

# Regulations Concerning Terms and Conditions of Employment for the Post-Doctoral Research Fellow and Research Assistant at Taipei Medical University

Established and approved at the Administrative Affairs Meeting on Nov. 13<sup>th</sup>, 2013

Amended and approved at the Administrative Affairs Meeting on Oct. 3<sup>rd</sup>, 2018

Amended and approved at the Administrative Affairs Meeting on Feb. 13<sup>th</sup>, 2019

Amended and approved at the Administrative Affairs Meeting on May 10<sup>th</sup>, 2023

Amended per Order Bei-Yi-Xiao-Mi-Zi No. 1120008591 dated Jun. 1<sup>st</sup>, 2023; 11 articles in total

## Article I (Purpose)

To provide regulations governing the appointment process for post-doctoral research fellows and research assistants. (Hereinafter referred to as these procedures).

## Article II (Eligibility)

The Regulations apply to the following personnel who are employed with University funds or grants from government units, corporations, private sectors and academic research institutes (hereinafter referred to as the “Sponsoring Organization(s)”) to subsidize, commission, or sponsor a project (hereinafter referred to as the “Sponsored Project”):

1. Postdoctoral researcher: refers to a full-time researcher with a Ph.D., who is neither enrolled nor employed.
2. Full-time research assistant: refers to a full-time assistant with an associate, bachelor’s or master’s degree, who is neither enrolled nor employed.
3. Part-time assistant: refers to a work-study part-time assistant, who is a student concurrently.
4. Part-time worker: refers to an individual who is employed part-time for teaching or research projects or affairs.

Full-time research assistants, part-time assistants, and part-time workers are collectively referred to as “assistants”.

## Article III (Qualifications of Employment)

Qualifications for Postdoctoral Researchers and Research Assistant is determined by the project execution unit depending on the situation, where the spouse, blood relatives or relative-by-marriage within the third degree shall

not be employed, nor shall personnel that are still working or studying be appointed as postdoctoral researcher or full-time research assistant. The employment will be terminated once caught. The University may request the project principal investigator ((hereinafter referred to as the “PI”) to return or pay the wages and insurance fees derived from employment accumulated from the day of violation. The arrangement of work content, time and location for the postdoctoral researchers and assistant personnel shall be designated and supervised by the PI. Guided and supervised by the PI and the project execution unit, and the work duties can be modified as needed as per Article 10, Subparagraph 1 of the “Labor Standards Act”.

Article IV (Procedures for Employment)

All the appointment process needs to be completed five days before the date of employment. The personnel shall be employed upon review of all complete information by the administrative unit on the online system.

The hiring process will be initiated only when foreign postdoctoral researchers and assistants possess work permits issued by the central authorities. Once they obtain residency documents, they can then enroll in health insurance plans.

Article V (Duration of Employment)

Upon the duration of employment for postdoctoral researcher or assistant personnel coming to an end and the PI plans to continue to employ said personnel, the personnel employment shall be reprocessed on the full/part-time assistant management system.

Article VI (Project Transfer)

Project transfer for postdoctoral researcher or assistant personnel during the duration of employment shall be viewed as leaving their positions before the end of the contract, and the individual shall submit and complete the leaving procedures on the management system 5 days prior to leaving, and shall apply for employment under personnel project transfer in accordance with the management system procedures and the hiring process shall be carried out according to Article 4 herein.

Article VII (Procedures of Resignation Application)

The PI should be informed when a postdoctoral researcher or assistant tenders' resignation. Resignation procedures for postdoctoral researchers and assistants shall be conducted following the "Taipei Medical University Regulations of Contract Staff Employment".

#### Article VIII (Remuneration and Benefits)

Postdoctoral researchers and assistant personnel under National Science and Technology Council (NSTC) and University-subsidized projects shall be employed in accordance with the remuneration for full-time assistant personnel and teaching and research fee for postdoctoral researchers in topical research projects and the remuneration standard chart for part-time assistant personnel in topical research projects. Postdoctoral researchers and assistant personnel in other projects shall be hired in accordance with the rules and regulation of the subsidizing entity, which shall be clearly described in their contracts.

In principle, the allocation of year-end bonus for postdoctoral researchers and assistant personnel shall be in accordance with the year-end bonus allocation standards of the subsidizing entity, with the University's year-end bonus allocation standards as a reference.

1. For those employed with a grant from a Sponsored Project, and the Sponsoring Organization has set specific criteria for the issuance of year-end bonus, their year-end bonus will be issued according to such criteria.
2. Other than the situation mentioned in the preceding paragraph, the year-end bonus will be issued based on the criteria of the University. Postdoctoral researchers and assistants are entitled to labor insurance, national health insurance coverage, and labor pension as stipulated by laws.

For those who are not subject to the "The Labor Pension Act" and the Sponsoring Organization has set related regulations, their separation fund shall be handled following such regulations set by the Sponsoring Organization. If the Sponsoring Organization doesn't have related regulations or the individual is hired with University funds, the individual's separation fund will be contributed in accordance with the "Regulations of Separation

Fund of Contract Employees at School”. The postdoctoral researchers and assistants shall decide their percentage of contribution to their separation fund.

