

外國人入國工作費用及工資切結書

中、英文版

Foreign Worker's Affidavit for Wage / Salary and Expenses Incurred before Entering the Republic of China for Employment

一、外國人(姓名：_____，國籍：菲律賓，護照號碼：_____)
 確實瞭解本次來臺工作最長可達三年，期滿得協議在臺由原雇主繼續聘僱或
 辦理轉換由新雇主接續聘僱。來臺工作應領工資、加班費等如適用勞動基準
 法，則依該法規定辦理；如不適用則於勞動契約中訂定。

1. I (Full Name: _____; Nationality: Philippines; Passport Number: _____) have fully understood that the period in which I am permitted to work in the territory of the Republic of China (hereinafter R.O.C.) shall not exceed three (3) years, and re-employment for finished contract should be agreed upon with the original Employer or by the new Employer for transfer of employment. The regular and overtime wage/salary to be paid for my services in R.O.C. shall be governed by the Labor Standards Law, if applicable or by the Labor Contract, if the said Labor Standards Law is not applicable.

二、外國人來臺前在勞工輸出國所發生之全部費用如下：

2. All the expenses incurred by foreign worker 's home country, prior to the arrival in R.O.C. are listed as follows:

(一) 仲介費：費用由勞工輸出國訂定及查證。

(1). The fees are set and verified by the labor-exporting country

(二) 規費及來臺工作所需費用：

(2) Regulation Fees and Other Fee(s) in Taiwan:

項目 ITEMS	金額 (勞工輸出國幣值) AMOUNT (Labor-Exporting Country Currency)	項目 ITEMS	金額 (勞工輸出國幣值) AMOUNT (Labor-Exporting Country Currency)
合 計 TOTAL	勞工輸出國幣值 ₱ _____ 元(新臺幣 _____ 元) ₱ _____ dollars in the currency of the Labor-Sending Country (NT\$ _____)		

三、前點外國人來臺所需費用，已依照勞工輸出國規定填載。

外國人來臺工作之借貸，不得由中華民國之雇主及私立就業服務機構代收代付。

以上外國人來臺所需費用及借貸金額，業經勞工輸出國查證屬實，且經外國人確認無誤。外國人簽名：

The expenses incurred by foreign workers coming to Taiwan in the preceding point have been filled out in accordance with the regulations of the labor-exporting country. In addition, loans taken out by foreign workers who come to Taiwan to work shall not be collected and paid by employers and labor brokerages in the Republic of China (Taiwan).

The aforementioned expenses and loans incurred by the foreign worker coming to the Republic of China for employment have been verified by the labor-exporting country and confirmed by the foreign worker.

Foreign worker signature:

四、外國人確實瞭解以下中華民國相關收費規定(法令如有修正，應依修正後之規定辦理)：

4. I have fully understood the following relevant laws and regulations governing the expenses in R.O.C. (Should there be any change or amendments in the relevant laws and/or regulations, the new laws and/or regulations shall govern):

(一) 服務費：

(1) Service Fees:

依照中華民國法令規定，外國人來臺如有委託中華民國私立就業服務機構辦理就業服務業務，須簽訂書面契約，且中華民國私立就業服務機構有提供服務事實，始得向外國人收取服務費，至服務費收費標準應依中華民國之私立就業服務機構收費項目及金額標準規定辦理。外國人未委託中華民國私立就業服務機構辦理就業服務業務，該機構不得向外國人收取服務費。

According to the laws and regulations of the Republic of China (Taiwan), if a foreign worker comes to Taiwan and commissions a private employment services agency to handle employment services, he/she must sign a written contract, and only when the private employment services agency has actually provided such services can service fees be charged. The charging standards for service fees shall be handled in accordance with the provisions of the Standards for Fee-charging Items and Amounts of the Private Employment Services Institution. In addition, if a foreign worker does not commission a local private employment services agency to handle employment services, the agency is not permitted to charge any fees.

