

Teachers' Leave Regulations

Amended on June 15, 2022

Article 1

The Teachers' Leave Regulations (hereinafter the "Regulations") are established pursuant to Paragraph 2, Article 35, of the Teachers' Act.

Article 2

The Regulations are applicable to full-time public and private school teachers within the staffing complement who receive a monthly remuneration and possess teacher qualifications as specified by the relevant regulations.

Article 3

- l* Leave of absence for teachers shall be governed by the following provisions:
1. Up to seven days of personal leave shall be granted per academic year for specific reasons. In the event that a teacher must personally care for a family member because of the family member's prophylactic vaccination, severe illness, or other major incidents, the teacher may take up to seven days of family care leave per academic year, which shall be counted toward their personal leave. When the combined cumulative number of days of personal leave and family care leave exceeds seven days, remuneration shall be deducted according to the approved number of days of the leave exceeding seven days. The school shall bear the expenses of hiring substitute teachers.
 2. In the event of illness or when a medical assessment indicates that rest is necessary for preventing miscarriage, up to twenty-eight days of sick leave shall be granted per academic year. Any additional days are counted as personal leave. Leaves are also subject to the following regulations:
 - (i) A female teacher who experiences difficulties working during their menstrual cycle shall be granted up to one day of menstrual leave per month. The cumulative days of menstrual leave taken within an academic year may not exceed three days and are not regarded as sick leave. Additional days are counted as sick leave.
 - (ii) For severe illnesses requiring prolonged treatment or when a medical assessment indicates that rest is necessary for preventing miscarriage, a teacher who has

used up their stipulated sick leave, personal leave, and other forms of leave may extend their leave of absence with the school's approval. A leave extension of up to one year may be granted within a two-year period. If an employee returns earlier and has been working for over one year, the leave extension previously obtained does not accumulate.

3. Marital leave of up to fourteen days shall be granted and should be taken within three months starting from ten days prior to the date of marriage registration. However, under special circumstances, an extension of up to one year may be granted with the approval of the school.
4. For expectant teachers, a prematernity leave of eight days shall be granted prior to delivery, which may be taken separately but may not be taken after delivery. Forty-two days of maternity leave shall be granted after delivery. For miscarriages following over twenty weeks of pregnancy, a miscarriage leave of forty-two days is granted; for miscarriages following twelve to twenty weeks of pregnancy, a miscarriage leave of twenty-one days is granted; and for miscarriages following a pregnancy of less than twelve weeks, a miscarriage leave of fourteen days is granted. Maternity leave and miscarriage leave should be taken continuously, including during winter and summer vacations. If an expectant teacher has used up their prematernity leave before delivery, up to twenty-one days of additional leave may be granted and split before delivery. For miscarriages, the number of days of maternity leave previously taken shall be deducted from an expectant teacher's miscarriage leave entitlement.
5. Up to seven days of spouse accompaniment leave may be granted for prenatal examinations, childbirth, or a miscarriage following twenty weeks of pregnancy; such leave may be taken in parts. Accompanying prenatal checkup leave should be taken during a spouse's pregnancy period; a cumulative total of fifteen days (including regular day-offs) of childbirth or miscarriage leave may be taken before or after the date of childbirth or miscarriage.
6. In the event of the death of a parent or spouse, fifteen days of bereavement leave shall be granted. For the death of a stepparent, the parent of a spouse, or a child, ten days of bereavement leave shall be granted. For the death of a great-grandparent, grandparent, grandparent of a spouse, stepparent of a spouse, or a

sibling, five days of bereavement leave shall be granted. Except for the stepparents of a teacher and the stepparents of the teacher's spouse, where the teacher or their spouse was supported by the stepparent before adulthood or cohabited with the stepparent prior to their death, bereavement leave may only be taken for the death of a person who is related to an employee by consanguinity or adoption at the moment of death. Bereavement leave may be applied in parts and must be used within one hundred days from the date of death.

