工(指標個案)若經快篩陽性，立即送集中檢疫所或醫院，同房之其他移工應於原房間安置，並視指標個案後續核酸檢測(PCR)結果續處。若指標個案確診，同房之其他移工屬密切接觸者，應由僱主安排 1 人 1 室房間進行隔離。

#### 4. Improving pandemic prevention guidance:

(1) Employers should use multiple channels (posters, text messages, establishing LINE groups and any other real time chat groups or show promotional films in places where foreign workers live) or draft new work rules to enhance foreign workers' understanding of public health education and pandemic prevention concepts. Foreign workers should also be told if they fall ill to immediately inform their employer or private employment agency, or call the Ministry of Health and Welfare toll-free 1922 Communicable Disease Reporting and Consultation Hotline or the Ministry of Labor's 1955 Counseling and Protection Hotline for Foreign Workers.

(2) The new rules should be posted at points of entry and exit at places where foreign workers live, or a public-address system used to provide workers with public health information and regularly updated pandemic prevention information.

5. Keep up to date with the health status of foreign workers and arrange medical attention: Employers should measure, record and keep records on the health of foreign workers on a daily basis. In the event foreign workers display suspected symptoms of Severe Pneumonia with Novel Pathogens (COVID-19), including a fever, headache, runny nose, sore throat, cough, muscle soreness, lethargy/fatigue, diarrhea, abnormal smell or taste etc. they should be seen by a doctor and tested for COVID-19. For more details on the medical treatment protocol to be followed by employers and private employment agencies see addendum 1.

6. Prepare one-person-per-room accommodation with an independent bathroom (hereafter one person per room accommodation): In the event of a cluster infection in the workplaces or accommodation of foreign workers, all workers should be tested and in accordance with notifications from health authorities those found to be positive placed in government-run quarantine facilities. Employers should isolate those they live with in one person per room accommodation, ensuring there is enough such accommodation for the number of employees who need to be isolated, whether in their own dormitories or rented rooms.

7. Steps to follow when a foreign worker returns a positive PCR test for COVID-19 or a positive rapid test:

(1) Assist with identification: Employers must immediately inform the health authorities and assist in the identification of close contacts.

(2) Conduct disinfection operations: When a foreign worker has a positive PCR test for COVID-19 or a positive rapid test, their workplace and accommodation must be disinfected. Personnel conducting disinfection work must have received appropriate training and wear PPE (gloves, a mask, isolation suit or waterproof apron and where necessary use protective goggles or a visor).

(3) Reduce the number of people sharing accommodation: If a foreign worker (indicator case) takes a rapid COVID-19 test that comes back positive he/she should be immediately sent to a government quarantine facility or hospital. Workers who share a room with that individual should remain in the room, with follow up responses dependent on whether the indicator case returns a positive PCR COVID-19 test. If the indicator case is positive then the foreign workers who share the same room are classified as close contacts and must be isolated in one person per room accommodation.

(二) 建議雇主辦理事項：

1、 彈性上下班：移工上下班時間可彈性交錯，避免同一時段集中上下班，或建立異地或遠距辦公機制，以減少同時上班人數。

2、 工作空間調整：建議讓移工之工作崗位保持適當間距，或進行空間區隔，另工作場所非必要之公共區域宜關閉停用；建議取消或延期與工作相關之會議或活動等，改採視訊會議或其他方式辦理。

3、 阻斷傳播鏈：

**(1) 針對接續聘僱之移工，建議安排 PCR 檢測，並於接續聘僱起 14 日期間內，安排居住於 1 人 1 室房間。**

(2) 針對已有嚴重特殊傳染性肺炎疑似症狀之移工，建議未篩檢前先安排居住於 1 人 1 室房間進行隔離，並由雇主安排就醫。另移工若經快篩陰性，於等待 PCR 檢測結果前，建議續住 1 人 1 室房間，並要求移工配戴口罩及注意手部衛生(使用肥皂和水洗手，或使用酒精)。

4、 強化移工生活管理：

(1) 協助移工保持社交距離：建議雇主妥善運用現有閒置宿舍空間，增加每人居住面積，以利移工維持社交距離，降低群聚感染風險。

(2) 減少移工外出需求：建議雇主依移工需求提供休閒娛樂設備，及適時協調移工常去之宗教場所，勿參加集會活動，改採視訊方式進行聚會或交流，另協助移工購買食物或日常用品，以減少移工外出。

