

Recruitment Fees and Related Costs in Taiwan

Dictionary of English-Chinese Terms



WORK BETTER INNOVATIONS POLICY SERIES

POLICY BRIEF 01 / 2023

DECEMBER 2023





workBetter
INNOVATIONS

Author

Dr. Bonny Ling 凌怡華博士

Bonny Ling, "Recruitment Fees and Related Costs in Taiwan: Dictionary of English-Chinese Terms," *Work Better Innovations*, December 2023, <https://www.wbi.org.uk/publications/policybrief-1-2023>.

Acknowledgements

We are grateful to Shuhan Lin for her valuable research and translation support and to the Migrant Workers Programme at the Institute for Human Rights and Business (IHRB) for helpful reviews and comments. We thank the design and layout efforts by Digitdesign.ca and Hui Hsuan Wang and the editing by Nicholas Haggerty and Wan-Hsiang Hsu in the production of this complex bilingual 'dictionary' of recruitment-related terms.

© Work Better Innovations (WBI). All Rights Reserved 2023.

Work Better Innovations allows the free reproduction of excerpts from this publication for educational and advocacy purposes, provided full and proper acknowledgment and citation are given.

You must ask and receive permission from Work Better Innovations for the reproduction and translation of this publication. See our publications at wbi.org.uk/publications.




PHOTO AT AN ELECTRONIC FACTORY IN KAOHSIUNG, TAIWAN, IN DECEMBER 2020.

Work Better Innovations

Innovation Space, Halpern House
1-2 Hampshire Terrace,
Portsmouth PO1 2QF
England

T: +44 7984 222216
hello@wbi.org.uk

 @workbetterinnov

Work Better Innovations (WBI) is a social enterprise on a mission to support an inclusive and sustainable economy. We work innovatively on projects for business and human rights and have strong subject matter expertise in international law and standards.

We are the proud recipient of an Innovation Award for Community Innovation in Portsmouth, UK. Our community service is aimed at building a more inclusive and sustainable economy, from the ground up.

www.wbi.org.uk



Introduction



PHOTO BY KUAN LIAO ON UNSPLASH

Labour Migration Corridors to Taiwan

As of October 2023, there are 751,603 documented migrant workers in Taiwan from Indonesia, the Philippines, Thailand and Viet Nam. This number is comparable to pre-pandemic levels, as border restrictions limited the number of entering migrant workers.

The number of migrant workers is likely to increase in Taiwan as the island is expected to become a super-aged society by 2025, that is, a society in which a fifth of residents are aged 65 and above. This has prompted all of Taiwan's 2024 presidential candidates to propose policies to address Taiwan's labour shortage by bringing in more migrant workers.

This number does not include the estimated 80,000 migrant workers who entered Taiwan on valid employment visas but became undocumented by leaving their registered employment.

Information from the Ministry of Labor of Republic of China (Taiwan)'s [Labor Statistics Website](#).

RECRUITMENT OF MIGRANT WORKERS

A key area of forced labour risks centres on the recruitment of migrant workers. This is most readily seen in their payment of recruitment fees and related costs—and potentially also other illegitimate and undisclosed costs—creating situations of debt bondage and leaving migrant workers at risk of exploitative working conditions.

The problem of flawed recruitment is present across various migration corridors that make up transnational labour migration. The risks of debt bondage extend to those who work in global manufacturing or social welfare sectors, such as in domestic or social care.

In July 2023, the *Financial Times* [reported](#) that migrants recruited to work in the UK care sector had paid fees of up to GB£15,000 (US\$18,000) to recruiters in their country of origin, violating UK laws.¹ In the Americas, former migrant worker [Maritza Pérez Ovando](#) spoke of how she had to pay the equivalent of US\$1,300 in Mexico for her agricultural job in the US at the 2023 [Global Forum for Responsible Recruitment](#).²

Similar conditions prevail in Taiwan. A 2023 legislative research and analysis paper states that Vietnamese migrant workers³ typically pay amongst the highest recruitment fees and related costs for their jobs in Taiwan compared to other migrants, reportedly as high as US\$5,000 to \$6,000.⁴ The same paper cites the high recruitment costs borne by Vietnamese workers as a reason why many abscond when their earnings in Taiwan cannot keep up with their debt repayments. Many become undocumented in their search for other better-remunerated employment.