7. For bone marrow or organ donations, leave shall be granted as needed.
- 2 For a teacher who has served less than an academic year, the number of days of personal leave they may be granted per Subparagraph 1 of the preceding paragraph shall be proportionally calculated on the basis of their months of service. Any fraction that is less than half a day is counted as half a day; and any fraction that exceeds half a day but is less than a day is counted as one day.
- 3 The types of leave stipulated in Paragraph 1, namely personal leave, family care leave, sick leave, marital leave, menstrual leave, prematernity leave, accompaniment leave for prenatal checkups or childbirth, and bereavement leave, may be measured in hours. Each application for maternity leave made prior to childbirth should be for a minimum duration of half a day.
- 4 A teacher with an indigenous identity may apply for leave to attend an indigenous ceremonial event as announced by the Council of Indigenous Peoples in accordance with the regulations for commemorative days and festival implementation.
- 5 A teacher applying for family care leave, menstrual leave, prematernity leave, maternity leave, miscarriage leave, accompaniment leave for prenatal checkups or childbirth, or miscarriage prevention leave, as stipulated in Paragraph 1, cannot be refused by the school employing them. Furthermore, the school may not take any adverse actions against them.

Article 4

- 1 A teacher shall be granted official leave under any of the following circumstances, with the duration of the leave being determined by the school on the basis of actual needs:
 1. The teacher is assigned to attend meetings held by the government.

2. The teacher is assigned to undertake inspection trips or participate in international conferences.
3. The teacher is called up for military service in accordance with the relevant regulations.
4. The teacher is voting in an election organized by the government in accordance with the relevant regulations.
5. The teacher is taking leave granted in accordance with the regulations established by the competent authority to reward outstanding teachers.
6. The teacher is injured because of an accident that occurred at work or during a commute, and they require rest or treatment within two years of the incident.
7. The teacher, with the approval of the school, is participating in an exam that is related to work and organized by the government.
8. The teacher, with the approval of the school, is attending an event organized by the school.
9. The teacher, with the approval of the school, is attending a meeting or event related to work by invitation from domestic or international institutions, organizations, or schools, or is attending a legal proceeding to fulfill legal obligations to testify or defend.
10. A teacher who is engaging in further studies, research, or other professional development activities shall apply for official leave in accordance with the Regulations Governing Teachers Undertaking Further Studies, Research and Other Professional Development Activities. Those holding concurrent administrative positions may apply for more than the weekly limit of eight hours of leave during winter and summer vacations for further studies, research, and other professional development activities.
11. During winter and summer vacations, a teacher may visit an overseas school or institution at their own expense to engage in further studies or research related to their job, provided that their teaching and administrative tasks are unaffected and that their prior plans for overseas travel have been approved by the school.
12. A teacher, with the approval of their original school, may teach at another school to meet interschool teaching needs.
13. For colleges and higher-level educational institutions, and to meet industry–

academia collaboration needs, a teacher, with the approval of the school, can hold concurrent positions or collaborate with related institutions.

14. The teacher is required to undergo mandatory quarantine for communicable diseases as determined by competent health authorities at all levels. However, this does not apply if the disease is attributable to the teacher's own actions.

- 2 A teacher who is attending legal proceedings to fulfill legal obligations related to testifying in a case of sexual assault, sexual harassment, or bullying shall be granted official leave.

Article 5

- 1 If a teacher has used up their leave entitlement for extended sick leave as stipulated in Article 3, Paragraph 1, Subparagraph 2, or has used up their leave entitlement for official leave as specified in Article 4, Paragraph 1, Subparagraph 6, and the teacher is still unable to return to work, they shall be granted leave without pay or should retire or be laid off in accordance with the relevant regulations.
- 2 If the teacher as referred to in the preceding paragraph has not recovered within one year from the starting date of their period of leave without pay, they should retire or be laid off in accordance with the relevant regulations. However, if leave without pay is taken because of official duties and under exceptional circumstances, their school may extend their leave by up to one year.

Article 6

- 1 The school shall renew the contract of a teacher whose employment period expires during an extended sick leave as approved by the school in accordance with Article 3, Paragraph 1, Subparagraph 2, or during a period of leave without pay as approved by the school in accordance with the preceding article.
- 2 If the teacher as referred to in the preceding paragraph recovers while they are on leave without pay, they may submit a medical institution-issued medical diagnosis to the school to apply for reinstatement. However, a teacher who is processing retirement or being laid off may apply for reinstatement at any time without submitting a diagnosis, with the date of reinstatement being the effective date of retirement or layoff.

Article 7

- 1 If a teacher applies for extended sick leave spanning two academic years, the total

duration of the leave is calculated by deducting from the initially applied duration the number of days of personal and sick leave allowed for each academic year.

