

National Cheng Kung University Implementation Regulations for the Recruitment of Contract Employees

Approved in the 610th Meeting of the Chief Administrators Council on December 21, 2005.

Articles 1, 4, 6, 7, 8, 10, and 18 and Appendices 1 and 2 were amended in the 629th Meeting of the Chief Administrators Council on January 3, 2007.

Article 2 was amended in 640th Meeting of the Chief Administrators Council on August 8, 2007.

Article 19 and Appendices 1 and 2 were amended in the 647th Meeting of the Chief Administrators Council on December 19, 2007.

Articles 1, 4, 12, 13, 18, 21, 22, 24, and 25 were amended (and Article 23 was added) in the 657th Meeting of the Chief Administrators Council on June 4, 2008.

Articles 10, 15, and 22 and Appendices 2 and 3 were amended in the 666th Meeting of the Chief Administrators Council on December 10, 2008.

Article 4 was amended in the 686th Meeting of the Chief Administrators Council on March 3, 2010.

Article 9 and Appendices 1, 2, and 3 were amended in the 691st Meeting of the Chief Administrators Council on July 14, 2010.

Appendix 3 was amended in the 699th Meeting of the Chief Administrators Council on December 29, 2010.

The title of the regulations, Articles 13 and 26, and Appendices 2 and 3 were amended in the 5th University Affairs Committee Meeting of the 2010 academic year on July 7, 2011.

The title of the regulations, job titles, and Appendices 1, 2, and 3 were amended in the 1st University Affairs Committee Meeting of the 2011 academic year on October 26, 2011.

Article 13 and Items 8, 9, and 16 in Appendix 3 were amended in the 2nd University Affairs Committee Meeting of the 2012 academic year on December 26, 2012.

Articles 4, 8, 14, and 16 and Appendices 1, 2 were amended in the 4th University Affairs Committee Meeting of the 2013 academic year on April 9, 2014.

Articles 2, 9, 12, 18, 20, and 22, and Appendices 1, 2, and 3 were amended in the 1st Interim University Affairs Committee Meeting of the 2016 academic year on January 18, 2017.

Appendix 2 was amended in the 2nd University Affairs Committee Meeting of the 2017 academic year on December 20, 2017.

Articles 9, 25, and 26 were amended in the 4th University Affairs Committee Meeting of the 2018 academic year on June 12, 2019.

Article 1 The National Cheng Kung University (hereinafter “the University”) Implementation Regulations for the Appointment of Contracted Employees (hereinafter “the regulations”) are enacted According to the University Act; Implementation Rules for the Contractual Employment of Administrative Personnel in National Universities promulgated by the Ministry of Education; National Cheng Kung University Implementation Regulations for Recruiting Research Teaching Personnel Using the University Endowment Fund; and Labor Standards Act. The objective is to facilitate the diverse and flexible management of administrative personnel, thereby meeting the needs of university affairs development.

Article 2 Contracted employees (included in headcounts) in the regulations refer to casual or temporary staff appointed to fill contracted vacancies of certified staff listed for positions of various grades through ordinary or recommended appointment. The employment expenditure is taken from the budget for the original staff and listed as a service fee. Contracted employees (excluded from headcounts) refer to casual or temporary staff employed to support administrative personnel. Expenditure for such staff who work entirely for industry–academia cooperative projects and Ministry of Science and Technology projects is supported by the school management income. The remuneration of remaining staff is taken from the University’s annual budget for the endowment fund.

Article 3 The management of contracted employees referred to in the regulations is conducted by the Contracted Employee Management Committee (hereinafter “the committee”) according to the regulations.

Article 4 The University’s Secretary-General serves as the director of the committee. The number of committee members ranges from eight to ten. The members are detailed as follows:

1. Apparent members (three): held by the Vice President for Research & Development, Director of the Personnel Office, and Director of the Accounting Office.
2. Designated members (two): appointed by the president from among university faculty.
3. Elected members (three to five): elected by contracted employees, with one each from administrative, teaching, and research units; however, only one representative is allowed for each first-level unit. Each member serves a term of 1 year and may be reappointed upon the term expiring.

Article 5 A committee meeting shall not be held unless more than half of the members are present. For a resolution to be passed, it must be approved by more than half of the attendees. When neither side has the approval of half the attendees, the chairperson may also cast a vote to constitute the final result. When necessary, relevant personnel may be invited to attend the committee meeting as nonvoting delegates. A committee member should recuse him/herself when he/she is the candidate for the position.

When calculating the number of attendees, as mentioned in the preceding paragraph, the member recused from voting shall be excluded.

Article 6 The committee shall handle the following matters:

1. Evaluating the qualifications of candidates for contracted positions
2. Conducting evaluations for the renewed employment of contracted employees
3. Appraising contracted employees and determining their rewards and punishments
4. Handling other matters concerning the management of contracted employees

Article 7 Each unit should specify the reasons for recruiting contracted employees, the job responsibilities, and the required candidate qualifications. Upon approval being obtained through administrative procedures, the contracted employees may be recruited. The qualifications of contracted employees shall be based on the Standards for Qualifications of National Cheng Kung University Contracted Employees (Appendix 1).

