

臺灣紡織廠移工盡責招募與聘僱聲明

2025年12月10日

紡拓會宣布建議臺灣紡織工廠採行負責任的招募及聘僱移工指引。此指引係參酌國際人權及企業盡職調查原則，以及國際勞工組織（ILO）所發布的負責任招募一般原則所制定，旨在鼓勵臺灣紡織業者落實盡責任招聘。作為產業的領導者，我們深信，遵循這些指引對臺灣紡織業的永續發展至關重要，不僅確保全球客戶在採購臺灣紡織品時能獲得合規且可信的保障，更為保護在我國工廠工作的移工建立一套具體而有力的制度基礎。

這份指引的核心是雇主付費原則，即雇主承諾全額承擔移工的招募、聘用、培訓與僱用之相關費用，確保工人無需為獲得工作而支付任何費用。為提升移工招聘與聘僱的責任治理能力，各工廠應依據此指引，建立並實施內部政策與程序，以確保制度落實。完善的內部政策應清楚說明企業對負責任招聘的承諾，具體規範內部執行流程，並說明如何向外部利害關係人溝通相關政策。

依國際勞工組織《公平招聘的一般原則及操作指南與招聘費用及相關成本的定義》，明定“合約外、未揭露、過高或非法的費用皆不具正當性。在招聘過程的任何階段，都應遵守反賄賂和反腐敗法規。此類非法費用的例子包括賄賂、貢金、勒索或回扣、保證金、非法的成本回收費用，以及由招聘鏈中任何參與者所要求的抵押品”。

有鑑於此，紡拓會主張雇主拒絕支付涉及貪腐或非法行為的費用，以免助長貪腐與違法行為，避免與全球反貪腐的核心價值相抵觸。此外，這也可能使客戶面臨違反《聯合國反貪腐公約》(UNCAC) 及《美國海外反腐敗法》(FCPA) 的風險。紡拓會與臺灣紡織業致力於與品牌及國際組織合作，共同敦促移工來源國政府正視持續存在的貪腐問題。透過逐步協作，我們期望提升透明度並推動負責任的招聘實務。

作為該指引推動的一部分，紡拓會將與品牌客戶及相關組織合作，提供培訓與文件輔導支持，以確保指引能成功實施。完整的指引概述請見附件。

臺灣勞動部目前正參考國際勞工組織（ILO）相關指標，制定企業行動計畫指引，以預防和消除強迫勞動。該指引鼓勵企業進行自我評估，以降低營運風險和潛在成本。該指引預計將於2026年1月發布，將為移工盡責招聘提供更具體的實踐指導，並為業界僱用移工提供統一的參考框架，屆時紡拓會將協助臺灣紡織業者瞭解及遵循該份指引。####

臺灣紡織廠移工盡責招募與聘僱指引

紡拓會

2025年12月10日

招募

紡拓會鼓勵所有紡織廠自2026年1月1日起，採用「雇主支付原則」。「雇主支付原則」要求雇主承擔所有招募、僱用和培訓員工的費用。招聘工人屬於正常的經營成本，應由雇主全額承擔。如果雇主透過勞務仲介機構招募工人，則應由雇主向勞務仲介機構支付將工人帶到臺灣的所有費用及所有相關的僱用支出。雇主應與勞務仲介機構協商，確保勞務仲介機構不會向雇主收取任何不合理或非法的費用。工人不應支付任何與將該工人帶至臺灣有關的費用或任何相關聘僱支出。

依國際勞工組織(ILO)規定：「合約外、未揭露、過高或非法的費用皆不具正當性。在招聘過程的任何階段，都應遵守反賄賂和反腐敗法規。此類非法費用的例子包括賄賂、貢金、勒索或回扣、保證金、非法的成本回收費用，以及由招聘鏈中任何參與者所要求的抵押品」。有鑑於此，紡拓會主張雇主拒絕支付涉及貪腐或非法行為的費用，以免助長貪腐與違法行為，並與全球反貪腐的核心價值相抵觸。

可補償的費用範圍參考ILO制定的標準。這些費用包括：

- 人力仲介費用
- 護照和簽證費用
- 招募過程中的交通及住宿費用
- 體檢/清關費用
- 培訓及入職指導費用
- 當地勞務仲介費用（臺灣）
- 工人支付的任何其他費用

