

Work Permit

In recent years the government has taken steps to crack down on foreign nationals working without a work permit. This has affected students working as English teachers while pursuing their Chinese studies.

Students who have studied at the FCU Language Center for minimum twelve months continuously and have shown excellent academic progress may apply for a work permit from the Ministry of Education. They may then work up to a maximum of twelve hours per week.

Students without a work permit are forbidden to work at any job, including language teaching or part-time jobs. For the full text of the Regulations Governing Foreign Student Work Permits and Employment, please see below.

Regulations Governing Foreign Student Work Permits and Employment

I. The present regulations are based on Article 47, Paragraph 1 of the 1992 Employment Service Law.

II. "Foreign Students" designates students who are enrolled at public or private universities or colleges or their affiliated language institutes, and whose status is recognized by the Ministry of Education.

III. Foreign students' employment in the Republic of China should relate to their course of study or language. It must not infringe on the employment opportunities for students of the Republic of China.

IV. Foreign students who have been formally admitted to a degree program and have completed one academic year of course work or studied in a language training program for more than one year may be allowed to work as employees if their schools certify one of the following facts:

A. A personal or family crisis affects the student's finances to the point that the student is unable to continue his or her studies or to support himself. Documentary evidence must be presented by the student for verification.

B. The educational or research department of the school where the student is enrolled requires his or her assistance in the form of employment.

C. The student's training or research requires related employment experience outside the school as part of the course.

D. The student employee's special skills or qualifications will raise the national standard of specialized knowledge in a relevant field.

The four conditions listed above do not apply to students who possess specialized language expertise; such students may, with permission of the Ministry of Education,

teach at public or private universities or colleges, including their affiliated language training centers.

V. One month before employment, employers of foreign students should submit the following documents to apply to the Ministry of Education for an alien work permit on their employee's behalf:

A. Completed application form for foreign student employment prepared by the Ministry of Education.

B. Transcript for a full academic year at a university or college, or one year of continuous enrollment at a language institute. However, students who fall into Article IV, Paragraph 2 above are exempt from the requirement.

C. The related documents in accordance with Article IV, Paragraph 1 or certification of specialized language expertise.

Prior to the issuance of a work permit, employers are not allowed to employ students or arrange for them to be on probation.

VI. When the work permit is issued by the Ministry of Education, the employer should give it to the school for transmittal to students. Only one work permit can be issued per student. Its validity is up to one year after the date of issuance. If the student employee is still needed, the employer should apply to the Ministry of Education for an extension of no more than one year, one month before expiration of the original permit. Application for the extension of a foreign student work permit requires that the employer submit a document approved by the school where the student employee is enrolled, and certifies that the student's employment is not affecting his or her academic performance.

VII. During the period of validity indicated on their work permit, foreign students may not work more than 12 hours per week except in the summer and winter vacations. In case of graduation, withdrawal or suspension, students should return their work permit to the school and report to the Ministry of Education for revocation of the permit.

VIII. Students who fall into one of the following categories may have their work permit revoked or suspended by the Ministry of Education, if a written accusation by the employer or other identified person is presented to the Ministry and this case has been investigated and confirmed:

A. Students who are absent from work without reason for more than three consecutive days who have been informed but continue to not go back to work.

B. Students who work for any other employer than the one indicated on their work permit.

C. Students who are engaged in employment other than that indicated on their work permit.

D. Students who resign, are laid off or released from employment, or change their jobs.

E. Students who violate other related regulations.

IX. Schools should give guidance on employment to foreign students. In case of their graduation, suspension or withdrawal, the school shall notify the Ministry of Education in writing. The school shall also provide separate written notification to the Ministry of Education of any serious infraction of regulations or of a significant drop in academic performance, so that the Ministry of Education may revoke or suspend the student's work permit.

X. Students who change jobs must apply for a new work permit. This may be done only once. Students whose work permits have been revoked or suspended shall not reapply for a new work permit.

XI. Employers are not permitted to:

A. Hire students who have not received work permits or who have invalid work permits.

B. Use their name to hire a student and then allow the student to work for a third party.

C. Hire a student whose work permit was obtained through a third party.

D. Assign students to engage in work not indicated on their work permit.

Employers who violate any one of the above regulations will be prosecuted in accordance with the relevant clauses of Employment Service Law.

XII. These regulations are effective as of the date of promulgation.

Source: Cultural Division, Taipei Economic and Cultural Office in Chicago