

Factors Affecting the Recruitment of Foreign Migrant Workers in Taiwan: A Case Study of Vietnamese Migrant Workers

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Abstract

The global development has led to a huge increase in the number of cross-border mobile employment, and many advanced industrialized countries have introduced cross-border migrant workers in order to continue their economic development. Taiwan began to introduce foreign migrant workers in 1989, and has since opened up various application qualifications and quotas for migrant workers in different sectors. By the end of 2022, there were about 228,000 Vietnamese industrial migrant workers in Taiwan, which was the largest number, accounting for 45% of the total number. Therefore, this study discusses the distribution of countries from which Taiwan imports foreign workers and the countries to which Vietnam exports workers, and compares and analyzes the relevant laws and policies of Taiwan government and Vietnamese government. In addition, issues related to migrant worker policies and human resources agencies are discussed through in-depth interviews with human resources agents and questionnaires on Vietnamese migrant workers in Taiwan. Although many past studies focused on foreign workers, in recent years, the demand for industrial workers has changed due to the pandemic, and Taiwan has faced low birth rate, aging and other factors, which has also impacted the labor supply in the job market. Under this situation, the problem of labor shortage may become more serious. Therefore, this study also analyzes the influence of pandemic and other related factors, hoping that the research results can provide references for related fields of industry, official and university.

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1. Introduction

In the era of knowledge-driven economy when technologies and industries have developed by leaps and bounds, the convenience of network and communication has brought countries closer together and improved the efficiency of product production and research and development. Although many industries can reduce labor costs by introducing intelligent equipment to establish automated production lines through information technology and advanced manufacturing technology, some industries or jobs still rely on foreign workers to supplement the basic labor force. According to the IMD World Competitiveness Annual Report 2023 released by the International Institute for Management Development (IMD), Taiwan ranked 6th out of 64 countries. The overall ranking improved for the fifth consecutive year, the best performance since 2013. In addition, Taiwan ranked first in the world for three consecutive years among economies with a population of more than 20 million (International Institute for Management Development (IMD), 2023). It can be seen that Taiwan is still in a high degree of economic development, and has great demand for basic labor. Taiwan began to introduce foreign migrant workers in 1989, and has since opened up the qualifications and quotas for migrant workers in various sectors. Statistics from the Ministry of Labor (Taiwan) (2023) showed that from 1990 to 2022, the total number of legal foreign workers imported into Taiwan increased from 2,999 to 728,081 in 33 years. By the end of 2022, there were about 228,000 Vietnamese industrial migrant workers in Taiwan, which was the largest number, accounting for 45% of the total number, followed by 126,000 (25%) Philippine migrant workers, 84,000 (17%) Indonesian migrant workers and 66,000 Thai migrant workers (13%). At present, Vietnamese migrant workers are one of the main source countries of foreign migrant workers in Taiwan, so this study focuses on Vietnamese industrial migrant workers as the subjects.

In recent years, as relevant laws and policies of the Taiwan government and Vietnamese government have been adjusted, some obvious changes have happened to the bilateral labor market and recruitment network. Vietnam's domestic economy has been growing rapidly, its higher education has been expanded, and it has exported labor to diversified countries. Moreover, there has been no significant decline in agency fees for migrant workers going to Taiwan. Hence, Vietnam's labor supply to Taiwan has been decreasing. In addition, Taiwan has relaxed its controls over migrant worker quota in recent years, which has increased its demand for foreign workers. The rapid development of technological networks, especially social media, has made recruitment networks more flexible and migrant workers have easier access to recruitment information (Lan & Chien, 2022). According to Nguyen's (2010) research on foreign labor policies and problems in Taiwan and Vietnam, Taiwan is currently the largest importer of Vietnamese workers under the influence of many factors, such as industrial attributes, language testing, wages, agency fees, and transportation. Chuang (2016) found that Taiwan's social welfare policy for foreign workers is affected by multiple factors, and culture and agency are the most important elements to explain the development over the years. Juan