Additionally, a deduction from their personal annual leave is also made if they hold concurrent administrative positions.

- 2 If a teacher returns to work during their extended sick leave period and requests a further extension after the school starts, such extended leave shall be regarded as uninterrupted and the days that fall within winter and summer vacations may not be excluded from calculation. However, the days that fall within winter and summer vacations may be excluded from calculation if they return to work immediately after school starts and have taught for a full semester or longer.
- 3 The act of returning to work as specified in the preceding paragraph shall be supported by a diagnosis from a medical institution. This requirement does not apply to a teacher who is on miscarriage prevention leave.

Article 8

- 1 Public elementary and junior high school teachers holding concurrent administrative positions shall be granted personal annual leave. Their years of service as full-time teachers shall be calculated for this purpose. Those with a service period of one academic year shall be granted seven days of personal annual leave from the second academic year onward. Those with a service period of three academic years shall be granted fourteen days of personal annual leave from the fourth year onward. Those with a service period of six academic years shall be granted twenty-one days of personal annual leave from the seventh year onward. Those with a service period of nine academic year shall be granted twenty-eight days of personal annual leave from the tenth year onward. Those with a service period of fourteen academic years shall be granted thirty days of personal annual leave from the fifteenth year onward.
- 2 Teachers appointed for the first time who report for duty one month after the beginning of the academic year or later and are assigned concurrent administrative positions shall be granted personal annual leave in the following year of duty; such leave is pro-rated on the basis of their months of service during that academic year. A teacher who continues to hold concurrent administrative positions from the third academic year shall be granted personal annual leave in accordance with the preceding paragraph.

- 3 Excluding teachers appointed for the first time, a teacher who is assigned concurrent administrative positions for less than one academic year shall be granted personal annual leave that is pro-rated on the basis of the actual number of months that they served in that position in accordance with Paragraph 1. A day that is calculated to be less than half a day is rounded to half a day; and a day that is calculated to be more than half a day but less than a full day is rounded up to one day.
- 4 The personal annual leave policies for teachers who hold concurrent administrative positions and work in private schools, public colleges, universities, or higher-level educational institutions shall be determined by their respective schools.

Article 9

- 1 If a teacher is transferred or is subsequently reappointed to another school because of retirement, layoff, or resignation, and the teacher has a continuous service period, the service period accumulated before and after the appointment may be applicable for calculating their personal annual leave for holding concurrent administrative positions.
- 2 If the service period of a teacher is interrupted because of resignation, retirement, layoff, leave without absence, denied renewal of appointment, temporary termination, removal from employment, dismissal, disciplinary suspension, or disciplinary discharge, the personal annual leave of the teacher shall be granted in accordance with Paragraph 2 of the preceding article. However, if a teacher is returning to work from leave without pay for parent-care or parental leave, and they are holding concurrent administrative positions during an academic year, they shall be granted personal annual leave in accordance with Paragraph 3 of the preceding article. A teacher who continues to hold concurrent administrative positions in the subsequent academic year shall be granted leave in accordance with Paragraph 1 of the preceding article.
- 3 For an individual who served in the military prior to their teaching appointment, their years of military service are aggregated in accordance with the provisions in the previous two paragraphs.

Article 10

A teacher holding concurrent administrative positions shall primarily take their personal annual leave during winter and summer vacations. However, schools may

approve personal annual leave during the academic semester on the basis of actual needs under the premise that teaching or school affairs are not affected.

Article 11

- 1 A teacher who qualifies under the provisions for personal annual leave as stipulated in Article 8 shall take the stipulated number of days of personal annual leave during each academic year. A teacher who has not taken the requisite number of days of leave should take leave for all the remaining days; personal annual leave may be measured in hours. A teacher may be compensated for unused personal annual leave.
- 2 A teacher who fails to use up all of their remaining days of leave because of official reasons or duties approved by the school may receive rewards after deducting the number of days of personal annual leave that they should take in a year, and unused leave may not be carried over.
- 3 The standards for the number of days of personal annual leave, subsidies, and rewards for unused leaves shall be determined by the central competent authority. Private schools, public colleges universities, and higher-level educational institutions may formulate regulations on the basis of these standards.