¹ Delphine Strauss, "[Union calls out 'shocking abuse' of migrant careworkers in UK](#)," *Financial Times*, 10 July 2023.

² Institute for Human Rights and Business, "[The Starting Point: Supporting Migrant Workers' Understanding and Experience of Recruitment](#)," June 2023.

³ The term "migrant workers" in Taiwan refers to foreign workers in the sectors specified by Article 46(8)(9)(10) of Taiwan's [Employment Service Act](#), for whom a monthly service fee is collected under Article 6 of Taiwan's [Standards for Fee-charging Items and Amounts of the Private Employment Services Institution](#).

⁴ Legislative Yuan, Republic of China (Taiwan), "[Issue Research Briefing \(No. 2181\): Discussion on improving procedures related to migrant worker abscondment](#) [改善移工失聯相關機制之探討]," August 2023.



Ms Dang Thi Vi, 69, lives with her grandson in a relatively large house which her son's family managed to build. However, due to the debt, her son continues to work in Taiwan whereas her son's wife is a domestic worker in Saudi Arabia, leaving the little boy with his grandmother.

©ILO/NGUYEN VIET THANH

Labour Recruitment and Taiwan: Employment Service Act

Taiwan opened its labour market to foreign workers in 1989 in response to domestic shortages in the low-wage workforce. When this labour shortage persisted, the government expanded this programme by opening more employment sectors to foreign workers.⁵

This programme was formalised in 1992 when Taiwan passed the [Employment Service Act](#) [就業服務法], which established an official mechanism whereby local employers could apply to recruit foreign workers, subject to meeting certain conditions. A new industry of labour agencies and brokers developed to meet the administrative needs of recruiting and placing foreign workers into employment in Taiwan.

The [Employment Service Act](#) maintains the differentiation between low-wage and high-wage foreign workers by specifying the sectors of work that are subjected to a different system of labour recruitment rules.

The term “migrant workers,” as used in this brief, thus denotes the low-wage foreign workers in Taiwan, who are those employed in the following sectors, listed under Article 46 of [the Employment Service Act](#):

- Marine fishing/netting work, Art. 46(8)
- Household assistant and nursing work, Art. 46(9)
- Designated national major construction project(s) or economic/social development needs, Art. 46(10), such as those in:⁶
 - Manufacturing or outreach manufacturing;
 - Construction;
 - Slaughterhouse;
 - Agriculture, forestry, animal husbandry or aquaculture; and
 - Other work designated by the Central Competent Authority.

⁵ As per international guidance for media reporting on migration, this policy brief uses the term “low-wage” workers to denote workers in certain employment sectors by the amount they are paid, such as domestic care, construction, agriculture and other forms of manual labour that are considered “dirty, dangerous and difficult.” The term “low-waged” is preferred to “low-skilled” as the latter can be read as a negative judgement regarding the work’s value and the workers’ capacity for growth; see International Labour Organization Spotlight Initiative, [Media-friendly Glossary on Migration: Women Migrant Workers and Ending Violence against Women \(EVAW\) Edition](#), 2020, p. 13.

⁶ [Review Standards and Employment Qualifications for Foreign Workers Engaging in Work Specified in Subparagraphs 8 to 11, Paragraph 1, Article 46 of the Employment Service Act](#) [外國人從事就業服務法第四十六條第一項第八款至第十一款工作資格及審查標準], Art. 5.

Purpose and Methodology

This policy brief, *Recruitment Fees and Related Costs in Taiwan: Dictionary of English-Chinese Terms*, is the first in a series of Work Better Innovations briefs on the issue of labour migration and Taiwan.

This policy brief will set out the Chinese terms for the various recruitment fees, related costs and other illegitimate costs as they are used in the Taiwanese context. References are made to international standards on fair recruitment of the International Labour Organization (ILO), along with corresponding provisions in Taiwan's domestic laws and regulations for where such fees are legally permitted or prohibited in its legal framework.

