

實領薪資不得 低於基本工資

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和雇主約定的月薪含全勤為28,000元，但這個月因為不小心遲到，所以被扣了1小時的薪水116元和全勤獎金3,000元，導致這個月實際領到的薪水只有24,884元，遠低於政府規定的基本工資27,470元，這樣雇主是合法的嗎？



不合法！若因遲到、休假等因素扣除部分薪資及獎金，導致該月實領薪資低於基本工資，雇主便違反了勞基法的相關規定。勞工有權利向主管機關或是1955專線提出申訴。

家事類移工 則需依勞動契約相關規定辦理。



Salaries cannot be lower than the legally mandated minimum wage

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In the contract I signed with my employer the monthly salary is NT\$28,000, but because I was late once this month I had an hour's pay of NT\$116 and my perfect attendance bonus of NT\$3,000 deducted, which means I was paid only NT\$24,884, much lower than the government mandated minimum wage of NT\$27,470. Is that legal?

That is illegal. If you are late to work or take leave and the amount of salary or bonus deducted results in your salary being less than the legally mandated minimum monthly wage, the employer is in violation of related provisions in the Labor Standards Act. In such situations workers should contact the competent authority or file a complaint with the 1955 hotline.



Family-based foreign workers

Family-based foreign workers are governed by the related provisions in the labor contract they sign with their employer.



Gaji yang diterima tidak boleh lebih rendah dari upah minimum

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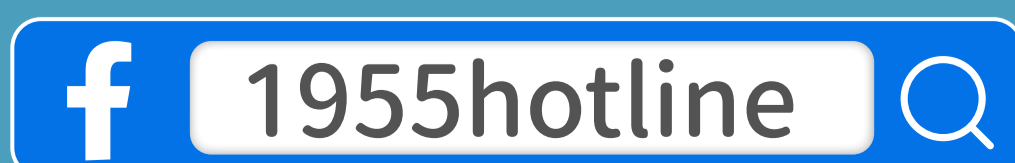
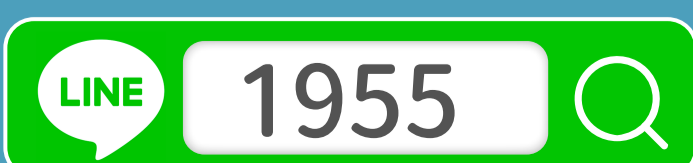
Gaji bulanan yang disepakati dengan pemberi kerja/majikan termasuk kehadiran penuh adalah NT\$ 28.000, tetapi karena bulan ini tidak sengaja terlambat, gaji saya untuk satu jam sebesar NT\$116 dan juga bonus kehadiran penuh NT\$3.000 pun dipotong. Akibatnya, gaji yang saya terima pada bulan ini hanya NT\$24.884 saja, jauh di bawah upah minimum yang ditetapkan pemerintah, yakni sebesar NT\$ 27.470. Apakah ini legal?

Tidak legal! Jika gaji dan bonus dipotong lantaran terlambat, cuti, dan faktor-faktor lainnya, menyebabkan gaji yang diterima pada bulan tersebut lebih rendah dari upah minimum, maka pemberi kerja/majikan telah melanggar ketentuan terkait yang tercantum dalam Undang-Undang Standar Ketenagakerjaan. Pekerja berhak mengajukan pengaduan kepada otoritas berwenang atau melalui hotline 1955.



Pekerja sektor rumah tangga

harus mengikuti ketentuan terkait yang tercantum dalam kontrak kerja.



Lương thực tế nhận được không được thấp hơn mức lương cơ bản

Mức lương hàng tháng thỏa thuận với chủ thuê lao động bao gồm cả tiền thưởng chuyên cần là 28.000 Đài tệ. Tuy nhiên, trong tháng này lỡ đi làm trễ nên đã bị trừ tiền lương 1 tiếng đồng hồ là 116 Đài tệ và 3.000 Đài tệ từ tiền thưởng chuyên cần, khiến mức lương thực tế nhận được trong tháng này chỉ còn 24.884 Đài tệ, thấp hơn nhiều so với mức lương cơ bản do chính phủ quy định là 27.470 Đài tệ. Như vậy chủ thuê lao động có vi phạm pháp luật không?

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Vi phạm pháp luật ! Nếu một phần tiền lương, tiền thưởng bị khấu trừ do các yếu tố như đi trễ, nghỉ phép dẫn đến mức lương thực tế của tháng đó thấp hơn mức lương cơ bản thì chủ thuê lao động đã vi phạm các quy định có liên quan của Luật lao động cơ bản. Người lao động có quyền khiếu nại lên cơ quan có thẩm quyền hoặc thông qua đường dây nóng 1955.

Mức lương của

lao động nhập cư dạng giúp việc gia đình, khán hộ công sẽ căn cứ theo thỏa thuận của hợp đồng lao động.

เงินเดือนที่ได้รับจริงต้อง

ไม่ต่ำกว่าค่าจ้างขั้นต่ำ

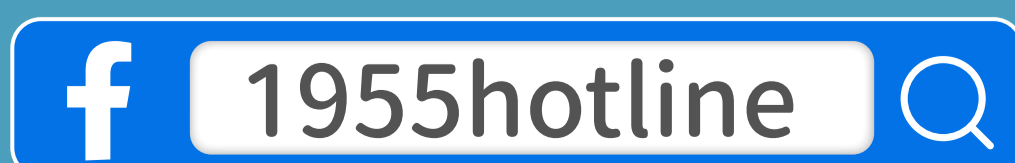
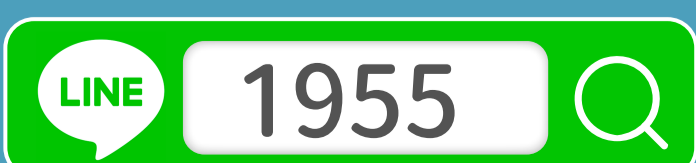
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เงินเดือนที่ตกลงกับนายจ้างรวมเบี้ยขยันคือ 28,000
เหรียญ แต่เนื่องจากเดือนนี้มาทำงานสายจึงถูกหักค่าจ้าง
1 ชั่วโมง เป็นเงิน 116 เหรียญและเบี้ยขยัน 3,000 เหรียญ
ทำให้เดือนนี้ได้รับเงินเดือนแค่ 24,884 เหรียญ ต่ำกว่าค่า
จ้างขั้นต่ำที่รัฐบาลได้กำหนดคือ 27,470 เหรียญ แบบ
นี้ถือว่านายจ้างทำถูกต้องตามกฎหมายหรือไม่ ?



ผิดกฎหมายนะ! กรณีมีการหักเงินเดือนหรือเงิน
รางวัล อันเนื่องมาจากมาทำงานสายหรือลาหยุด จน
ทำให้เงินเดือนที่ได้รับจริงต่ำกว่าค่าจ้างขั้นต่ำ
ถือว่านายจ้างฝ่าฝืนกฎหมายมาตรฐานแรงงาน
สามารถร้องเรียนต่อหน่วย
งานที่เกี่ยวข้องหรือสายด่วน 1955 ได้

ผู้อนุบาลในครัวเรือน ให้เป็นไปตามที่ระบุในสัญญาจ้าง



勞動部勞動力發展署
WORKFORCE DEVELOPMENT AGENCY, MINISTRY OF LABOR

廣告