

**“Keeping Foreign Mid-Level
Technical Workers Scheme”
(Revised version)**

Ministry of Labor

March 2022

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I. Origin of the Scheme

i. Origin

This scheme has its origin from the “New Southbound Policy Special Review Conference” called by the President on July 9 2021, with the instruction of, “presenting the design of the local population and immigration policy of Taiwan led by the National Development Council on the basis of the three-in-one policy mindset of population, education, and labor”. In the report to the President from the National Development Council on “Population and Migration Policy Planning” on July 26 2021, resolution was made whereby the National Development Council shall invite the Ministry of Economic Affairs, Ministry of Education, Commission of Overseas Chinese Affairs, and Ministry of Labor to study and discuss under the immigration policy framework and objective proposed by National Development Council, and the Ministry of Education, Commission of Overseas Chinese Affairs, and Ministry of Labor to map out related action plans and implementation of these plans.

For the advocacy of the policy, the National Development Council established the “5 Ministers Meeting on Population Vitalization and Immigration Policy” on August 12 2021 by the Ministry of Economic Affairs, Ministry of Education, Overseas Chinese Affairs Council and the Ministry of Labor to the invitation of National Development Council. There task forces have also been established for the advocacy of “Intensification of the Recruitment of Professional Talents from Overseas”, “Intensification of Attracting and Keeping Overseas Chinese Students and Foreign Students”, and

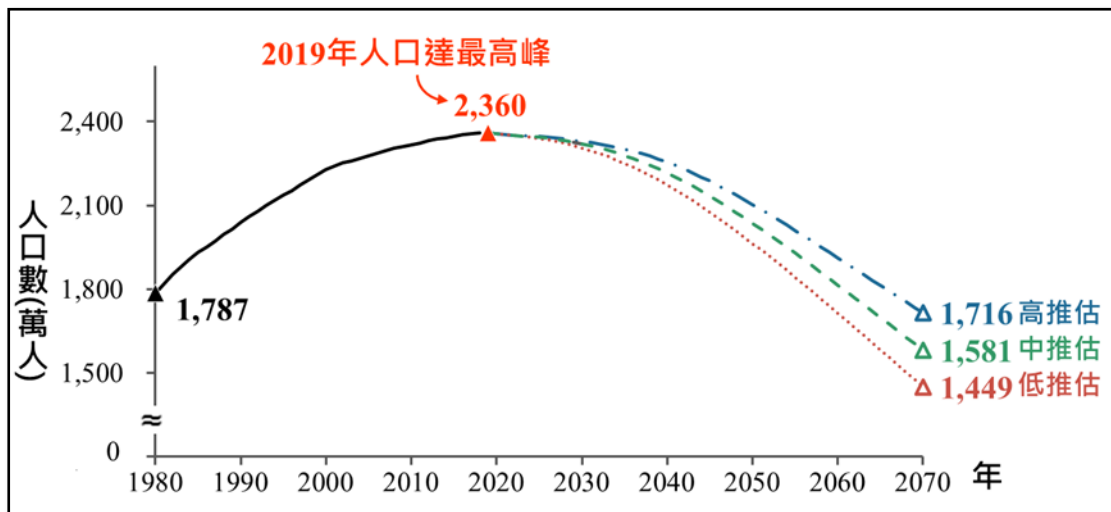
“Study on the Keeping of Foreign Technical Personnel” with relevant actions plans on August 12 2021. Prospective candidates among the foreign technical personnel include overseas Chinese students and foreign students who have earned associate bachelor degree and above, and engaged in mid-level technical duties. Foreign workers who are under age 30 and employed under subparagraphs 8-10 of paragraph 1 under Article 46 of the Employment Service Act (hereinafter referred to as “migrant workers”) are encourage to go for the associate bachelor degree. Upon graduation, they may choose to stay in Taiwan for engagement in specialized technical work or mid-level technical work. Migrant workers who have been employed in Taiwan for 6 full years may convert their identity for engagement in mid-level technical work.

The Ministry of Labor has completed the “Keeping Foreign Mid-Level Technical Workers Scheme” in accordance with the aforementioned instruction and resolutions of related meeting (hereinafter, “the Scheme”)

ii. The Background for Advocacy

According to the projection of population size by the National Development Council, the rapid aging will result in the increasing decline of human population. In 2070, the population of Taiwan will fall to 14.49 million to 17.16 million, or 60% -70% the population size of 2021, as shown in Figure 1.

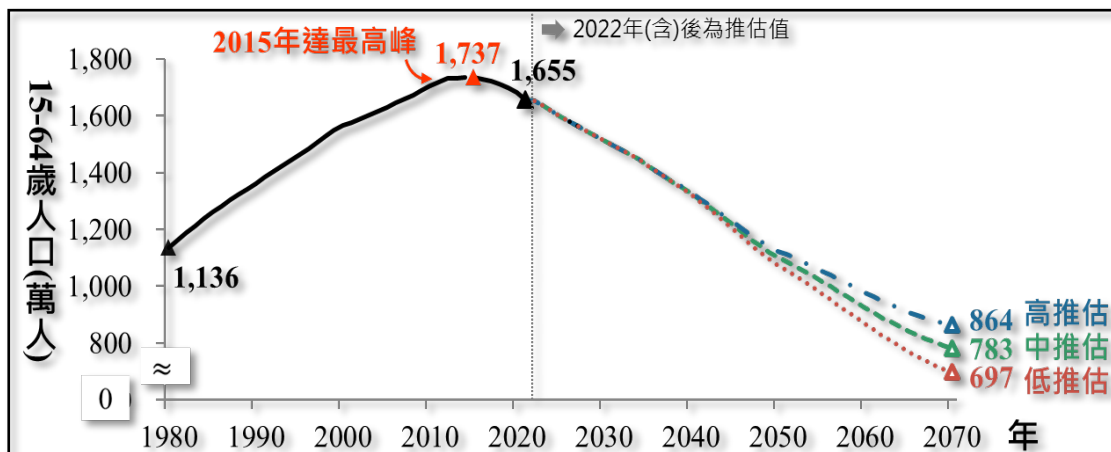
1. Figure Projected change in the total population of Taiwan



Source: National Development Council Projection of population and labor.

In Taiwan, the working population was peaked in 2015 at 17.37 million, and will fall significantly to 6.97 to 8.64 million in 2070.

