

DIALOGUE BETWEEN MOL AND ECMI INITIATED BY THE APOSTOLIC NUNCIATURE

Date: May 26, 2015

Time: 11:00 a.m.

Venue: Ministry of Labor Office

With Labor Minister, Hsiung-Wen Chen, at the ministry of labor office in Taipei.

The issues being tackled between ECMI and MOL, the Excerpt:

The dialogue was opened by Msgr. Paul Russel, the Apostolic Nuncio to Taiwan, as the initiator of the dialogue between ECMI and MOL.

ISSUES:

1. Compulsory Day-off for care-givers and domestic helpers. ECMI's contention is, caregivers are professionally hired as care-givers based on the nature of their job as stipulated in their contract and they should be treated as such with due protections and with proper work timing and beyond that should be treated as OT with corresponding pay and they should enjoy a compulsory day-off as provided by SLL and the Universal Declaration on Human Rights. As professionally hired care givers, they fall under the protection of SLL and not under the Domestic workers Protection Act which was designed and crafted by the CLA in the past and adopted by MOL (still to be reviewed and to be approved by the Legislative Yuan). There are 223,857 caregivers compared to only 2,207 hired foreign domestic workers as of April, 2015 based on MOL statistics;
2. The inclusion of care-givers and domestic helpers to the SLL. MOL made mentioned on its version on HSA or DWPA. But the day-off provision is barely unacceptable for ECMI because day-off is not definitive based on its provision but maybe negotiable on the side of MOL;
3. Salary increase for care-givers and domestic helpers that is being peg on 15,840 for 18 years, MOL's response was even the government employees' salary is not raised for more than 20 years - ECMI suggested that if the government cannot raise the salary this time at least MOL can eliminate the burden of salary deductions;
4. The role of MOL in properly regulating the exorbitant placement fees of the agencies in sending countries particularly Indonesia and Vietnam can be discussed in bilateral agreement or MOU on hiring foreign workers but due to the absence of a diplomatic relation between 2 countries the suggestion on 1-month salary placement fee remains as a suggestion and is not binding unless the sending country put it in its domestic policy, like the Philippines;

5. The issue on Trafficking in Persons. Even Taiwan now is in Tier 1 category on TIP Report of the US State Department, TIP is still rampant in Taiwan particularly on documented turned undocumented workers as well as the labor trafficking on documented workers. This can be minimized if not eliminated if the issues above will be addressed properly;

Due to time constraints, the negotiation/dialogue between ECMI and MOL lasted only for 1 hr and 15 minutes and was cordial and highly diplomatic with the presence of the Apostolic Nuncio, Msgr. Paul Russel, who stood as the facilitator, Archbp. John Hung, the President of CRBC, Bishop Bosco Lin, the ECMI President, Fr. Loloy Napiere, the ECMI Executive Secretary, as the presenter and negotiator on the different issues. On the side of the MOL was Minister Chen and his different directors in the Ministry of Labor Office.

On the issue of 15 years working period in Taiwan was approved by the Legislative Yuan on the first reading. Not yet Final!

Other issues will be tackled on the next round of dialogues which is still to be determined..

Fr. Loloy Napiere, the ECMI Executive Secretary, has been assigned as the ECMI contact person of MOL.

FR. ELISEO NAPIERE, MSP
ECMI Executive Secretary