

Discretionary Standards for Foreign Worker Life Care Service Plans

Article 1

1. In order to review employer applications to hire or continue the employment of foreign workers engaged in work detailed in Subparagraphs 8 to 10, Paragraph 1, Article 46 of the Employment Service Act, the Ministry of Labor (hereinafter the Ministry) has drafted these discretionary standards for the “Foreign Worker Life Care Service Plan” that is part of inspections to be conducted by the local competent authority when notified within the statutory period.

Article 2

2. Employers are required to comply with the provisions of Article 33 of the “Regulations on the Permission and Administration of the Employment of Foreign Workers” and draft a Foreign Worker Life Care Service Plan with the following items and standards to be included:

(1) Ocean fishing work (living on land), institutional care work, manufacturing work, construction work, slaughterhouse work, outreach manufacturing work, outreach agricultural work, diverse companionship care service work, and **Work involving waste management and recycling.**

(layout is shown in addendum 1):

Items		Standards
1. Food & drink	1. Drinking water	(1) Sufficient drinking water must be provided and if it needs to be boiled before drinking the necessary equipment must also be made available, with written instructions or signs that can be easily understood by foreign workers. (2) No sharing of cups. (3) Non-drinking water sources (such as water used for industrial and fire-fighting purposes) must come with written instructions or signs that can be easily understood by foreign workers.
	2. Restaurant, kitchens (standards to be observed if set up)	(1) Restaurants and kitchens should be isolated and regularly cleaned, with adequate lighting, ventilation and measures taken to keep away mosquitoes, flies, cockroaches, and mice. (2) Clean and hygienic cutlery, tables and chairs should be provided. (3) Before the repatriation of foreign workers who fail a health-check-up, the cutlery they use should be

Items		Standards
		handled separately and not be mixed with those used by other foreign workers. (4) Restaurants and kitchens should be located a minimum of 30 meters from bathroom and sewage treatment facilities. However, this provision does not include flush toilets. (5) Maintain cleanliness, employ designated inspectors and keep records.
2. Accommodation	1. Dormitory passageways	(1) The dormitory area should have spacious passageways where piling items is strictly forbidden. (2) Passageways and emergency evacuation measures should be marked with written signs foreign workers can easily understand and the evacuation route in the event of an emergency clearly indicated.
	2. Workplaces where dormitories cannot be established	(1) Areas where explosive, flammable, oxidizing, ignitable materials, combustible gasses or large quantities of flammable materials are placed or stored. (2) Workplaces with kilns or boilers. (3) Workplaces where gases, steam or dust harmful to human health are emitted. (4) Places close to equipment which generates strong vibrations or noise.
	3. Size of living area	The living area of a foreign worker is the size of the area provided by the employer for workers to live divided by the number of foreign workers using the area. Each individual should have more than 3.6 square meters of space, as well as a bed and a wardrobe (counted as part of the living area).
	4. Dormitories should include toilets and washing facilities that meet regulation standards	(1) The number of toilet bowls in a men's restroom is calculated based on the number of male foreign workers in the accommodation. In principle there should be one (or more) for every 25 persons; In principle there should be one (or more) urinal for every 15 persons. (2) The number of toilet bowls in a women's restroom is calculated based on the number of female foreign workers in the accommodation. In principle there should be one (or more) for every 15 people. (3) Bathrooms should provide hot and cold water in

Items		Standards
		accordance with safety regulations. (4) Facilities should be regularly cleaned and segregated based on gender, with a focus on privacy.
	5. Isolation measures	(1) Employers and the foreign workers they hire are required to obey the instructions of the Central Competent Authority for the duration of the Central Epidemic Command Center's operations, or cooperate with necessary related measures put in place by the health authorities to prevent the spread of infectious diseases in accordance with the Communicable Disease Control Act.
	6. Establish regulations for the management of foreign worker accommodation	Draft regulations for the management of foreign worker accommodation, and provide a written announcement in language workers can easily understand.
	7. Ensure the safety of foreign workers	Employers are responsible for ensuring the safety of foreign workers and protecting their privacy in accordance with the provisions of the Sexual Assault Crime Prevention Act and Sexual Harassment Prevention Act. This also applies when it is deemed necessary to install CCTV in places where foreign workers live.
3. Management	1. Draft guidelines for foreign workers' daily life, an environment introduction and instructions on how to use equipment	Draft guidelines for foreign workers' daily life in easily understandable language (including an environment introduction, instructions on how to use equipment, and a brief introduction to foreign language radio programs etc.) to be placed in highly visible and accessible locations and explained in easy-to-understand language before the foreign workers are placed in the accommodation.
	2. Employers or a private employment service agency commissioned by them should appoint personnel in charge of foreign worker life care services	(1) At least 1 person should be appointed if there are more than 10 and less than 50 employees. (2) At least 2 persons should be appointed if there are more than 50 and less than 100 employees. (3) At least 3 persons should be appointed if there are more than 100 employees. For each additional 100 employees, at least 1 extra person should be appointed.