Through this 'dictionary' of terms, this policy brief aims to contribute to a better alignment of terms across English and Chinese on the international standards of fair recruitment. We need to have conceptual clarity on what the terms mean and their basis in law.

It is an effort to remove misunderstandings arising from language and translation as potential impediments to adopting responsible recruitment practices. The [Employer Pays Principle](#), wherein all the costs of recruitment are borne by the employers and not by the workers, underpins the global movement for responsible recruitment.



For 31 years, Ms Le Thi Lan has headed a women's union in a Vietnamese village with many residents working in Saudi Arabia and Taiwan. Her daughter and son are migrant workers in Taiwan.

Men in the village have formed groups of builders bidding for community projects to create jobs and share their experiences with each other of how to take care of their children and families while their wives work abroad.

©ILO/NGUYEN VIET THANH

Challenge of Translation in Labour Recruitment

The Taiwanese labour recruitment industry has developed specialised terms to address various aspects in cross-border labour recruitment. While some terms are consistent with those officially defined in the [Employment Service Act](#) and other delegating regulations, others are colloquial.

Both types of formal and informal terms introduce a layer of potential misunderstanding and misinterpretation of what is meant by international standards of responsible recruitment.

This problem of language translation is further exacerbated in the Taiwanese context because Taiwan uses traditional Chinese characters as opposed to the simplified script used for all official Chinese documents produced by the United Nations.

In this context, language—and how it is written—can further introduce a potential source of error and misalignment of understanding and expectations. The result can be a growing gap between the domestic localisation of international standards in Taiwan versus expectations abroad.

International Definitions and Standards

There are three types of fees and costs in the transnational labour migration process, as defined by the ILO in 2019. They are broadly set out as (1) recruitment fees, (2) recruitment-related costs and (3) illegitimate, unreasonable and undisclosed costs.

The following paragraphs and text boxes are adapted from the authoritative ILO primary document on the definition of recruitment fees and related costs in the labour recruitment process.⁷

Recruitment fees, at their core, are the costs of matching workers to their employment. These fees can cover the stages of recruiting, referral and placement services, and include the costs of advertising and information disseminating, interviewing, submitting documents for government approval and confirmation, organising travel and transportation, and placing workers into employment in the country of destination.⁸

In contrast to recruitment fees, **recruitment-related costs** are not directly incurred in matching migrant workers to their employment abroad. These costs, nonetheless, are associated with transnational labour recruitment and can be imposed by the employer, labour recruiter or an agent.⁹

The third category consists of **illegitimate, unreasonable and undisclosed costs** that can be present at any stage in the labour recruitment process. These costs are usually the hardest to detect, owing to their undocumented nature and absence of receipts. Because these costs are generally extra-contractual, undisclosed, inflated and illicit, they should fall within the scope of anti-bribery and anti-corruption regulations for robust law enforcement.¹⁰

Recruitment fees

- Payments for recruitment services offered by labour recruiters in matching offers of employment with applicants;
- Payments made in the recruitment of workers to employ them to perform work for a third party;
- Payments made in the case of direct recruitment by the employer; or
- Payments required to recover recruitment fees from workers.

Recruitment-related costs

- Medical costs;
- Insurance costs;
- Costs for skills and qualification tests;
- Costs for training and orientation;
- Equipment costs;
- Travel and lodging costs;
- Administrative costs associated with meeting recruitment requirements; or
- Any other related costs that are required as a condition of recruitment.

Illegitimate, unreasonable and undisclosed costs can be:

- Bribes or tributes;
- Extortion or kickback payments;
- Bonds, illicit cost-recovery fees; or
- Collaterals required by any actor in the recruitment process.

⁷ International Labour Organization, [General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs](#), 22 May 2019.

⁸ *Ibid.*, p. 28.

⁹ *Ibid.*, pp. 28-29.

¹⁰ *Ibid.*, p. 29.

