

台灣區遠洋鯷鮪圍網漁船魚類輸出業同業公會 函

地址：高雄市前鎮區漁港中1路2號202室
聯絡人：謝惠如 電話：07-8131619 轉 29

受文者：本會全體會員

發文日期：中華民國 113 年 1 月 3 日

發文字號：(113)台圍網(六)字第 0017 號

速別：

附件：如文

主旨：函轉農業部漁業署有關菲律賓駐台代表處(下稱 MECO)函復對我國境外僱用船員最低工資認知差異，詳如附件說明，請查照。

說明：依據農業部漁業署 112 年 12 月 29 日漁五字第 1121218785 號函辦理。

正本：本會全體會員

副本：本會會務人員

理事長黃一茂

正本

檔 號：
保存年限：

農業部漁業署 函

地址：100060臺北市中正區和平西路二段
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受文者：台灣區遠洋經銷圍網漁船魚類輸出業同業公會

發文日期：中華民國112年12月29日
發文字號：漁五字第1121218785號
速別：普通件
密等及解密條件或保密期限：
附件：如說明

主旨：有關菲律賓駐台代表處(下稱MECO)函復對我國境外僱用船員最低工資認知差異，詳如說明，請查照。

說明：

- 一、依據菲律賓駐台代表處112年11月22日英文信(檢附影本1份)辦理。
- 二、本署為避免菲律賓誤解我國境外僱用非我國籍船員最低工資，影響船員輸出聘僱，經本署2次召開會議、以公文函詢進展及說明我方規範，於112年11月14日再以英文信件致函MECO，MECO於11月22日函復本署，菲方感謝我方一同致力提升菲籍遠洋漁工的權利及福利，但認為我國遠洋境外僱用薪資與沿近海境內僱用存有差異之問題，且遠洋船員暴露在更高危險的條件及更長的工時，並提供該國法令，摘述如下：

- (一)工時：海員每週的正常工作時間不應超過48小時。其工作時間應由船長決定及規定，但須符合國際實踐之慣例及標準。
- (二)加班費：可分類為開放性給付、固定性給付30%及保證性給付，開放性給付為時薪制依實際加班時數計算，固定性給

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付為基本工資30%的加班費，保證性給付為勞雇雙方自行協議。

(三) 休假給付: 每個月帶薪休假2.5天。

三、本署已再去信MECO說明我國制度，盼菲方能理解我方制度規定，在共同維護漁工權利及福利的前提下，讓菲籍漁工能順利到我國遠洋漁船工作。

正本：高雄區漁會、小港區漁會、東港區漁會、蘇澳區漁會、台灣區遠洋鮪延繩釣漁船魚類輸出業同業公會、臺灣鮪延繩釣協會、琉球區漁會、基隆區漁會、台灣區遠洋經鮪圍網漁船魚類輸出業同業公會、台灣區遠洋魷魚暨秋刀魚漁船魚類輸出業同業公會、鴻泰新企業有限公司、和氏草實業有限公司、旭宸國際有限公司、社團法人臺灣鮪延繩釣協會、友春國際股份有限公司、龍鶴國際有限公司、創程國際有限公司、宏盛國際管理顧問有限公司、連發漁業有限公司、享賀國際水產有限公司、裕鑣國際有限公司、強登國際企業有限公司、航海家企業有限公司、立宇國際股份有限公司、鍊鑫有限公司、社團法人高雄市漁船船員服務促進協會、上機企業有限公司、海聖人力仲介股份有限公司、台旺國際有限公司、禾宙鑫企業有限公司、嘉豐億漁業有限公司、金億水產有限公司、華菲國際有限公司、仲毅國際有限公司、立德信有限公司、沛得國際貿易有限公司、勝德國際有限公司、勝喻國際有限公司、環泓國際事業有限公司、錦德有限公司、順捷國際有限公司、建辰企業有限公司、宏海國際股份有限公司、春朝企業有限公司、鑫暘有限公司、裕發企業有限公司、東合國際開發有限公司、勝富國際有限公司、金億貿易有限公司、高昇遠洋國際有限公司、順富有限公司、萬兆國際貿易有限公司、吉洋海洋國際有限公司、穩群漁業有限公司、長欣利國際管理顧問有限公司、捷德國際有限公司、良品國際企業有限公司、快捷人力派遣有限公司、展益漁業有限公司、西海國際企業有限公司、永全興業有限公司、億兆國際開發有限公司、隆昌有限公司、慧旺水產有限公司、金宥國際開發有限公司、翊澄船舶管理顧問有限公司、萬泰豐實業有限公司、翔鴻國際有限公司、旺嘉榮國際有限公司、金明昌有限公司、泰豪漁業有限公司、信固有限公司、銘銓國際開發有限公司、鑫瑞旺有限公司、星海國際有限公司、宏盛國際事業有限公司、合眾發企業有限公司、祥鴻國際企業有限公司、享駿貿易有限公司、翔新有限公司、牽手人力資源管理顧問有限公司、呈易人力仲介有限公司、乘陞國際開發有限公司、金慧旺漁業有限公司、連發貿易有限公司、長欣利國際人力顧問有限公司、沛得國際人力仲介有限公司、齊陞國際企業有限公司、亞力安人力仲介有限公司、宜蘭縣延繩漁業協會

副本：

署長張致盛



Manila Economic
and Cultural Office
菲律賓駐台代表處

附件

November 22, 2023

MECO-1377-2023
Hon. CHIANG, Chih-Sheng
Director General
Fisheries Agency, Ministry of Agriculture,
Taiwan

Dear Director General Chang:

This is in reference to your letter dated 14 November 2023 regarding the wages for migrant fishers on distant water fishing vessels. At the outset, we also wish to express our sincere gratitude to the government of Taiwan for hosting our Filipino fishermen on the high seas. We also appreciate the hard work and constant coordination of the Fisheries Agency of the Ministry of Agriculture to ensure that the concerns of our Filipino fishermen are constantly addressed.