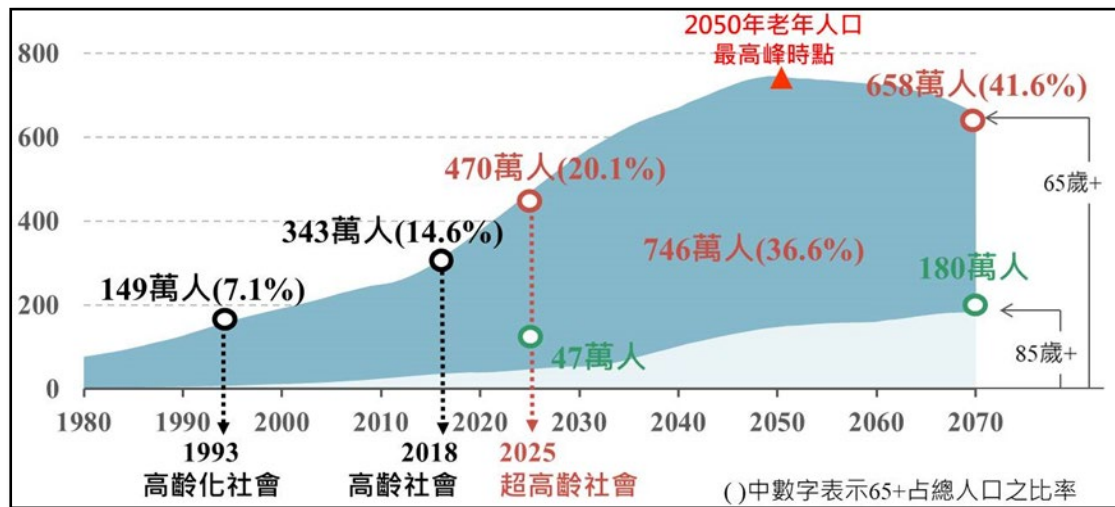
Figure 2. The projection trend of change in the working age population in Taiwan.



Source: National Development Council Projection of population and labor.

Taiwan became an aging society since 2018 and will turn into a hyper-aged society in 2025. Under the rapid development of the aging population, the hyper-aged (age over 85) population was accounted for 10.5% of the aging population in 2021, and will increase to 27.4% in 2070, as shown in Figure 3.

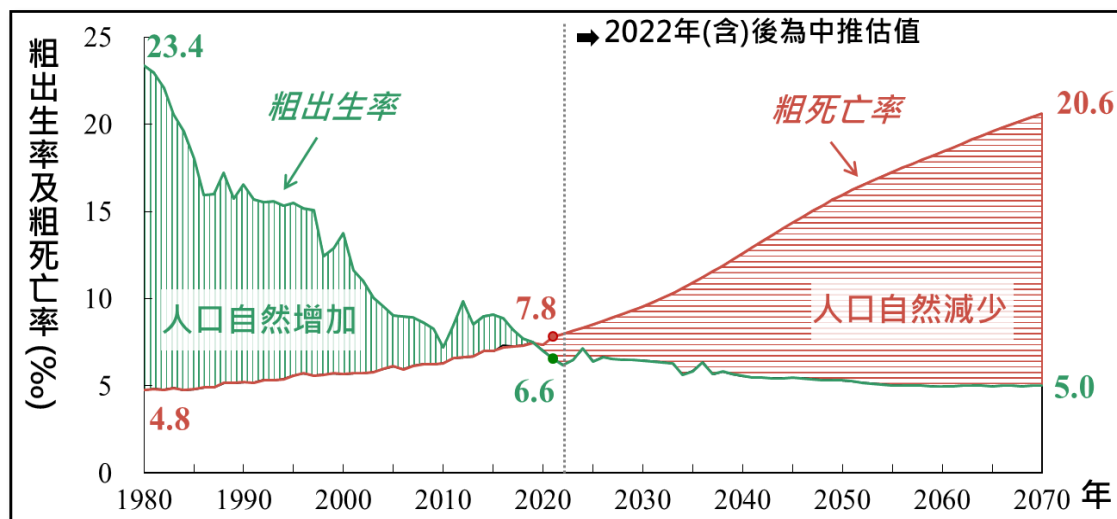
Figure 3. Projection of the development of the aging society of Taiwan



Source: National Development Council Projection of population and labor.

In 2021, the birth rate in Taiwan was 154,000 people and the mortality rate were 184,000 people. The natural increase turned negative 30,000 people. Indeed, the gross mortality rate will surpass the gross birth rate beyond 2021. The population turns natural decline, as shown in Figure 4.

Figure



Source: National Development Council Projection of population and labor.

2021 was a vital turning point of the population structure in Taiwan characterized by “decline of the working age population”,

“rapid increase of the aging population”, and “decline of the birth rate”, which indicated critical change in the population structure. For keeping the momentum of Taiwan in economic growth, it will be necessary to pursue a high-handed labor policy. Further to improving the domestic labor force in quantity and quality, it is necessary to attract immigrants from abroad to fill the vacancies in labor force.

The policy of migrant worker of Taiwan aimed as protecting the local employment population and avoiding hindrance to social stability. The granting of employment period for the migrant workers in Taiwan cannot properly fit into the framework of the migrant worker policy. Under the incremental decline of the working population, a new mindset of the migrant worker policy becomes necessary in order to search and attract good quality migrant workers to stay in Taiwan, and choose good quality and stable foreign technical workers for keeping them staying in Taiwan to fill the vacancies of labor force to make the migrant worker system effective. Overseas Chinese students have been trained with the input from the country. Keeping them to stay in Taiwan for working is also an alternative to bolster the pool of human resources of Taiwan. Our Asian neighbor, Japan, has already launched the policy of preferential treatment for migrant workers to attract good quality technical manpower. It will be pressing for Taiwan to study on how to keep foreign technical personnel, overseas Chinese students, and foreign students and convert them into skilled immigrants.

iii. Assessment and analysis of the issues

According to the statistics from the survey of human resources employment released by the Executive Yuan Directorate-General of Budget, Accounting, and Statistics at the end of August 2021, there were 90,517 vacancies in the manufacturing sector of which 25,320 are for technicians and assistant professional personnel. As skilled workers, machinery and equipment operators, and assembly workers, there were 38,890 vacancies. In the construction sector, there were 25,758 vacancies of which 5,797 were for technicians and assistant professional personnel. As for skilled workers, machinery and equipment operators, and assembly workers, there were 13,248 vacancies. It is obvious that there is the demand for mid-level technical workers in the industrial sector of Taiwan.

As of the end of November 2021, there were 675,672 migrant workers in Taiwan of whom 446,769 were engaged in industrial works while 228,903 were engaged in long-term care service duties. The migrant worker population by industry is shown in Table 1.

