

This English version of the Occupational Safety and Health Act of the Republic of China is a translation of the official legislation in Chinese. In the event of any discrepancy between the Chinese and English versions, the Chinese version shall prevail.

***This Act reflects only the amendments made until July 3, 2013**

職業安全衛生法

Occupational Safety and Health Act

中華民國 63 年 4 月 16 日總統(63)臺統(一)義字第 1604 號令公布

Promulgated by Presidential Order (63) Tai-Tung (1)-Yi-Tzu No. 1604 on April 16, 1974

中華民國 80 年 5 月 17 日總統華總(一)義字第 2433 號令修正公布

Amended and promulgated by Presidential Order Hua-Tsung (1)-Yi-Tzu No. 2433 on May 17, 1991

中華民國 91 年 5 月 15 日總統華總一義字第 09100093800 號令修正公布第六條條文

Article 6 amended and promulgated by the Presidential Order Hua-Tsung 1-Yi-Tzu No. 09100093800 on May 15, 2002

中華民國 91 年 6 月 12 日總統華總一義字第 09100116850 號令公布增訂第三十六條之一條文；修正第六條、第八條、第十條、第二十三條及第三十二條條文

Articles 6, 8, 10, 23, and 32 amended and Article 36-1 insertion promulgated by Presidential Order Hua-Tsung (1)-Yi-Tzu No. 09100116850 on June 12, 2002.

中華民國 102 年 7 月 3 日總統華總一義字第 10200127211 號令修正公布名稱及全文 55 條；施行日期，由行政院定之（原名稱：勞工安全衛生法）

Title and the complete text of 55 articles amended and promulgated by Presidential Order Hua-Tsung (1)-Yi-Tzu No. 10200127211 on July 3,

2013; date of enforcement determined by Executive Yuan (Original title: Labor Safety and Health Act).

第一章 總 則

Chapter I General Provisions

第 一 條 為防止職業災害，保障工作者安全及健康，特制定本法；其他法律有特別規定者，從其規定。

Article 1 This Act is enacted to protect workers' safety and health and to prevent occupational accidents; if otherwise provided by other applicable act, the provisions of that other act shall prevail.

第 二 條 本法用詞，定義如下：

Article 2 The terms used in this Act are defined as follows:

一、工作者：指勞工、自營作業者及其他受工作場所負責人指揮或監督從事勞動之人員。

1. The term “workers” referred to in this Act means laborers, self-employed workers, or other people engaged in work and directed or supervised by the responsible people in workplaces.

二、勞工：指受僱從事工作獲致工資者。

2. The term “laborers” referred to in this Act means people employed to work for wages.

三、雇主：指事業主或事業之經營負責人。

3. The term “employers” referred to in this Act means the owners of business entities, or the people in positions of managerial responsibility for such business entities.

四、事業單位：指本法適用範圍內僱用勞工從事工作之機構。

4. The term "business entities" referred to in this Act means entities falling within the scope of this Act, which employ laborers to perform work.

五、職業災害：指因勞動場所之建築物、機械、設備、原料、材料、化學品、氣體、蒸氣、粉塵等或作業活動及其他職業上原因引起之工作者疾病、傷害、失能或死亡。

5. The terms “occupational accidents” referred to in this Act mean any diseases, injuries, disabilities, or deaths of workers caused by buildings, machinery, equipment, raw materials, materials, chemicals, gases, vapors, dusts, etc., at the place of duty, or as a result of work activities, or due to other occupational causes.

第 三 條 本法所稱主管機關：在中央為行政院勞工委員會；在直轄市為直轄市政府；在縣（市）為縣（市）政府。

Article 3 The terms "competent authority" referred to in this Act mean the Council of Labor Affairs of the Executive Yuan at the central government level, the municipal government at the municipality level, or the county (city) government at the county (city) level.

本法有關衛生事項，中央主管機關應會商中央衛生主管機關辦理。

For health matters pertaining to this Act, the central competent authority shall consult with the competent health authority

of the central government.

第 四 條 本法適用於各業。但因事業規模、性質及風險等因素，中央主管機關得指定公告其適用本法之部分規定。

Article 4 This Act shall apply to all industries. However, the central competent authority may specify and officially announce the applicable portion of the provisions of this Act for industries with individual business scale, characteristics, and risk factors.

第 五 條 雇主使勞工從事工作，應在合理可行範圍內，採取必要之預防設備或措施，使勞工免於發生職業災害。

Article 5 Work assigned to laborers by the employers shall be within a reasonable and feasible scope, with necessary preventative equipment or measures taken to prevent laborers from being involved in occupational accidents.

機械、設備、器具、原料、材料等物件之設計、製造或輸入者及工程之設計或施工者，應於設計、製造、輸入或施工規劃階段實施風險評估，致力防止此等物件於使用或工程施工時，發生職業災害。

Those involved in the design, manufacture, or importation of items such as machinery, equipment, tools, raw materials, and materials, as well as those engaged in the design and construction of engineering projects shall carry out risk assessments during the design, manufacturing, importation, or construction planning phase, and endeavor to prevent the occurrence of occupational accidents during the usage of such items, or process of engineering and construction.

第二章 安全衛生設施

Chapter II Safety and Health Facilities

第 六 條 雇主對下列事項應有符合規定之必要安全衛生設備及措施：

Article 6 The employers shall have the necessary safety and health equipment and measures that comply with regulations for the following items:

一、防止機械、設備或器具等引起之危害。

1. To prevent the risks of injuries posed by items such as machinery, equipment, and tools;

二、防止爆炸性或發火性等物質引起之危害。

2. To prevent the risks of injuries posed by materials of an explosive or flammable nature;

三、防止電、熱或其他之能引起之危害。

3. To prevent the risks of injuries posed by electricity, heat, and other energy sources;

四、防止採石、採掘、裝卸、搬運、堆積或採伐等作業中引起之危害。

4. To prevent the risks of injuries encountered in the course of activities such as quarrying, excavating, loading and unloading, transportation, stockpiling, collecting and logging;

五、防止有墜落、物體飛落或崩塌等之虞之作業場所引起之危害。

5. To prevent the risks of injuries posed by falling, falling objects, or collapse at the job site;

六、防止高壓氣體引起之危害。

6. To prevent the risks of injuries posed by high-pressure gas;

七、防止原料、材料、氣體、蒸氣、粉塵、溶劑、化學品、含毒性物質或缺氧空氣等引起之危害。

7. To prevent the risks of injuries posed by raw materials, materials, gases, vapors, dusts, solvents, chemicals, toxic substances, oxygen-deficient air;

八、防止輻射、高溫、低溫、超音波、噪音、振動或異常氣壓等引起之危害。

8. To prevent the risks of injuries posed by radiation, high temperature, low temperature, ultrasonic waves, noise, vibration, and abnormal atmospheric pressure;

九、防止監視儀表或精密作業等引起之危害。

9. To prevent the risks of injuries posed by monitoring instruments or high precision operations;

十、防止廢氣、廢液或殘渣等廢棄物引起之危害。

10. To prevent the risks of injuries posed by waste gases, waste liquids and residues;

十一、防止水患或火災等引起之危害。

11. To prevent the risks of injuries posed by flood and fire;

十二、防止動物、植物或微生物等引起之危害。

12. To prevent the risks of injuries posed by animals, plants, or microorganisms;

十三、防止通道、地板或階梯等引起之危害。

13. To prevent the risks of injuries posed by passages, floors, and stairways;

十四、防止未採取充足通風、採光、照明、保溫或防濕等引起之危害。

14. To prevent the risks of injuries posed by failure to adopt adequate ventilation, lighting, illumination, temperature control, or humidity control.

雇主對下列事項，應妥為規劃及採取必要之安全衛生措施：

The employers shall adequately plan and adopt the necessary safety and health measures for the following items:

一、重複性作業等促發肌肉骨骼疾病之預防。

1. To prevent musculoskeletal disorders induced by repetitive operations and related works;

二、輪班、夜間工作、長時間工作等異常工作負荷促發疾病之預防。

2. To prevent ailments induced by exceptional workload, such as working shifts, working at night, and long working hours;

三、執行職務因他人行為遭受身體或精神不法侵害之預防。

3. To prevent wrongful physical or mental harm caused by the actions of others during the execution of job duties;

四、避難、急救、休息或其他為保護勞工身心健康之事項。

4. To allow for evacuation, first-aid treatment, rest, or other actions to protect the physical and mental health of laborers.