(3) 協助移工購買口罩：建議雇主儘量協助移工上網預購口罩，並提供必要之設備，如電腦、讀卡機或本部翻譯多國語言之購買指引。

5、 關懷確診或快篩陽性之移工：建議雇主提供心理關懷服務，照顧確診移工及隔離移工之身心健康需求。

(三) 配合政府快速圍堵策略

1、 依據「COVID-19(武漢肺炎)」阻絕社區傳染策略，快速圍堵係以病毒流行的社區為執行範圍，在劃定的圍堵區內，所有人無論是否曾有接觸史，皆施以病毒篩檢，並輔以擴大社交距離、加強監視等公共衛生介入，並以不任意移出圍堵區為原則。

2、 若於中央流行疫情指揮中心發布疫情警戒標準第 4 級期間實施區域封鎖，或移工之工作場所或住宿地點於疫情警戒標準第 3 級以上期間，經衛生單位劃定為

圍堵區內，請雇主配合建置管制機制及設備，避免移工離開工作地點或宿舍(醫療需求除外)。另雇主或私立就業服務機構應協助翻譯事宜，以利衛生單位進行篩檢作業。

(2) Proposed measures to be taken by employers:

1. Flexible work hours: Foreign workers should have flexible work hours to ensure those clocking-on and clocking-off are never crowded together in the same place. Alternatively, establish a different work location or introduce remote working to reduce the number of people working at the same time.

2. Adjust work space: It is proposed that a suitable distance be maintained between work positions or that spatial separation be adopted, with all unnecessary public areas in workplaces closed. It is also proposed that all work related meetings or activities be cancelled or postponed and replaced by video-conferencing or other formats.

3. Breaking the chain of transmission:

(1) It is proposed that all **foreign workers who continue to work** should received PCR COVID-19 tests and for the first 14 days after they **return to work** be placed in one person per room accommodation.

(2) It is proposed that foreign workers with suspected symptoms of Severe Pneumonia with Novel Pathogens (COVID-19) should be isolated in one person per room accommodation before taking a COVID-19 test, with the employer arranging for them to see a doctor. If a worker receives a negative result from a rapid COVID-19 test, then while they wait for the outcome of a PCR COVID-19 test they should be placed in one person per room accommodation and instructed to wear a mask and pay attention to hand hygiene (washing their hands with soap and water or alcohol based hand sanitizer).

4. Enhance foreign worker life management:

(1) Help foreign workers maintain social distancing: It is proposed that employers should make appropriate use of existing unused dormitory space to increase the amount of space available to each individual worker, so it is easier for them to maintain social distancing and thereby reduce the risk of cluster infections.

(2) Reduce the need for foreign worker to go outside: It is proposed that employers should provide foreign workers with leisure and entertainment equipment based on their needs and coordinate with religious venues frequented by said workers to replace group gatherings with video conference meetings or exchanges. Foreign workers should also be provided with assistance purchasing food and other daily necessities to reduce their need to go outside.

(3) Help foreign workers purchase face masks: It is proposed that employers should do everything possible to help workers order face masks online and provide necessary equipment, including computers, card readers, or the Ministry of Labor's shopping



guidelines translated into multiple languages.

5. Care for foreign workers with a positive PCR COVID-19 test or a positive rapid COVID-19 test: It is proposed that employers should provide psychological care services to meet the mental and physical wellbeing of foreign workers who are positive for COVID-19 or placed in quarantine.

(3) Work in concert with the government's rapid containment policy

1. Based on the strategy of blocking "COVID-19" community transmission, rapid containment is executed in communities where the coronavirus is prevalent. Within such designated containment areas public health measures adopted include testing everyone regardless of whether they have had contact with anyone positive for COVID-19, expanding the use of social distancing and increased monitoring, with residents encouraged to not leave the containment area.

2. In the event the Central Epidemic Command Center (CECC) issues a Level 4 Pandemic Alert a full lockdown will be implemented in some places. Alternatively, during an alert above Level 3 in foreign worker workplaces and accommodation, employers in those places designated containment areas by the health authorities will be asked to introduce control mechanisms and equipment to avoid workers leaving work locations or dormitories (other than for medical reasons). In addition, employers or private employment service agencies should assist by providing translation/interpretation services to help health agencies conduct testing operations.