Table 1. Migrant worker population in Taiwan - by country of origin and industry

Industry		End of November 2021						
		Country	Indonesia	Vietnam	The Philippines	Thailand	Malaysia West Asia	Others
Total		675,672	238,787	236,511	143,181	57,185	7	1
			35.34%	35.00%	21.19%	8.46%	0%	0%
Industry	Manufacturing	429,675	58,557	203,473	115,353	52,285	7	0
		63.59%						
	Construction	6,514	370	1,615	89	4,440	0	0
		0.96%						
	Agricultural, forestry, fishery and livestock farming	10,580	6,974	2,179	1,343	84	0	0
		1.57%						

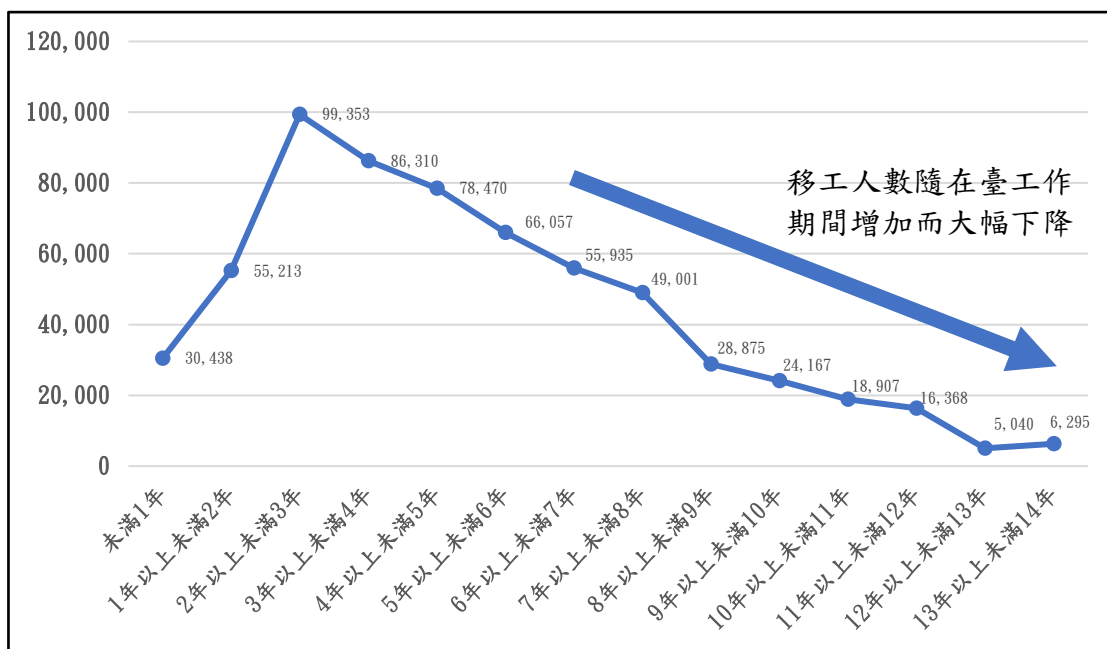
Social welfare	Nursing care workers	227,440	171,922	29,206	25,945	367	0	0
		33.66%						
	Maids	1,463	964	38	451	9	0	1
		0.22%						

Source of information: compiled by the Ministry of Labor

Note: The other is 1 person, who is an Indonesian maid employed by a senior white collar foreigner.

As of the end of November 2021, there were 204,588 migrant workers who have been working in Taiwan for more than 6 years of whom 116,792 were employed in the manufacturing sector, 83,848 were employed as nursing care workers. There were 46,610 migrant workers who have been working in Taiwan for more than 10 years of whom 19,976 were employed in the manufacturing sector and 25,779 were employed as nursing care workers. The statistic on the duration of employment of migrant workers in Taiwan is shown in Appendix 1. Further analysis of the trend of the term of service of migrant workers in Taiwan indicated that there is significant decline in the migrant worker population in the period of 6 to 8 years of service in Taiwan, which is shown in Figure 4. This indicated that the employment period of 6 years will be the critical moment for keeping good quality migrant workers for conversion as mid-level technical workers as a policy option.

Figure 5. The trend showing the year of service of migrant workers in Taiwan - by term of employment



Source of information: compiled by the Ministry of Labor

After staying in Taiwan for certain period of time, migrant workers have already developed basic work skills and understand the society and the culture of Taiwan well. The commitment of resources of the employment in providing training allowed for harmonious labor-management relation. According to Article 52 of the Employment Service Act, migrant workers are not permitted to work in Taiwan for more than 12 years in accumulation. Migrant workers in the capacity as home nursing care workers are not permitted to work in Taiwan for more than 14 years in accumulation. As such, migrant workers must depart by the deadline and can no longer stay in Taiwan to work. They may go to other countries to continue their employment.

Further, Article 25 of the Immigration Act requires that the duration of employment of migrant workers cannot be counted as residency in Taiwan and hence cannot apply for permanent residency

with the Immigration Administration of Ministry of Interior. As such, these migrant workers who have developed technical skill to a certain level cannot immigrate to Taiwan.

Under the constraint of the duration of employment in Taiwan for migrant workers, and the high demand for human resources in the industrial sector and long-term nursing care, keeping skilled migrant workers for conversion into mid-level technical workers can help to fill the vacancies of mid-level technical workers in Taiwan. This is not only an input to the industrial development of Taiwan, but also a satisfaction of the need in the caring of the handicapped families. The availability of the channels for good quality migrant workers leading to immigration is a solution for the crisis of the sub-replacement fertility and aging population in Taiwan.

Countries like Singapore, Japan and Canada have unveiled preferential treatment for converting migrant workers into immigrants in order to attract and keep skilled foreign workers, as shown in Table 2. Many countries have established the mechanisms of skill recognition and salary level for migrant workers engaged in basic level of work, and do not exert any restriction on the term of employment for good quality technical workers. In addition, migrant workers may apply for permanent residency in the duration of employment and can bring along family members to stay. The policies of different countries in keeping migrant workers.

Table 2. Table showing the system of keeping migrant workers in different countries

Country	Type of work	Name	Years of service	Skill recognition	Salary level	Permanent residency	With dependent
Singapore	Basic workers	Work permit	V	X	X	X	X
	Skilled workers	S permit	X	V (education at certain level with related work experience)	V (Higher than SGD 2,500, or Approximately NT\$51,000)	V	V
Japan	Basic workers	Skilled interns	V	X	X	X	X
		Special skill no. 1	V	V	V	X	X
	Skilled workers	Special skill no. 2	X	V (required to pass the expertise skill test)	V (Salary should be relevant with market standard. In Japan, the average salaries in 2020 was JPY174,600 ¹ , or approximately NT\$42,000).	V	V
Canada	Basic workers	Temporary alien workers program	V	X	X	X	X
	Skilled workers	Nanny and Home Nurse Pilot Project	X	V (at least 2 years of experience in the above work)	V (Approximate the mode of the salary level in the regional market. The average monthly salary in Canada is CDN 2,681, or approximately NT\$60,000)	V	V

Source of information: compiled by the Ministry of Labor

¹ Under the order of the Ministry of Health and Welfare of Japan on March 31 2021, 「令和 2 年賃金構造基本統計調査の概況」之「外国人労働者の在留資格区分別賃金」 average salaries of designated skilled workers.