(2021) mentioned in his study on the adaptability and living conditions of Vietnamese migrant workers in Taiwan that enterprises or human resources companies employing Vietnamese migrant workers should strengthen the selection and pre-employment training of migrant workers, filter their background and personality traits, reduce the interference from their native families, properly plan their living environment, and try to guide and arrange leisure and cultural activities for them in Taiwan. The central and local governments should timely revise the new law and adjust the policy orientation to protect the common rights and interests of employers, human resources companies and Vietnamese migrant workers, and avoid human rights disputes and work exploitation. After the global outbreak in 2020, the number of industrial migrant workers decreased from 456,601 (December 2019) to 438,489 (March 2022) according to the statistics of the Ministry of Labor (2023). With the introduction of the second phase of the migrant worker project, the number of industrial migrant workers grew to 505,959 (November 2022). However, the number of migrant workers in social welfare showed a downward trend from 261,457 (2019) to 219,408 (2022). The outbreak of the pandemic has disrupted the source of foreign labor, and the labor shortage has become increasingly serious. Although the wages of foreign migrant workers increased due to the shortage of jobs in the labor market during the pandemic period, the living and working conditions of migrant workers did not improve significantly.

In this study, a variety of data was used to understand the current implementation of labor policies and agencies in Taiwan and Vietnam, and to identify issues related to Vietnamese migrant workers and human resources agencies (e.g., policy impact, role and practice of human resources agencies, labor rights and welfare protection of migrant workers, Internet agencies and technology Internet matchmaking issues, pandemic impact) for data collection and analysis. This study collected data from random convenience sampling and distributed questionnaires to Vietnamese factory groups and Vietnamese foreign workers groups. Interviews were also conducted with human resources agents. The research results are expected to provide references for related fields of industry, official and university.

2. Literature Review

2.1 Relevant regulations on foreign migrant workers in Taiwan

To address the widespread labor shortage that Taiwan has been facing since 1989 and to promote domestic development, Taiwan has taken major measures to introduce foreign migrant workers. However, in order to prevent disguised immigration of foreign migrant workers and avoid causing social problems, a series of Employment Service Act regulations were enacted on May 8, 1992, and different labor policies were adopted for foreigners taking different jobs (Kuo, 2022). In order to ensure the implementation of the policy on foreign migrant workers, the Employment Service Act of Taiwan stipulates that the recruitment of foreign workers shall not harm the employment opportunities, working conditions, international economic development and social stability of nationals. In addition,

there are strict regulations on the employment, management and work of foreign migrant workers. Because of the differences between foreign migrant workers and Taiwanese in ethnic groups, languages, cultures, religions and customs, there may be some conflicts and problems in the concept and during the process they get along with each other. In order to reduce or avoid these problems, the Taiwan government has adopted stricter standards and norms for foreign migrant workers to ensure their rights and welfare when they are working and living in Taiwan. Affected by the pandemic, the number of imported foreign migrant workers has decreased significantly since 2020. Furthermore, some foreign migrant workers may ask their employers to increase their pay or agree to change jobs by slowing down work, which may affect the security of employment. On August 27, 2021, the Ministry of Labor (Taiwan) amended the criteria for the job changing of foreign migrant workers to protect the interests of employers and comply with the consideration of the original expertise of foreign migrant workers, raise the threshold for cross-industry job change, and emphasize the principle of priority for foreign migrant workers to be renewed by employers in the same job category. Although the law has gradually relaxed the restrictions on foreign migrant workers to change employers or jobs, there are still restrictions on the conditions and time limits of the change, and foreign migrant workers have not fully obtained the right to freely change employers. Affected by the pandemic, the exporting countries of migrant workers suspended their exit, and Taiwan also took measures to suspend the entry of foreign migrant workers, which interrupted the introduction of foreign migrant workers and caused a serious imbalance between supply and demand (Liu et al., 2020). The Taiwan government has formulated Amendments for the Judgment Standards of migrant worker's care service plan (2021), which stipulates that after foreign workers enter the country and their employers provide accommodation, employers must restrict and manage the living behavior of migrant workers. Foreign workers in Taiwan are subject to management and regulation in four aspects, namely life management, behavior management, affairs management and work management, in order to maintain the norms and safety of their behavior. As for the management principles, it is necessary to respect customs, understand nationalities, obtain trust with care, replace management with service, so that migrant workers have a sense of mission, feel respected, are able to take responsibility, work hard and are loyal, and concentrate on work, which in return can make management better. Most enterprises have difficulties in recruiting migrant workers and managing migrant workers' lives. At this time, human resources agencies for migrant workers play an important role, as they have professional service capabilities and understanding of different cultures, languages, religions, customs and diets. For migrant workers of different nationalities, they can provide employers with the points that employers should pay attention to, and talk with employers to discuss how to draw up a life care service plan. According to the contents of the life care service plan, they will handle all the matters for foreign workers during their working in Taiwan. However, human resources agencies for migrant workers should maintain close contact with employers at all times to ensure that the life care

