

Guidelines for Safeguarding the Learning and Labor Rights/Interests of the Financial Aid Recipients and Part-time Student Assistants

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Chapter I General Rules

Article 1 To cultivate talents and protect the learning and labor rights/interests of financial aid recipients and part-time student assistants, KMU has formulated the Guidelines in accordance with the "Guidelines for Safeguarding the Rights and Interests of Scholarship and Financial Aid Recipients in College or Above" issued by the Ministry of Education and the "Guiding Principles for Safeguarding the Labor Rights and Benefits of Part-time Assistants in the Tertiary Education" issued by the Ministry of Labor.

Article 2 The "financial aid recipients" in the Guidelines refer to research scholarship students and financial aid recipients with specific service requirements to be fulfilled (hereinafter collectively referred to as "financial aid recipients"), which include students who receive scholarships for participating in research activities with learning as the main purpose and scope, or students who receive the university's disadvantaged student aid to participate in service activities without an employer-employee relationship.

The definition of various types of financial aid recipients in the preceding paragraph is as follows:

1. Research scholarship students: Students who receive research scholarships to publish papers, participate in research internships, take courses, or meet graduation requirements, participate in research projects related to their own research, or take research courses under the guidance of teachers to assist in the implementation of relevant research, learn and practice research skills, and develop research results.
2. Financial aid recipients with specific service requirements to be fulfilled: Students who receive financial aid under the Ministry of Education's disadvantaged student aid program, participate in activities planned by the university for the purpose of service feedback, and whose financial aid and service hours do not constitute an employer-employee relationship.

Part-time student assistants refer to students employed by the university, supervised by the university or its agents, and engaged in assisting in research, teaching, or administrative work to receive remuneration. They should be classified as part-time research assistants, part-time teaching assistants, temporary workers for research projects, work-study students, and other part-time workers (hereinafter referred to as part-time assistants), who have an employer-employee relationship with the university, both parties have the fact of providing services and receiving remuneration and have a subordinate relationship. If they are contracted or have other non-employment relationships, they shall be handled in accordance with relevant laws and regulations.

The financial aid recipients and part-time assistants mentioned in the preceding paragraph who are hired by the university for the first time and participate in the National Science and Technology Council's research projects should upload proof of completing six hours of academic ethics education and training to the university's information system before the start date of their employment.

Chapter II Financial Aid Recipients

Article 3 Course learning refers to the learning-oriented courses planned by various teaching units and other learning supervisory units of the university to support research and social service activities, or to formulate thesis research specified in the Degree Conferral Act, and learning activities specified in the curriculum regulations (including the list of required courses) as graduation requirements by various teaching units.

The scope of course learning is as follows:

1. It refers to part of the course or thesis research, or as a graduation requirement.
2. The course or thesis research or graduation requirements mentioned in the preceding subparagraph are autonomously regulated by the university in accordance with the University Act and Junior College Act, including internship courses, field investigation courses, experimental research, or other learning activities.
3. The curriculum, thesis research, or graduation requirements shall be applicable to domestic students, foreign students, overseas Chinese students, and students from Hong Kong, Macao, or mainland China.
4. The learning activities meet the conditions of the preceding three subparagraphs and do not provide labor services or work outside of their learning activities.

Article 4 The learning-oriented courses shall be incorporated into the curriculum structure of the teaching unit according to the nature of the courses and the university's Academic Regulations and shall be implemented after review by the department (center), college (General Education Center), and the Curriculum Committee, and approval by the Academic Affairs Meeting.

When the courses are offered, a course outline (including grading criteria and course content, etc.) shall be clearly formulated according to the course category, and the course shall be planned and conducted according to the course outline.

The course learning for thesis research and graduation requirements shall be implemented according to the content announced by the relevant teaching unit.

Article 5 The scope of learning activities with specific service requirements to be fulfilled refers to the university's allocation of funds to award or subsidize students to assist disadvantaged students in studying with peace of mind, and to arrange for students to participate in service-oriented clubs or other service activities that promote social welfare without a reciprocal relationship.

The scope of service activities of financial aid-receiving students with specific service requirements to be fulfilled, the amount of awards or subsidies, and other related management matters shall be formulated and announced by the competent authority in accordance with the relevant regulations of the Ministry of Education's Disadvantaged

Student Aid Program for Colleges and Universities.

