



### Search Laws

Title: [Regulations for Implementing Labor-Management Meeting](#) ( 2014.04.14 Modified ) [Ch](#)

#### Article Content

- [Article 1](#) The Regulations are prescribed in accordance with Article 83 of the Labor Standards Act.
- [Article 2](#) A business entity shall convene a labor-management meeting in accordance with the Regulations; in case that its branch office with more than 30 persons is also required to convene its own labor-management meeting. As the procedures and election of labor-management meeting representatives for branch office shall also be subject to stipulations set forth in the Regulations.  
In case that a business entity with no more than three employees, the employees and the employer automatically become representatives of the labor-management meeting and the restrictions set forth in Articles 3, 5 to 11, and 19 shall not be applied.
- [Article 3](#) The labor-management meeting shall be organized by equal number of representatives from both the labor and the management sides, each side shall have 2 to 15 representatives in the meeting depending on the number of persons in the business entity. However, each side shall have no less than 5 representatives as the business entity has more than 100 persons.  
The representatives from the labor side shall be allocated in accordance with the number of employees in each branch office, department or job and be elected separately.
- [Article 4](#) The representatives from the management side in the labor-management meeting, thirty days before expiration of the term of incumbent representatives, shall be designated by the business entity from persons who are familiar with the business operations or labor affairs.
- [Article 5](#) A business entity with a corporate union at the same business entity level, or a branch office with a corporate union at the same factory or workplace level, the representatives from the labor side in the labor-management meeting shall be elected through its general meeting of union members or member representatives respectively.  
A business entity without a labor union referred to the preceding paragraph, representatives from the labor side shall be elected in one of the following stipulations:  
1. As if a business entity conducts its own election, the representatives shall be elected directly by all employees.  
2. As if a business entity conducts its own election and its branch office has its own labor-management meeting, the allocated number of representatives of the labor-management meeting at the business entity level shall be elected among the representatives from the labor side at the branch office level by employees at the branch office; as if its branch office has no labor-management meeting, the allocated number of representatives of the labor-management meeting at the business entity level shall be elected by employees at the branch office.  
3. As if employees organize or join a labor union not in the branch office or business entity, either the labor union in the business entity or enterprises with controlling and subordinate relationship between each other in accordance with the Company Act, or of a financial holding company and its subsidiaries in accordance with the Financial Holding Company Act shall conduct the election respectively, and representatives from the labor side shall be elected directly by all employees.  
A business entity or its branch offices shall notify the union ninety days before expiration of the term of incumbent representatives from the labor side to conduct an election of labor representatives as specified in Paragraph 1, and the business entity shall conduct on its own and complete the labor representative election if the union fails to do so within thirty days after receiving the notification.  
As if a business entity shall conduct the election of labor representatives as specified in the preceding two paragraphs, the election shall be completed thirty days before expiration of the term of incumbent representatives.
- [Article 6](#) When the number of employees of any single gender is more than one half of the total number of employees, the number of labor representatives for the gender shall not be less than one-third of the total number of representatives.  
The number of alternate representatives for the labor side shall not exceed the number of representatives elected.  
When a seat of representative for the labor side is vacant, an alternate representative shall fill in the vacancy without being subject to the restrictions prescribed in Paragraph 1.
- [Article 7](#) An employee in the age of 15 years old shall have the right to elect representatives for the labor side and also the right to be elected as a representative for the labor side.
- [Article 8](#) High-ranking executives who represent the employer to exercise management authority may not be elected representatives for the labor side

created representatives for the labor side.

[Article 9](#)

The voting date, time, location and method concerning the election held in accordance with Article 5 shall be publicly announced 10 days before the election.

[Article 10](#)

All labor-management meeting representatives shall serve a 4-year term. The representatives for the labor side may serve a following term if reelected and the representatives for the management side may serve a following term if reappointed.

The term of service of labor-management meeting representatives shall begin on the day following the expiration of the former term. However, the term of service of the representatives of the first term or those elected before the former term expires shall begin on the day following the election.

Representatives for the management side may be re-designated when vacancies or changes of duty occur. When seats of representatives for the labor side become vacant or certain representatives are unable to exercise their duties, they shall be filled in by alternate representatives according to the arranged order.

By-election shall be held when the number of alternate representatives for the labor side referred to the preceding paragraph is inadequate for replacement; except when the number of representatives for the management side is reduced to be equivalent to the number of representatives for the labor side.