Article 8 When a vacant full-time position becomes available, the unit with the vacancy shall first adjust its existing staff and then recruit a contracted employee (included in headcounts) to fill the post.

All units must recruit contracted employees under the title of officers/technicians (third-level attorneys), unless otherwise approved on a case-by-case basis. When recruiting contracted employees who are not clerks or officers/technicians (third-level attorneys), each unit shall first recruit from within the University. External recruitment may be performed only when no suitable candidate is available from within the University.

As a general principle, the number of executive secretaries/senior technical specialists may not exceed 2% of the University's total contracted employee quota. The number of assistant executive secretaries (officers)/technical specialists may not exceed 20% of the contracted employee quota for each first-level unit and their affiliated units.

Each first-level unit and affiliated units meeting the condition set forth in the previous paragraph that plan to recruit more than two such employees may only employ one assistant executive secretary, whereas the remaining quota is for officers and technical specialists. First-level units with fewer than five contracted employees that are currently without an assistant executive secretary may hire one. Provisions regarding the quota in the previous two paragraphs do not apply to self-sufficient research units.

Article 9 The appointment of contracted employees in each unit shall be open, just, and fair; moreover, the suitability of the candidate for a given position should be considered. A government head's spouse or third-level relative by blood or marriage may not be appointed as a contracted employee of the University or affiliated agencies. The spouse, relatives within the fourth-degree of blood relation or three-degree of affined relationship of a supervisor, regardless of level, shall be excluded from a role in any unit governed by the supervisor.

Individuals—who should have recused themselves—employed before the supervisor are not subject to the restrictions set forth in the previous paragraph. Individuals meeting any of the following conditions may not be appointed as a contracted employee:

1. Been found guilty of a crime as defined in paragraph 1 of Article 2 of the Sexual Assault Crime Prevention Act and convicted with no further right to appeal.
2. Have committed sexual assault that has been investigated and confirmed by the University's Gender Equity Education Committee or another appropriate committee set up in accordance with the law.
3. Have committed sexual harassment or sexual bullying that has been investigated and confirmed by the University's Gender Equity Education Committee or another appropriate committee, and which requires dismissal and lifetime exclusion from being reappointed as a teacher.
4. Have committed sexual harassment or sexual bullying that has been investigated and confirmed by the University's Gender Equity Education Committee or another appropriate committee, and which requires dismissal and a period ranging from 1 to 4 years when the teacher is prohibited from being reappointed.

5. Have been confirmed by the competent educational authority to have been involved in circumstances referred to in subparagraph 2, paragraph 6, Article 9 of the Supplementary Education Act.

6. Have been confirmed by the competent educational authority to have been involved in circumstances referred to in subparagraph 3, paragraph 6, Article 9 of the Supplementary Education Act, and their reappointment as a teacher is prohibited for a period of 1–4 years.

Article 10 For existing contracted employees in the University and its Affiliated Senior Industrial-Vocational Continuing Education High School who were hired through public recruitment in their initial employment, job rotation among them is allowed upon approval, which shall be granted on a case-by-case basis. Public recruitment shall be held for the appointment of contracted employees. An evaluation panel comprising two people from the recruiting unit, one from the Personnel Office, and one designated member from the committee shall be assembled. The supervisor of the recruiting unit shall serve as the convener responsible for interviews and proficiency tests. Recruitment information announcements and screening shall mainly be organized by the Personnel Office and co-organized by the recruiting unit. The evaluation results shall be arranged in descending order and compiled into a list to be submitted to the president for approval; the written form of the list shall be forwarded to the committee for reporting. The proportions of the interview and proficiency test occupying the total score shall be determined by the recruiting unit according to its requirements. However, the maximum proportion of either the interview or proficiency test should not exceed 60%, and the minimum should not be less than 40%. Subjects of the proficiency test shall be designated by the recruiting unit, and the question-drafting process shall be completely confidentially.

Article 11 In addition to the number of approved individuals, each unit may announce a few waitlist candidates when conducting public recruitment, the number of which shall not exceed that of vacant positions. The waiting period is 4 months starting from the date following the delivery of recruitment results. Moreover, the quota of waitlist candidates and the waiting period shall be clearly specified in the public recruitment announcement.

Article 12 Newly recruited contracted employees shall undergo a 3-month probationary period, at the end of which those with exceptional work performance shall be reappointed. To be reappointed, employees must not be older than 65 years.

Article 13 During the employment period, contracted employees shall follow the orders of the unit supervisor and complete the assigned work. Furthermore, they are obliged to abide by the relevant rules promulgated by the University. When handling commissioned work, employees shall remain just and neutral as well as abide by gender equality laws. Employees in violation of such laws that constitutes damage to the interests of the University shall be dismissed. Under the condition that a preresignation notice is not necessary, employees who wish to terminate their contract shall file a written application in accordance with Article 9 of the National Cheng Kung University Regulations on Temporary Staff as well as complete the resignation procedure. Regarding employees who fail to file an application within the designated time period, thereby causing damage to the University, the University may request damage compensation according to relevant laws.