Article 6

When the university promotes learning activities within the scope of research scholarship students, it shall adhere to the following principles:

1. The learning activities shall be mainly related to the scope defined in Article 2, Paragraph 2, Subparagraph 1, and shall be carried out with the consent of the student and the advisor under the guidance of the teacher or advisor.
2. The university shall have corresponding research courses, internship activities, thesis research guidance, etc., and shall specify and announce the relevant learning criteria, graduation requirements, and award methods.
3. Teachers shall guide students in learning professional knowledge.
4. Students may receive scholarships or necessary research or internship allowances or subsidies during their participation in preceding learning activities.
5. During the period when financial aid recipients engage in related research, learning, or services, in addition to the original student group insurance, the coverage shall be increased by adding commercial insurance in a manner that complies with the requirements of the occupational injury compensation quota stipulated in the Labor Standards Act, and the required funds shall be allocated by the university or supported by the Ministry of Education.
6. In order to protect the learning rights and interests of students, financial aid recipients shall not be required to engage in labor-related work outside of learning activities.
7. The research results of research scholarship students in learning activities shall be agreed upon in advance by contract according to the following principles:
 - (1) Copyright ownership:
 - A. For research reports or master's and doctoral theses, if the advising professor only provides conceptual guidance and does not participate in the expression of the content, and the report or thesis content is written by the student himself/herself, according to the Copyright Act, the student is the author of the report or thesis and enjoys the copyright (including moral rights and property rights) when the thesis is completed.
 - B. For research reports or master's and doctoral theses, if the advising professor not only provides conceptual guidance but also participates in the expression of the content and the creations of both parties cannot be separated and used independently, it is a joint work, and the student and the supervising professor are joint authors of the report or thesis and jointly enjoy the copyright. The exercise of the joint copyright (including property rights and moral rights) shall be agreed upon by the student and the advising professor before it can be exercised.
 - (2) Patent ownership: According to Article 5, Paragraph 2 of the Patent Act, if the student himself/herself is the inventor, creator of a new type, or designer, he/she has the right to apply for a patent for the research results he/she obtained and can apply for a patent to the patent authority according to Paragraph 1 of the same article. However, if others (such as the advising

professor) have made a substantial contribution to the output of the thesis research results, the other person may also be listed as a co-inventor.

- Article 7 When recruiting students with physical or mental disabilities as financial aid recipients, the university shall refer to the relevant provisions of the People with Disabilities Rights Protection Act to provide diverse support for those with disabilities following the relevant measures of special education and individualized support programs.
- Chapter III Part-time Student Assistants
- Article 8 To establish a sound system for part-time assistant management, the rights and obligations of both labor and management shall be clearly defined to promote internal harmony and consensus. Both labor and management shall handle matters in accordance with the Labor Standards Act and its enforcement rules, the Guidelines, the Work Rules Applicable to Employees under the Labor Standards Act of the university, and other relevant laws and regulations.
- Article 9 Part-time assistants are limited to engaging in temporary, short-term, or specific work at the university.
- Article 10 Newly hired part-time assistants shall complete the procedure for reporting for duty with the employing unit and the Human Resources Office before the date of employment, and sign a labor contract.
The content of the aforementioned labor contract shall include matters such as job duties, term of employment, remuneration, working time, working hours, workplace, rights and obligations, and other working conditions.
- Article 11 The remuneration for part-time assistants shall be agreed upon by both labor and management, but shall not be lower than the minimum wage approved by the central competent authority.
- Article 12 Remuneration shall be paid before the 25th day of each month for the previous month's wages. In the event of a holiday, payment shall be postponed. However, in cases where there are special reasons such as agreements with part-time assistants or the subsidy organization has not yet allocated funds, the agreements shall prevail.
- Article 13 The working time, working hours and workplace shall be agreed upon by both labor and management.
For overtime work required due to business needs designated by the principal investigator or unit supervisor, an application for overtime work shall be submitted in advance and approved by the principal investigator or unit supervisor before overtime work can be carried out. Failure to complete the approved procedures shall not be considered overtime work.
When applying for overtime work in the preceding paragraph, both labor and management shall negotiate and choose between compensatory time off or receiving overtime pay.
- Article 14 Part-time student assistants shall be granted leave in accordance with the Labor Standards Act, Regulations of Leave-Taking of Workers, Gender Equality in Employment Act, and relevant regulations of the university.

Personnel who take leave or shift work hours shall complete the leave or shift procedures in advance. In the event of sudden illness or emergencies, the unit supervisor should be informed verbally first, followed by the completion of the leave procedures. The leave and attendance records shall be managed by the principal investigator or the unit supervisor. According to the Labor Standards Act, attendance records shall be recorded daily to the minute and kept for at least five years.

Article 15 Part-time assistants who assist or participate in the research projects of teachers and produce relevant research results shall agree in advance on the following principles in the contract::

1. Copyright ownership: According to Article 11 of the Copyright Act, the student is the author, and the university owns the copyright. In other words, the university enjoys exclusive rights such as reproduction, adaptation, public broadcasting, and public transmission under Articles 22 to 29 of the Copyright Act, while the moral rights of the author remain with the student. When exercising copyright, the university should avoid infringing on the moral rights of the student, or the student should not exercise moral rights against the university as agreed in the contract.
2. Patent ownership: The ownership of the patent rights of research results may be agreed upon by both parties in a contract; in the absence of such an agreement, according to Article 7, Paragraph 1 of the Patent Act, the patent rights of the research results belong to the university.