Table 1

Dictionary and Translation of Recruitment Fees and Related Costs Terms used in Taiwan: Fees Collected in Taiwan

台灣招聘費與相關費用之詞彙與翻譯：在台收取之費用

ILO Categorisation 國際勞工組織的分類	Equivalent Term used in Taiwan with English Translation 台灣的用法和英譯	Definition, Purpose or Common Usage 定義、目的或常見用法	Legal Basis 法源依據	Fees Amount and Who Pays 費用總額和由誰支付
Recruitment fees 招聘費	登記費 (<i>dengji fei</i>) Registration fee	“Expense required for undertaking job-seeking or recruitment registration” 「辦理求職或求才登錄所需之費用」	Standards for Fee-charging Items and Amounts of the Private Employment Services Institution , Art. 2(1). Thereafter, the “Standards” 《私立就業服務機構收費項目及金額標準》 (下稱《收費標準》) 第二條第一項	Employers pay. Registration and placement fee in total cannot be more than first month salary. Standards , Art. 3(1). *Note: The current statutory minimum monthly wage is NT\$26,400 for 2023 and will increase to NT\$27,470 in January 2024. Most low-wage migrant workers recruited to work in the industrial sectors of Taiwan are paid minimum wage. Effectively, this provision in the Standards, Art. 3(1) caps the one-time total registration and placement fee to be paid by employers in the industrial sectors at the statutory minimum monthly wage.
	介紹費 (<i>jieshao fei</i>) Placement fee	“Expense required for matchmaking job seeker and employer to conclude employment relations” 「媒合求職人與雇主成立聘僱關係所需之費用」	Standards , Art. 2(2) 《收費標準》 第二條第二項	In contrast, employers of migrant domestic workers pay lower total registration and placement fees than their counterparts in the industrial sectors because domestic care falls outside the scope of the Labour Standards Act. The minimum monthly salary for a migrant domestic worker in Taiwan is NT\$20,000. 登記費由雇主支付。按照 《收費標準》 第三條第一項，登記費及介紹費合計每一員工不得超過其第一個月薪資。 *備註：法規明定基本工資將在2024年1月從新台幣26,400元調整為新台幣27,470元。絕大部分在台從事製造業的移工領的即是基本工資。《收費標準》第三條第一項將製造業雇主支付的一次性登記費和介紹費總額有效地限制不得超過移工每月的基本工資。 相對地，外籍家庭看護工的雇主所支付的登記費和介紹費比同樣雇用移工的製造業雇主較少，因為《勞動基準法》並沒有保障外籍家庭看護工。外籍家庭看護工在台基本工資為每月新台幣20,000元整。

<p>Recruitment-related costs 招聘相關費用</p>	<p>服務費 (<i>fuwu fei</i>) Service fee</p>	<p>“Expenses required for undertaking employment services matters... and transportation costs for receiving and sending off foreign person(s)” 「辦理就業服務事項所需之費用，包含接送外國人所需之交通費用」</p>	<p>Standards, Art. 2(5) 《收費標準》第二條第五項</p>	<p>Migrant workers pay on a recurring monthly basis. Standards, Art. 6.</p> <ul style="list-style-type: none"> • First year: NT\$1,800 per month • Second year: NT\$1,700 per month • Third year: NT\$1,500 per month (up to 12th year, the maximum length of stay for workers in sectors specified in Employment Service Act, Art. 46(8-10) as per Art. 52. In limited cases, some workers in domestic care work under Art. 46(9) may be able to stay up to 14 years). <p>移工每月固定支付。《收費標準》第六條。</p> <ul style="list-style-type: none"> • 第一年：每月新台幣1,800元 • 第二年：每月新台幣1,700元 • 第三年：每月新台幣1,500元 (最長12年，即為《就業服務法》第四十六條第一項第八至十款所規範之產業移工於第五十二條所規範之在臺工作年限。在少數情況下，從事第四十六條第一項第九款規定之家庭看護工最長可以停留14年。)
	<p>健康檢查費 (<i>jiankang jiancha fei</i>) Health examination fees</p>	<p>Expenses required to safeguard the health rights and interests of both nationals and foreign workers 「維護國人及外勞健康權益」、「兼顧防疫風險」¹¹</p>	<p>Regulations Governing Management of the Health Examination of Employed Aliens, Art. 5(2)(3) 《受聘僱外國人健康檢查管理辦法》第五條第二和第三項</p>	<p>Migrant workers pay on a periodic basis when health examinations are required by law:</p> <ul style="list-style-type: none"> • Within 3 days of first entry into Taiwan • After 6 months • After 18 months • After 30 months <p>依據法規，移工在需辦理健康檢查時按時支付，包含：</p> <ul style="list-style-type: none"> • 入國後三個工作日內 • 工作滿六個月 • 工作滿十八個月 • 工作滿三十個月 <p>*Note: Costs for these health examination fees vary by hospital in Taiwan and are borne by migrant workers, unless otherwise specified in the work contract. While the Workforce Development Agency of the Ministry of Labor states that the average cost of health examinations is around NT\$1,500,¹² the actual cost may be higher because migrant workers reportedly also bear their transportation costs to and back from their health examinations, as well as translation services during the health examination.¹³</p> <p>*備註：各家醫院健檢費用不一，除非勞雇雙方於契約中另行約定，否則原則上由移工自行負擔。根據勞動部勞動力發展署的說明，健檢平均費用約為新台幣1,500元，¹² 但移工實際支付的費用可能更高，主要原因是移工據聞需自行負擔健檢的來回交通費及健檢時的翻譯費用。¹³</p>