Overseas Chinese students have already obtained diplomas of receiving education in Taiwan. They have developed the basic level of knowledge and skill and understand the society and culture of Taiwan quick well and can adapt to the folk culture and daily life of Taiwan. Yet, overseas Chinese students who have obtained associate bachelor degrees cannot meet the qualification requirement of professional or technical work that make it difficult to use the grading system of overseas Chinese students and foreign students to stay in Taiwan for engagement in professional duties. If they could be kept as technical workers, it would be return on the investment of Taiwan in education and congruent with the policy objective of keeping good people. This is also a source of good quality technical personnel.

In sum, the Ministry of Labor should review the rules and regulations governing migrant workers and overseas Chinese students and foreign students staying in Taiwan for employment currently in effect in light of the strong demand for good quality people in Taiwan for maintaining the balance of supply and demand in the job market and reinforcement of the foundation of the industrial sector. In addition, the Ministry of Labor should also map out this Scheme with reference to the practices of other countries to attract good quality overseas Chinese students and foreign students and skilled migrant workers to stay in Taiwan for work through the mechanism of keeping foreign mid-level technical workers. In filling the vacancies of mid-level technical workers, this policy could also help to solve the immediate problem of the negative growth of population and bolster the competitive power of Taiwan in the world.

II. Purpose of the Scheme

Keeping overseas Chinese students and foreign students and skilled migrant workers in supporting the industrial development need of Taiwan, bolstering the human resources requirements and upgrading the competitive power on condition that the right of the local population for employment and salaries condition remained unaffected.

Keeping graduated overseas Chinese students and foreign students and skilled migrant workers in conjunction with the immigration system to improve the population structure of Taiwan.

III. Framework of the Scheme and Action Plans

i. Framework of the Scheme

According to the Employment Service Act currently in effect, foreigners may engage in professional works (specified in subparagraphs 1 to 6 of paragraph 1 under Article 46 of the Employment Service Act) and basic level labor-intensive work (specified in subparagraphs 8 to 10 of paragraph 1 under Article 46 of the Employment Service Act). For engagement in professional works, foreigners must meet the requirement of working experience for 2 years and the salaries offered by the employers must be NT\$47,971 or higher, or overseas Chinese students or foreign students graduated from Taiwan and earned 70 points in the scoring system (total 190 points) may engage in professional work or technical work in Taiwan. The manufacturing industry, construction industry, agricultural and fishery industry and long-term care service industry

are opened for recruitment of migrant workers for engagement in basic level labor-intensive duties.

As designed in the Scheme, foreigners are deregulated for engagement in mid-level technical works further to professional work and basic level labor-intensive work. Prospective candidates are overseas Chinese students and foreign students who have graduated in Taiwan and earned the associate bachelor degree or above, and Category II foreigners who have been working in Taiwan for 6 years and meet specific technical requirement with monthly salary above the required level. For keeping the human resources in need, employers may present application and related documents to apply with the Ministry of Labor. Once approved, the aforementioned candidates may stay in Taiwan for engagement in mid-level technical works.

Foreign mid-level technical workers who have been permitted to work in Taiwan for 5 consecutive years may apply for staying in Taiwan for work or for permanent residency, naturalization, or settlement as economic immigrants in Taiwan in the future.

Figure 6. Framework for Employment and Keeping Foreigners



Source of information: compiled by the Ministry of Labor

ii. Substantive plan

i. Mid-level technical work:

The Ministry of Labor has delegated a group of experts and scholars to study on mid-level technical workers, and comes up with the definition that, “those who are in possession of the wealth of experience, professional knowledge, well-developed skill, and independent judgement. And have performed the duties of operation, control, planning, communication or coordination, or duties beyond simple and routine labor service, and can accomplish the task independently under partial change and unusual circumstances”.

With reference to the technical level of the “Occupational Standard Classification in the Republic of China” compiled by the Executive Yuan Directorate-General of Budget, Accounting and Statistics, foreigners should at least be capable of the skill of manual operation, reading information on the safety operation manual, filling

in work record, and computation of accurate data, and engaged in skillful works, machine and equipment operation and assembly, agricultural, forestry, fishery and livestock farming work, personal healthcare work, and other works designated by the central competent authority administering the functions.

ii. Prospective candidates

1. Working in Taiwan for more than 6 consecutive years, or working in Taiwan for 12 years cumulatively (14 years for home nursing care workers), and have departed, and have no record on violation of law while staying in Taiwan².

2. Overseas Chinese students and foreign students who have earned an associated bachelor degree or higher from schools of higher education in Taiwan.

iii. Types of works opened for application

Mid-level technical works opened for application are deep sea fishing, manufacturing, construction, extensive farming, agriculture (limited to orchid, mushroom, vegetable, excluding animal slaughtering, aquaculture, livestock husbandry, and poultry and animal manure compost), nursing care work at institutions, family nursing care work, and other works in the strategic industries designated by the central competent authority administering the function.

² For example, work without employment permit, which is a violation of Article 73 of the Employment Service Act.

iv. Recruitment in Taiwan and application procedure

According to Article 47 and Article 48 of the Employment Service Act, in employing foreigners for engagement in the work specified in subparagraph 11 of paragraph 1 under Article 46 of the Employment and Service Act, including the employment of foreigners for engagement in mid-level technical work, employers shall recruit from the local population under reasonable terms and conditions of employment in the first place. If the recruitment process from the local population cannot satisfy the needs, employers may apply with the Ministry of Labor with the presentation of related documents to fill the vacancies left behind.

According to Article 47 and Article 48 of the Employment Service Act, in employing foreigners for engagement in the work specified in subparagraph 11 of paragraph 1 under Article 46 of the Employment and Service Act, including the employment of foreigners for engagement in mid-level technical work, employers shall recruit from the local population under reasonable terms and conditions of employment in the first place. If the recruitment process from the local population cannot satisfy the needs, employers may apply with the Ministry of Labor with the presentation of related documents to fill the vacancies left behind.

v. Eligibility of Employers

According to subparagraphs 8-11 of paragraph 1 under Article 46 of the Employment Service Act on qualification of work engagement and review standard on eligible foreigners (hereinafter, “review standard”), the requirement of the employers for employing migrant workers in engagement in manufacturing work, construction work, deep sea fishing work, agricultural work, nursing care work.

vi. Qualification Requirements of Foreigners

1. Technical requirement: meet any of the qualification requirements of professional license/certificate, training, or recognition of practical work, as shown in Appendix 2. Technical requirement shall be subject to review and adjustment by the central competent authority administering the function from time to time.

2. Amount of salaries:

(1) The salaries for employment of foreign mid-level technical workers shall not fall below the following levels and will be subject to review and adjustment in line with the change in the domestic job market from time to time:

A. Works in manufacturing, construction, deep sea fishing, and agriculture: routine monthly salaries³ amounted to NT\$33,000 or more⁴, or the total annual salaries⁵ at NT\$500,000 or more.