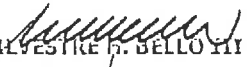
Upon receiving the information on the increase in the wages of the migrant distant fishers from US\$450 to US\$550, our Department of Migrant Workers and Migrant Workers' Office in Taiwan have been collaborating closely with your agency to clarify relevant regulations. As mentioned in your correspondence, two meetings have been held between the MECO and the fisheries agency in this regard.

In the previous Joint Labor Conferences (JLCs), we have constantly relayed our concern regarding the salaries and benefits of our distant fishers, who have not been at par with coastal fishermen, who are considered as land-based workers under Taiwan regulations. The latter, receives around US\$850 in monthly compensation, compared to the former who only receives US\$550 in compensation, but are obviously exposed to more hazardous conditions and longer working hours in distant ocean waters.

Moreover, since the US\$550 serves as the minimum monthly wage for distant fishers, and as stipulated in the Standard Terms and Conditions Governing the Employment of Filipino Seafarers on-board-ocean-going vessels, any work performed beyond 48 hours per week shall be justly compensated. The computation and conditions for the overtime pay, vacation leave pay, and other related benefits are also discussed in detail in the said guidelines, copy of which has been attached for your reference.

Thank you once again for your continuing collaboration and cooperation in helping us ensure that the rights and welfare of our distant fishers are ensured and always upheld.

Sincerely yours,


Chairman SYLVESTER N. BELLO III
Resident Representative

**STANDARD TERMS AND CONDITIONS GOVERNING THE EMPLOYMENT OF FILIPINO SEAFARERS
ON-BOARD OCEAN-GOING VESSELS**

<https://www.dmw.gov.ph/archives/memorandumcirculars/2010/10.pdf>

SECTION 10. HOURS OF WORK

A. The seafarer shall perform not more than forty-eight (48) hours of regular work a week. The hours of works shall be determined and prescribed by the master, provided that it conforms with customary international practices and standards and as prescribed in paragraph B below.

B. Regular working hours for the seafarer shall be eight (8) hours in every 24 hours, midnight to midnight, Monday to Sunday. The normal practice is as follows:

1. the day worker shall observe the eight (8) regular working hours during the period from 0600 hours to 1800 hours.
2. the steward personnel shall observe the eight (8) regular working hours during the period from 0500 hours to 2000 hours.
3. the Radio Operator shall observe the eight (8) regular working hours in every twenty-four (24) hours, midnight to midnight, from Monday to Sunday as established by International Telecommunication Conventions and as prescribed by the master.
4. for those who are on sea watch, their working hours shall be eight (8) hours per day. Staggering of working hours will be at the master's discretion

C. The seafarer shall be allowed reasonable rest period in accordance with international standards.

SECTION 11. OVERTIME & HOLIDAYS

A. The seafarer shall be compensated for all work performed in excess of the regular eight (8) hours as prescribed above. Overtime pay may be classified as open, fixed or guaranteed.

In computing overtime, a fraction of the first hour worked shall be considered as one full hour. After the first hour overtime, any work performed which is less than thirty (30) minutes shall be considered as half an hour and more than thirty (30) minutes shall be considered one full hour.

B. Overtime work may be compensated at the following rates:

1. Open overtime - not less than 125 percent (125%) of the basic hourly rate computed based on two hundred eight (208) regular working hours per month.
2. Guaranteed or fixed overtime - not less than thirty percent (30%) of the basic monthly salary of the seafarer This fixed rate overtime shall include overtime work performed on Sundays and holidays but shall not exceed one hundred five (105) hours a month.
3. Overtime work for officers shall be computed based on the fixed overtime rate.

4. For ratings, overtime work shall be based on guaranteed or open overtime rate, as mutually agreed upon by the contracting parties. Overtime work in excess of 105 hours a month for ratings shall be further compensated on the open overtime rate.

C. Any hours of work or duty including hours of watchkeeping performed by the seafarer on designated rest days and holidays shall be paid rest day or holiday pay. The following shall be considered as holidays at sea and in port.

New Year's Day - January 1

Maundy Thursday - movable date

Good Friday - movable date

Araw ng Kagitingan (Bataan & Corregidor Day) - April 9

Labor Day - May 1

Independence Day - June 12

National Heroes Day - Last Sunday of August

All Saints Day - November 1

Bonifacio Day - November 30

Christmas Day - December 25

Rizal Day - December 30

D. Emergency Duty - No overtime work shall be considered for any work performed in case of emergency affecting the safety of the vessel, passenger, crew or cargo, of which the master shall be the sole judge, or for fire, boat, or emergency drill or work required to give assistance to other vessels or persons in immediate peril.

SECTION 12. LEAVE PAY

The seafarer's leave pay shall be in accordance with the number of days leave per month as agreed upon. Days leave shall not be less than two and a half (2-1/2) days for each month of service and prorated. Leave pay shall be settled onboard or settled within two weeks after arrival of the seafarer at the point of hire.