2. 移工生活注意事項

(一) 移工放假外出原則：僱主應依勞動法令或勞動契約同意移工放假，不得禁止其放假，惟可協調移工避免於同一日集中放假。倘若移工須配合衛生主管機關執行居家隔離或居家檢疫時，應依嚴重特殊傳染性肺炎防治及紓困振興特別條例規定，給予防疫隔離假，並限制其不得外出或上班。有關移工放假原則，詳如附件

(二) 強化外出移工防疫宣導：僱主應提醒移工於放假外出或非上班時間外出時，儘量避免出入人潮擁擠、空氣不流通的公共場所，保持社交距離，室外 1 公尺，室內 1.5 公尺以上，及提醒移工外出時應戴口罩，以減少感染風險，且可鼓勵移工加入勞動部勞動力發展署建置之「Line@移點通」獲取最新防疫資訊。

2. Foreign workers - daily life precautions

(1) Principles for foreign workers going out when not at work: In accordance with labor laws and the labor contract, employers are legally obligated to provide foreign workers with leave and cannot prevent them from taking such leave. However, they should make adjustments to avoid large numbers of foreign workers taking leave on the same day. In the event foreign workers are required to home isolate or home quarantine in concert with health authority regulations, then in accordance with The Special Act for

Prevention, Relief and Revitalization Measures for Severe Pneumonia with Novel Pathogens they must be given pandemic prevention quarantine leave and not allowed to go out or to work. For more details on the principles governing foreign worker leave see addendum 2.

(2) Enhance pandemic prevention guidance for foreign workers who go out: Employers should remind foreign workers that if they go out during a period of leave or when not working, to avoid crowded public places with poor ventilation and to observe social distancing of 1 meter indoors and more than 1.5m outdoors. Foreign workers should also be reminded to wear a mask at all times when outside to reduce the risk of infection, while also encouraging them to join the Ministry of Labor Workforce Development Agency's "1955 E-Line" to receive the latest pandemic prevention information.

### 3. 快篩陽性及確診之移工應注意事項

(一) 移工快篩陽性立即隔離至集中檢疫所或醫院，等候 PCR 檢測結果，並請通知雇主及所委任之私立就業服務機構。

(二) 移工確診(PCR 陽性)續住集中檢疫所或醫院，並依嚴重特殊傳染性肺炎確診個案處置及解除隔離治療條件續處。

(三) 隔離期間請配戴口罩及注意手部衛生(使用肥皂和水洗手，或使用酒精)。

(四) 務必觀察症狀變化，若出現下列症狀時，請立即聯繫集中檢疫所或醫院之醫事 medical staff 或護理人員：發燒、喘、呼吸困難、持續胸痛、胸悶、意識不清、皮膚或嘴唇或指甲床發青。

(五) 請主動聯絡通知密切接觸者(有症狀發生的 3 日前至隔離當日，曾有共同用餐、共同居住或未配戴口罩面對面 15 分鐘以上接觸的對象)，請密切接觸者於疫調前即自我隔離並健康監測。如密切接觸者為同公司員工(本國勞工或其他移工)，請同時主動聯絡雇主。

(六) 依嚴重特殊傳染性肺炎確診個案處置及解除隔離治療條件，移工若屬無症狀或輕症個案，距發病日已達 10 日以上，退燒至少 1 日且症狀緩解者，經衛生單位開立通知書，應於 1 人 1 室房間繼續進行隔離 7 日。

### 3. Foreign workers with a positive rapid COVID-19 test or PCR test should observe the following precautions

(1) Any foreign worker who has a positive rapid COVID-19 test should be immediately isolated in a government quarantine center or hospital to wait for the result of a follow up PCR test. They should also inform their employer and appointed private employment service agency.

(2) COVID-19 positive (PCR test) foreign workers must remain in the government quarantine center or hospital where they will be treated based on the Severe Pneumonia with Novel Pathogens Positive Case and Quarantine Release Treatment Conditions.