前二項必要之安全衛生設備與措施之標準及規則，由中央主管機關定之。

Standards and rules for the necessary safety and health equipment and measures in the preceding two paragraphs shall be established by the central competent authority.

第七條 製造者、輸入者、供應者或雇主，對於中央主管機關指定之機械、設備或器具，其構造、性能及防護非符合安全標準者，不得產製運出廠場、輸入、租賃、供應或設置。

Article 7 Machinery, equipment, or tools specified by the central competent authority whose structures, functions, or safeguards do not fulfill safety standards shall not be manufactured and shipped from the factory, nor imported, rented out, supplied or installed by manufactures, importers, suppliers or employers.

前項之安全標準，由中央主管機關定之。

The safety standards referred to in the preceding paragraph are stipulated by the central competent authority.

製造者或輸入者-對於第一項指定之機械、設備或器具，符合前項安全標準者，應於中央主管機關指定之資訊申報網站登錄，並於其產製或輸入之產品明顯處張貼安全標示，以供識別。但屬於公告列入型式驗證之產品，應依第八條及第九條規定辦理。

Machinery, equipment, or tools that meet safety standards specified in paragraph 1 shall be registered by manufacturers or importers on the information reporting website specified by the central competent authority. Manufacturers or importers shall put up the safety label in a prominent place on the manufactured or imported products for identification. Products announced as requiring type certification shall be handled in accordance with the provisions of Articles 8 and 9.

前項資訊登錄方式、標示及其他應遵行事項之辦法，由中央主管機關定之。

The methods for information registration, labeling, and other binding matters to the preceding paragraph shall be stipulated by the central competent authority.

第 八 條 製造者或輸入者對於中央主管機關公告列入型式驗證之機械、設備或器具，非經中央主管機關認可之驗證機構實施型式驗證合格及張貼合格標章，不得產製運出廠場或輸入。

Article 8 Machinery, equipment, or tools announced by the central competent authority as requiring type certification shall not be manufactured and shipped from the factory nor imported by manufactures or importers if their

qualification label or type certification is not issued by a certification body authorized by the central competent authority.

前項應實施型式驗證之機械、設備或器具，有下列情形之一者，得免驗證，不受前項規定之限制：

If machinery, equipment or tools specified in the preceding paragraph satisfies any one of the following circumstances, certification may be waived and is not subject to the limits set in the preceding paragraph:

一、依第十六條或其他法律規定實施檢查、檢驗、驗證或認可。

1. Those that have undergone inspections, examination, certification, or approval in accordance with Article 16 or other legal regulations.

二、供國防軍事用途使用，並有國防部或其直屬機關出具證明。

2. Those that are provided for military or national defense use, with documentation to this effect issued by the Ministry of National Defense or a subordinate body thereof.

三、限量製造或輸入僅供科技研發、測試用途之專用機型，並經中央主管機關核准。

3. Those that are special model manufactured or imported in limited quantities for the sole purpose of technological research and development or testing, and have been authorized by the central competent authority.

四、非供實際使用或作業用途之商業樣品或展覽品，並經中央主管機關核准。

4. Those that are used for commercial sample or exhibition and not for actual use or operation purpose, and have been authorized by the central competent authority.

五、其他特殊情形，有免驗證之必要，並經中央主管機關核准。

5. Other special circumstances requiring that certification be waived, and approved by the central competent authority.

第一項之驗證，因產品構造規格特殊致驗證有困難者，報驗義務人得檢附產品安全評估報告，向中央主管機關申請核准採用適當檢驗方式為之。

For the certification referred to in Paragraph 1, where unusual structural specifications of products leading to difficulties in certification, the obligatory applicants may attach the product safety assessment reports and request with the central competent authority for the approval of a suitable means of examination.

輸入者對於第一項之驗證，因驗證之需求，得向中央主管機關申請先行放行，經核准後，於產品之設置地點實施驗證。

For the certification referred to in Paragraph 1, due to the requirements of certification, importers may apply to the central competent authority for prior releases. With approval such certification are allowed to be conducted at location where the products are installed.

前四項之型式驗證實施程序、項目、標準、報驗義務人、驗證機構資格條件、認可、撤銷與廢止、合格標章、標示方法、先行放行條件、申請免驗、安全評估報告、監督管理及其他應遵行事項之辦法，由中央主管機關定之。

The implementation processes, items, standards, obligatory applicants for type certifications, the qualifications, their approval and the revocation and cancellation thereof, qualification mark, labeling methods, the conditions for prior release, request for certification waiver, safety assessment reports, overseeing and supervision, and other binding matters specified in the preceding four paragraphs are stipulated by the central competent authority.

第九條 製造者、輸入者、供應者或雇主，對於未經型式驗證合格之產品或型式驗證逾期者，不得使用驗證合格標章或易生混淆之類似標章揭示於產品。

Article 9 Where products have not passed type certification or type certification has expired, manufacturers, importers, suppliers or the employers shall not display a certified mark or other similar, easily confused mark on the product.

中央主管機關或勞動檢查機構，得對公告列入應實施型式驗證之產品，進行抽驗及市場查驗，業者不得規避、妨礙或拒絕。

The central competent authority or labor inspection agency may conduct random examinations and market examinations of products announced in the mandatory list of type certification; businesses shall not evade, obstruct, or refuse such inspections.

第十條 雇主對於具有危害性之化學品，應予標示、製備清單及揭示安全資料表，並採取必要之通識措施。

Article 10 The employers shall label, make inventories, and display safety data sheets for hazardous chemicals, and adopt necessary hazard communication measures.

製造者、輸入者或供應者，提供前項化學品與事業單位或自營作業前，應予標示及提供安全資料表；資料異動時，亦同。

Prior to providing the chemicals in the preceding paragraph to business entities or self-employed workers, the manufacturers,

importers, or suppliers shall label them and provide safety data sheets; the same shall be applied for any change of information.

前二項化學品之範圍、標示、清單格式、安全資料表、揭示、通識措施及其他應遵行事項之規則，由中央主管機關定之。

The scope, labeling, inventory formats, safety data sheets, and their displays, hazard communication measures and other binding matters regarding the chemicals specified in the preceding two paragraphs are stipulated by the central competent authority.

第十一條 雇主對於前條之化學品，應依其健康危害、散布狀況及使用量等情形，評估風險等級，並採取分級管理措施。

Article 11 With regard to the chemicals specified in the preceding Article, the employers shall assess the degrees of risks the chemicals pose based on hazards to health, distribution, quantity of use and other conditions, and adopt management measures according to risk ranking.

前項之評估方法、分級管理程序與採行措施及其他應遵行事項之辦法，由中央主管機關定之。

The regulations on assessments, risk ranking management procedures and the adoption of measures specified in the preceding paragraphs and other binding matters shall be determined by the central competent authority.

第十二條 雇主對於中央主管機關定有容許暴露標準之作業場所，應確保勞工之危害暴露低於標準值。

Article 12 For job sites where the central competent authority has stipulated permissible exposure limits, the employers shall ensure that laborers' hazard exposure is under the permissible level.

前項之容許暴露標準，由中央主管機關定之。

The permissible exposure limits in the preceding paragraph are stipulated by the central competent authority.

雇主對於經中央主管機關指定之作業場所，應訂定作業環境監測計畫，並設置或委託由中央主管機關認可之作業環境監測機構實施監測。但中央主管機關指定免經監測機構分析之監測項目，得僱用合格監測人員辦理之。

Employers of job site designated by the central competent authority shall formulate a job site monitoring plan, and establish organizations or commission a job site monitoring agency approved by the central competent authority to carry out monitoring. Central-competent-authority-designated monitored items that are exempted from analysis by a monitoring agency may be performed by employed qualified personnel.