¹¹ See, for instance, Ministry of Health and Welfare, Republic of China (Taiwan), “[外勞雇主請留意!衛福部修正「受聘僱外國人健康檢查管理辦法」,外勞健檢時程計算方式將與工作起始日同步](#) [Note for employers of foreign workers: Ministry of Health and Welfare has revised the ‘Regulations Governing Management of the Health Examination of Employed Aliens’ and the respective calculation schedule for the health examination of foreign workers],” 12 July 2023.

¹² Workforce Development Agency of the Ministry of Labor, Republic of China (Taiwan), “[Migrant Worker Applications: Points to note when applying](#) [移工申辦工作: 申辦注意事項],” 15 December 2023.

¹³ See Liang Lifang [梁莉芳] and Wang Xiaojun [王筱珺], “[【投書】政府應許的暴利?外勞仲介服務費服務了誰?](#) [Letter: Government-permitted exploitation? Who do the migrant-borne service fees really benefit?],” *The Reporter*, 18 July 2017.

<p>Illegitimate, unreasonable and undisclosed costs</p> <p>非法、不合理和未揭露的費用</p>	<p>「介紹費」 (<i>jieshao fei</i>) "Introduction fees"</p> <p>買工費 (<i>maigong fei</i>) Job purchasing fees</p> <p>*English translations are literal and not official owing to the illegitimate, unreasonable and undisclosed nature of these costs.</p> <p>由於此費用非法、不合理且未揭露，因此並沒有官方英譯，此處英譯為中文直譯。</p>	<p>Used colloquially in Taiwan, these terms refer to the extra fees paid by the employers to secure workers or paid by the workers to secure employment, either by extending their contract, transferring between jobs or finding new work.</p> <p>台灣口語說法，意指雇主為保留勞工或勞工為確保就業，延長雇用契約、轉換雇主或找新工作所額外支付的費用。</p>	<p>These costs have no basis in law. However, the term 介紹費 (<i>jieshao fei</i>) is part of what employers should pay, as listed in the Standards, Art. 2. The same term is noted here with quotation marks to indicate its colloquial usage, referring to the amount paid over the permitted limit.</p> <p>「介紹費」並沒有法律依據，但依據《收費標準》第二條，如果名目是介紹費，本應由雇主支付。這裡特別用引號標註介紹費表示其為口語用法，該費用的金額不在法律允許的範圍內。</p>	<p>Both employers and migrant workers can pay arbitrarily outside the Standards of permitted fees in private employment services. These illegitimate, unreasonable and undisclosed costs have been reported to be between NT\$35,000 to 80,000.¹⁴</p> <p>私下聘僱時，雇主跟移工都可能被恣意要求支付《收費標準》允許範圍外的費用。這些非法、不合理且未揭露的費用據聞介於新台幣35,000元至80,000元間。¹⁴</p>
--	--	---	--	--

¹⁴ The China Post/Asia News Network, "[Migrant workers in Taiwan demand abolishment of broker system](#)," *Inquirer.Net*, 5 November 2019.

