

Issued by: Ministry of Labor

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Topic: The employment permit to the foreign worker hired by the employer expired on November 5, 2016. Where renewed employment is needed, the employer shall submit related information and file a written application for renewal of the employment upon expiration of the employment permit, upon reaching an agreement with the foreign worker for the renewed employment, within two months after the Interpretation takes effect. Upon review and approval, the renewed employment permit will be issued accordingly.

Full-text contents: To interpret that Paragraph 4 of Article 52 of the Employment Service Act (hereinafter referred to as the “Act”) amended and effective as of November 5, 2016, which provides that the foreign workers engaged in the jobs referred to in the subparagraphs 8~10, Paragraph 1 of Article 46 of the Act shall be allowed to re-enter this country for work only one day after they depart this country, has been deleted. The employment permit to the foreign worker hired by the employer expired on November 5, 2016. Where renewed employment is needed, the employer shall submit the application form (see attachment) specifying all notes to be recorded herein to us for renewal of the employment upon expiration of the employment permit, upon reaching an agreement with the foreign worker for the renewed employment, within two months after the Interpretation takes effect. Upon satisfaction with the relevant requirements held by us through review, the renewed employment permit will be issued accordingly, unless the foreign workers satisfy any of the following circumstances, in which case, the foreign workers shall depart the country as required:

1. Where the foreign workers hired to engage in the jobs referred to in subparagraphs 1~8 and subparagraph 10, Paragraph 1 of Article

46 of the Act have worked in the territories of the R.O.C. for 12 years cumulatively.

2. Where the foreign workers hired to engage in the family caregiver service referred to in subparagraph 9, Paragraph 1 of Article 46 of the Act and satisfying the qualifications or conditions prescribed by the central competent authority have worked in the territories of the R.O.C. for 14 years cumulatively.

3. Where the employer doesn't continue the employment upon expiration of the employment permit, and the foreign workers do not transfer to another employer either. The Interpretation shall take effect from November 5, 2016.