Article IX (Working Hours of Full-time Staff)

Postdoctoral researchers and assistants need to clock in and out on the assistant management system truthfully. The working hour is 8 hours a day, 40 hours a week.

The working hours of postdoctoral researchers and assistants may be adjusted by the PI based on the progress of the work and needs. Overtime work shall be applied according to University regulations, if working hours are extended.

Article X (Working Hours of Part-time Assistants and Part-time Workers)

The daily working hours of part-time assistants and part-time workers are scheduled with the shifts they are appointed to weekly or monthly. However, the working hours should not exceed 8 hours a day, 40 hours a week, and their total working hours of a month should not exceed the number of their monthly salary divided by their hourly wage.

Part-time assistants and part-time workers need to detail their starting and ending time of their work on a workday and the duties they carry out on the part-time personnel management system. The PI shall approve their wage verification online between the 26<sup>th</sup> of every month to the 2<sup>nd</sup> of the next month. In the month when the project is completed, part-time assistants and part-time workers need to submit their application for project-based wage with the closure of the project.

Article XI (Working Hours of Overseas Chinese Students and International Students)

The working hours of international students, overseas Chinese students, and students with Chinese heritage cannot exceed 20 hours per week, except for winter and summer breaks.

Article XII (Leave Application)

Postdoctoral researchers and full-time research assistants shall apply for leave on the full-time assistant management system in person and the application shall

be approved by their project principal investigator and the Office of Human Resource (hereinafter referred to as the “HR Office”) online. If the applicant is unable to apply for leave due to acute illnesses or accidents, he/she should call or contact the PI, and complete the leave application procedures within 5 days. Granting of leaves for postdoctoral researchers and full-time research assistants shall follow Appendix I, the “List of Leaves Granted for Postdoctoral Researchers and Full-time Research Assistants”. Granting of leaves for part-time assistants and part-time workers shall follow the “Guidelines of Part-time Personnel Employment”

#### Article XIII (Educational Training)

Postdoctoral researchers and assistants shall participate in designated courses as regulated by laws. The professional training courses for postdoctoral researchers and assistants within their unit (e.g., operation of equipment, management of radioactive materials in the lab and protection measures, biotechnological skills training for research, etc.) shall be scheduled by the project execution unit, and the PI needs to assign the personnel who need to be trained as per regulations of the University or the Sponsoring Organization.

#### Article XIV (Other Matters)

Postdoctoral researchers and assistant personnel shall properly comply with the management and health and safety regulations of the research area. The PI and unit employing the individuals shall be responsible for the supervision thereof, to enhance prevention of professional accidents.

Postdoctoral researchers and assistant personnel shall maintain confidentiality of technical information obtained or retained during the period of employment, shall return or destroy all related technical information upon leaving the position, and their responsibility for maintaining confidentiality does not terminate upon leaving the position. Where the University’s rights have been damaged due to leaks, the University shall, in accordance with the law, claim legal rights or pursue legal responsibilities and seek compensation. Other related regulations shall be in accordance with the terms of the employment contract.

Article XV (Matters Not Covered)

Any matters not covered in these regulations shall be handled in accordance with the “Labor Standards Act”, the “Taipei Medical University Regulations of Contract Staff Employment”, and related regulations of the University as well as the applicable laws and regulations of the government.

Article XVI (Approval Authority)

The Regulations shall be promulgated and become effective upon approval by the University Affairs Committee. The same procedure shall also apply to any amendment thereto.

## List of Leaves and Maternity Leave without Pay for Postdoctoral Research Fellows and Full-time Research Assistants

Type of leave	Eligibility	No. of days	Calculations on remuneration	Note
<b>Personal leave</b>	The matter has to be personally attended to by the individual	No more than 14 days per year	No remuneration	
<b>Marriage leave</b>	The applicant is getting married	8 days	Standard remuneration	<ol style="list-style-type: none"> <li>1. Application shall be made with 3 months starting from 10 days before the date of marriage registration. Application for special cases approved by the university can be made within one year.</li> <li>2. Household registration information shall be attached (where the marriage was held prior to registration, the wedding invite can be used to apply for leave, and household information to be submitted later).</li> </ol>
<b>Funeral leave</b>	Parent, step-parents, foster parents, spouse	8 days	Standard remuneration	Related document to be attached as proof (such as death certificate)
	Grandparents by blood or marriage, parents of children's spouse, step-parent or foster parent of spouse	6 days		
	Great grandparents by blood or marriage, siblings, grandparents of spouse	3 days		