雇主應確保在移工離開母國之前，以他們理解的語言告知他們基本的聘僱條款（包括工資、住宿、任何扣除等）。

費用補償

若工人在工廠工作期間曾支付任何與招募或就業相關的費用，雇主應予以補償。雇主應在工人到達時進行面談，以確認其是否支付過任何費用，並應及時補償已支付的費用。

補償的要求包括：

- 所有現有工人均應獲得補償，並應免除任何因招募產生的債務或個人義務。針對在零費用政策實施前入職的在職工人，雇主應盡速及時補償。
- 補償金額的計算以與移工面談為依據，應以書面合法單據為計算基準，如移工無法提供任何書面單據，則參考其國籍及該招募管道的現行費率。若無法逐一面談，最佳做法是根據移工國籍及該招募管道的現行費率（包括任何適用的利率）來估算每位工人平均支付的費用。
- 理想情況下，補償應在確認工人已支付費用後的第一個薪資週期內完成，或分期及時完成。
- 雇主負責確保補償的執行，但可根據具體情況、財務狀況及與客戶的關係，向買方尋求財務支持，買方應盡可能的共同承擔補償責任。

聘僱

除了遵守所有當地勞動法外，雇主還應尊重與聘僱移民工人相關的獨特風險。這包括：

- 確保工人保管好自己的旅行證件，並享有充分的行動自由（包括工作日和宿舍期間（如果雇主提供住宿）。
- 確保工人擁有良好的生活條件。
- 確保工人不會過度加班（超過法定限度），並且所有加班都是自願的。
- 確保工人了解其組成和加入工會的權利。
- 確保工人能夠使用有效的申訴機制。
- 確保工人能夠獲得足夠的專業醫療服務。

合約終止

合約終止後，雇主應：

- 雇主應全額承擔工人回國費用，包括所有交通費用。若是雇主提前終止合約，雇主應承擔工人回國的所有費用。若是工人提前終止合約，相關的預估費用應在工人入境前於合約載明；若未在合約載明，則由雇主與工人議定回國費用之負擔。
- 如果雇主或工人提前終止合約，則應依臺灣勞動基準法相關規定辦理，例如規定的通知期或符合法律規定之解除合約事由。###

Statement on Responsible Recruitment and Employment in Taiwan's Textile Mill Industry

December 10, 2025

The Taiwan Textile Federation (TTF) announces the recommendation of the responsible recruitment and employment guidelines for migrant workers who are employed in Taiwan textile mills. These guidelines were formulated with reference to international human rights and business due diligence standards, and the responsible recruitment standards published by the International Labor Organization (ILO). It aims to encourage Taiwanese textile mills to implement responsible recruitment practices. As leaders in our field, we believe that these guideline is critical for the continued success of Taiwan's textile sector as it will create the legal compliance customers look for when purchasing textiles from Taiwan as well as a strong framework for protecting the migrant workers who work in our mills.

The foundation of this guideline is the employer pays principle, which is an employer commitment to ensure no worker pays for a job by covering the full cost of recruiting, hiring, training, and employing its migrant workforce. To improve capacity for responsible recruitment and employment of migrant workers, each mill should adopt its own internal policies and procedures to implement these guidelines. A good internal policy will articulate the standards clearly and will include details on how the policy will be implemented internally and communicated externally.

According to the *General principles and operational guidelines for fair recruitment and Definition of recruitment fees and related costs* of the ILO, “Extra-contractual, undisclosed, inflated, or illicit costs are never legitimate. Anti-bribery and anti-corruption regulations should be complied with at all times and at every stage of the recruitment process. Examples of such illegitimate costs include bribes, tributes, extortion or kickback payments, bonds, illicit cost-recovery fees, and collaterals required by any actor in the recruitment chain.”

The Taiwan Textile Federation therefore asserts that it is critical for employer to refuse payment of fees that involve corruption or illegal practices, as paying such fees would encourage corruption and unlawful behavior, contradicting the values of global anti-corruption efforts. This may also place customers at risk of violating the United Nations Convention against Corruption (UNCAC) and the U.S. Foreign Corrupt Practices Act (FCPA). The Taiwan Textile Federation and the Taiwan's textile mill industry are committed to working with brands and international organizations to jointly urge the governments of migrant worker home countries to address the ongoing corruption issues. Through step-by-step collaboration, we aim to promote transparency and support ethical recruitment practices.

As part of deploying this guideline, the Taiwan Textile Federation will collaborate with customers and other organizations to provide training and documentation support to ensure successful implementation of these guidelines. The full set of principles are outlined in the attached document.