B. Nursing care work at institutions: routine monthly salaries shall at least be NT\$29,000⁶.

C. Home nursing care work: total monthly salaries shall amount to NT\$24,000 or more.

3 Routine salaries shall be defined by the Executive Yuan Directorate-General of Budget, Accounting and Statistics, including basic salary and monthly payment of allowances and bonus, like housing allowance, transport subsidy, meals, utilities, and the monthly bonus and reward (production, performance, productivity). For payment in kind, it should be counted at liquidated price. The above payment is not subject to deduction of income tax, insurance premium and union due.

4 Based on the survey of the Ministry of Labor on salaries by job function in 2020 on skilled labor in manufacturing, machinery and equipment operation and assembly personnel that the routine salaries shall amount to NT\$31,152 with the addition of employment stability fee of NT\$2,000.

5 Total salaries shall be based on the definition of the Executive Yuan Directorate-General of Budget, Accounting and Statistics, which shall be the salaries payable to the employees in employment for the month at the end of the month, including regular salaries, compensation for overtime duties and other salaries not payable regularly.

6 Basing on the survey of the Ministry of Labor on salaries by job function in 2020 on medical and healthcare service personnel (including nursing, puerperal rehabilitation) that the routine salaries shall amount to NT\$27,336 with the addition of employment stability fee of NT\$2,000.

(2) The routine monthly salaries for overseas Chinese students and foreign students holding associate bachelor degree and engaged in manufacturing work, construction work, deep sea fishing work, and agricultural work at mid-level skill shall amount to NT\$30,000 or more. For the routine monthly salaries of particular overseas Chinese students and foreign student who applied for employment permit for the 2nd time or renewed employment permit, the routine monthly salaries shall amount to NT\$33,000 or more or the total annual salaries shall amount to NT\$500,000 or more.

3. Employers who employ foreign mid-level technical workers with routine monthly salaries amounting to NT\$35,000 or more could be exempted from the requirement of professional license/certificate, training, or recognition of practical work.

vii. Quota for keeping:

1. Overall quota: no quota for industries in demand for mid-level technical workers and in long-term care works.

2. Quota for individual employers in the application (as shown in Appendix 3):

(1) Deep sea fishing

A. Fishing vessels: employers may apply for the employment of mid-level technical workers up to the allowable members of crew as stated in the fishing license net of the minimum number of crew members in sailing and multiply by 25%.

B. net-pen cage fish culture: employers may apply for the employment of mid-level technical workers on the basis of the aquaculture area as stated in the fishing license of certificate of feeding capacity that one mid-level technical worker may be employed for taking care of 1/2 hectare.

(2) Manufacturing, construction, agriculture, and nursing care at institutions:

A. The number of foreign mid-level technical workers to be employed by employers shall not be more than 25% of the migrant workers approved for employment. But may employ at least 1 person. The standard of determining the ratio of workers to be employed in respective industries:

(A) Manufacturing industry: at the (3K) ratio for special production process as determined by the central competent authority administering the function (40%, 35%, 25%, 20%, 15%, 10%) in the calculation.

(B) Construction industry: at the ratio of human resources requirement under the Engineering Budget Act (20% to 40%, or at the ratio specifically determined by the Executive Yuan) in the calculation.

(C) Agricultural industry:

a. Extensive farming: on the basis of the approved number of workers approved by the central competent authority administering the function.

b. Crop plantation (orchid, mushroom, vegetable): at 35% of the approved ratio.

(D) Nursing care at institutions: basing on the number of beds registered by respective institutions, at the ratio of 35% for institutions with less than 50 beds, at 32% for institutions with 50 to 99 beds, and 30% for institutions with more than 100 beds.

B. Foreigners employed as migrant workers, foreign mid-level technical workers and foreigners engaged in professional works under the same certificate number of labor insurance

of particular employer (under subparagraph 1 of paragraph 1 under Article 46 of the Employment Service Act) shall not be more than 50% of the total number of employees under the same certificate number of labor insurance of particular employer.

(3) Home nursing care workers: In applying for employment of foreign mid-level technical workers only 1 home nursing care worker or mid-level home nursing care worker may be employed for the caring of particular person except this person is paralyzed or zero under the Barthel Index that 1 more worker may be employed. Particular migrant worker who has been applied as nursing care worker cannot be applied repeatedly as mid-level technical worker.

3. Foreign mid-level technical worker who has obtained permanent residency and has been approved for issuance of employment permit pursuant to subparagraph 4 of paragraph 1 under Article 51 of the Employment Service Act is not include in the quota of the employer for application of foreign workers.

viii. Management mechanisms in Taiwan:

1. Duration of employment and repetition of application: according to Article 52 of the Employment Service Act, permit for the employment of foreign mid-level technical worker could be issued for up to 3 years for each instance and there is not restriction on the repetition of application.

2. Switching employers: according to Article 53 and Article 59 of the Employment Service Act, foreign mid-level technical workers may switch to another employer or job within the validity of the employment permit on condition that there is no fault of the foreigner. Switching to another employer or job is permitted at the expiration of term of employment.

3. Employment management:

- (1) Caring of livelihood: in employing foreign mid-level technical workers, employers shall provide meals and accommodation the same as for the employment of migrant workers in the same industry in accordance with the Regulations Governing the Permission and Management of Employing Foreigners and Discretion Standard for the Plan of Caring and Service of Foreigners. If specific foreign mid-level technical worker elects to live outside for personal reason, the employer shall arrange as required.
 - (2) Billing standard for private placement service institutions: according to Article 5 of the Items and Standard of Billing for Private Placement Service Institutions, private placement service institutions may charge registration fee and finder fee on foreigners who have appointed the institutions to provide employment service for foreign mid-level technical workers (in general, no more than the salaries of the 1st month of employment) and apply a service charge (no more than NT\$2,000 per year).
 - (3) Authentication of rescission of agreement: If specific foreign mid-level technical worker in employment of an employer terminates the employment relation within the validity of the employment permit and depart from Taiwan, the employer shall proceed with paragraph 2 under Article 45 of the Regulations Governing the Permission and Management of Employing Foreigners thereby report to the local competent authority before the departure of the foreigner. The local competent authority will then probe for the true intent of the foreigner before departure.
 - (4) Others: Proceed with the Employment Service Act and other applicable legal rules.
4. Dependent residency: For respecting the right of foreign mid-level technical workers in family gathering and assuring the foreigners in

point are able to afford the living expenses of the dependents, foreign mid-level technical workers who have an average monthly salaries amounting to NT\$53,000 may apply for the residency of their dependents.

5. Permanent residency: Foreign mid-level technical workers who have lawfully residing in Taiwan for more than 5 consecutive years may apply for permanent residency with the Immigration Administration, Ministry of Interior pursuant to Article 25 of the Immigration Act. ⁷Once approved for permanent residency, foreigners may apply with the Ministry of Labor for obtaining individual employment permit pursuant to subparagraph 4 of paragraph 1 under Article 51 of the Employment Service Act, and may be employed in any industry without restriction in Taiwan.