(3) During quarantine please wear a mask and pay attention to hand hygiene (wash your hands with soap and water or alcohol based hand sanitizer).

(4) Pay close attention to any changes in symptoms and if you develop any of the symptoms below immediately contact medial personnel at a government quarantine facility or hospital: fever, shortness of breath, difficulty breathing, persistent chest pain, chest tightness, confusion and the discoloration of skin, lips or nail beds.

(5) Please proactively inform close contacts (anyone you shared a meal with, live with or spent more than 15 minutes with without wearing a face mask, from three days before the onset of symptoms until the day of quarantine). Prior to the Pandemic Control Survey close contacts should self isolate and observe self-health monitoring. If any close contacts are employees at the same company (whether Taiwanese laborers or foreign workers), their employers should be informed immediately.

(6) Based on the Severe Pneumonia with Novel Pathogens Positive Case and Quarantine Release Treatment Conditions, if a foreign worker is asymptomatic or displays only mild symptoms more than 10 days after the onset of the illness (or the day infection was confirmed), then a minimum of one day after the fever breaks and symptoms ease, with the agreement of the health authorities he/she can continue to isolate in one person per room accommodation for a further seven days.

#### 4. 接觸確診個案之移工應注意事項

(一) 移工如與確診個案有症狀發生的 3 日前至隔離當日，曾有共同用餐、共同居住或未配戴口罩面對面 15 分鐘以上的接觸，應由雇主安排隔離於 1 人 1 室房間，不要外出，並等候公衛人員通知。

(二) 隔離期間請配戴口罩及注意手部衛生(使用肥皂和水洗手，或使用酒精)。

(三) 觀察自己是否出現嚴重特殊傳染性肺炎相關症狀，如：發燒、流鼻水、咳嗽、喉嚨痛、倦怠、肌肉痠痛、頭痛、腹瀉、嗅覺或味覺異常、呼吸急促等。若有症狀時，請立即聯繫 119、當地衛生主管機關或撥打 1922 疫情通報及諮詢專線，並通知雇主或所委任之私立就業服務機構安排就醫及進行篩檢。

(四) 移工若不是密切接觸者，僅須進行自我健康監測 14 日，如有疑似症狀，請配戴口罩及通知雇主及所委任之私立就業服務機構後安排就醫，並告知可能的接觸史。

#### 4. Precautions for foreign workers who came into contact with a COVID-19 positive individual

(1) If a foreign worker shared a meal, lived with or spent more than 15 minutes without wearing a face mask with someone who tests positive for COVID-19, from three days before the onset of symptoms to the time the individual was quarantined, their employer should arrange for them to be isolated in one person per room accommodation, during

which time they will not be allowed to go out, while they wait for notification from the public health authorities.

(2) Please wear a face mask during quarantine and pay attention to hand hygiene (wash your hands with soap and water or alcohol based hand sanitizer).

(3) Observe whether you have any symptoms related to Severe Pneumonia with Novel Pathogens (COVID-19): including a fever, runny nose, sore throat, cough, fatigue, muscle soreness, headache, diarrhea, abnormal smell or taste, shortness of breath etc. If you develop any of these symptoms then immediately contact 119 (emergency services), the local health authorities or call the 1922 Communicable Disease Reporting and Consultation Hotline, as well as your employer or appointed private employment service agency to arrange medical treatment and a COVID-19 test.

(4) If a foreign worker is not a close contact of someone who tests positive for COVID-19 he/she should observe self health management for 14 days and in the event any symptoms develop wear a mask and contact his/her employer and appointed private employment service agency to arrange for medical treatment. The authorities should also be informed of all potential contacts.

## 5. 其他事項

(一) 有關嚴重特殊傳染性肺炎相關資訊、最新公告、防護宣導等，可參閱衛生福利部疾病管制署全球資訊網(<https://www.cdc.gov.tw>)，或撥打免付費 1922 疫情通報及諮詢專線(或 0800-001922)洽詢。