The Ministry of Labor of our government is currently referencing relevant indicators from the ILO to develop guidelines for corporate action plans to prevent and eliminate forced labor. These guidelines will encourage companies to conduct self-assessments to help mitigate operational risks and reduce potential costs. The guidelines are expected to be released in January 2026 and will offer more concrete practices for responsible recruitment in Taiwan, providing the industry with a consistent reference framework for hiring migrant workers. The Taiwan Textile Federation will assist Taiwan's textile mills in understanding and complying with these guidelines.

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Guidelines of Responsible Recruitment and Employment in Taiwan's Textile Mill Industry

Attachment

Taiwan Textile Federation, December 10, 2025

Recruitment

The Taiwan Textile Federation strongly encourages all mills to adopt the employer pays principle, with an implementation date of January 1, 2026. The employer pays principle commits the employer to pay all costs of recruiting, hiring, and training its workforce. The cost of recruitment of workers is a normal cost of doing business and should be fully borne by the employer. If an employer is working with a labor broker, the employer should pay the labor broker for all costs associated with bringing that worker to Taiwan and all associated employment expenses. The employer should negotiate with the labor broker to ensure that the labor broker does not charge the employer any fees that are unreasonable or illegal. The worker should not pay for any of the costs associated with bringing that worker to Taiwan or any of the associated employment expenses.

The International Labor Organization (ILO) states, “Extra-contractual, undisclosed, inflated, or illicit costs are never legitimate. Anti-bribery and anti-corruption regulations should be complied with at all times and at every stage of the recruitment process. Examples of such illegitimate costs include bribes, tributes, extortion or kickback payments, bonds, illicit cost-recovery fees, and collaterals required by any actor in the recruitment chain.” The Taiwan Textile Federation therefore asserts that it is critical for employer to refuse any fees involving corruption or illegal practices, as paying such fees would encourage corruption and unlawful behavior, contradicting the values of global anti-corruption efforts.

The scope of fees eligible for reimbursement refers to the standards set by the ILO. These fees include:

- Labor broker fees
- Passport and visa fees
- Transportation and lodging during the recruitment process
- Medical exam/clearance expenses
- Training and orientation expenses
- Local labor broker fees (Taiwan)
- Any other fees paid by the worker

Employers shall also ensure that migrant workers are informed, in a language they understand, of the basic terms of their employment (including salary, living accommodations, any deductions, etc.) before leaving their country of origin.

Reimbursement

If a worker at a mill has incurred any fees associated with their recruitment and employment at the mill, then the employer will reimburse the worker. The employer should interview each worker upon arrival to determine whether they paid any fees, and reimburse any fees paid in a timely manner.

Expectations for reimbursement include:

- Reimbursement for all current workers. All current workers should be free of any debt or personal obligation for recruitment expenses. For current workers hired before the mill adopted the no-fees policy, employers should reimburse them as soon as possible and in a timely manner.
- Calculation of reimbursement amount shall be based on interviews with the workers and supported by valid written documentation. In the absence of such documents, reference may be made to the worker's nationality and the prevailing recruitment channel rates. If that is not feasible, best practice is to determine the average amount paid by each worker based on their nationality and the current fee rates for that recruitment corridor, including any applicable interest rates.
- Reimbursement should ideally be completed within the first payroll cycle following the identification of fees being paid, or completed through installments in a timely manner.
- While employers take responsibility for ensuring reimbursement, employers may ask buyers for financial support based on the specific circumstances, their own financial situation, and their relationship with their customers. Buyers should, to the extent possible, share responsibility for reimbursement.

Employment

In addition to adhering to all local labor laws, the employer should also respect the unique risks associated with employment of migrant workers. This includes:

- Ensuring workers retain control of their travel documents and have full freedom of movement (both during the workday and at the dormitory (if accommodation is provided by the employer).
- Ensuring the workers have decent living conditions.
- Ensuring workers are not subject to excessive overtime (over the legal limit) and that all overtime is voluntary.
- Ensuring workers know their rights with respect to forming and participating in a union.
- Ensuring workers have access to an effective grievance mechanism.
- Ensuring workers have access to adequate professional medical care.

End of Contract

Once the contract ends the employer shall:

- Fully fund the cost of returning home, including all transportation costs. If the employment contract is terminated early by the employer, the employer should pay all costs of returning home. If the worker terminates the contract early, then the expected costs should be spelled out in the contract prior to the worker's arrival in country, or mutually agree upon the employer and the worker, if it is not specified in the contract.
- If the employer or worker terminates the contract early, the termination should be handled in accordance with the relevant provisions of Taiwan's Labor Standards Act, such as the required notice period or legally justified grounds for termination of the contract.

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