Table 2

Dictionary and Translation of Recruitment Fees and Related Costs Terms used in Taiwan: Fees Collected in the Country of Origin

台灣招聘費與相關費用之詞彙與翻譯：在來源國收取之費用

ILO Categorisation 國際勞工組織的分類	Equivalent Chinese Term used in Taiwan with English Translation 台灣的用法和英譯	Definition, Purpose or Common Usage 定義、目的或常見用法	Legal Basis 法源依據	Fees Amount and Who Pays 費用總額和由誰支付
Recruitment fees and recruitment-related costs 招聘費和招聘相關費用	仲介費 / 海外費 / 安置費 (<i>zhongjie fei / haiwai fei / anzhi fei</i>) Brokerage fees / Overseas fees / Settlement fees *Chinese terms and English translations are literal and colloquial expressions. 此處中文用詞和英譯為口語說法和直譯。	All the expenses required by the labour brokerage or agents in the country of origin for the migrant worker to be successfully placed with employment in Taiwan. The terms generally reflect both direct and in-direct costs of job-seeking, recruitment, registration and placement, along with all ancillary costs. 為了在台灣順利就業，所有移工支付給母國人力仲介的費用，包含求職、招聘、登記、就業的直接和間接費用，以及所有額外的費用。	These fees are prohibited under Taiwanese law and regulations (Employment Service Act , Arts. 35 and 40; they are also not listed as permitted in the Standards). These fees, however, may be allowed by the laws and regulations of the country of origin. While some fees and costs may be legally permitted by domestic law, they can still contravene international standards on fair recruitment. 台灣的法規明文禁止仲介費，例如《 就業服務法 》第三十五條和第四十條。這些費用也不在《 收費標準 》允許收費的範圍內。但移工來源國的法律可能准許這些費用的收取。雖然國內法可能允許收取某些費用，但這些費用可能違反公平招聘的國際標準。	In reality, migrant workers pay these fees and costs in their country of origin, reportedly with kickbacks passed back to the labour brokers in Taiwan. ¹⁵ In doing so, while Taiwanese labour brokers may not be directly collecting these fees, they still can benefit financially despite the strict legal prohibition under Taiwanese law. 有報導指出，事實上台灣的人力仲介會從移工在母國支付的費用中收取回扣。 ¹⁵ 如此即便台灣法律嚴格禁止、台灣仲介並未直接收取這些費用，但台灣仲介依然從中獲利。

¹⁵ FairSquare Projects, "The Five Corridors Project: [Corridor 4 Philippines to Taiwan: Fair recruitment in review](#)," July 2021, p. 75.

<p><i>Illegitimate, unreasonable and undisclosed costs</i></p> <p>非法、不合理和未揭露的費用</p>	<p>買工費 (<i>maigong fei</i>) Job purchasing fees</p> <p><i>*Chinese terms and English translation are literal and not official owing to the clandestine nature of these costs.</i></p> <p>由於此費用為檯面下的收費，因此不存在官方翻譯。此處中文用詞和英譯為口語說法和直譯。</p>	<p>This term can also be used to denote collectively all the fees and related costs (disclosed or otherwise) that migrant workers must pay upfront to secure employment in Taiwan.</p> <p>買工費亦可統稱移工為了確保在台就業而預先支付的所有費用，無論費用公開與否。</p>	<p>The term popularly used in Taiwan refers to all the costs the worker pays for their job in the country of origin (legitimate and illegitimate). This is reflected in the name “job purchasing fees.” While some fees and costs may be legally permitted by domestic law, they can still contravene international standards on fair recruitment.</p> <p>「買工費」這個在台灣相當普遍的說法意指勞工為了工作在母國支付的所有費用（合法或非法）。雖然國內法可能允許收取某些費用，但這些費用可能違反公平招聘的國際標準。</p>	<p>Migrant workers pay. 由移工支付。</p>
---	--	---	--	--

僱主支付原則


The Employer Pays Principle

勞工不應支付就業費用，
招募費用應由僱主負擔，
而非由勞工負擔。

Scan the code to learn more → 

The Employer Pays Principle

No worker should pay for a job – the costs of recruitment should be borne not by the worker but by the employer

Scan the code to learn more → 



Conclusion:

Need for Clarity

in Terminology

Working across the language divide of English and Chinese means an additional layer of complexity to navigate, requiring not only fluency in both languages but also a deep understanding of how the terms are used in various contexts: international and local, formal and informal. Translation and the misalignment of terminology in the complicated process of cross-border labour recruitment can obscure an accurate understanding.