雇主對於前項監測計畫及監測結果，應公開揭示，並通報中央主管機關。中央主管機關或勞動檢查機構得實施查核。The employers shall publicly disclose and report to the central competent authority the monitoring plans and monitoring results referred to in the preceding paragraph. The central competent authority or a labor inspection agency may examine the plans and results.

前二項之作業場所指定、監測計畫與監測結果揭示、通報、監測機構與監測人員資格條件、認可、撤銷與廢止、查核方式及其他應遵行事項之辦法，由中央主管機關定之。

Regulations governing job site designation, disclosure and reporting of monitoring plans and monitoring results, the qualifications of monitoring agencies and personnel, their approval and revocation and termination thereof, and inspection

methods in the preceding two paragraphs and other binding matters are stipulated by the central competent authority.

第十三條 製造者或輸入者對於中央主管機關公告之化學物質清單以外之新化學物質，未向中央主管機關繳交化學物質安全評估報告，並經核准登記前，不得製造或輸入含有該物質之化學品。但其他法律已規定或經中央主管機關公告不適用者，不在此限。

Article 13 Manufacturers or importers shall not manufacture or import chemicals containing new chemical substances that are not on the inventory of chemical substances announced by the central competent authority prior to submitting a chemical substance safety assessment report to the central competent authority and receiving registration approval for the new substances. Substances stipulated by other legislations or which are announced by the central competent authority announces as not applicable shall not be subject to this restriction.

前項評估報告，中央主管機關為防止危害工作者安全及健康，於審查後得予公開。

In order to prevent hazards to the safety and health of workers, the assessment reports in the preceding paragraph may be made public by the central competent authority after examination.

前二項化學物質清單之公告、新化學物質之登記、評估報告內容、審查程序、資訊公開及其他應遵行事項之辦法，由中央主管機關定之。

Regulations governing the announcement of the inventory of chemical substances, registration of new chemical substances,

content of assessment reports, examination procedures, and public disclosure of information in the preceding two paragraphs and other binding matters shall be stipulated by the central competent authority.

第十四條 製造者、輸入者、供應者或雇主，對於經中央主管機關指定之管制性化學品，不得製造、輸入、供應或供工作者處置、使用。但經中央主管機關許可者，不在此限。

Article 14 Manufacturers, importers, suppliers, or employers shall not manufacture, import, supply, or provide for workers to handle or use controlled chemicals that are designated by the central competent authority. However chemicals that are approved by the central competent authority are not subject to this restriction.

製造者、輸入者、供應者或雇主，對於中央主管機關指定之優先管理化學品，應將相關運作資料報請中央主管機關備查。

Manufacturers, importers, suppliers, or employers shall report relevant handling information for priority management chemicals specified by the central competent authority to the central competent authority for reference.

前二項化學品之指定、許可條件、期間、廢止或撤銷許可、運作資料內容及其他應遵行事項之辦法，由中央主管機關定之。

Regulations governing the designation of chemicals, conditions of permission, terms, termination or revocation of permission, content of handling information and other binding matters in the preceding two paragraphs shall be stipulated by the central competent authority.

--103.01.24--

第十五條 有下列情事之一之工作場所，事業單位應依中央主管機關規定之期限，定期實施製程安全評估，並製作製程安全評估報告及採取必要之預防措施；製程修改時，亦同：

Article 15 For workplaces under any of the following specified circumstances, business entities shall regularly conduct process safety assessments, produce process safety assessment reports, and adopt necessary preventative measures within the deadline stipulated by the central competent authority; the same rule applies when the process is modified.

一、從事石油裂解之石化工業。

1. Petrochemical industry which engages in petroleum cracking.

二、從事製造、處置或使用危害性之化學品數量達中央主管機關規定量以上。

2. Workplaces which engage in the manufacturing, storage, or usage of hazardous chemicals in excess of the quantity stipulated by the central competent authority.

前項製程安全評估報告，事業單位應報請勞動檢查機構備查。

Process safety assessment reports in the preceding paragraph shall be reported by the business entities to the labor inspection agency for reference.

前二項危害性之化學品數量、製程安全評估方法、評估報告內容要項、報請備查之期限、項目、方式及其他應遵行事項之辦法，由中央主管機關定之。

Rules governing the quantity of hazardous chemicals, process safety assessment methods, important items for assessment reports, as well as the deadline, items, and methods of reporting for reference in the preceding two paragraphs and other

binding matters are stipulated by the central competent authority

第十六條 雇主對於經中央主管機關指定具有危險性之機械或設備，非經勞動檢查機構或中央主管機關指定之代行檢查機構檢查合格，不得使用；其使用超過規定期間者，非經再檢查合格，不得繼續使用。

Article 16 Employers shall not use machinery or equipment specified as dangerous by the central competent authority without passing an inspection by a labor inspection agency, or by a certificated inspection agency designated by the central competent authority; where such usage exceeds the stipulated period, the machinery and facilities shall not be used without passing a re-inspection.

代行檢查機構應依本法及本法所發布之命令執行職務。

Certificated inspection agencies shall perform their duties in accordance with this Act and orders issued by this Act.

檢查費收費標準及代行檢查機構之資格條件與所負責任，由中央主管機關定之。

Inspection fee standards and the qualifications and responsibilities of designated inspection agencies are stipulated by the central competent authority.

第一項所稱危險性機械或設備之種類、應具之容量與其製程、竣工、使用、變更或其他檢查之程序、項目、標準及檢查合格許可有效使用期限等事項之規則，由中央主管機關定之。

Regulations regarding the types of dangerous machinery or equipment, their required capacities, and the process, completion, usage, modification or other matters of inspection related to procedures, items, and standards of inspection, as well as effective period of approved inspections thereof referred to in Paragraph 1 shall be established by the central

competent authority

第十七條 勞工工作場所之建築物，應由依法登記開業之建築師依建築法規及本法有關安全衛生之規定設計。
Article 17 All workplace building shall be designed by a registered practicing architect in accordance with the law on architecture and the safety and health provisions of this Act.

第十八條 工作場所有立即發生危險之虞時，雇主或工作場所負責人應即令停止作業，並使勞工退避至安全場所。

Article 18 When there is a concern of a potential imminent danger at a workplace, the employers or people responsible for the worksite shall immediately issue orders to halt work and withdraw laborers to a safe location.

勞工執行職務發現有立即發生危險之虞時，得在不危及其他工作者安全情形下，自行停止作業及退避至安全場所，並立即向直屬主管報告。

When laborers discover there is a concern of a threat of imminent danger while executing their duties, under conditions in which the safety of other workers is not jeopardized, they may terminate work of their own accord and withdraw to safe locations, and immediately report to their direct supervisors.

雇主不得對前項勞工予以解僱、調職、不給付停止作業期間工資或其他不利之處分。但雇主證明勞工濫用停止作業權，經報主管機關認定，並符合勞動法令規定者，不在此限。

The employers shall not dismiss, reassign, not pay wages for the period of work on halt, or otherwise impose unfavorably

treatment on laborers taking actions prescribed in the preceding paragraph. However, employers are not subject to this restriction if they can prove that laborers have abused their rights to suspend work and have been affirmed by the competent authority for having complied with labor regulations.

第十九條 在高溫場所工作之勞工，雇主不得使其每日工作時間超過六小時；異常氣壓作業、高架作業、精密作業、重體力勞動或其他對於勞工具有特殊危害之作業，亦應規定減少勞工工作時間，並在工作時間中予以適當之休息。

Article 19 The employers shall not have laborers work in a high temperature worksite for more than six hours each day; employers shall reduce working hours for laborers performing work under abnormal atmospheric pressure conditions, elevated operation, high precision operation, high physical exertion, or other specially hazardous tasks, and give appropriate rest periods during working hours.

前項高溫度、異常氣壓、高架、精密、重體力勞動及對於勞工具有特殊危害等作業之減少工作時間與休息時間之標準，由中央主管機關會同有關機關定之。

The standards for the preceding paragraph describing the reduction of working hours and adequate time for rest for working under unusually high temperature, abnormal atmospheric pressure, elevated operation, high precision operation, high physical exertion, and other specially hazardous tasks shall be established by the central competent authority in coordination with relevant authorities.