(二) 另移工可撥打本部 1955 專線循求協助或加入勞動部勞動力發展署建置之「Line@移點通」獲取最新防疫資訊。

## 5. Other items

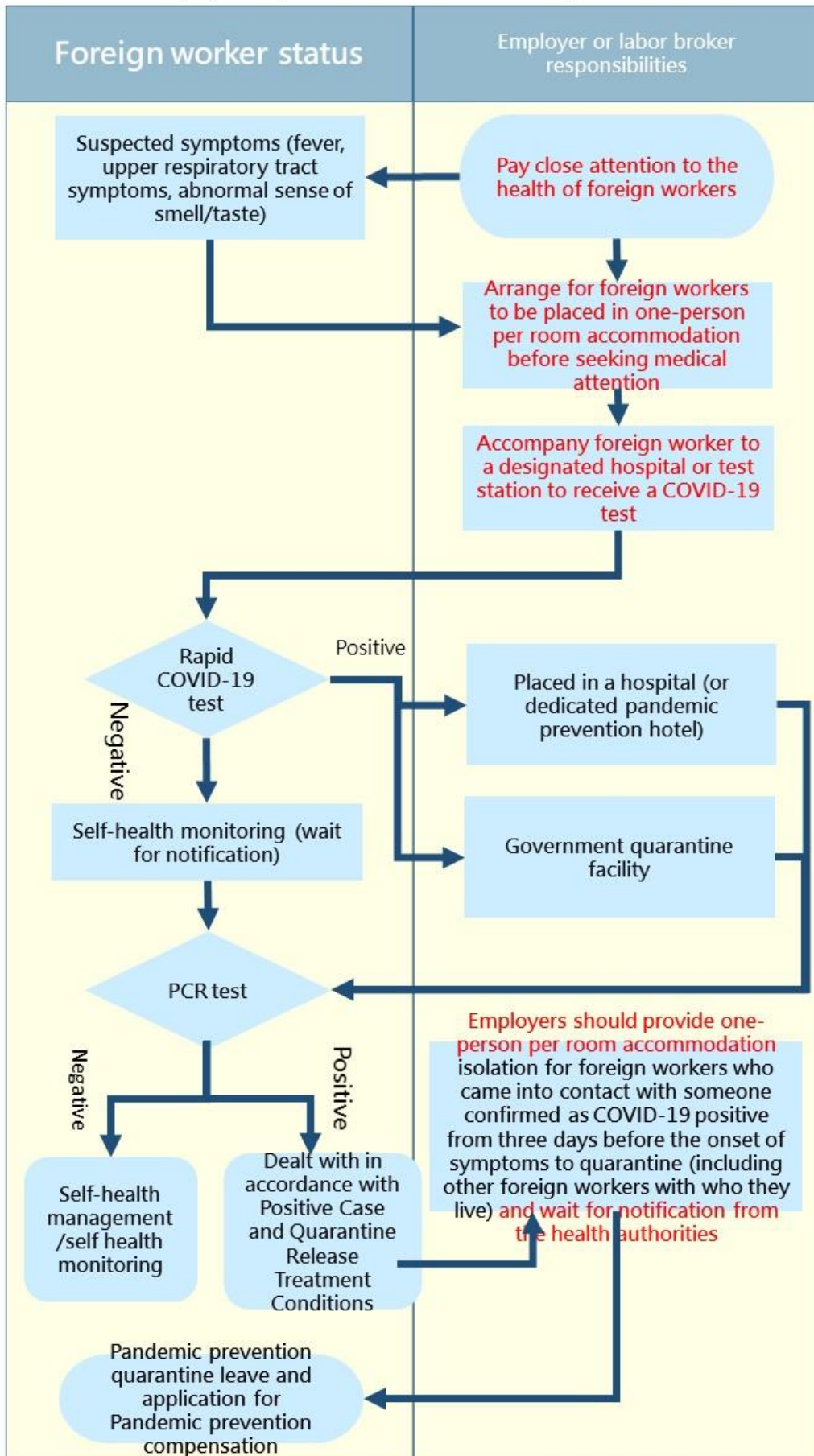
(1) For related information, latest announcements and pandemic prevention information on Severe Pneumonia with Novel Pathogens (COVID-19) see the official website of the Taiwan Centers for Disease Control (<https://www.cdc.gov.tw>) or call the toll-free 1922 Communicable Disease Reporting and Consultation Hotline (or 0800-001922).

(2) Foreign workers seeking assistance can also call the Ministry of Labor's 1955 Counseling and Protection Hotline or join the Labor Workforce Development Agency's "1955 E-Line" to receive the latest pandemic prevention information.

