

General Information on Regulations for the Implementation of Laborer and Employment Adjusted Support in Response to Trade Liberalization

In response to the impact on domestic industries and labor markets from the signing of economic and trade treaties or agreements with other countries and joining of regional economic integration and the Cross-Straits Economic Cooperation Framework Agreement, the Executive Yuan has ratified the “Statute for Adjusted Support in Response to Trade Liberalization” on February 22, 2010 (fourth amendment on August 21, 2015). The Ministry of Labor (“MOL”) executes the aforementioned program, according to actual impacts, by providing stabilization measures on employment and assisting laborers in job transfers and re-employment whilst prescribing related subsidization directives and implementation plans to provide preventive guidance in a timely manner and to respond to the impact and damage of trade liberalization.

To enhance the government’s comprehensive support on enterprises and labor in response to trade liberalization, the President promulgated the “Statute for Adjusted Support in Response to Trade Liberalization” (hereinafter referred as “the Statute”) on December 30, 2015. The MOL shall, subject to Article 12 of the Statute, provide appropriate measures of adjusted support to laborers in the designated industries needing preventive guidance or enhanced guidance, or to laborers in the damaged enterprises, and shall prescribe the eligibility for requests to determine damaged laborers, required documents, application procedure, and determination criteria, and regulations governing other related matters. The MOL hereby drafts the “Regulations for Implementation of Laborer and Employment Adjusted Support in Response to Trade Liberalization” (hereinafter referred as “the Regulation”) by

incorporating the current subsidization directives and implementation plans of assisting laborers on employment in response to trade liberalization, and prescribed the related eligibility for the request to determine damaged laborers.

The Regulations are as follows:

1. The legislative basis, competent authority and eligible subjects of the Regulations. (Article 1 to 3)
2. The eligibility for the request to determine damaged laborers, application period, the handling facilities and required documents. (Article 4 to 6)
3. The preliminary examination procedure and determination criteria of eligibility for the request to determine damaged laborers. (Article 7 to 8)
4. The review committees assembled by the MOL for the examination of eligibility for the request to determine damaged laborers. (Article 9)
5. The guidance after being determined as damaged laborers and the measures conducted for the other eligible subjects in accordance with the Regulations. (Article 10 to 11)
6. The preventive guidance and measures of adjustment support for industries needing guidance provided by the MOL. (Article 12 to 16)
7. The enhanced guidance and measures of adjusted support for damages provided by the MOL. (Article 17 to 23)
8. The MOL may entrust, appoint or commission the operations of determination of damaged laborers and provisions of adjusted support to authorized authorities (organizations). (Article 24)
9. The management of the applications available to make corrections when it fails to comply with the Regulations. (Article 25 to 26)

The forms of documents, the source of budget and the effective date of the Regulations. (Article 27 to 29)