

National Taiwan Ocean University

Regulations on the Protection and Handling of Rights and Interests for Part-Time Research Assistants under the Learning-Based and Employment-Based Models

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Promulgated by Order no. Hai-Yan-Ji No. 1040020623 on October 29, 2015
Amendments approved by the 4th Administrative Meeting of the 1st semester of AY 2015 on November 12, 2015
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Approved by the 4th Administrative Meeting of the 1st semester of AY 2023 on December 14, 2023 for the establishment of the Contract for Part-time Research Assistants (including temporary positions)
Promulgated by Order no. Hai-Yan-Ji No. 1120031908 on December 26, 2023
Amendments approved by the 2nd Administrative Meeting of the 2nd semester of AY 2023 on April 25, 2024
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- I. To both preserve the learning scope of all categories of part-time research scholarship recipients at the University and safeguard the rights and interests of scholarship recipients and employment-based part-time research assistants, these Regulations are formulated in accordance with the University's Guidelines on the Protection and Handling of Rights and Interests for Scholarship Recipients and Part-Time Assistants.
- II. The persons subject to these Regulations are classified as follows:

(1) Part-Time Research Assistant:

1. Compensation for part-time personnel at the lecturer or teaching-assistant level shall be paid based on the nature of the project and in accordance with standards established by the implementing unit/organization.
2. Where a student part-time appointee is determined to fall within the scope of learning, a research stipend shall be paid.

(2) Temporary Worker: Refers to a person employed by the University in an employment relationship whereby the person provides labor/services in exchange for remuneration.

(3) Part-Time Research Temporary Scholarship Recipient: Refers to a student part-time appointee determined to fall within the scope of learning, who shall be paid a research stipend based on an assessment of learning outcomes.

For Subparagraphs 1 and 3 of the preceding paragraph, graduate students or junior college/university students who have taken a leave of absence shall not serve as part-time appointees from the date stated on the leave-of-absence certificate issued by the University. In addition, new students who have not yet obtained student status (enrollment) shall not serve as part-time appointees.

New students who have not yet obtained student status shall complete the University's Part-Time Research Assistant Check-In Form before they may serve in a learning-based capacity.

- III. Before appointing any category of part-time research assistant or related personnel, University faculty members shall execute an agreement to determine whether the relationship with the student constitutes a “course-based learning” relationship or a remunerated “employment” relationship involving consideration.
- IV. Prior to the commencement of a project, the applicant shall complete the appointment procedures by filling out and submitting the University’s “Appointment Approval Form for Personnel Engaged under Research Projects” (i.e., the internal appointment/engagement request form), so as to finalize the engagement process.
- V. For part-time research assistants and other such personnel who are not students of the University, the learning-based coursework/activities shall qualify as a learning relationship with the student’s home institution only where: (i) an instructor or supervising faculty member participates in the project’s implementation across institutions in a substantive manner; and (ii) the project-related learning activities are conducted under such faculty member’s supervision and with the consent of both the student and the supervising faculty member.
- VI. Where a faculty member classifies any category of part-time research assistant as having an employment relationship, the faculty member shall, prior to appointment, submit the matter for University approval. No appointment may be made unless the internal University procedures have been completed. All related costs— including wages, labor insurance, National Health Insurance, mandatory contributions to the labor pension fund, and any other related expenses (e.g., occupational accident insurance premiums, or costs incurred by the University as a result of increased statutory hiring ratios for persons with disabilities and Indigenous peoples)—shall be borne by the hiring supervising faculty member or the relevant principal investigator under the applicable project budget. In addition, upon the expiration of the engagement term or upon resignation prior to term expiration, an employment-based part-time research assistant shall complete the insurance deregistration procedures. If deregistration is not completed as required and expenses are thereby incurred, such expenses shall be borne by the individual concerned or the principal investigator.
- VII. Attendance management for part-time research assistants and other such personnel shall be administered by the principal investigator. The amount and payment of stipends or wages, and the rights and obligations of the parties, shall be determined by each principal investigator, provided that such determinations do not violate the requirements of the commissioning or funding agency.
- VIII. The disbursement of stipends for part-time research assistants and other such personnel shall be made by reference to the National Taiwan Ocean University Table of Standards for Stipends/Remuneration for Part-Time Research Assistants under Research Projects. Stipends