# 雇主協助就醫及隔離流程圖

附件 1

Employer help with medical treatment and quarantine



## 移工放假原則

一、 防疫隔離假：移工配合衛生主管機關執行「居家隔離」、「居家檢疫」、「集中隔離」或「集中檢疫」之要求，不得外出上班。無法出勤期間，移工依嚴重特殊傳染性肺炎防治及紓困振興特別條例第 3 條第 3 項規定請「防疫隔離假」，雇主應予准假，且不得視為曠工、強迫勞工以事假或其他假別處理，亦不得扣發全勤獎金、解僱或為其他不利之處分。

二、 疫苗接種假：移工前往接種疫苗，以及為避免接種發生不良反應，自接種之日起至接種次日 24 時止，得申請疫苗接種假。雇主應予准假，且不得視為曠工、強迫勞工以事假或其他假別處理，亦不得扣發全勤獎金、解僱或予不利之處分。

三、 防疫照顧假：高中職(含)以下學校及相關教育機構符合「校園因應『嚴重特殊傳染性肺炎』疫情停課標準」時，家長於停課期間如有照顧學童之需求，得請「防疫照顧假」。雇主應予准假，且不得視為曠工、強迫勞工以事假或其他假別處理，亦不得扣發全勤獎金、解僱或予不利之處分。

四、 依據「新型冠狀病毒感染防疫行為指引特別休假：依據勞動基準法第 38 條第 2 項規定，特別休假期日以勞工排定為原則，但雇主應加強宣導並盡量協調，避免於不同移工於同一日安排特別休假。

### 五、 普通傷病假

(一) 移工因普通傷害、疾病或生理原因必須治療或休養者，得依勞工請假規則第 4 條規定之標準請普通傷病假。請假時，原則應於事前親自以口頭或書面敘明請假理由及日數；但遇有疾病或緊急事故，亦可委託他人代辦請假手續。辦理請假手續時，雇主得要求移工提出有關證明文件。

(二) 依據「新型冠狀病毒感染防疫行為指引」，如請病假之事由係出現類似流感之症狀，如發燒、頭痛、流鼻水、喉嚨痛、咳嗽、肌肉痠痛、倦怠/疲倦、腹瀉、嗅味覺異常，在症狀開始後，宜先多休息、規律量測體溫並記錄，喝水及適量補充營養，觀察並用症狀減輕之藥物(例如：退燒解熱止痛的藥物)先處理是否緩解，應儘量在移工住所休息至症狀緩解後 24 小時以上，該段期間雇主應同意移工請假。

(三) 若出現發燒 24 小時不退，或者併發膿鼻涕、濃痰、嚴重嘔吐或喘等症狀，雇主應同意移工請假及立即就醫，且應派員陪同移工前往醫療院所(盡量避免搭乘大眾運輸工具)，以協助移工遵循社交距離規範。

六、 事假：移工因有事故必須親自處理者，得依勞工請假規則第 7 條規定之標準請事假。請假時，原則應於事前親自以口頭或書面敘明請假理由及日數；但遇有疾病或緊急事故，亦可委託他人代辦請假手續。辦理請假手續時，雇主得要求移工提出有關證明文件。另為免群聚提高感染風險，移工請事假時，雇主應提

