

國立臺灣大學校聘人員終止契約作業流程表

須經預告終止契約（有資遣費）

用人單位或員工有下列情形時（參本校校聘人員工作規則第7條或勞動基準法第11條）：

1. 具下列情事之一，有減少員工之必要，又無適當工作可供安置時。
 - (1) 業務緊縮。
 - (2) 業務性質變更。
2. 不可抗力暫停工作在1個月以上時。
3. 校聘人員對於所擔任之工作確不能勝任時。



【試用期】

檢附資料：

- (1) 試用考核表
- (2) 資遣員工通報名冊

【非試用期】

1. 單位應召開終止契約相關會議，必要時得通知當事人列席，並給予陳述意見機會（請留存會議錄音檔）。
2. 檢附資料：
 - (1) 終止契約預告書
 - (2) 終止契約相關會議紀錄（含出席委員名單、會議簽到表及同意票數）
 - (3) 資遣員工通報名冊



用人單位檢附上開資料，依程序會辦人事室，送主任秘書核定：

1. 繼續工作3個月以上1年未滿者，於10日前預告之。
 2. 繼續工作1年以上3年未滿者，於20日前預告之。
 3. 繼續工作3年以上者，於30日前預告之。
- 本校未依規定期間預告而終止契約者，應給付預告期間之工資。



1. 人事室將資遣員工通報名冊於員工離職之10日前通報臺北市政府勞動局及臺北市就業服務處。
2. 用人單位於終止勞動契約後30日內發給資遣費。



人事室發函通知當事人辦理離職手續

不經預告終止契約（無資遣費）

員工有下列情事之一時（參本校校聘人員工作規則第6條或勞動基準法第12條）：

1. 於訂立勞動契約時為虛偽意思表示，致本校誤信而有受損害之虞。
2. 對於本校教職員工生，實施暴行或有重大侮辱之行為。
3. 受有期徒刑以上刑之宣告確定，而未諭知緩刑或未准易科罰金。
4. 故意損壞公有財產、設備，或故意洩漏業務上、技術上之秘密，致本校受有損害。
5. 無正當理由連續曠職達3日，或1個月內曠職達6日。
6. 違反性別平等工作法、性別平等教育法等性別平等相關法規及教育基本法規範（詳工作規則第6條第1項第6款）。
7. 經個案具體事實認定違反契約、本規則或管理要點且情節重大（詳工作規則第6條第1項第7款）。

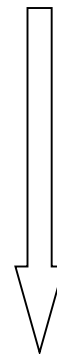
除第3點外，其餘情形，本校應自知悉之日起，30日內為之。



檢具相關事證



依程序簽會人事室，送主任秘書核定



NATIONAL TAIWAN UNIVERSITY

Termination Procedure Chart for Contract Employees

Contract Termination with Advance Notice Required (Includes severance pay)

When an employer or employee is in one of the following situations (*refer to Article 7 of the University's Contract Employee Service Rules or Article 11 of the Labor Standards Act*):

1. Necessary employee reduction with no suitable reassignment available due to:
 - (1) Business contraction.
 - (2) Change in the nature of the business.
2. Business suspended for more than one month due to force majeure.
3. Employee unable to satisfactorily perform their duties.



Probationary Period

Attached documents:

- (1) Probationary Performance Evaluation Form
- (2) Laid-off employee list.

Non-probationary Period

1. Hold a contract termination meeting, invite concerned parties and allow them to present their views (retain meeting recordings).
2. Attached documents:
 - (1) Contract termination notice
 - (2) Termination meeting records (including attendant list, sign-in sheet, and vote count)
 - (3) Laid-off employee list.



The employer shall process the above documents through the Personnel Department following the established procedures, then forward them to the Secretary- General for approval:

1. Those employed continuously for more than 3 months but less than one year must be notified at least 10 days in advance.
2. Those employed continuously for more than 1 year but less than 3 years must be notified at least 20 days in advance.
3. Those employed continuously for more than 3 years must be notified at least 30 days in advance.

If the University fails to provide an advance notice within the time limit prescribed, the University must pay the worker wages for the advance notice period.



1. The Personnel Department shall inform the Employment Service Center, Department of Labor of the Taipei City Government of the **laid-off employee list** 10 days before employee's departure.
2. The employer shall issue severance pay within 30 days after the labor contract termination.



The Personnel Department shall issue an official letter to notify the concerned individual to proceed with the resignation procedures.

Contract Termination without Advance Notice (No severance pay)

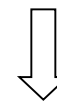
When an employee is in one of the following situations (*refer to Article 6 of the University's Contract Employee Service Rules or Article 12 of the Labor Standards Act*):

1. Misrepresents any fact at the time of signing of a labor contract, which might mislead the University and thus caused the University to sustain damage therefrom.
2. Commits a violent act against or grossly insults against university staff, faculty, or students.
3. Has been sentenced to temporary imprisonment and is not granted a suspension or the possibility of a fine substitution.
4. Intentionally damages public property or equipment or deliberately discloses confidential business or technical information, causing harm to the University.
5. Absent from work without valid reasons for three consecutive days, or six days a month.
6. Violates laws and regulations related to gender equality in the workplace and education, such as the Gender Equity Education Act, the Educational Fundamental Act, and other relevant regulations (detailed in Article 6, Paragraph 1, Item 6 of the Employment Rules).
7. Be found in serious breach of the contract, the University rules, or management guidelines with severe violation (detailed in Article 6, Paragraph 1, Item 7 of the Work Rules).

Except for the third condition, the University shall take action within 30 days from the date of becoming aware of any other circumstances.



Provide relevant evidence



Follow the procedures to have review by the Personnel Department and submit to the Secretary- General for approval