for part-time research temporary scholarship recipients shall be determined by the principal investigator based on performance assessment, and shall be disbursed by reference to the National Taiwan Ocean University Incentive Table for Stipends for Part-Time Research Temporary Scholarship Recipients, provided that such disbursement does not violate the requirements of the commissioning or funding agency. In addition, where a part-time research temporary scholarship recipient is appointed, the principal investigator shall complete the University's Learning Assessment Form for Research Scholarship Recipients (including Temporary Recipients) and prepare the stipend receipt roster, and shall submit the matter through the University's internal approval process for University approval and subsequent disbursement of the stipend.

IX. Any matters not addressed herein shall be handled in accordance with the Ministry of Education's Guiding Principles for the Protection of Rights and Interests of Scholarship Recipients at Junior Colleges and Above.

X. These Guidelines shall take effect upon approval by the Administrative Meeting. The same shall apply to any amendments hereto.

National Taiwan Ocean University
Part-Time Research Assistant Check-In Form

Date of Application:

Basic Information			
Academic Year / Semester:		Category/Status:	<input type="checkbox"/> Graduate Student <input type="checkbox"/> Doctoral Student
Name		Student ID No.:	
Department / Institute:		Supervising Professor:	
Signature/Approval Section			
Student Signature: _____ Contact Phone No.: _____			
Supervising Professor Signature/Seal: _____			
Department/Institute Approval Section			
(Please affix the official stamp of the unit and the seal of the Department/Institute Chair/Director.)			
Department/Institute Approval: _____			
This is to certify that the above-named student has completed the check-in procedures with the Department/Institute on ____ Year ____ Month ____ Day to ____ Year ____ Month ____ Day, and has proceeded to the office/laboratory of _____ (Supervising Professor/Principal Investigator) to carry out the research project.			

National Taiwan Ocean University
Stipend / Remuneration Standards for
Part-Time Research Assistants under Research Projects

Unit: New Taiwan Dollars (NTD)

Doctoral student		Master's student	Undergraduate student	Lecturer-level part-time personnel	Teaching-assistant-level part-time personnel
not yet qualified as a doctoral candidate	qualified as a doctoral candidate				
Up to NTD 40,000	Up to NTD 44,000	Up to NTD 20,000	Up to NTD 10,000	<u>NTD 10,000</u>	<u>NTD 8,000</u>

Notes:

1. This table is effective from May 1, 2024.
2. The amounts listed are the monthly standards for remuneration.
3. Where the commissioning/funding agency has approved salary-related rules, such rules shall prevail.
4. Pursuant to Item 4 of the Instructions for Engaging Research Personnel under NSTC Grants for Research Projects: "Where student part-time personnel are determined to fall within the scope of learning, a research stipend shall be provided; where determined to be in an employment relationship, work remuneration shall be provided. In all cases, at least NTD 6,000 per month shall be paid."

National Taiwan Ocean University
Incentive Table for Stipends for
Part-Time Research Temporary Scholarship Recipients

1. This Table is established to ensure an effective assessment of the learning performance of the University's students who apply for stipends as Part-Time Research Temporary Scholarship Recipients.
2. The scope of application of this Table covers Part-Time Research Temporary Scholarship Recipients. Such recipients shall complete a learning record form during their scheduled service periods and submit it to the responsible principal investigator for review.
3. Incentives shall be granted based on the assessed level of learning performance, which is categorized into five (5) levels.

Incentive Table		
Level	Incentive (Stipend Amount)	Basis in Fact
1	Up to NTD 5,000	Diligent and public-spirited in service, with good performance; the principal investigator shall determine the amount based on learning outcomes.
2	NTD 5,001–10,000	Helpful to others, and actively participates in and assists in promoting on-campus activities; the principal investigator shall determine the amount based on learning outcomes.
3	NTD 10,001–20,000	Hardworking and persevering; makes strong efforts to accomplish tasks with notable results; the principal investigator shall determine the amount based on learning outcomes.
4	NTD 20,001–35,000	Proactive, conscientious, and responsible, achieving excellent results; the principal investigator shall determine the amount based on learning outcomes.
5	NTD 35,001–45,000	Highly service-oriented; willingly undertakes duties without complaint; proactively resolves difficulties, with outstanding achievements; the principal investigator shall determine the amount based on learning outcomes.