第二十條 雇主於僱用勞工時，應施行體格檢查；對在職勞工應施行下列健康檢查：

Article 20 The employers shall conduct pre-employment physical examinations for laborers at the time of employment; for currently employed laborers, the following health examinations shall be conducted:

一、一般健康檢查。

1. General health examinations.

二、從事特別危害健康作業者之特殊健康檢查。

2. Special health examinations for those involved in tasks with special health hazards.

三、經中央主管機關指定為特定對象及特定項目之健康檢查。

3. Health examinations of specific items for specific targets workers as designated by the central competent authority.

前項檢查應由中央主管機關會商中央衛生主管機關認可之醫療機構之醫師為之；檢查紀錄雇主應予保存，並負擔健康檢查費用；實施特殊健康檢查時，雇主應提供勞工作業內容及暴露情形等作業經歷資料予醫療機構。

The examinations in the preceding paragraph shall be performed by physicians from medical institutions approved by the central competent authority in consultation with the central competent health authority; the employers shall keep the examination records and be responsible for the expense of the health examinations; when special health examinations are performed, the employers shall provide detailed information on laborer's work, exposure to hazards, and other work experience information to the medical institution.

前二項檢查之對象及其作業經歷、項目、期間、健康管理分級、檢查紀錄與保存期限及其他應遵行事項之規則，由

中央主管機關定之。

Regulations regarding the subjects of examinations and their work experience, the items and time of their examinations, hierarchical health management, examination records and the record keeping period in the preceding two paragraphs and other binding matters are stipulated by the central competent authority.

醫療機構對於健康檢查之結果，應通報中央主管機關備查，以作為工作相關疾病預防之必要應用。但一般健康檢查結果之通報，以指定項目發現異常者為限。

The medical institutions shall report the results of health examinations to the central competent authority for future reference, to be applied as necessary for prevention of work related diseases. The reporting of the results of general health examinations, however, is limited to cases in which abnormalities are discovered in specific items.

第二項醫療機構之認可條件、管理、檢查醫師資格與前項檢查結果之通報內容、方式、期限及其他應遵行事項之辦法，由中央主管機關定之。

Regulations regarding the approval conditions, management of medical institutions, and the qualifications of examination physicians in Paragraph 2, as well as the contents, methods, and deadline for the reporting of examination results in the preceding paragraph and other binding matters to be complied with are stipulated by the central competent authority.

勞工對於第一項之檢查，有接受之義務。

The laborers are obligated to accept the examinations in Paragraph 1.

第二十一條 雇主依前條體格檢查發現應僱勞工不適於從事某種工作，不得僱用其從事該項工作。健康檢查發現

勞工有異常情形者，應由醫護人員提供其健康指導；其經醫師健康評估結果，不能適應原有工作者，應參採醫師之建議，變更其作業場所、更換工作或縮短工作時間，並採取健康管理措施。

Article 21 The employers shall not employ laborers to engage in a particular type of work for which the physical examination in the preceding Article finds the laborers to be unsuitable for employment. Where a health examination finds an abnormal condition in laborers, medical personnel shall provide the laborer with health guidance. Where the results of a physician's health assessment indicate that a laborer is not suited for his or her original work, the physician's recommendations shall be referred to in changing the laborer's job sites, reassigning the laborer to different duties, or shortening his or her working hours, and adopting health management measures.

雇主應依前條檢查結果及個人健康注意事項，彙編成健康檢查手冊，發給勞工，並不得作為健康管理目的以外之用途。

The employers shall compile and issue to the laborers a health examination manual based on the results of the examinations pursuant to the preceding Article and personal health recommendations. This manual shall not be used for purposes other than health management.

前二項有關健康管理措施、檢查手冊內容及其他應遵行事項之規則，由中央主管機關定之。

The regulations regarding health management measures and the contents of the examination manuals in the preceding two paragraphs and other binding matters to be complied with are stipulated by the central competent authority.

第二十二條 事業單位勞工人數在五十人以上者，應僱用或特約醫護人員，辦理健康管理、職業病預防及健康促

進等勞工健康保護事項。

Article 22 Business entities employing 50 or more laborers shall employ or contract medical personnel to conduct health management, occupational disease prevention, health promotion, and other activities to ensure the health and protection of laborers.

前項職業病預防事項應配合第二十三條之安全衛生人員辦理之。

Activities related to occupational disease prevention in the preceding paragraph shall be accompanied by safety and health personnel pursuant to Article 23.

第一項事業單位之適用日期，中央主管機關得依規模、性質分階段公告。

The applicable dates for business entities pursuant to Paragraph 1 may be announced in phases according to their scale and characteristics by the central competent authority.

第一項有關從事勞工健康服務之醫護人員資格、勞工健康保護及其他應遵行事項之規則，由中央主管機關定之。

The qualifications for medical personnel engaged in labor health services, labor health protection and other binding matters pursuant to Paragraph 1 shall be set by the central competent authority.

第三章 安全衛生管理

Chapter III Safety and Health Management

第二十三條 雇主應依其事業單位之規模、性質，訂定職業安全衛生管理計畫；並設置安全衛生組織、人員，實施安全衛生管理及自動檢查。

Article 23 Employers shall formulate a safety and health management plan based on the scale and characteristics of their business entities, and shall also establish safety and health organizations and personnel to implement safety and health management and self-inspections.

前項之事業單位達一定規模以上或有第十五條第一項所定之工作場所者，應建置職業安全衛生管理系統。

Where the scale of business entities in the preceding paragraph reaches or exceeds a certain level or have workplaces as stipulated in Article 15 Paragraph 1, the business entities shall establish an occupational safety and health management system.

中央主管機關對前項職業安全衛生管理系統得實施訪查，其管理績效良好並經認可者，得公開表揚之。

The central competent authority may conduct on-site visits and inspections of the occupational safety and health management system stipulated in the preceding paragraph, and may publicly commemorate those with sound management performances once they are recognized.

前三項之事業單位規模、性質、安全衛生組織、人員、管理、自動檢查、職業安全衛生管理系統建置、績效認可、表揚及其他應遵行事項之辦法，由中央主管機關定之。

Regulations regarding the scale and characteristics of business entities, safety and health organizations, personnel, management, self-inspections, and the establishment, performance recognition, and commendation of occupational safety and health management systems in the preceding three paragraphs and other binding matters to be complied with are stipulated by the central competent authority.

第二十四條 經中央主管機關指定具有危險性機械或設備之操作人員，雇主應僱用經中央主管機關認可之訓練或經技能檢定之合格人員充任之。

Article 24 For positions requiring the operations of machinery or equipment designated as dangerous by the central competent authority, the employers shall hire personnel who have undergone approved training by the central competent authority or are skill-certified.

第二十五條 事業單位以其事業招人承攬時，其承攬人就承攬部分負本法所定雇主之責任；原事業單位就職業災害補償仍應與承攬人負連帶責任。再承攬者亦同。

Article 25 When business entities recruit contractors for projects, their contractors assume the responsibilities of the employers stipulated in this Act for the portion contracted; the original business entities shall assume joint liabilities with the contractors for occupational accident compensation. The above also applies to subcontractors.

原事業單位違反本法或有關安全衛生規定，致承攬人所僱勞工發生職業災害時，與承攬人負連帶賠償責任。再承攬者亦同。

When the original business entities violate this Act or related safety and health regulations, resulting in occupational accidents suffered by laborers employed by the contractors, they assume joint liabilities with the contractors for indemnity. The above also applies to subcontractors.

第二十六條 事業單位以其事業之全部或一部分交付承攬時，應於事前告知該承攬人有關其事業工作環境、危害因素暨本法及有關安全衛生規定應採取之措施。

Article 26 Prior to contracting its operations in whole or in part, business entities shall inform the contractors of the work environment, hazardous elements, and measures required by this Act and related safety and health regulations.