Article 12

- 1 Public elementary and junior high school teachers who do not hold concurrent administrative positions are not obliged to be present at school during student winter and summer vacations. The exceptions to this regulation are when they are required to return to school to engage in professional development activities such as obligatory returning to school days, further studies, research, and activities related to disaster prevention and rescue.
- 2 The guidelines, the number of days for obligatory returning to school, and other professional development activities as specified in the preceding paragraph shall be determined by the central competent authority in consultation with representatives of the National Teachers' Association. Each level of competent authority shall formulate the relevant guidelines after consulting with the teachers' association corresponding to their level. In special municipalities, counties, or cities without local teachers' associations, the competent authority may directly formulate guidelines or authorize schools to do so.
- 3 A teacher who cannot participate in professional development activities or obligatory

returning to school as stipulated in the preceding two paragraphs shall follow the relevant leave application procedures.

Article 13

- 1 A teacher must complete a leave form to apply for leave, official leave, or personal annual leave, and they may only take leave with the approval of the school. In the event that they are affected by a sudden illness or an emergency, a colleague, relative, or friend may act on their behalf to complete the leave application procedure.
- 2 A medical diagnosis issued by a medical institution is required for accompaniment leave for prenatal checkups or childbirth, maternity leave, miscarriage leave, sick leave lasting two days or more, miscarriage prevention leave lasting two days or more, official leave for work-related illness or injury, and leave for bone marrow or organ donation. This regulation is not applicable to prematernity leave taken before childbirth.
- 3 A teacher with an indigenous identity who is applying for leave in accordance with Article 3, Paragraph 4, shall submit documentary proof of their indigenous identity as indicated in their household registration document to the school.

Article 14

- 1 A teacher applying for leave, official leave, or personal annual leave must delegate their duties to the appropriate personnel. If the teacher cannot find a suitable substitute, the school shall assist in assigning a substitute. However, for a teacher with an indigenous identity who is taking leave to attend an indigenous ceremonial event, the school shall appoint the appropriate personnel to cover their duties.
- 2 The provisions for adjusting, making up, and substituting missed classes as referred to in the preceding paragraph shall be determined through consultation between competent authorities and their corresponding teachers' associations at all levels. In special municipalities, counties, or cities without local teachers' associations, the competent authority shall determine these provisions directly.
- 3 When a teacher holding concurrent administrative positions is on leave, the school shall predetermine a specific order for the current staff to cover the administrative duties of the teacher.

Article 15

A teacher who neglects their duties and does not follow the procedure stipulated in

Article 13, Paragraph 1, fails to return to work following their approved leave period, or files a fraudulent leave application shall be deemed absent from duty. A teacher who misses classes without a valid reason shall be regarded as absent. In cases of absenteeism or missed classes, their salary shall be deducted in proportion to the number of days absent or the number of classes missed.

Article 16

The leave granted per the Regulations shall exclude regular days off. However, regular days offs shall not be deducted when applying for extended sick leave or official leave for work-related illness or injury. When a teacher applies for leave on an hourly basis, the stipulated working hours shall apply.

Article 17

- 1 These regulations shall apply mutatis mutandis to the following personnel:
 1. Principals of public schools at all levels.
 2. Full-time personnel appointed as part of the staffing complement of schools at all levels in accordance with relevant regulations.
 3. Nursing teachers of senior high schools or higher-level educational institutions who are appointed by the Ministry of Education in accordance with statutory eligibility criteria.
- 2 Leave procedures for the personnel specified in Subparagraph 1 of the preceding paragraph shall be determined by the competent authorities at all levels.

Article 18

- 1 For teachers of private schools of all levels who are applying for leave, provisions that do not pertain to sick leave for treatment or recuperation, menstrual leave, marital leave, maternity leave, miscarriage leave, prematernity leave, accompaniment leave for prenatal checkups or childbirth, leave for indigenous ceremonial events, and the official leave stipulated in Article 4, Paragraph 1, Subparagraphs 1–4, 7–9, and Paragraph 2, may be determined by individual schools. This regulation does not apply to family care leave and miscarriage prevention leave supported by a medical diagnosis.
- 2 The school shall cover the incurred substitute teaching fees and may not deduct the salaries of the teachers specified in the preceding paragraph who are applying for marital leave, maternity leave, miscarriage leave, prematernity leave, accompaniment

leave for prenatal checkup or childbirth, and leave for indigenous ceremonial events.

Article 19

These regulations shall take effect from the date of their promulgation.