Article 16 The assessment, rewards, and punishments of part-time assistants shall be handled by the principal investigator or the unit supervisor.

Article 17 The university shall, in accordance with the Labor Insurance Act, the National Health Insurance Act, and the Labor Pension Act, handle the procedures for enrollment and contribution of labor retirement benefits for part-time assistants upon their employment, so that they enjoy the right to insurance benefits in accordance with relevant laws and regulations.

The insurance premiums and voluntary retirement benefits borne by the personnel shall be deducted by the university from their wages on a monthly basis.

Failure to comply with the provisions of the first paragraph or the incurring of costs or penalties due to violations shall be the responsibility of the parties concerned, the principal investigator, the teacher, or the unit supervisor.

Article 18 If a part-time assistant intends to resign before the expiration of the contract, he/she shall submit a written application in accordance with the advance notice period prescribed by the Labor Standards Act. After approval by the principal investigator or the unit supervisor, the departure procedures shall be completed before the effective date of resignation. The university shall issue an employment separation certificate to the part-time assistant after completing the departure procedures.

未依預告期間提出辭呈逕行離職，本校得於其離職證明書上加註記錄，致本校受有損害者，本校得依法請求賠償。

If the resignation is made without giving the required notice period, the university may record it on the employment separation certificate. If the university suffers damage as

a result, it may request compensation in accordance with the laws or regulations.

Article 19 During the term of employment of part-time assistants, if there are circumstances as stipulated in Article 11 or Article 12 of the Labor Standards Act or the contract terminates, the university may handle them in accordance with the Labor Standards Act and relevant regulations of the university.

Article 20 During the term of employment, principal investigator or unit supervisors and part-time assistants shall observe the following:

1. Part-time assistants shall attend work according to the working time and personally sign in and out; violators shall be dealt with.
2. Both parties shall abide by the Occupational Safety and Health Act and relevant regulations.
3. When the part-time assistant's contract expires or he/she resigns midway, the insurance shall be surrendered. The costs arising from failure to comply with the regulations on labor insurance, national health insurance and labor pension transfer shall be borne by the parties concerned or the principal investigator.
4. Part-time assistants shall be modest, honest, cautious, proactive, and actively engage in their work, and accept the supervision and direction of the principal investigator or unit supervisor.
5. Part-time assistants shall comply with the university's "Campus Network Use and Management Guidelines".
6. During working time, part-time assistants shall not leave their posts without the permission of the principal investigator or unit supervisor; they shall not refuse temporary assignments related to the business assigned by the principal investigator or unit supervisor.
7. When performing duties, part-time assistants shall respect gender equality, adhere to professional ethics, and strictly comply with the Gender Equality Education Act, the Gender Equality in Employment Act, the Regulations on the Prevention and Handling of Sexual Assault, Sexual Harassment, or Sexual Bullying on Campus, the Regulations for Establishing Measures of Prevention, Correction, Complaint and Punishment of Sexual Harassment at Workplace, and relevant regulations of the university.

Chapter IV Dispute Resolution

Article 21 If financial aid recipients consider measures or dispositions related to course learning or service learning to be illegal or inappropriate, causing harm to their rights or interests, they may, within thirty days from the day the measure or disposition was made, file a written complaint with the Student Appeals Review Committee of the university.

Before filing an appeal, the students should first coordinate with their academic unit, project execution unit, or other learning supervisory unit, and provide a written explanation.

The student appeal referred to in the preceding paragraph shall be handled in

accordance with the "Student Appeal Handling Regulations" of the university.

Article 22 If part-time assistants consider the working conditions or measures of the university to be illegal or inappropriate, causing harm to their rights or interests, they may, within thirty days from the day the measure or disposition was made, file a written appeal with the Student Appeals Review Committee of the university.

Before filing an appeal, the students should first coordinate with their academic unit, project execution unit, or other learning supervisory unit, and provide a written explanation.

Appeals by students under the preceding paragraph shall be handled in accordance with the "Student Appeal Handling Regulations" of the university.

Article 23 In case of disputes regarding the relationship between a teacher (unit) and a student, an application may be submitted to the Student Appeals Review Committee of the university within ten days from the day after the confirmation of the relationship by both parties.

Article 24 During the period of serving as financial aid recipients or part-time assistants, students who may become aware of or gain access to confidential information of the university, or participate in relevant matters or activities for which confidentiality is required by the university, shall sign an affidavit of nondisclosure.

Chapter V Supplementary Article

Article 25 After being reviewed and approved by the University Council, the Guidelines shall be implemented from the date of publication, and the same applies to amendments.

***The English version is for reference only. If there is any inconsistency or ambiguity between the English and Traditional Chinese versions, the Traditional Chinese version shall prevail.**