承攬人就其承攬之全部或一部分交付再承攬時，承攬人亦應依前項規定告知再承攬人。

Prior to subcontracting all or part of the work contracted, contractors shall also inform the subcontractors in accordance with the preceding paragraph.

第二十七條 事業單位與承攬人、再承攬人分別僱用勞工共同作業時，為防止職業災害，原事業單位應採取下列必要措施：

Article 27 When business entities, contractors and subcontractors individually hire laborers to work together, the original business entities shall institute the following necessary measures to prevent occupational accidents:

一、設置協議組織，並指定工作場所負責人，擔任指揮、監督及協調之工作。

1. Establish a consultative organization, and appoint a person responsible for supervision and coordination of the workplace;

二、工作之連繫與調整。

2. Regulate and integrate work;

三、工作場所之巡視。

3. Conduct inspections of the workplaces;

四、相關承攬事業間之安全衛生教育之指導及協助。

4. Direct and assist in safety and health education related to the contracted work;

五、其他為防止職業災害之必要事項。

5. Other measures necessary to prevent occupational accidents.

事業單位分別交付二個以上承攬人共同作業而未參與共同作業時，應指定承攬人之一負前項原事業單位之責任。

If the business entities contract two or more contractors for joint operation, but the business entities themselves do not participate in such work, one of the contractors shall be designated to assume the business entities' responsibilities set forth in the preceding paragraph.

第二十八條 二個以上之事業單位分別出資共同承攬工程時，應互推一人為代表人；該代表人視為該工程之事業雇主，負本法雇主防止職業災害之責任。

Article 28 If two or more business entities contribute fund jointly for a contracted operation, they shall select one person to act as the representative. Said representative is deemed the employers of such operation, and is liable for the prevention of occupational accidents as stipulated for employers' under this Act.

第二十九條 雇主不得使未滿十八歲者從事下列危險性或有害性工作：

Article 29 Employers shall not employ persons under the age of 18 to perform any of the following potentially dangerous or harmful work:

一、坑內工作。

1. Work in tunnels;
二、處理爆炸性、易燃性等物質之工作。
2. Work involving the handling of explosives or flammable substances;
三、鉛、汞、鉻、砷、黃磷、氯氣、氰化氫、苯胺等有害物散布場所之工作。
3. Work at sites where lead, mercury, chromium, arsenic, yellow phosphorus, chlorine, hydrogen cyanide, aniline, or other harmful substances are spread;
四、有害輻射散布場所之工作。
4. Work at sites where harmful level of radiation is present;
五、有害粉塵散布場所之工作。
5. Work at sites where harmful level of dust is present;
六、運轉中機器或動力傳導裝置危險部分之掃除、上油、檢查、修理或上卸皮帶、繩索等工作。
6. Work involving the cleaning, lubrication, inspection, repair, or the installation or removal of belts or chains on moving machinery or the dangerous parts of power transmission apparatus.
七、超過二百二十伏特電力線之銜接。
7. Work involving the connecting of electrical wires carrying over 220 volts of electricity;
八、已熔礦物或礦渣之處理。
8. Work involving the handling of smelted minerals or slag;
九、鍋爐之燒火及操作。

9. Work involving the ignition or operation of a boiler;

十、鑿岩機及其他有顯著振動之工作。

10. Work involving the operation of a rock drill or other machinery with excessive vibration;

十一、一定重量以上之重物處理工作。

11. Work involving the handling of objects above a specific weight;

十二、起重機、人字臂起重桿之運轉工作。

12. Work involving the operation of a crane or derrick crane;

十三、動力捲揚機、動力運搬機及索道之運轉工作。

13. Work involving the operation of a powered winch, powered carrier, or cableway;

十四、橡膠化合物及合成樹脂之滾輾工作。

14. Work involving the operation of rolling and grinding mills for rubber compounds or synthetic resins;

十五、其他經中央主管機關規定之危險性或有害性之工作。

15. Other work determined to be of a potentially dangerous or hazardous nature by the central competent authority.

前項危險性或有害性工作之認定標準，由中央主管機關定之。

The standards for defining the potentially dangerous or harmful work set forth in the preceding paragraph shall be prescribed by the central competent authority.

未滿十八歲者從事第一項以外之工作，經第二十條或第二十二條之醫師評估結果，不能適應原有工作者，雇主應參採醫師之建議，變更其作業場所、更換工作或縮短工作時間，並採取健康管理措施。

In the event that a person under the age of 18 engaged in work other than those set forth in Paragraph 1 is found unsuitable for his or her original work as a result of a physician's health assessments stipulated in Article 20 or 22, the employer shall refer to the physician's recommendations to change job site, reassign work, or shorten his or her working hours, and adopt health management measures.

第三十條 雇主不得使妊娠中之女性勞工從事下列危險性或有害性工作：

Article 30 Employers shall not employ a pregnant female laborer to perform any of the following potentially dangerous or harmful work:

一、礦坑工作。

1. Work in tunnels;

二、鉛及其化合物散布場所之工作。

2. Work at a site where lead and its compounds are spread;

三、異常氣壓之工作。

3. Work under abnormal air pressure conditions;

四、處理或暴露於弓形蟲、德國麻疹等影響胎兒健康之工作。

4. Work involving the handling of or exposure to *Toxoplasma gondii*, rubella, or other microorganisms or viruses which potentially affect the health of the fetus;

五、處理或暴露於二硫化碳、三氯乙烯、環氧乙烷、丙烯醯胺、次乙亞胺、砷及其化合物、汞及其無機化合物等經

中央主管機關規定之危害性化學品之工作。

5. Work involving the handling of or exposure to carbon disulfide, trichloroethylene, ethylene oxide, acrylamide, ethylenimine, arsenic and its compounds, mercury and its inorganic compounds, and other chemicals designated as hazardous by the central competent authority;

六、鑿岩機及其他有顯著振動之工作。

6. Work involving the operation of a rock drill or other machinery with excessive vibration;

七、一定重量以上之重物處理工作。

7. Work involving the handling of objects above a specific weight;

八、有害輻射散布場所之工作。

8. Work at a site where harmful level of radiation is present;

九、已熔礦物或礦渣之處理工作。

9. Work involving the handling of smelted minerals or slag;

十、起重機、人字臂起重桿之運轉工作。

10. Work involving the operation of a crane or derrick crane;

十一、動力捲揚機、動力運搬機及索道之運轉工作。

11. Work involving the operation of a powered winch, powered carrier, or cableway;

十二、橡膠化合物及合成樹脂之滾軋工作。

12. Work involving the operation of rolling and grinding mills for rubber compounds or synthetic resins;

十三、處理或暴露於經中央主管機關規定具有致病或致死之微生物感染風險之工作。

13. Work involving the handling of or exposure to disease or lethal microorganisms designated potentially infectious by the central competent authority;

十四、其他經中央主管機關規定之危險性或有害性之工作。

14. Other work determined to be of a potentially dangerous or harmful nature by the central competent authority.

雇主不得使分娩後未滿一年之女性勞工從事下列危險性或有害性工作：

Employers shall not employ female laborers who are still within their first postpartum year to perform any of the following potentially dangerous or hazardous work:

一、礦坑工作。

1. Work in tunnels;

二、鉛及其化合物散布場所之工作。

2. Work at sites where lead and its compounds are spread;

三、鑿岩機及其他有顯著振動之工作。

3. Work involving the operation of a rock drill or other machinery involving excessive vibration;

四、一定重量以上之重物處理工作。

4. Work involving the handling of objects above a specific weight;

五、其他經中央主管機關規定之危險性或有害性之工作。

5. Other work determined to be of a potentially dangerous or hazardous nature by the central competent authority.

第一項第五款至第十四款及前項第三款至第五款所定之工作，雇主依第三十一條採取母性健康保護措施，經當事人書面同意者，不在此限。

This limitation shall not apply to the work set forth in subparagraphs 5 to 14 of Paragraph 1 and subparagraphs 3 to 5 of the preceding paragraph where the employers implement maternal health protection measures pursuant to Article 31 and the person involved provides written consent.