Notes:

1. This Table shall take effect from May 1, 2024.
2. Pursuant to Item 4 of the Instructions for Engaging Research Personnel under NSTC Grants for Research Projects: "Where student part-time personnel are determined to fall within the scope of learning, a research stipend shall be provided; where determined to be in an employment relationship, work remuneration shall be provided. In all cases, payment shall be not less than NTD 6,000 per month." Where other commissioning agencies (institutions) have separate provisions, such provisions shall prevail.

National Taiwan Ocean University
 Contract for Part-Time Assistant / Part-Time Research Temporary Scholarship
 Recipient under a Research Project

National Taiwan Ocean University (hereinafter, “Party A”), for the purpose of carrying out the research project set forth below, hereby selects _____ (hereinafter, “Party B”) as a Part-Time Assistant / Part-Time Research Temporary Scholarship Recipient. Under Party A’s supervision, Party B shall participate in learning activities related to research experiments. The Parties agree to the following terms and conditions:

Project Implementing Unit:	
Principal Investigator:	
Project Title:	
Project No.:	
Collaborating Institution(s):	
Project Term:	

The Parties agree as follows:

1. Prior to the commencement of the project, the applicant shall complete the engagement procedures by filling out and submitting the University’s *Appointment Approval Form for Personnel Engaged under Research Projects*, thereby completing the appointment process.
2. Applicable Regulations: During the learning period, Party B shall comply with the University’s *Regulations on the Protection and Handling of Rights and Interests for Part-Time Research Assistants under the Learning-Based and Employment-Based Models*.
3. Learning Period: ___ months (from ___ (ROC Year) ___ Month ___ Day to ___ (ROC Year) ___ Month ___ Day).
4. Learning Content: Pursuant to Party A’s research project, Party B shall learn project-related professional knowledge, research methods, and technological innovations, for the purposes of constituting part of coursework, part of thesis/dissertation research, a graduation requirement, or other learning activities.
5. Research Scholarship/Stipend: Based on Party B’s learning outcomes and performance, Party A shall pay Party B, on a monthly basis from the research project budget, a research scholarship/stipend not constituting consideration under an employment relationship, up to a maximum amount of NTD _____.
6. No Employment Relationship / No Consideration: Party B agrees that the scholarship/stipend paid by Party A is a research scholarship/stipend that does not constitute consideration under an employment relationship.
7. Learning Standards: Party A shall be responsible for providing learning supervision and research ethics training to Party B. Party B shall comply with the University’s regulations and Party A’s laboratory management rules, as well as other relevant University requirements.
8. Method of Scholarship/Stipend Award: The “scholarship/stipend” shall be granted on a monthly basis in accordance with the University’s *Stipend/Remuneration Standards for Part-Time Research Assistants under Research Projects* and the *Incentive Table for Stipends for Part-Time Research Temporary Scholarship Recipients*.

9. Copyright and Confidentiality of the Research Proposal and Documents: Party A’s research proposal is protected by copyright. Party B shall not copy, plagiarize, or otherwise misappropriate any part of the research proposal obtained through participation in the project for use in a thesis/dissertation or otherwise. Without Party A’s consent, Party B shall not disclose, or cause any third party to disclose, the research proposal. Where the research project is an industry–academia collaboration project, all related documents and any derivative data and results shall be kept confidential. Any breach of the copyright and confidentiality obligations shall be handled in accordance with applicable laws and regulations.
10. This Contract is executed in two (2) originals, with the Principal Investigator and Party B each retaining one (1) original.

Party A: National Taiwan Ocean University

Principal Investigator: _____ (Signature)

Party B: _____ (Signature)

National ID No.: _____

Please attach the appointment approval request (engagement approval form) and submit it to the Documentations Section for affixing the University seal.