

Regulations of Working Hours Amended in the Labor Standards Act in Relation to Act on the Arrangement of Related Acts to Promote Work Style Reform

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Abstract

In recent years, the Labor Standards Act has been amended several times and the regulations of working hours are constantly the main focus of the society. The “one regular leave and one rest day” regulation, enacted in December 21st, 2016, has caused controversies in practice and therefore led to another amendment only a year later. The amendment was made on January 31st, 2018, and came into force one month after on March 1st. The main points of this amendment was to implement the government policy of protecting labor rights while granting proper flexibility to both the employees and the employers at the same time. However, the deregulation on working hours is still rather limited. The Japan Chambers of Commerce and Industry and the American Chamber of Commerce in Taipei both regard the Act as too rigid and should be once again amended. Therefore, whether amendments are necessary is still the main concern of the society and calls for further research.

Coincidentally, regulations of working hours in Japan have also been modified. Japan passed the Act on the Arrangement of Related Acts to Promote Work Style Reform in 2018, and the content of which is highly extensive and complicated. Regulations that are in close relation to working hours are regulatory limit on overtime work and establishing the Advanced Professionals System by Labor Standards Act.

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This research plans to conduct a comparative research on the working hours regulations of Japan by comparing the legislative developments and to analyze whether regulations in Taiwan require further amendments. The paper will then propose a concrete conclusion for future amendment reference.

Keywords: working hours, Act on the Arrangement of Related Acts to Promote Work Style Reform, regulatory limit on overtime work, Advanced Professionals System, flex-time systems, discretionary-work systems