<b>Work leave</b>	Work leave in accordance with laws and regulations	Days based on actual need	Standard remuneration	Reimbursement of travel expenses should be made in accordance with the “Taipei Medical University and Hospital Regulations of Travel Expenses for Faculty and Staff”. One should upload a form of leave application approved on the full-time assistant management system, and a report of the business trip to the accounting and general affairs management system for approval.
<b>Work sick leave</b>	Disability, injury, or illness due to work injuries	Treatment / recovery period based on actual need	Compensation based on original remuneration	
<b>Family care leave</b>	Family member receiving immunization, serious illness or other major events	Limited to 7 days per year, and is incorporated into calculation of personal leave	No remuneration based on regulations for persona leave	Providing relevant proof when applying for leave is required.
<b>Standard sick leave</b>	Non-hospitalized individuals	No more than 30 days in a year	Remuneration of 50% shall be given for leave less than 30 days in a year; the university shall subsidize where labor insurance pay out for standard sick leave does not reach 50% of the standard remuneration	<ol style="list-style-type: none"> <li>1. Individuals taking two (or more) consecutive days of leave.</li> <li>2. The un-hospitalized and hospitalized sick and injury leaves shall not exceed the duration of a year within two years.</li> <li>3. For individuals diagnosed with cancer (including carcinoma in situ) receiving outpatient treatments, or individuals taking bed rest during pregnancy as prescribed by a doctor, their working days in treatment or recuperation shall be counted as hospitalized sick and injury leave.</li> </ol>
	Hospitalized individuals	No more than 1 year in 2 years.		
<b>Menstrual leave</b>	Female employees suffering from menstrual issues leading to difficulty in working	One day per month	50% of remuneration	One day of menstrual leave per month, where the total days of menstrual leave is less than 3 days shall not be considered as sick leave, and any number above that is calculated as sick leave.

<b>Maternity leave</b>	Before and after birth for female employees	56 days	Those who have worked for more than 6 months, will receive the full salary during the period of cessation of work. Those who have worked for less than 6 months, will receive half of the salary.	<ol style="list-style-type: none"> <li>The duration of maternity leave is calculated by calendar days consecutively (i.e., including holidays)</li> <li>A report of diagnosis from a doctor should be attached.</li> </ol>
	Miscarriage after 3 months of pregnancy	28 days	Those who have worked for less than 6 months, will receive half of the salary.	
	Miscarriage between 2 and less than 3 months of pregnancy	7 days	Applicants who are employed with University funds and have worked for more than 6 months shall get paid while on leave. For those who have not worked for 6 months, the pay will be reduced by 50%. For applicants who are not employed with University funds, the project principal investigator should determine whether the applicants should be paid.	
	Miscarriage before 2 months of pregnancy	5 days	For applicants who are not employed with University funds, the project principal investigator should determine whether the applicants should be paid.	
<b>Pregnancy Checkup Accompaniment and Paternity Leave</b>	To accompany spouse for pregnancy checkups or during childbirth	7 days	Standard remuneration	<ol style="list-style-type: none"> <li>Pregnancy checkup accompaniment leave needs to be taken during spouse's pregnancy.</li> <li>Paternity leave shall be taken before, during, and after the spouse's pregnancy, within the duration of 15 days.</li> <li>A diagnosis from a doctor needs to be attached.</li> <li>Based on the applicant's need, the minimum unit of leave could be half a day or an hour. No change can be made once the days have been decided,</li> </ol>
<b>Prenatal checkup leave</b>	Pregnant employees who needs prenatal checkup	7 days	Standard remuneration	Half-day leave or leave based on hours may be chosen depending on actual needs, and cannot be changed after selection.

<p><b>Parental leave without pay</b></p>	<p>Employed for at least 6 months and caring for a child under 3 years old.</p>	<p>1. As a general principle, a minimum of 6 months and a maximum of 2 years. 2. For those simultaneously caring for 2 or more children, the durations should be combined, with the maximum period of care limited to 2 years for the youngest child.</p>	<p>No remuneration</p>	<p>1. Applications of unpaid parental leave should be signed by the project principal investigator and submitted to the University for approval. 2. The application needs to be submitted no later than 10 days before the start of the leave. 3. A birth certificate of the baby should be attached.</p>
<p><b>Special leave (Annual leave)</b></p>	<p>Served for more than 6 months but less than 1 year</p>	<p>3 days</p>	<p>Standard remuneration</p>	<p>1. If no new employment contract is executed between the applicant and TMU within 90 days after the expiration of the original contract, the applicant's service period accrued shall not be combined with his or her service period at the TMU in the future (if any) in calculating the days of special leave entitled. 2. The days of special leave need to be scheduled by the employer. But the days can be rearranged due to urgent needs of the PI or personal reasons of the applicant. 3. Regarding the unused days of special leave from the previous year or the terminated employment contract, the employer should pay the corresponding wages instead. The PI shall keep some funds for this purpose. 4. The calculation of service period relating to special leave determination is governed by Article 24 in the "Taipei Medical University Regulations of Contract Staff Employment". The service period shall be calculated from the 1<sup>st</sup> day of employment.</p>
<p>Served for more than 1 year but less than 2 years</p>	<p>7 days</p>			
<p>Served for more than 2 years but less than 3 years</p>	<p>10 days</p>			
<p>Served for more than 3 years but less than 5 years</p>	<p>14 days per year</p>			
<p>Served for more than 5 years but less than 10 years</p>	<p>15 days per year</p>			
<p>Served for more than 10 years</p>	<p>1 day is added for every 1 year of service, up to a maximum of 30 days</p>			