Article 14 The remuneration of contracted employees shall be calculated in accordance with

the Pay Rate and Remuneration Standards for Contracted Employees of National Cheng Kung University (Appendix 2). Special occasions approved on a case-by-case basis are not subject to this provision.

The starting salary of new contracted employees, unless otherwise approved on a case-by-case basis, shall be calculated using the lowest pay rate of an officer/technician.

Remuneration of contracted employees hired before the commencement of the regulations shall be calculated in accordance with Article 16 of the regulations.

Article 15 New contracted employees reaching the years of service stipulated in the National Cheng Kung University Directions for Contracted Employees Applying for Pay Rate Promotion Previous Seniority may apply for such a promotion within the range of the highest pay rate of their position. A maximum promotion of one level is allowed with every year of service.

Article 16 Contracted employees recruited before the commencement of the regulations shall be retitled as “officer/technician,” whereas those recruited with a high school diploma shall be retitled as “clerk.” The remuneration of these employees shall be calculated according to the pay rate that corresponds to their new job title.

Remuneration of contracted employees recruited before the commencement of the regulations and without a bachelor’s degree shall still be based on the Pay Rate and Remuneration Standards for Contracted Employees of National Cheng Kung University for pay rate promotion, with the highest pay rate of the corresponding education level being the maximum. After obtaining a university or higher education level, such contracted employees’ remuneration shall be calculated according to the standards set in the previous paragraph.

The remuneration of contracted employees recruited before the commencement of the regulations with a graduate school education level shall be calculated using the Pay Rate and Remuneration Standards for Contracted Employees of National Cheng Kung University, with the maximum being the highest pay rate of the corresponding education level being the maximum.

Article 17 The recruiting unit may assess employees who complete 1 year of service at the end of the year according to the National Cheng Kung University Directions for Appraising Contracted Employees. The assessment results may serve as reference for promotion or renewal of employment.

Article 18 The leave of contracted employees shall be handled in accordance with the Labor Standards Act, Regulations for Workers Taking Leave, Act of Gender Equality in Employment, and other related regulations of the University. When contracted employees are sent on a business trip, they shall receive travel expenses equivalent to those of full-time employees of the University of the same rank.

Contracted employees are granted the following types of leave for continuing education:

1. Off-duty time, personal leave, or annual paid leave: employees engaging in continued study must not allow their performance at work to be affected and shall inform the University.

2. Official leave: Employees with at least 2 years of service, upon the consent of their unit supervisor and approval of the president, may engage in continuing education related to their duties by registering part of their office hours as official leave. The number of hours of official leave granted to each person shall depend on actual needs, with 8 hours per week being the maximum.

Article 19 The reward and punishment of contracted employees shall be conducted in accordance with the Civil Service Performance Evaluation Act, Enforcement Rules of the Civil Service Performance Evaluation Act, National Cheng Kung University Implementation Directions for Faculty Reward and Punishment, and other relevant laws.

Article 20 During the employment period of contracted employees, they may not undertake part-time jobs or part-time teaching on or off campus, which is to ensure their work performance is not affected. Because of business needs, those who have obtained permission on a case-by-case basis are not subject to the abovementioned provision.

Article 21 According to the Labor Insurance, National Health Insurance, and Labor Pension Acts, contracted employees must enroll in labor insurance, national health insurance, and labor pensions (for foreign employees, salary is allocated for the pension preparation fund).

Article 22 According to the University's relevant provisions, contracted employees are provided with the following benefits during their employment period:

1. Benefits specified in the Occupational Safety and Health Act
2. University ID badge and vehicle pass
3. The right to participate in the University's cultural and recreational activities
4. Access to the University's public facilities, such as the library, Computer and Network Center, and stadium, according to each unit's provisions
5. The right to invest in the University's convenience store
6. The right to participate in the University's preferential interest on deposits scheme
7. Other approved benefits

Article 23 Contracted employees' severance pay and retirement benefits shall be handled in accordance with the Labor Standards and Labor Pension Acts. The occupational disaster compensation of said employees shall be handled in accordance with the Labor Standards Act, Act for Protecting Workers from Occupational Accidents, Labor Insurance Act, Employment Insurance Act, and other relevant laws.

Article 24 Contracted employees' employment period, working hours, leave for business trips, remuneration standards, assessment, rewards and punishments, benefits, retirement, severance, occupational disaster compensation, report for duty or resignation, insurance, and other related rights and obligations are specified in their contract (Appendix 3).

Article 25 Matters not covered by the regulations shall be handled in accordance with the Implementation Rules for the Contractual Employment of Administrative Personnel in National Universities, the National Cheng Kung University Implementation Regulations for Recruiting Research Teaching Personnel Using the University Endowment Fund, the National Cheng Kung University Regulations on Temporary Staff, Directions for the University's Reporting and Inquiry Mechanisms for Recruiting Contracted Employees, Labor Standards Act, Labor Pension Act, and other relevant laws.

Article 26 The regulations have been approved by the Administrative Committee before implementation. The same shall apply to all amendments to the regulations.

※The English translation thereof is for reference only and the Chinese version shall always prevail in case of any inconsistency between the Chinese version and the English translation thereof.