“WORKERS ON A METAL POLE SCAFFOLD IN TAIWAN” BY MALCOLM KOO IS LICENSED UNDER CC BY-SA 4.0.

The most common way to translate recruitment fees in Taiwan is 仲介費 (*zhongjie fei*), corresponding literally to “brokerage fees” or “labour broker fees.” This is in contrast to 招聘費 (*zhaopin fei*), where the first two characters together mean “recruitment” and would be a more accurate translation of recruitment fees and related costs under the ILO categorisation.

Translating “recruitment fees” locally as 仲介費 (*zhongjie fei*) or as “brokerage fees” also highlights the unscrupulous behaviour of brokers and less on a flawed system of recruitment that legally permits the collection of these fees in the first place.

Further, the usage of the term 仲介費 (*zhongjie fei*) is especially problematic, as it can sometimes be used interchangeably as 海外費 (*haiwai fei*), literally meaning “overseas” fees, thus shifting the responsibility for responsible recruitment entirely onto the countries of origin.

This mismatch of terms impedes reforms for fair recruitment in Taiwan. In English, the growing international movement to abolish recruitment fees for migrant workers is taken comprehensively to mean all recruitment fees and related costs, in addition to other illegitimate fees, embedded in transnational labour recruitment.

Taiwan's legal framework uses terms that can unintentionally obscure this comprehensive understanding by separating these permitted fees from the broader context of transnational labour recruitment, while also legitimising these charges as legal and not risks of labour exploitation.

Urgent reforms are needed in Taiwan to align domestic laws and regulations with international labour and human rights standards to address significant areas of forced labour risks in its supply chain.

For the 221,858 migrant domestic workers in Taiwan at the end of 2022, over 165,626 of whom were female migrant workers from Indonesia, it is important to remember that they toil outside the statutory protections of Taiwan's [Labor Standards Act](#) [勞動基準法].

There is no equivalent supply chain leverage to improve the employment conditions for migrant workers in the domestic setting. Still, there can be no vacuum for respecting the human rights and fundamental labour rights of workers in this sector.

A more accurate alignment of the English and Chinese terms on recruitment fees and related costs, as they are referred to in Taiwan, is a useful place to start. At a minimum, greater conceptual clarity on the fees and related costs of recruitment should be the first step towards establishing fair recruitment and decent work for all migrant workers in Taiwan.



Why Terms Matter: A Practical Example

In Taiwan's [Standards for Fee-charging Items and Amounts of the Private Employment Services Institution](#), which sets out the permissible fees for both domestic and transnational labour recruitment, the terms used for the "expense required for matchmaking job seeker and employer to conclude employment relations" (Article 2) do not match in their English and Chinese terms.

In English, this fee is correctly indicated as "placement fee," denoting the entirety of the process needed for a transnational job placement.

In Chinese, however, the same fee is officially translated as 介紹費 (*jieshao fei*), which literally means the fees of "introduction [介紹 (*jieshao*)]." Its focus on introduction excludes the totality of the job placement process, as is understood in English.

Labelling placement fees as "introduction fees" [介紹費 (*jieshao fei*)] in Chinese can easily lead to a mistaken perception that it refers only to the fees collected abroad at the initial stage of job placement—therefore that accountability only lies with labour brokers in the migrant workers' countries of origin.




We see the same bias permeated in the terms used in Taiwan to denote fees collected in the countries of origin (Table 2). Terms like "brokerage fees" [仲介費 (*zhongjie fei*)], "overseas fees" [海外費 (*haiwai fei*)] and "settlement fees" [安置費 (*anzhi fei*)] carry the connotation that these fees are entirely extraterritorial.



Work Better Innovations

Innovation Space, Halpern House
1-2 Hampshire Terrace,
Portsmouth PO1 2QF
England

T: +44 7984 222216
hello@wbi.org.uk

   @workbetterinnov



www.wbi.org.uk