IV. Division of labor among the government agencies

Items of works	Responsible agencies
1. Amendment of law.	
1.1 Orders for amendment to the laws governing the employment of foreign mid-level technical workers in Taiwan.	Ministry of Labor
1.2 Establishment of the technical qualification requirements for foreign mid-level technical workers (list out the professional licenses and certificates, determine the content and recognized hours of training, determine the rules for recognition of practical work and review mechanism).	Ministry of Economic Affairs, Ministry of Interior, Ministry of Health and Welfare, and Commission of Agriculture
1.3 Put together and announce the technical qualification requirements for foreign mid-level technical workers	Ministry of Labor
1.4 Conditions for dependent residency	Ministry of Interior, Ministry of Foreign Affairs

⁷ Pursuant to Article 15 of the Enforcement Rules for the Immigration Act, foreigners shall meet any of the following conditions for applying permanent residency: 1. The average monthly salaries in last year exceeds 2 times of the basic salaries announced by the Ministry of Labor. 2. The total of movables and property in Taiwan amounting to NT\$5,000,000 or more. 3. Certificate of specialized profession and technical personnel or technical skill verification issued by related government agencies of Taiwan. 4. Any others as recognized by the Immigration Administration.

2. Supervision of policy	
2.1 Intensify the supervision of employers in enterprises and the employed migrant workers.	Ministry of Economic Affairs, Ministry of Interior, Ministry of Health and Welfare, Commission of Agriculture, Ministry of Labor.
2.2 Intensify the supervision of schools	Ministry of Education
2.3 Intensify the supervision of overseas Chinese, overseas Chinese schools, overseas Taiwan business, and alumni associations of graduates staying in Taiwan.	Commission of Overseas Chinese Affairs
3. Issuance of employment permit for foreign mid-level technical workers.	
3.1 The administration of the issuance of foreign mid-level technical workers employment permit.	Ministry of Labor
3.2 Review the technical qualification of the foreign mid-level technical workers and issue certification documents.	Ministry of Economic Affairs, Ministry of Interior, Commission of Agriculture
4. Review of the mechanism for keeping foreign mid-level technical workers.	
4.1 Review the policy objective of keeping foreign mid-level technical workers from time to time.	National Development Council, Ministry of Labor
4.2 Review the qualification requirement of foreign mid-level technical workers from time to time.	Ministry of Economic Affairs, Ministry of Interior, Ministry of Health and Welfare, Commission of Agriculture, Ministry of Labor.

V. Expected result

- I. The employment of foreign mid-level technical workers by employers could help to fill the gap of the labor population of Taiwan in the short run and also stimulate production and consumption, and improve the population structure in the long run.
- II. Each term of employment of foreign mid-level technical workers is 3 years and there is no limitation of repeated employment. This

could also be linked to the immigration policy of Taiwan that helps to keep good quality and stable labor force, which eventually helps to strengthen the industrial competitive power and drive for further growth of the labor wages.

III. The upward adjustment of the salaries for the employment of foreign mid-level technical workers helps to keep good quality people in Taiwan. As compared with the migrant workers, foreign mid-level technical works pay less for the service charge to private placement service institutions, which could mitigate the financial burden of the migrant workers and improve the international image of Taiwan.

Appendix 1- - The Migrant Worker Population in Taiwan in the duration of employment

Data date: November 30 2021

Industry type Term	Deep sea fishing	Family Maids	Family Nursing	Works designated by the central competent authority				Subtotal
				Manufacturing	Construction	Nursing care workers at institutions	Agricultural	
Less than 1 year	156	31	2,037	26,335	961	568	350	30,438
1 to 2 years	600	173	14,268	37,360	1,429	1,243	140	55,213
2 to 3 years	1,232	272	27,867	67,012	947	1,984	39	99,353
3 to 4 years	916	120	21,682	61,202	596	1,754	40	86,310
4 to 5 years	906	134	19,789	55,447	443	1,711	40	78,470
5 to 6 years	741	89	20,283	43,065	437	1,419	23	66,057
6 to 7 years	626	87	17,505	36,161	289	1,240	27	55,935
7 to 8 years	618	56	14,955	32,024	198	1,135	15	49,001
8 to 9 years	457	41	11,840	15,706	148	676	7	28,875
9 to 10 years	364	46	10,095	12,925	103	623	11	24,167
10 to 11 years	330	32	7,898	10,120	59	465	3	18,907
11 to 12 years	334	31	5,680	9,856	64	401	2	16,368
12 to 13 years	-	-	5,040	-	-	-	-	5,040
13 to 14 years	-	-	6,295	-	-	-	-	6,295
Total	7,280	1,112	185,234	407,213	5,674	13,219	697	620,429

Note 1: The above statistical figure does not cover 55,243 migrant workers who remained at large.

Note 2: Duration of the migrant workers staying in Taiwan is counted on the basis of the change in the tracking of passport numbers of the foreigners on arrival and the period of staying in Taiwan for working in accumulation.

Appendix 2- Technical qualification requirements of foreign mid-level technical workers

Foreign mid-level technical workers by industry

Serial number	Type of work	Professional certificate/license	Training program	Confirmation of practical training
1	Mid-level technical work in manufacturing sector	<p>The items national technical skill verification announced by the Ministry of Labor:</p> <ol style="list-style-type: none"> 1. Addition of the subjects of foreign languages in the hard copy (in manufacturing sector): <ol style="list-style-type: none"> (1) general manual electric welding (2) fixed crane operation- shear leg crane (3) fixed crane operation- overhead (cockpit control) (4) fixed crane operation- overhead (ground control) (5) gas tungsten arc welding (6) semi-automatic electric welding (7) Fork lift truck operation 2. Other items of skills for verification in manufacturing are advised to just taking the examination of technical subjects for obtaining the certificate of scoring when passing. <ol style="list-style-type: none"> (1) Milling machine (2) Lathe (3) Mold (4) Machine processing (5) Metal forming 	<ol style="list-style-type: none"> 1. The training as stated in 1 and 2 below should last for at least 80 hours, and will be calculated in combination or separately with proof of training hours. <ol style="list-style-type: none"> (1) Participation in the training programs on topics of industrial upgrading and transformation organized by schools of higher education in Taiwan, the Ministry of Labor, or the Ministry of Economic Affairs. (2) Participation in job function oriented quality accreditation programs pertinent to industrial upgrading and transformation organized by the Labor Development Administration, Ministry of Labor, in the fields of “manufacturing”, “information technology” and “science, technology, engineering, mathematics”. 2. The above training programs should be subject to the approval of the Ministry of Economic Affairs or professional accreditation institutions recognized by the Ministry of Economic Affairs. 	<ol style="list-style-type: none"> 1. The scope for the recognition of practical work shall be determined by the central competent authority administering the function. 2. Employers should present proof of qualification requirement of the migrant workers at mid-level technical skill (including physical certificate and the video showing the performance of work), and apply with the central competent authority administering the function for recognition of the practical work. 3. The central competent authority administering the function shall be responsible