(二) 規費(法令如有修正，依修正後之規定辦理)及其他費用：

(2) Regulated Fees (Should there be any change or amendments in the relevant laws and/or regulations, the new laws and/or regulations shall govern):

1、全民健康保險費：每月新臺幣 458 元。

A. Health Insurance Fee: NT\$ 458 per month.

2、勞工保險費：每月新臺幣 0 元(依規定僅漁業或勞工人數在五人以上之事業單位須強制參加勞工保險，五人以下及從事家庭類工作者並未強制參加勞工保險)。

B. Labor Insurance Fee: NT\$ 0 per month (according to the relevant laws and regulations, only fishery or business entities with five (5) or more employees are required to participate in Labor Insurance; Business entities with less than five (5) workers and those working at family category are not so required to participate in Labor Insurance).

3、居留證費：每年新臺幣 1000 元。

C. Residence Permit Fee: NT\$ 1000 per year.

4、所得稅：一課稅年度居留未滿一百八十三天者，每月新臺幣 1200 元；一課稅年度居留滿一百八十三天者，每月新臺幣 0 元。

D. Income Tax: Those who stay in R.O.C. for less than one hundred and eighty-three (183) days in one calendar year, the monthly pay is NT\$ 1200 ; those who stay in R.O.C. over one hundred and eighty-three (183) days in the one calendar year, the monthly pay is NT\$ 0 .

(1)外國人應依所得稅法相關規定繳納所得稅。

(1) The foreign worker shall pay tax according to the regulations of Income Tax.

(2)家庭類雇主非屬所得稅法所規定之扣繳義務人，不得替外國人扣繳所得稅款。

(2) The employer is not required to withhold the income tax of the foreign worker.

(3)外國人可自行或委任自然人代理申報所得稅；另外國人得以在臺之國內帳戶或國庫支票辦理退稅。

(3) The foreign worker can file for the income tax return by himself/herself or by his/her authorized representative; Furthermore, rebate for income tax shall be given through assigned bank account or treasury check.

5、職工福利金：每月新臺幣 元（外國人適用職工福利金條例者填列）。

E. Employees' Welfare Fund: Monthly NT\$ (This apply to companies with Welfare Committee and should be itemized separately).

五、外國人已充分瞭解來臺前與雇主協議約定如下：

5. I have fully understood that the agreement with Employer prior to R.O.C. as follows:

1、每月約定工資為新臺幣 20000 元。

A. Monthly wage/salary is NT\$ 20000 .

2、膳宿費：每月新臺幣 0 元。

B. Board and lodging fee: Monthly NT\$ 0 .

3、外國人受招募來臺機票費：由 雇主 外國人負擔，新臺幣 元；
外國人期滿返國機票費：由 雇主 外國人負擔，新臺幣 元。

C. Ticket fees: NT\$ paid by Employer, Foreign Worker; Return Ticket fees: NT\$ paid by Employer, Foreign Worker.

備註：

Note:

1. 本切結書經驗證及簽署後至少備置三份正本，一份依據雇主聘僱外國人許可及管理辦法規定由雇主保存，一份送交中華民國地方主管機關辦理入國三日內通報用，一份由外國人留存查核。
1. Three original copies of this Affidavit shall be provided, one kept by the employer in accordance to the Governing Regulations of Foreign Worker Employment, one submitted to the Local Authority of R.O.C. to be filed within three days, and one kept by the foreign worker, for reference.
2. 本切結書約定切結事項不得為不利益於外國人之變更。
2. The contents contained in this Affidavit shall not be changed or amended that will be disadvantageous to the interest of foreign worker.
3. 中華民國私立就業服務機構不得接受債權人委託在臺代為收取外國人來臺工作有關之借款，違者依中華民國就業服務法第四十條第一項第五款規定以收取規定標準以外費用論處。
3. Private employment service agencies in the Republic of China (Taiwan) shall not work on behalf of creditors to collect loans incurred by foreign workers who come to Taiwan for employment. Those who violate Subparagraph 5, Paragraph 1, Article 40 of the Employment Service Act shall be fined or charged for the additional expenses.
4. 中華民國私立就業服務機構未受雇主或外國人委託辦理而收取第四點所列費用、經委託辦理收取費用後未代為繳付、或收取超過上開依規定應繳付費用，依中華民國就業服務法第四十條第一項第五款規定以收取規定標準以外費用論處。
4. The Private Employment Service Agency in R.O.C. cannot collect the expenses listed in Article 4 of this Affidavit without authorization from the employer or the foreign worker. Likewise, they will be liable if they didn't pay for fees collected from the worker to the designated agencies or has collected in excess of the amount stated herein. Such act is violation to Clause Subparagraph 5, Paragraph 1, Article 40 of the Employment Services Act and shall be penalized accordingly.
5. 外國人與雇主每月約定工資如有所調整，全民健康保險費、勞工保險費、所得稅及職工福利金之金額，應依調整後每月約定工資按相關規定重新核算。
5. Any amendments or changes in the monthly wage previously agreed by the foreign worker and employer and amendments or changes in the amount of national health insurance fee, labor insurance fee, income tax and employees' welfare fund, shall be recalculated according to the related regulations.
6. 雇主依勞動契約給付外國人工資時，應記入工資給付方式及外國人應負擔之全民健康保險費、勞工保險費、所得稅或合意約定膳宿費之項目及金額，又雇主除外國人應負擔之項目及金額外，應全額以現金直接給付外國人工資，但以其他方式給付者，應提供相關證明文件，交予外國人收存，並自行保存一份。
6. Payment of wages shall be done according to the contract, required deductions such as health insurance premium, labor insurance premium, income tax, fees for meals and accommodation should be itemized clearly. In addition to the items and amount paid by the foreign worker, the employer shall directly pay the wages by cash to the foreign worker. Should other form of paying the salary be applied, all related documents shall be provided to the foreign worker and employer for safekeeping.
7. 外國人力仲介公司或中華民國私立就業服務機構向外國人收取相關就業服務費用，應提供收據，違者將依法論處。

7. The Foreign Human Resources Agency or the Human Resources Agency in R.O.C. that collect the expenses and fees related to employment service shall provide an official receipt. Those who violate this provision shall be punished according to the law.
8. 外國人如經轉換雇主，則需與新雇主及中華民國私立就業服務機構重新簽署切結書，惟切結書中涉及外國人來臺前所發生之全部費用及借款部分無須填寫，如外國人於新雇主接續聘僱前尚未繳清國外借款者，原切結書所載債權債務關係仍繼續有效。
8. If the foreign worker changes the employer, the new employer shall sign an Affidavit with the Private Employment Service Agency in R.O.C. All the expenses and loan incurred by the foreign worker prior to their arrival in Taiwan must not be filled out in Affidavit. If the foreign worker has not paid for the foreign loan before being hired by the new employer, the credit and debt specified in the Affidavit are still valid.
9. 如外國人力仲介公司或中華民國私立就業服務機構有未依規定收取費用或雇主有未依契約給付工資等情事，外國人得向勞動部提出檢舉，該部受理檢舉後，會予以保密，並保護外國人在臺之工作權益。檢舉電話：
 - (1) 勞工諮詢申訴專線：1955
 - (2) 桃園移工機場服務站：03-3989002
 - (3) 高雄移工機場服務站：07-8036804
9. Should the Foreign Human Resources Agency or the Human Resources Agency in R.O.C. failed comply with the charging of fees in accordance with the applicable laws and regulations or should the Employer failed to pay the wage/salary in accordance with the Labor Contract, the Foreign Worker may file a complaint to the Ministry of Labor of Executive Yuan of the Republic of China, each complaint will be treated with full confidentiality and the protection of the rights and benefits of the Foreign Worker in R.O.C shall be prioritized. The hotlines for complaints are:
Consultation Hotline for Workers: 1955
Foreign Worker Service Station in Taoyuan Airport: 03-3989002
Foreign Worker Service Station in Kaohsiung Airport: 07-8036804
10. 本切結書如有偽造或填寫不實者，依中華民國相關法令接受處分。
10. Any actions resulting to forging of the Affidavit or false representation of the contents herein, shall subject the Affiants to relevant discipline or punishments in accordance with the relevant provisions of R. O. C.