Items		Standards
	3. A certain number of the foreign workers employed should be bilingual (fluent in Chinese and the workers' mother language)	(1) At least 1 person should be appointed if there are more than 30 and less than 100 employees. (2) At least 2 persons should be appointed if there are more than 100 and less than 200 employees. (3) At least 3 persons should be appointed if there are more than 200 employees. For each additional 100 employees, at least 1 extra person should be appointed.
	4. Hold pre-job training and introduce laws in Taiwan	Organize pre-job training for foreign workers that introduces the following regulations and information (1) Laws foreign workers are required to obey when in Taiwan 1. Health related laws on the need for health check-ups and preventing the spread of communicable diseases. 2. Tobacco hazard prevention laws 3. Animal protection laws 4. Laws forbidding drunk driving 5. Laws forbidding handing over or providing dummy accounts 6. Other labor related laws (2) Information on customs and festivals in Taiwan.
	5. Establish leisure facilities and places of religious observance	(1) When hiring 10 or more foreign workers, employers are required to provide appropriate leisure facilities. (2) When hiring 50 or more foreign workers, employers are required to provide a venue for religious observance or related information.
	6. Establish and announce the introduction of complaint handling mechanisms	(1) Employers should establish an internal complaints mechanism to deal with foreign worker related management, food and accommodation issues. (2) Employers are required to announce complaint mechanisms including Consultation Service Centers in Special Municipality and County (City) Governments, and Labor Development Agency Airport Consultation Service Stations. (3) Employers are required to announce information on the 1955 Counseling and Protection Hotline for Foreign Workers (1955 Hotline).

Items		Standards
		(4) Employers are required to announce the 110 National Police Agency Reporting Line (including sexual assault and personal injury), and the 113 Women and Children Protection Hotline (including sexual assault, sexual harassment prevention consultation).

(2) Foreign workers engaged in ocean fishing work (living on board the vessel)

(layout is shown in addendum 2):

Items		Standards
1. Food and drink	1. Drinking water	(1) Sufficient drinking water must be provided, with the standard set at more than 2,000ml per person per day. If the water needs to be boiled before it can be consumed related equipment must be made available, with instructions or signs that can be easily understood by foreign workers. (2) No sharing of cups.
	2. Food	(1) Provide clean and sanitary cutlery. (2) Employers who provide foreign crew members with food, should respect their preferences and religious taboos, and ensure the food is hygienic, sufficient and of equal quality. (3) Provide suitable cooking facilities based on the number of foreign crew members.
2. Accommodation	1. Living on board the vessel	(1) Rest places should first take into consideration the needs and characteristics of the vessel as much as possible, so foreign crew members receive the maximum amount of fresh air and light. (2) It is necessary to protect the safety of foreign workers with a focus on cleanliness and hygiene to prevent them from being exposed to harmful standards or potentially dangerous environments. (3) Beds should meet the following standards: 1. Each individual foreign crew member should have their own bed, though this does not include foreign workers who are not required to live on the vessel. 2. Bed frames and bed boards should be made of solid, smooth materials that do not easily corrode or

Items		Standards
		hide insects. (4) Bathroom facilities on board the vessel should be kept clean.
	2. Temporary emergency placement	(1) In accordance with the relevant provisions of the Disaster Prevention and Protection Act, when governments at all levels implement disaster response measures and an evacuation order is issued by a special municipality or county (city) government in the area where the fishing vessel is located, foreign crew members should head to the placement location designated by the local authority or a temporary placement location provided by the employer. (2) A temporary placement location provided by an employer should have adequate resting space, bathroom facilities as well as sufficient food and drink.
	3. Isolation measures	(1) Foreign workers who, after a health check conducted by the health authorities, are found to have a notifiable infectious disease must be isolated in accordance with related measures. (2) Employers and the foreign workers they hire are required to obey the instructions of the Central Competent Authority based on Central Epidemic Command Center rules, or cooperate with necessary related measures put in place by the health authorities to prevent the spread of infectious diseases in accordance with the Communicable Disease Control Act.
	4. Handling emergency situations	In dealing with emergency situations, employers should introduce emergency contingency measures, including the on-board environment, emergency phone, location of life saving equipment, and evacuation routes, in text or language foreign workers can easily understand.
3. Management	1. Protect the safety of foreign workers	(1) Fishing vessels should be equipped with lifesaving and firefighting equipment in compliance with provisions in the Law of Ships and related regulations. (2) Employers are responsible for protecting the safety of foreign crew and their privacy in accordance with the provisions of the Sexual Assault Crime