供必要防疫資訊，包含社交距離注意事項等。

七、 婚假、喪假、公傷病假等其他勞工請假規則或性別工作平等法所定假別，依現行規定辦理，惟雇主仍應提供必要防疫資訊，包含社交距離注意事項等。

八、 移工於國定假日、例假及休息日等無須出勤期間，雇主宜鼓勵移工儘量在住所休息或休閒，並提供適當之設施設備。

九、 依照性別工作平等法第 14 條規定請生理假期間，雇主宜勸導移工儘量在住所休息。

**Foreign Worker Leave – Guiding Principles**

1. Pandemic prevention quarantine leave: Any foreign worker who cooperates with the request of the health authorities to “home isolate,” “home quarantine,” or “isolate/quarantine in a government quarantine facility” is unable to go to work. In accordance with Paragraph 3, Article 3 of The Special Act for Prevention, Relief and Revitalization Measures for Severe Pneumonia with Novel Pathogens, for the period the foreign worker is unable to work he/she can apply for “pandemic prevention quarantine leave.” Employers must agree to such a request and cannot consider it absenteeism or force the worker to take regular or any other category of leave. They are also forbidden from making deductions from the full attendance bonus, firing or otherwise punishing the worker.
2. COVID-19 vaccination leave: Foreign workers are allowed to take vaccination leave lasting from the day they receive the vaccination jab until midnight the next day, in order to avoid any adverse reaction to being vaccinated. Employers must agree to such a request and cannot consider it absenteeism or force the worker to take regular or any other category of leave. They are also forbidden from making deductions from the full attendance bonus, firing or otherwise punishing the worker.
3. Pandemic care leave: When schools at vocational high school or high school level and below and related educational institutions meet the “Standards for Suspending Classes in Response to ‘Severe Pneumonia with Novel Pathogens (COVID-19)’,” parents and guardians who need to look after their children for the period when there are no classes can apply for “pandemic care leave.” Employers must grant such applications for leave without considering it absenteeism or forcing the worker to take regular or any other category of leave. They are also forbidden from making deductions from the full attendance bonus, firing or otherwise punishing the worker.
4. Based on the “Guidelines to Prevent Coronavirus Infection: Annual Leave,” in principle Paragraph 2, Article 38 of the Labor Standards Act defines annual leave days as determined by the work schedule. However, employers should enhance the guidance offered to foreign workers and strive to coordinate with them to avoid large number of workers taking annual leave at the same time.
5. Ordinary sick leave
  - (1) If a foreign worker needs treatment or to convalesce as a result of an ordinary injury, illness or for physiological reason, he/she must apply for ordinary sick leave based on the standards detailed in Article 4 of the “Regulations of Leave-taking of Workers.” In principle, before an application for leave is made the worker should inform the employer of the reason and the number of leave days verbally or in writing. However, in the case of an illness or emergency, a worker can ask a third party to complete the leave application procedures on their behalf. When processing a leave application, the



employer can ask the foreign worker to provide related documentation.

(2) Based on the “Guidelines to Prevent Coronavirus Infection” if the reason for taking leave is the development of cold-like symptoms including a fever, headache, runny nose, sore throat, cough, muscle soreness, lethargy/fatigue, diarrhea, abnormal sense of smell or taste, then following the onset of the symptoms the worker should first rest and regularly record his/her body temperature, drink a lot of water, and eat properly, while taking medicine to alleviate the symptoms (for example anti pyretics and painkillers) and note whether they provide relief. The foreign worker should rest at his/her place of residence for 24 hours or more until the symptoms ease and the employer must agree to grant leave for this period.

(3) If a foreign worker has a fever for 24 hours with thick nasal discharge, thick sputum, severe vomiting, or labored breathing, the employer should agree to grant leave and immediately arrange medical attention. Personnel should accompany the foreign worker to the clinic or hospital (where possible avoiding the use of public transport), to ensure social distancing rules are observed.

6. Personal leave: If a foreign worker has personal matters he/she needs to deal with then an application for personal leave can be made in accordance with Article 7 of the Regulations of Leave-taking of Workers. In principle, before an application for leave is made the worker should inform the employer of the reason and the number of leave days verbally or in writing. However, in the case of an illness or emergency a worker can ask a third party to complete the leave application procedures on his/her behalf. When processing a leave application, the employer can ask the foreign worker to provide related documentation. In addition, to prevent group gatherings increasing the risk of infection, when a foreign worker applies for leave the employer should provide necessary pandemic prevention information, including on social distancing precautions.

7. Other rules on worker leave or categories of leave designated in the Regulations of Leave-taking of Workers or Gender Equality Employment Act, such as wedding leave, bereavement leave occupational sickness leave etc., are processed in accordance with existing regulations. However, employers should still provide necessary pandemic prevention information, including on social distancing precautions.

8. During periods when foreign workers are not required to work such as public holidays, **official holidays** and rest days, employers should encourage them to rest or engage in leisure activities in their accommodation, while also providing the equipment to meet such needs.

9. In accordance with Article 14 of the Gender Equality Employment Act, when a foreign worker asks for menstrual leave, the employer should encourage her to stay at home and rest.