第一項及第二項危險性或有害性工作之認定標準，由中央主管機關定之。

The evaluative standards for the potentially dangerous or harmful work set forth in Paragraphs 1 and 2 shall be determined by the central competent authority.

雇主未經當事人告知妊娠或分娩事實而違反第一項或第二項規定者，得免予處罰。但雇主明知或可得而知者，不在此限。

Where the employers are not informed by the person involved of the pregnancy or childbirth and breach the regulations stipulated in Paragraph 1 or 2, the employers shall be exempt from penalty; however, this exemption shall not apply if employers are aware or could have known of the fact.

第三十一條 中央主管機關指定之事業，雇主應對有母性健康危害之虞之工作，採取危害評估、控制及分級管理措施；對於妊娠中或分娩後未滿一年之女性勞工，應依醫師適性評估建議，採取工作調整或更換等健康保護措施，

並留存紀錄。

Article 31 Employers shall institute hazard assessments, controls, and hierarchy management measures for work which is potentially hazardous to maternal health in industries designated by the central competent authority; for female laborers who are still within their first postpartum year, work adjustment or reassignment or other protective measures shall be adopted in accordance with the physician's suitability assessment recommendations, and records of these measures should be kept.

前項勞工於保護期間，因工作條件、作業程序變更、當事人健康異常或有不適反應，經醫師評估確認不適原有工作者，雇主應依前項規定重新辦理之。

In the event that the laborers in the preceding paragraph experience health abnormalities or adverse reactions due to changes in working conditions or operating processes during the period of protection, where a physician's assessment confirms that the laborers are unsuitable for her original work, the employers shall rearrange the matter in accordance with the provisions of the preceding paragraph.

第一項事業之指定、有母性健康危害之虞之工作項目、危害評估程序與控制、分級管理方法、適性評估原則、工作調整或更換、醫師資格與評估報告之文件格式、紀錄保存及其他應遵行事項之辦法，由中央主管機關定之。

Regulations regarding the designation of industries, types of work considered potentially hazardous to maternal health, hazard assessment procedures and controls, hierarchy management methods, suitability assessment principles, work adjustment or reassignment, physician qualifications and report formats, and records keeping in Paragraph 1 and other binding matters to be complied with shall be stipulated by the central competent authority.

雇主未經當事人告知妊娠或分娩事實而違反第一項或第二項規定者，得免予處罰。但雇主明知或可得而知者，不在

此限。

Where the employers are not informed by the person involved of the pregnancy or childbirth and breach the regulations stipulated in Paragraph 1 or 2, the employers shall be exempt from penalty; however, this exemption shall not apply if employers are aware or could have known of the fact.

第三十二條 雇主對勞工應施以從事工作與預防災變所必要之安全衛生教育及訓練。

Article 32 Employers shall provide laborers with all necessary safety and health education and training to perform duties and prevent accidents.

前項必要之教育及訓練事項、訓練單位之資格條件與管理及其他應遵行事項之規則，由中央主管機關定之。

Regulations governing matters for necessary education and training and the qualifications and management of training entities set forth in the preceding paragraph and other binding matters shall be stipulated by the central competent authority.

勞工對於第一項之安全衛生教育及訓練，有接受之義務。

Laborers are obligated to participate in safety and health education and training in Paragraph 1.

第三十三條 雇主應負責宣導本法及有關安全衛生之規定，使勞工周知。

Article 33 Employers shall be responsible for disseminating the content of this Act and related safety and health regulations to all laborers.

第三十四條 雇主應依本法及有關規定會同勞工代表訂定適合其需要之安全衛生工作守則，報經勞動檢查機構備

查後，公告實施。

Article 34 Employers shall prepare, in consultation with labor representatives, appropriate safety and health work rules which suit their needs. These rules shall be posted and implemented after a copy has been submitted to a labor inspection agency for reference.

勞工對於前項安全衛生工作守則，應切實遵行。

Laborers shall conscientiously abide by the rules in the preceding paragraph.

第四章 監督與檢查

Chapter IV Supervision and Inspections

第三十五條 中央主管機關得聘請勞方、資方、政府機關代表、學者專家及職業災害勞工團體，召開職業安全衛生諮詢會，研議國家職業安全衛生政策，並提出建議；其成員之任一性別不得少於三分之一。

Article 35 The central competent authority may invite laborers, employers, and government representatives, academic experts, and occupational accident labor organizations to convene occupational safety and health consultative committees to examine and discuss national occupational safety and health policies and provide recommendations; neither genders of members shall comprise less than one third of such a committee.

第三十六條 中央主管機關及勞動檢查機構對於各事業單位勞動場所得實施檢查。其有不合規定者，應告知違反

法令條款，並通知限期改善；屆期未改善或已發生職業災害，或有發生職業災害之虞時，得通知其部分或全部停工。勞工於停工期間應由雇主照給工資。

Article 36 The central competent authority and labor inspection agencies may carry out inspections of places of duty of business entities. Those not conforming to regulations shall be informed of the provisions breached and notified to make improvements within a limited time period. Those failing to make improvements within the specified period of time, or have already had occupational accidents, or for which there is a concern of a potential for occupational accidents to occur may be notified to suspend all or part of their works. Laborers shall be paid their usual wages during the period of work stoppage.

事業單位對於前項之改善，於必要時，得請中央主管機關協助或洽請認可之顧問服務機構提供專業技術輔導。

When necessary, business entities may request assistance from the central competent authority or consult with consulting services agency to provide professional and technical guidance in making the improvements set forth in the preceding paragraph.

前項顧問服務機構之種類、條件、服務範圍、顧問人員之資格與職責、認可程序、撤銷、廢止、管理及其他應遵行事項之規則，由中央主管機關定之。

Regulations regarding the types, conditions, and scope of services of the consulting services agencies mentioned in the preceding paragraph, qualifications and job duties of consultants, procedures for approval, revocation, termination, and management thereof, and other binding matters to be complied with shall be stipulated by the central competent authority.

第三十七條 事業單位工作場所發生職業災害，雇主應即採取必要之急救、搶救等措施，並會同勞工代表實施調查、分析及作成紀錄。

Article 37 In the event that an occupational accident occurs at the workplace of business entities, the employers shall immediately take necessary measures such as first aid and emergency rescue, and conduct an investigation, analysis of the accident, and make record of such in consultation with labor representatives.

事業單位勞動場所發生下列職業災害之一者，雇主應於八小時內通報勞動檢查機構：

Employers shall notify a labor inspection agency within eight hours of the occurrence of one of the following types of occupational accidents at the place of duty of business entities:

一、發生死亡災害。

1. Accidents involving death;

二、發生災害之罹災人數在三人以上。

2. Accidents causing injuries to three people or more;

三、發生災害之罹災人數在一人以上，且需住院治療。

3. Accidents causing injuries to one person or more that require hospitalization;

四、其他經中央主管機關指定公告之災害。

4. All other categories of accidents designated and officially announced by the central competent authority.

勞動檢查機構接獲前項報告後，應就工作場所發生死亡或重傷之災害派員檢查。

After receiving a report as set forth in the preceding paragraph, the labor inspection agency shall dispatch inspector to the

workplaces where the accidents causing death or serious injuries occurred.

事業單位發生第二項之災害，除必要之急救、搶救外，雇主非經司法機關或勞動檢查機構許可，不得移動或破壞現場。

In the event that accidents of one of the types set forth in Paragraph 2 occur at business entities, without the permission of the appropriate judicial body or inspection agency, the employers shall not disturb or damage the accident site except for necessary first aid or emergency rescue.

第三十八條 中央主管機關指定之事業，雇主應依規定填載職業災害內容及統計，按月報請勞動檢查機構備查，並公布於工作場所。

Article 38 Employers in industries designated by the central competent authority shall compile reports and statistics on occupational accidents in accordance with regulations, and forward such reports to the labor inspection agencies each month for future reference and post them at the workplaces.