Items		Standards
		Prevention Act and Sexual Harassment Prevention Act.
	2. Hold pre-job training and introduce laws in Taiwan	Organize “pre-job training” for foreign workers that introduces the following regulations and information: (1) Laws foreign workers are required to obey when in Taiwan 1. Health related laws on the need for health check-ups and preventing the spread of communicable diseases. 2. Tobacco hazard prevention laws 3. Animal protection laws 4. Laws forbidding drunk driving 5. Laws forbidding handing over or providing dummy accounts 6. Other labor related laws (2) Information on customs and festivals in Taiwan.
	3. Announce complaint handling mechanisms	(1) Employers are required to announce information on the 1955 Counseling and Protection Hotline for Foreign Workers (1955 Hotline). (2) Employers are required to announce the 118 Coast Guard Administration Marine Emergency Rescue Hotline, 110 National Police Agency Reporting Line, and the 113 Women and Children Protection Hotline (including sexual assault, sexual harassment prevention consultation).

Note: When foreign crew members engaged in ocean fishing work (who live on board the vessel) have land-based accommodation or both land-based and on-board accommodation, the living environments of both types of accommodation should be simultaneously inspected.

(3) Foreign workers engaged in live-in home help, live-in care work, agriculture, forestry, animal husbandry work or aquaculture fishing work

(layout is shown in addendum 3):

Items		Standards
1. Food and drink	1. Drinking water	(1) Sufficient drinking water must be provided and if it needs to be boiled before drinking the necessary equipment must also be made available, with written instructions or signs that can be easily understood by foreign workers. (2) No sharing of cups.

Items		Standards
	2. Food	(1) When foreign workers are required to pay for the food provided by employers, the latter should ensure the food is hygienic, sufficient and of equal quality. (2) Employers who provide foreign crew members with food free of charge, should respect their preferences and religious taboos.
2. Accommodation	1. Residence	(1) Employers are required to guarantee the safety of foreign workers, with a focus on a clean and hygienic environment. (2) When a private employment services agency is commissioned to provide foreign worker life care services, the size of the area provided for workers to live in divided by the number of foreign workers using the area should be more than 3.6 square meters of space per individual, with a bed and a wardrobe (counted as part of the living area).
	2. Isolation measures	(1) Foreign workers who, after a health check conducted by the health authorities, are found to have a notifiable infectious disease must be isolated in accordance with related measures. (2) Employers and the foreign workers they hire are required to obey the instructions of the Central Competent Authority based on Central Epidemic Command Center rules or cooperate with necessary related measures put in place by the health authorities to prevent the spread of infectious diseases in accordance with the Communicable Disease Control Act.
	3. Handling emergency situations	In dealing with emergency situations, employers should indicate the location of the emergency phone and evacuation routes in text or language foreign workers can easily understand.
3. Management	1. Protecting the safety of foreign workers	Employers are responsible for protecting the safety of foreign workers and their privacy in accordance with the provisions of the Sexual Assault Crime Prevention Act and Sexual Harassment Prevention Act.
	2. Introduction to laws, customs and festivals in Taiwan	Employers should introduce the following regulations and information to foreign workers: (1) Laws foreign workers are required to obey when in Taiwan 1. Health related laws on the need for health check-ups and preventing the spread of communicable diseases. 2. Tobacco hazard prevention laws 3. Animal protection laws 4. Laws forbidding drunk driving

Items		Standards
		5. Laws forbidding handing over or providing dummy accounts 6. Other labor related laws (2) Information on customs and festivals in Taiwan.
	3. Introduction of complaint handling mechanisms	(1) Employers are required to announce information on the 1955 Counseling and Protection Hotline for Foreign Workers (1955 Hotline). (2) Employers are required to announce the 110 National Police Agency Reporting Line and the 113 Women and Children Protection Hotline (including sexual assault, sexual harassment prevention consultation).
	4. Insurance	Employers who hire foreign workers to engage in live-in home help work, live-in care work are required to take out accident insurance for them in accordance with the provisions of their individual labor contracts..