

Addendum 11: Regular inspection of foreign workers defined in Article 48 and Article 50 brought into the Republic of China by employers

1. Foreign workers hired by employers (not including foreign workers brought in to the Republic of China in accordance with Article 50, but including the remaining foreign workers on the same labor insurance certificate number) must comply with the regulations of the Paragraph 1, Article 51 and when the Central Competent Authority inspects the ratio of employed foreign workers it will use the following calculation formula:

Maximum number of foreign workers = number of employees x (ratio detailed in Paragraph 1, Article 51)

The standards adopted in the above formula are as follows:

Number of employees should be calculated by designating the month two months prior to the inspection conducted by the Central Competent Authority a base month. The average number of workers who participated in the Labor Insurance program for the three months prior to the base month is then calculated. However the calculation does not include foreign workers brought in pursuant to the provisions of Article 50.

2. When an employer hires foreign workers (including other foreign workers on the same labor insurance certificate number and those brought in accordance with Article 48 and Article 50) and the Central Competent Authority inspects the ratio of those workers it will use the following calculation formula:

Maximum number of foreign workers = number of employees x [(ratio detailed in Paragraph 1, Article 51) + (increased ratio in Article 50)]

The standards adopted in the above formula are as follows:

- (1) Number of employees should be calculated by designating the month two months prior to the inspection conducted by the Central Competent Authority a base month. The average number of workers who participated in the Labor Insurance program for the three months prior to the base month is then calculated.
- (2) The increased ratio in Article 50 is limited by the actual number of foreign workers defined in the subparagraphs of Paragraph 1, Article 50 brought into the Republic of China by employers and included in regular inspections. The highest value of the increased ratio is determined by regulations governing the increased ratio for foreign workers included in regular inspections.