Serial number	Type of work	Professional certificate/license	Training program	Confirmation of practical training
2	Mid-level technical work in the construction sector	<ol style="list-style-type: none"> 1 Acquisition of the construction site supervisor certificate, public work quality assurance engineer certificate of completion, occupational safety manager certificate of completion or occupational safety and health management staff certificate of completion. 2. Acquisition of the technician license related to the following in construction: <ol style="list-style-type: none"> (1) general manual electric welding (2) semi-automatic electric welding (3) gas tungsten arc welding (4) survey and measurement (5) construction and decoration (6) steel bar (7) form board (8) concrete cement (9) gardening and landscaping (10) horticulture (11) construction waterproof (12) plaster work (13) furniture and wood work (14) door and window wood work (15) architectural engineering management (16) Building interior design (17) Building interior decoration engineering management (18) Renovation wood work (19) construction engineering management (20) earth anchor (21) steel scaffold (22) Metallic partition wall (23) construction drawing application (24) fixed crane operation (25) mobile crane operation (26) heavy machinery operation (27) sewage work and maintenance (28) Fork lift truck operation (29) sewage work and maintenance (30) occupational safety management (31) occupational safety and health management 	<ol style="list-style-type: none"> 1. The construction enterprises may organized their own training programs for more than 80 hours in accumulation, and present supporting materials to the industry association for authentication. 2. Participation on construction related training programs at related institutions (agencies) for more than 80 hours: <ol style="list-style-type: none"> (1) Construction Site Supervisor Vocational Training Program” organized by the Construction and Planning Administration, Ministry of Interior. (2) The “Public Work Construction Quality Management Training Program” organized by Executive Yuan Public Work Commission. (3) The “Occupational Safety Manager Training Program”, and “Occupational Safety and Health Management Staff Training Program” organized by the Occupational Safety and Health Administration of the Ministry of Labor. 	<p>for the review of the recognition of practical work.</p> <p>4. The central competent authority administering the function may conduct on-site inspection in the review process where necessary.</p>

Serial number	Type of work	Professional certificate/license		Training program	Confirmation of practical training
3	Agricultural mid-level technical works	Deep sea fishing	—	Training programs: passed the fishing vessel managerial staff training program for 80 hours with the issuance of completion certificate.	
		Orchid industry, edible mushroom and vegetable industry	Passed the agricultural technical requirement intermediate level examination, the items in planning include: <ol style="list-style-type: none"> 1. Rudimentary level capacity in fruit tree plantation management. 2. Rudimentary level capacity in facility agriculture work management 3. Rudimentary level capacity in tea plantation management. 4. Rudimentary level capacity in sugar apple plantation management. 5. Rudimentary level capacity in rice plantation management. 	Complete the training for at least 80 hours organized by the Council of Agriculture, or professional technical training programs organized by schools of higher education and industry association delegated by the Council of Agriculture.	
		Extensive farming service	Passed the agricultural technical requirement intermediate level examination, the items in planning include: <ol style="list-style-type: none"> 1. Rudimentary level capacity in fruit tree plantation management. 2. Rudimentary level capacity in facility agriculture work management 3. Rudimentary level capacity in tea plantation management. 4. Rudimentary level capacity in sugar apple plantation management. 5. Rudimentary level capacity in rice plantation management. 	Completed the professional skill program organized by the Commission of Agriculture for more than 80 hours.	

Note:1. The keeping of foreign mid-level technical workers in the industrial sector should be conforming to the salary requirement of routine salaries amounting to NT\$33,000 or total annual salaries amounting to NT\$500,000, have more than 6 years of work experience in

Taiwan, and meeting any of the requirement of “professional license/certificate”, “training” or “recognition of practical work”.

2. The routine monthly salaries for employers in employing foreign mid-level technical workers exceeding NT\$35,000 could be exempted from the requirement of professional license/certificate, training, or recognition of practical work.
3. The technical requirements of mid-level technical workers in the industrial sector shall be adjusted by the central competent authority administering the function from time to time in line with the changes in the industry.

Foreign mid-level technical workers in welfare works

Serial number	Type of work	Chinese (South Fujian) Language proficiency	Training program/ Supplementary training program
1	Mid-level technical workers in nursing care at institutions	Passed the colloquial Chinese in the Chinese Language Proficiency Test held by the Ministry of Education at the “rudimentary level” or higher, or validation of the proficiency of the South Fujian Dialect (colloquial and listening comprehension) at the “rudimentary level” and higher with the issuance of the certificate of language proficiency.	meet any of the following qualification requirements: 1. Evidence for proof of receiving 20 hours of continuing education and related training in the year before application. 2. Completion of the training in long-term care or the caring service personnel programs announced by the central competent authority and earned the associated bachelor degree or higher and have obtained the certificate of long-term care technician.
2	Home nursing mid-level technical work	Passed the colloquial Chinese in the Chinese Language Proficiency Test held by the Ministry of Education at the “rudimentary level” or higher, or validation of the proficiency of the South Fujian Dialect (colloquial and listening comprehension) at the “rudimentary level” and higher with the issuance of the certificate of language proficiency.	Participation in the offline supplementary training programs (centralized training, or on-the-site training), or at the supplementary training zone of the Ministry of Labor Cross-Boundary Labor Right Protection Website for online digital learning for at least 20 hours in accumulation and obtained the certificate of completion in supplementary training, and present the “Certificate of Completion of Foreigners in Engagement of Home Nursing Works Supplementary Training”.

Note: 1. Mid-level technical workers for keeping in the social welfare sector should also meet the requirements of language proficiency and related training programs.

2. The technical requirements of mid-level technical works in the social welfare sector could be adjusted by the central competent authority administering the function from time to time in line with the changes in the long-term care sector.

Appendix 3 - Quota for mid-level technical workers by industry at a glance

Type of work	Requirements
I. Deep sea fishing Works	<p>I. employers may apply for the employment of mid-level technical workers up to the allowable members of crew as stated in the fishing license net of the minimum number of crew members in sailing and multiply by 25%.</p> <p>II. net-pen cage fish culture: employers may apply for the employment of mid-level technical workers on the basis of the aquaculture area as stated in the fishing license of certificate of feeding capacity that one mid-level technical worker may be employed for taking care of 1/2 hectare. If the employee population specified in subparagraph 1 of paragraph 1, and subparagraphs 8 and 11 of paragraph 1 under Article 46 of the Employment Service Act is included, it should not be more than 50% of the total local employee population of the employer.</p> <p>III. Employer may employ at least 1 person as mid-level technical workers under the above requirements.</p>
II. Manufacturing work	<p>I. The total number of persons for application should not exceed the following ratios:</p> <p>(I) The number of persons the manufacturers in the Free Trade Zones may apply for employment shall not be more than 10% of the total employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application.</p> <p>(II) The total number of persons the employers of Class A+ industries as stated in Appendix 6 of this Standard may apply shall not be more than 8.75% of the total employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application.</p> <p>(III) The total number of persons the employers of the Class A industries as stated in Appendix 6 of this Standard may apply shall not be more than 6.25% of the total employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application.</p> <p>(IV) The total number of persons the employers of the Class B industries as stated in Appendix 6 of this Standard may apply shall not be more than 5% of the total employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application.</p> <p>(V) The total number of persons the employers of the Class C industries as stated in Appendix 6 of this Standard may apply shall not be more than 3.75% of the total employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application.</p> <p>(VI) The total number of persons the employers of the Class D industries as stated in Appendix 6 of this Standard may apply shall not be more than 2.5% of the total employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application.</p> <p>II. The recognition of the total number of foreigners the employers may employ as specified in the preceding paragraphs should include the following but</p>