第三十九條 工作者發現下列情形之一者，得向雇主、主管機關或勞動檢查機構申訴：

Article 39 Workers may file complaints with the employers, the competent authority, or labor inspection agencies if one of followings is discovered:

一、事業單位違反本法或有關安全衛生之規定。

1. The business entities are in violation of this Act or related safety and health regulations;

二、疑似罹患職業病。

2. A suspected occupational disease;

三、身體或精神遭受侵害。

3. Physical or psychological harm.

主管機關或勞動檢查機構為確認前項雇主所採取之預防及處置措施，得實施調查。

The competent authority or labor inspection agencies may conduct an investigation to verify the measures taken by the employers in the preceding paragraph to prevent and respond to such occurrences.

前項之調查，必要時得通知當事人或有關人員參與。

When necessary, the parties or related personnel may be notified to take part in the investigation mentioned in the preceding paragraph.

雇主不得對第一項申訴之工作者予以解僱、調職或其他不利之處分。

The employers shall not dismiss, transfer, or otherwise unfavorably treat workers who filed appeal pursuant to Paragraph 1.

第五章 罰 則

Chapter V Penalties

第四十條 違反第六條第一項或第十六條第一項之規定，致發生第三十七條第二項第一款之災害者，處三年以

下有期徒刑、拘役或科或併科新臺幣三十萬元以下罰金。

Article 40 Any violation of the provisions of Article 6 Paragraph 1 or Article 16 Paragraph 1 resulting in the occurrence of an accident as set forth in Article 37 Paragraph 2 subparagraph 1 may be subject to a maximum of three years imprisonment, detention and/or a fine of a maximum of NT\$300,000.

法人犯前項之罪者，除處罰其負責人外，對該法人亦科以前項之罰金。

Where a crime stipulated in preceding paragraph is committed by a legal entity, in addition to punishing the individual responsible for the entity, the fine set forth in the preceding paragraph shall also be levied against said legal entity.

第四十一條 有下列情形之一者，處一年以下有期徒刑、拘役或科或併科新臺幣十八萬元以下罰金：

Article 41 Those in one of the following violations may be subject to a maximum of one year imprisonment, detention, and/or a criminal fine of up to NT\$180,000,:

一、違反第六條第一項或第十六條第一項之規定，致發生第三十七條第二項第二款之災害。

1. Violations of the provisions of Article 6 Paragraph 1 or Article 16 Paragraph 1 resulting in the occurrence of accidents as set forth in Article 37 Paragraph 2 subparagraph 2.

二、違反第十八條第一項、第二十九條第一項、第三十條第一項、第二項或第三十七條第四項之規定。

2. Violations of the provisions of Article 18 Paragraph 1, Article 29 Paragraph 1, Article 30 Paragraph 1 or 2, or Article 37 Paragraph 4.

三、違反中央主管機關或勞動檢查機構依第三十六條第一項所發停工之通知。

3. Violations of a notice to suspend works issued by the central competent authority or labor inspection agency per Article

36, Paragraph 1.

法人犯前項之罪者，除處罰其負責人外，對該法人亦科以前項之罰金。

Where a crime stipulated in the preceding paragraph is committed by a legal entity, in addition to punishing the individual responsible for the entity, the fine set forth in the preceding paragraph shall also be levied against said legal entity.

第四十二條 違反第十五條第一項、第二項之規定，其危害性化學品洩漏或引起火災、爆炸致發生第三十七條第二項之職業災害者，處新臺幣三十萬元以上三百萬元以下罰鍰；經通知限期改善，屆期未改善，並得按次處罰。

Article 42 Violations of the provisions of Article 15 Paragraph 1 or 2 wherein there is hazardous chemicals leak or a fire or explosion is caused that results in the occurrence of an occupational accident as set forth in Article 37 Paragraph 2 may be subject to a fine of no less than NT\$300,000 but no more than NT\$3,000,000; if notification has been given to make improvements within a limited time period but has failed to do so, an additional fine per violation may be levied.

雇主依第十二條第四項規定通報之監測資料，經中央主管機關查核有虛偽不實者，處新臺幣三十萬元以上一百萬元以下罰鍰。

Monitoring data reported by the employer per Article 12 Paragraph 4 that has been verified by the central competent authority as being false shall be subject to a fine of no less than NT\$300,000 but no more than NT\$1,000,000.

第四十三條 有下列情形之一者，處新臺幣三萬元以上三十萬元以下罰鍰：

Article 43 Any of the following violations shall be subject to a fine of no less than NT\$30,000 but no more than NT\$300,000:

一、違反第十條第一項、第十一條第一項、第二十三條第二項之規定，經通知限期改善，屆期未改善。

1. Violations of the provisions of Article 10 Paragraph 1, Article 11 Paragraph 1, or Article 23 Paragraph 2, in which notification has been given to make improvements within a limited time period but has failed to do so.

二、違反第六條第一項、第十二條第一項、第三項、第十四條第二項、第十六條第一項、第十九條第一項、第二十四條、第三十一條第一項、第二項或第三十七條第一項、第二項之規定；違反第六條第二項致發生職業病。

2. Violations of the provisions of Article 6 Paragraph 1, Article 12 Paragraph 1 or 3, Article 14 Paragraph 2, Article 16 Paragraph 1, Article 19 paragraph 1, Article 24, Article 31 Paragraph 1 or 2, or Article 37 Paragraph 1 or 2, or a violation of Article 6 Paragraph 2 leading to the occurrence of an occupational disease.

三、違反第十五條第一項、第二項之規定，並得按次處罰。

3. Violations of the provisions of Article 15, Paragraph 1 or 2, for which fines may be levied per violation.

四、規避、妨礙或拒絕本法規定之檢查、調查、抽驗、市場查驗或查核。

4. Evasion, obstruction, or refusal of an inspection, investigation, random examination, market examination, or verification prescribed by this Act.

第四十四條 未依第七條第三項規定登錄或違反第十條第二項之規定者，處新臺幣三萬元以上十五萬元以下罰鍰；經通知限期改善，屆期未改善者，並得按次處罰。

Article 44 Failures to register in accordance with the provisions of Article 7 Paragraph 3 or violations of the provisions of Article 10 Paragraph 2 shall be subject to a fine of no less than NT\$30,000 but no more than NT\$150,000; notification has been given to make improvements within a limited time period but has failed to do so, an additional fine per violation may be levied.

違反第七條第一項、第八條第一項、第十三條第一項或第十四條第一項規定者，處新臺幣二十萬元以上二百萬元以下罰鍰，並得限期停止輸入、產製、製造或供應；屆期不停止者，並得按次處罰。

Violations of Article 7 Paragraph 1, Article 8 Paragraph 1, Article 13 Paragraph 1, or Article 14 Paragraph 1 may be subject to a fine of no less than NT\$200,000 but no more than NT\$2,000,000, and a deadline may be given by which the violator must cease the importation, production, manufacture, or supply of the related products; where said activities are not ceased by the time specified, fines may be levied per violation.

未依第七條第三項規定標示或違反第九條第一項之規定者，處新臺幣三萬元以上三十萬元以下罰鍰，並得令限期回收或改正。

Failure to mark products in accordance with the provisions of Article 7 Paragraph 3 or violation of Article 9 Paragraph 1 shall be subject to a fine of no less than NT\$30,000 but no more than NT\$300,000, and violators may be ordered to recall the products or make corrections within a set period of time.

未依前項規定限期回收或改正者，處新臺幣十萬元以上一百萬元以下罰鍰，並得按次處罰。

Failures to recall products or make corrections in accordance with the provisions of the preceding paragraph shall be subject to a fine of no less than NT\$100,000 but no more than NT\$1,000,000 per violation.

違反第七條第一項、第八條第一項、第九條第一項規定之產品，或第十四條第一項規定之化學品者，得沒入、銷燬或採取其他必要措施，其執行所需之費用，由行為人負擔。

Products in violations of the provisions of Article 7 Paragraph 1, Article 8 paragraph 1, or Article 9 Paragraph 1 or chemicals in violations of the provisions of Article 14 paragraph 1 may be subject to confiscation, destruction, or other

necessary measures, the cost of which shall be borne by the person committing the violation.