The replacement of representatives for the labor side by alternate representatives shall be conducted according to the following sequence:

1. Representatives elected in accordance with Paragraph 2 of Article 3 shall be replaced by alternate representatives elected in the same election.
2. When no election is conducted separately, the sequence of replacement shall be determined according to the number of votes acquired by the candidates.

[Article 11](#)

After the election and designation of labor-management meeting representatives are completed, the business entity shall send the name list of representatives and alternate representatives for the labor side to the local competent authority for reference within 15 days; the same procedure shall apply when replacement, by-election, re-designation, or reduction of the number of representatives occurs.

[Article 12](#)

The representatives of labor-management meeting shall coordinate and cooperate in meetings to improve labor-management relations and protect the rights and interests of the employees.

The representatives of labor-management meeting shall adhere to the principle of good faith, ensure the meetings proceed smoothly, and provide necessary information and materials.

The employer shall give the representatives of labor-management meeting official leave when they attend the meeting in accordance with the Regulations.

The employer or supervisory employees who represent employer in exercising the managerial authority may not dismiss, transfer, reduce the wage of, or render other unfair treatment to representatives of labor-management meeting due to conducting duties.

[Article 13](#)

The labor-management meeting's agenda shall include the following:

1. Matters to be reported
  - (1) Progress of execution of decisions achieved in the previous meeting
  - (2) Employee situation such as number, turn-over and resignation rate of employees.
  - (3) Production information such as production plan, business profile and market situation concerning the business entity.
  - (4) Matters concerning the improvement of labor conditions, employee welfare and work environment.
  - (5) Other matters.
2. Matters to be discussed
  - (1) Improvement of labor-management relations and cooperation
  - (2) Labor conditions
  - (3) Employee welfare planning
  - (4) Enhancement of work efficiency
  - (5) Matters concerning the election, designation and dismissal of representatives of labor-management meeting as such.
  - (6) Matters concerning the labor -management meeting operation.
  - (7) Other matters.
3. Matters to be suggested

Matters such as the formation and revision of work rules may be included in the agenda prescribed in the preceding paragraph.

[Article 14](#)

The labor-management meeting may adopt a resolution to invite personnel concerned to attend the meeting to provide explanations or answer questions in relation to motions being discussed.

[Article 15](#)

The labor-management meeting may set up task forces to deal with motions, important issues and elections concerned.

[Article 16](#)

The chair of labor-management meeting shall be served in turn by the person elected from the representatives for the labor and management sides respectively. If necessary, they may co-chair a meeting.

[Article 17](#)

The business entity shall designate person(s) to handle the related matters of labor-management meeting.

[Article 18](#)

The labor-management meeting shall be convened at least once every 3 months, if necessary an ad hoc meeting may be held.

[Article 19](#)

The labor management meeting can be convened only when more than one half of the representatives

Article 19

The labor-management meeting can be convened only when more than one half of the representatives from each side in attendance. Decisions shall be made through discussion to reach a consensus. When the consensus cannot be reached, the decision requires the approval by at least three-quarters of the attending representatives. Representatives who are unable to attend the meeting may present their opinions in writing. Representatives who are unable to attend the meeting as prescribed in the preceding paragraph shall not be counted in the number of attending and approving representatives as prescribed in Paragraph 1.

Article 20

The business entity shall issue labor-management meeting notices seven days before meeting convention as well as have the proposals sent to the representatives three days prior to the meeting.

Article 21

The labor-management meeting minutes shall include the following items and shall be signed by the chair and the person taking the minutes respectively:

1. The term of the labor-management meeting and the number of the session
2. Date and time of meeting
3. Location of meeting
4. Names of attending representatives and persons invited to attend.
5. Matters reported
6. Matters discussed and resolutions.
7. Motions and resolutions.

The meeting minutes prescribed in the preceding paragraph shall be distributed to the attending representatives and persons invited to attend.

Article 22

The business entity shall distribute the labor-management meeting resolutions to the labor union and departments concerned to be implemented.

Both the labor and the management sides shall implement the resolutions by the principle of good faith prescribed in the preceding paragraph. In case changes occur or any resolutions are difficult to be implemented, they shall be presented for further deliberation in the next meeting.

Article 23

The business entity shall be responsible for the expenses required for the labor-management meeting operation and representative elections.

Article 24

When matters concerning the rules of meeting are not covered by the Regulations, the Model Codes of Meeting shall be applied.

Article 25

The Regulations shall become effective on the date of promulgation.