

CONTRACT DURATION OF EXPATRIATE WORKERS IN TAIWAN

POEA MEMORANDUM CIRCULAR NO. 36, s. 1994, May 26, 1994

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In accordance with a regulation issued by the Taiwan government, expatriate workers are allowed a maximum of TWO YEARS stay in Taiwan. Due to this restriction, workers, upon the prodding of some Taiwan brokers and/or Philippine recruitment agencies, resort to the unlawful practice of changing names to gain re-entry to Taiwan.

In order to forestall said unlawful practice, agencies authorized to participate in the Special Hiring Programs for Taiwan and all others concerned are hereby directed to strictly adhere to the said regulation hereunder outlined.

1. The contract duration of expatriate workers in Taiwan is one year which can be extended for another year upon mutual agreement between the employer and the employee.
2. Change of employer is allowed only in special circumstances with the first year of the contract. Per Article 50 of Taiwan's Employment Services Act, an expatriate employee who wishes to change employer must request the original employer to apply jointly with the prospective new employer for permission to change.
3. Reconstruct means that an employee goes back to work for the same employer after the one year contract. No expatriate worker will be allowed to work for another employer if he finished only a one-year contract.

Agencies found to circumvent this regulation face sanction/s in accordance with existing POEA rules and regulations on overseas employment.

For strict compliance.

Adopted: 26 May 1994

(SGD.) FELICISIMO O. JOSON, JR.

Administrator

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