第四十五條 有下列情形之一者，處新臺幣三萬元以上十五萬元以下罰鍰：

Article 45 Any one of the following violations shall be subject to a fine of no less than NT\$30,000 but no more than NT\$150,000:

一、違反第六條第二項、第十二條第四項、第二十條第一項、第二項、第二十一條第一項、第二項、第二十二條第一項、第二十三條第一項、第三十二條第一項、第三十四條第一項或第三十八條之規定，經通知限期改善，屆期未改善。

1. Violations of the provisions of Article 6 Paragraph 2, Article 12 Paragraph 4, Article 20 Paragraph 1 or 2, Article 21 Paragraph 1 or 2, Article 22 Paragraph 1, Article 23 Paragraph 1, Article 32 Paragraph 1, Article 34 Paragraph 1, or Article 38, in which notification has been given to make improvements within a limited time period but has failed to do so.

二、違反第十七條、第十八條第三項、第二十六條至第二十八條、第二十九條第三項、第三十三條或第三十九條第四項之規定。

2. Violations of the provisions of Article 17, Article 18 Paragraph 3, Articles 26 through 28, Article 29 Paragraph 3, Article 33, or Article 39 Paragraph 4.

三、依第三十六條第一項之規定，應給付工資而不給付。

3. Failure to provide wages which should be paid in accordance with the provisions of Article 36 Paragraph 1.

第四十六條 違反第二十條第六項、第三十二條第三項或第三十四條第二項之規定者，處新臺幣三千元以下罰鍰。

Article 46 Violations of Article 20 Paragraph 6, Article 32 Paragraph 3, or Article 34 Paragraph 2 shall be subject to a

fine of no more than \$NT3,000.

第四十七條 代行檢查機構執行職務，違反本法或依本法所發布之命令者，處新臺幣六萬元以上三十萬元以下罰鍰；其情節重大者，中央主管機關並得予以暫停代行檢查職務或撤銷指定代行檢查職務之處分。

Article 47 Designated inspection agencies which violate this Act or orders issued in accordance with this Act in the course of executing their duties shall be subject to a fine of no less than NT\$60,000 but no more than NT\$300,000; in the event of severe violations, the central competent authority may also temporarily suspend or revoke the designated inspection agency from their position of inspection.

第四十八條 有下列情形之一者，予以警告或處新臺幣六萬元以上三十萬元以下罰鍰，並得限期令其改正；屆期未改正或情節重大者，得撤銷或廢止其認可，或定期停止其業務之全部或一部：

Article 48 Anyone committing one of the following acts will be issued a warning or subject to a fine of no less than NT\$60,000 but no more than NT\$300,000, and may be ordered to make corrections within a limited period of time; failure to make corrections within the limited time or severe violations may be subject to the revocation or termination of approval or the temporary suspension of all or part of its operations;

一、驗證機構違反中央主管機關依第八條第五項規定所定之辦法。

1. Certification bodies violating regulations prescribed by the central competent authority in accordance with Article 8 Paragraph 5 of this Act.

二、監測機構違反中央主管機關依第十二條第五項規定所定之辦法。

2. Monitoring agencies violating regulations prescribed by the central competent authority pursuant to Article 12 Paragraph

5 of this Act.

三、醫療機構違反第二十條第四項及中央主管機關依第二十條第五項規定所定之辦法。

3. Medical institutions violating Article 20 Paragraph 4 and regulations prescribed by the central competent authority pursuant to Article 20 Paragraph 5 of this Act.

四、訓練單位違反中央主管機關依第三十二條第二項規定所定之規則。

4. Training entities violating regulations prescribed by the central competent authority pursuant to Article 32 Paragraph 2 of this Act.

五、顧問服務機構違反中央主管機關依第三十六條第三項規定所定之規則。

5. Consultation services agencies violate regulations prescribed by the central competent authority pursuant to Article 36 Paragraph 3 of this Act.

第四十九條 有下列情形之一者，得公布其事業單位、雇主、代行檢查機構、驗證機構、監測機構、醫療機構、訓練單位或顧問服務機構之名稱、負責人姓名：

Article 49 Where any one of the following conditions applies to an entity, the names of the business entities, employers, designated inspection agencies, certification bodies, monitoring agencies, medical institutions, training entities or consultation services agencies and the names of the people in charge may be made public:

一、發生第三十七條第二項之災害。

1. Accidents as set forth in Article 37 Paragraph 2 occur.

二、有第四十條至第四十五條、第四十七條或第四十八條之情形。

2. Circumstances set forth in Articles 40 through 45, Article 47, or Article 48.

三、發生職業病。

3. Occurrence of occupational diseases.

第六章 附 則

Chapter VI Supplementary Provisions

第五十條 為提升雇主及工作者之職業安全衛生知識，促進職業安全衛生文化之發展，中央主管機關得訂定獎勵或補助辦法，鼓勵事業單位及有關團體辦理之。

Article 50 In order to enhance employers and workers' knowledge of occupational safety and health and to promote the development of occupational safety and health culture, the central competent authority may stipulate regulations regarding rewards or subsidies to encourage business entities and related groups for implementation.

直轄市與縣（市）主管機關及各目的事業主管機關應積極推動職業安全衛生業務；中央主管機關得訂定績效評核及獎勵辦法。

Municipalities , county or city governments, and government authorities in charge of subject industries shall actively promote occupational safety and health work; the central competent authority may stipulate regulations for performance evaluations and rewards.

第五十一條 自營作業者準用第五條至第七條、第九條、第十條、第十四條、第十六條、第二十四條有關雇主之

義務及罰則之規定。

Article 51 Self-employed workers are subject, *mutatis mutandis*, to the provisions of Articles 5 through 7, Article 9, Article 10, Article 14, Article 16, and Article 24 regarding employers' obligations and penalties.

第二條第一款所定受工作場所負責人指揮或監督從事勞動之人員，於事業單位工作場所從事勞動，比照該事業單位之勞工，適用本法之規定。但第二十條之體格檢查及在職勞工健康檢查之規定，不在此限。

People engaged in work directed or supervised by the responsible people in workplaces as described in Article 2 subparagraph 1, when performing labor work at business entities' workplaces, are equally subject to this Act as laborers employed by said enterprise. However the provisions regarding physical examinations and health examinations for currently employed workers as set forth in Article 20 shall not be subject to this restriction.

第五十二條 中央主管機關得將第八條驗證機構管理、第九條抽驗與市場查驗、第十二條作業環境監測機構之管理、查核與監測結果之通報、第十三條新化學物質之登記與報告之審查、第十四條管制性化學品之許可與優先管理化學品之運作資料之備查、第二十條認可之醫療機構管理及健康檢查結果之通報、第二十三條第三項職業安全衛生管理系統之訪查與績效認可、第三十二條第二項訓練單位之管理及第三十九條第二項疑似職業病調查等業務，委託相關專業團體辦理。

Article 52 The central competent authority may commission related professional organizations to handle matters involving the management of certification bodies as set forth in Article 8, random examinations and market examinations as set forth in Article 9, management and review of workplace monitoring agencies, and the reporting of monitoring results as

set forth in Article 12, the examinations of the registrations and reporting of new chemical substances as set forth in Article 13, the approval of controlled chemicals and the future reference of the handling information for chemicals for priority management as set forth in Article 14, the management of approved medical institutions and the reporting of health examination results as set forth in Article 20, inspection and performance approval for occupational safety and health management systems as set forth in Article 23 Paragraph 3, the management of training entities as set forth in Article 32 Paragraph 2, and the investigation of suspected occupational diseases as set forth in Article 39 Paragraph 2.

第五十三條 主管機關辦理本法所定之認可、審查、許可、驗證、檢查及指定等業務，應收規費；其收費標準由中央主管機關定之。

Article 53 Charges and fees shall be collected by the competent authority for performing tasks such as granting approval, examination, issuing permits, certification, inspections, and designations prescribed by this Act; the standards for said fees shall be stipulated by the central competent authority.

第五十四條 本法施行細則，由中央主管機關定之。

Article 54 The enforcement rules of this Act shall be determined by the central competent authority.

第五十五條 本法施行日期，由行政院定之。

Article 55 The date of enforcement of this Act shall be determined by the Executive Yuan.