

## Teaching Assistant Attendance Management Reminders and Recommendations

Date: January 16, 2017, Office of Academic Affairs

### **Reminders** (Extracted from the Labor Standards Act):

1. Normal working hours for employees shall not exceed 8 hours per day and 40 hours per week. (Labor Standards Act, Article 30, Paragraph 1)  
  
\*Teaching assistants subsidized by the Office of Academic Affairs are capped at 40 working hours per month, and the average hourly wage must not be below the minimum wage announced by the Ministry of Labor.  
  
Instructors should agree on monthly working hours with teaching assistants and ensure that work hours and bonus payments are in accordance with the signed labor contract. Overtime pay derived from exceeding these hours should be funded by the teaching unit or the instructor.
2. After working continuously for 4 hours, employees should have at least a 30-minute break. (Extracted from Labor Standards Act, Article 35)
3. Employees should have two days off every seven days, one of which should be a regular holiday and the other a rest day. (Labor Standards Act, Article 36)
4. Memorial days, festivals, Labor Day, and other days designated as holidays by the Ministry of the Interior or other central government agencies, should be observed as holidays. (Labor Standards Act, Article 37)
5. Employers shall not require female employees to work between 10 PM and 6 AM the following day. (Extracted from Labor Standards Act, Article 49, Paragraph 1)
6. Employers should maintain attendance records for employees and retain these records for five years. (Labor Standards Act, Article 30, Paragraph 5)
7. Employers should record the times of employees' attendance up to the minute, as per regulations. (Implementation Rules of the Labor Standards Act, Article 21)
8. Employers should maintain a payroll register detailing the distribution of wages, the

calculation methods for each item, and the total wages. The payroll register should be retained for five years. (Labor Standards Act, Article 23, Paragraph 2)

### **Recommendations**

Given the practicalities of teaching assistants' duties, such as coordinating with instructors or taking student assignments home for grading, it's challenging for institutions to standardize work hours. To minimize the risk of violating the Labor Standards Act and to avoid potential overtime charges, it is recommended that instructors clearly define and regulate the working hours of teaching assistants. **Teaching assistants should adhere to these hours and maintain accurate attendance records.** (Labor Ministry-hosted “Discussion on Part-time Assistant Learning and Labor Rights at Colleges and Universities” Q&A session dated August 21, 2015)

\*Teaching assistants' sign-in sheets can be downloaded from the Office of Academic Affairs' section for student assistants ([http://www.aca.ntu.edu.tw/aca\\_ta.asp](http://www.aca.ntu.edu.tw/aca_ta.asp)).

\*For questions related to labor laws, please refer to the Ministry of Labor's website (<http://www.mol.gov.tw/>). For inquiries about the Labor Standards Act, contact the Division of Labor Conditions and Employment Equality at (02) 8590-2729.