	<p>shall not be more than 50% of the average employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application:</p> <p>(I) The number of foreign mid-level workers to employ. (II) The number of mid-level workers employed. (III) The number of foreigners stated in subparagraph 1 and subparagraph 10 of paragraph 1 under Article 46 of the Employment Service Act.</p> <p>III. Employers may apply for employment of at least 1 mid-level technical workers as stated in the preceding 2 paragraphs.</p>
<p>III. Construction work</p>	<p>I. 5% of the income calculation population under the human resources requirement model specified in the Engineering Budget Act. If any of the following applies to public work projects, calculation should be made in accordance with the requirements of each section:</p> <p>(I) Total scoring of 80 and higher calculated under the indicator and equation for classification specified in Appendix 4 of this Standard, and at 25% of the product after multiplying the total scores by 0.4%. (II) At 25% of the ratio approved by the central competent authority administering the function after reporting to the Executive Yuan for finalization.</p> <p>II. The recognition of the total number of foreigners the employers may employ as specified in the preceding paragraphs should include the following but shall not be more than 50% of the average employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application:</p> <p>(I) The number of foreign mid-level workers to employ. (II) The number of mid-level workers employed. (III) The number of foreigners stated in subparagraph 1 and subparagraph 10 of paragraph 1 under Article 46 of the Employment Service Act.</p> <p>III. Employers may apply for employment of at least 1 mid-level technical workers as stated in the preceding 2 paragraphs.</p>
<p>IV. Extensive farming work</p>	<p>I. The number of foreign-mid level workers for employment shall not be more than the number of persons approved by the central competent authority administering the function.</p> <p>II. The recognition of the total number of foreigners the employers may employ as specified in the preceding paragraphs should include the following but shall not be more than 50% of the average employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application:</p> <p>(I) The number of foreign mid-level workers to employ. (II) The number of mid-level workers employed. (III) The number of foreigners stated in subparagraph 1 and subparagraph 10 of paragraph 1 under Article 46 of the Employment Service Act.</p> <p>III. Employers may apply for employment of at least 1 mid-level technical workers as stated in the preceding 2 paragraphs.</p>

<p>V. Agricultural work (limited to orchid, mushroom, vegetable and crops)</p>	<p>I. The total number of foreign mid-level workers for employment shall not be more than 8.75% of the average employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application.</p> <p>II. The recognition of the total number of foreigners the employers may employ as specified in the preceding paragraphs should include the following but shall not be more than 50% of the average employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application:</p> <p>(I) The number of foreign mid-level workers to employ.</p> <p>(II) The number of mid-level workers employed.</p> <p>(III) The number of foreigners stated in subparagraph 1 and subparagraph 10 of paragraph 1 under Article 46 of the Employment Service Act.</p> <p>III. Employers may apply for employment of at least 1 mid-level technical workers as stated in the preceding 2 paragraphs.</p>
<p>VI. Nursing care work at institutions</p>	<p>I. The total number of persons for application should not exceed the following ratios:</p> <p>(I) The total number of persons for employment by institutional employers with less than 50 beds shall not be more than 8.75% of the average employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application.</p> <p>(II) The total number of persons for employment by institutional employers with 50 to 100 beds shall not be more than 8% of the average employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application.</p> <p>(III) The total number of persons for employment by institutional employers with more than 100 beds shall not be more than 7.5% of the average employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application.</p> <p>II. The recognition of the total number of foreigners the employers may employ as specified in the preceding paragraphs should include the following but shall not be more than 50% of the average employee population in the year starting 14 months ago and end at the beginning of 2 months prior to the month of application:</p> <p>(I) The number of foreign mid-level workers to employ.</p> <p>(II) The number of mid-level workers employed.</p> <p>(III) The number of foreigners stated in subparagraph 1 and subparagraph 10 of paragraph 1 under Article 46 of the Employment Service Act.</p> <p>III. Employers may apply for employment of at least 1 mid-level technical workers as stated in the preceding 2 paragraphs.</p>
<p>VII. Home nursing care work</p>	<p>I. Only 1 home nursing care worker may be employed for the caring of particular person under nursing care. If any of the following applies to the person under nursing care, 1 more person may be employed:</p> <p>(I) Noted as paralyzed in the Handicapped Handbook or Certificate.</p> <p>(II) Diagnosed by medical professional institutions as zero under the Barthel Index, and will unlikely be improved in 6 months.</p> <p>II. If the same patient has already applied for a migrant worker, the same person cannot apply for mid-level technical worker repeatedly.</p>

Note: In the application for employment of mid-level technical workers with this form, the number of domestic worker of the employer cannot be zero.

Appendix 5 - Table showing the variation of migrant workers converting to employment under the status of foreign mid-level technical worker and issues for management

Items	subparagraphs 8 -10 of the Employment Service Act on blue collar migrant workers.	subparagraph 11 of the Employment Service Act on mid-level technical workers.	Legal references
1. Domestic recruitment	V	V	Paragraph 1 under Article 47 of the Employment Service Act, Article 12 of the Regulations Governing the Permission and Management of Employing Foreigners.
2. Employer application for employment permit	V	V	Article 48 of the Employment Service Act
3. Requirement of duration of employment in Taiwan	V	X	Paragraph 4 and paragraph 6 under Article 52 of the Employment Service Act
4. Employer payment of employment stability fee	V	X	Paragraph 1 under Article 55 of the Employment Service Act
5. Health examination	V	V	Paragraph 3 under Article 48 of the Employment Service Act, and Article 5 of the Regulations Governing Health Examination of Foreigners in Employment
6. Management of livelihood on arrival	V	V	Article 27-1 of the Regulations Governing the Permission and Management of Employing Foreigners
7. Authentication of rescission of agreement	V	V	Article 45 of the Regulations Governing the Permission and Management of Employing Foreigners

8. Freedom of switching employers in the duration of employment	X	X	Paragraph 4 under Article 53 of the Employment Service Act
9. Eligibility of application for permanent residency	X	V	Paragraph 1 under Article 25 of the Immigration Act
10. Eligibility of applying for permanent residency of dependents	X	V	Paragraph 1 under Article 23 of the Immigration Act