

# The Necessity for Labor Meetings in Taiwan

## Understanding Taiwan Labor Regulations

Labor meetings should be held regardless of industry or business entity size; as long as a business entity is subject to the LSA, then it should hold labor meetings as per regulations.

### Background

According to Article 83 of Taiwan's Labor Standards Act (LSA), "A business entity shall hold meetings to coordinate worker-employer relationships and promote worker-employer cooperation and increase work efficiency." Labor meetings should be held regardless of industry or business entity size; as long as a business entity is subject to the LSA, then it should hold labor meetings as per regulations.

### Changes to Working Environment

In the event that a business does not have any labor union, then it can only approve the following with employee permission via labor meetings: change of working hours (Article 30), approval of overtime working hours (Article 32), making flexible changes to rest days and holidays (Articles 34 and 36).

### How often should Labor meetings be held?

Labor meetings should be held at least every 3 months. However, a special Labor meeting can be summoned when necessary.

### Who should be in the Labor meetings?

The business should select an equal number of representatives from both the labor and the management sides, and each side shall have 2 to 15 representatives in the meeting depending on the number of employees in the business entity. However, each side shall have no less than 5 representatives if the business entity has more than 100 employees. The business needs to file the list of elected representatives from both sides with the Government within 15 days of the election. The representatives are elected for a term lasting 4 years.

### What should be discussed in a Labor meeting?

Anything relating to Labor matters can be discussed. Matters of discussion can include but are not limited to the following:

- Increase/decrease in the number of employees, retention rate, etc.
- Changes to working hours/overtime
- Labor benefits
- How to increase efficiency

- Matters that the labor or management representatives find it necessary to be discussed

Meeting minutes shall be kept in the Company and need to be made available to government inspectors upon request.

## Penalties

According to the Taipei City Labor Bureau, business entities that fail to hold labor meetings but still change working hours, extend working hours, etc. shall be fined from NTD 20,000 to NTD 1,000,000 according to the stipulations of Article 79 Item 1. Item 4 of the same article states that larger business entities with more workers will receive greater punishment, and according to the business entity size, the penalty can be increased to NTD 1,500,000. If a business entity requires changes that will create extra overtime pay, they must hold regular labor meetings as per regulations to avoid penalties.

If you have any further questions relating to the contents of labor meetings, please feel welcome to contact us for assistance.

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