service plan can be promoted and implemented, so that migrant workers can work hard with peace of mind, and thus achieve a win-win situation.

The COVID-19 pandemic has had a significant impact on Taiwan's policy on migrant workers, and the issuance of migrant worker visas was suspended from May 18, 2021. This makes the shortage of jobs in the country worse. Under such circumstances, some migrant workers in social welfare want to transfer to work in factories and become industrial migrant workers, in order to pursue higher wages and enjoy the protection of labor law and basic wages.

2.2 Conditions of Vietnamese migrant workers in Taiwan

In view of Vietnam's experience in exporting workers to Eastern Europe before the 1986 Renovation, labor export became a development way to solve the excessive labor force in the country and earn foreign exchange, and its connotation gradually expanded into a national policy that balanced economic growth and social development. Vietnam's labor export policy is aimed at rural workers, namely those who enter the overseas labor market. Labor export policy is a new economic direction vigorously promoted by Vietnam in recent years, and the economic development of many villages/communities is benefited from overseas remittances of migrant workers. Therefore, the local development brought about by migrant workers' remittances is the best illustration of the national labor export policy. Portes (2010) explored the cultural and social structure, the causal relationship at different levels in social life, and the two possibilities of migration on the social changes caused by the society where the migration occurred: First, remittances and investment contribute to the stability of local economies, and second, the potential for development depends on the quality of governance systems. Portes' first inference, based on statistics from international organizations and empirical studies by experts and scholars, is that in most cases remittances can indeed bring various levels of economic development to the country of emigration, especially improving the income of migrant families, investment in education and health. As for the second possibility of social change, the focus of observation is on the quality of governance system, which may also explain why some societies of emigration have developed better than other regions. From this point of view, the success of Vietnam's labor export policy can be attributed to the improvement of the governance system. Rural prosperity can be seen everywhere.

Since the 20th century, Taiwan has established stable relations with Southeast Asian countries. However, the trade relationship between Vietnam and Taiwan only developed in the 1990s, and although it was relatively late, the relationship here has grown quite strong. According to the Foreign Investment Bureau of Vietnam's Ministry of Planning and Investment, Taiwan is the world's largest investor in the Vietnam investment market among 92 countries and regions with direct investment in Vietnam. Vietnam has established trade relations with 165 countries and regions, and its economic and trade relations with Taiwan have a history of more than 20 years. Since 1989, when Taiwanese businessmen invested heavily in the Vietnam

market, the economic and trade relations between Taiwan and Vietnam have become increasingly close, and have become more and more remarkable in terms of scale and amount. Taiwan has long been one of Vietnam's largest investment partners (Than, 2014). The authorities in charge of foreign workers in the two countries are the Ministry of Labor of Taiwan and the Ministry of Labor of Vietnam, and the overseas labor department under the Ministry of Labor in Vietnam is the main authority.

2.3 Issues related to agency human resources

As the Responsible Business Alliance (RBA) Code of Conduct is gradually popularized, the trend of zero-pay recruitment of migrant workers between companies and human resource agencies is also increasing. Therefore, this study explores the impact of this factor on the rights of agents and migrant workers respectively. Although it has become relatively difficult for Vietnam to recruit workers during the pandemic, the Taiwan government has also strengthened the control of de-commercialization to reduce agency fees. However, in fact, employing foreign migrant workers as caregivers brings more recruitment costs and even zero agency fees, while Vietnamese migrant workers who are mainly employed in traditional industries still have to pay high agency fees. According to Taiwan's Employment Service Act (2023), employers can employ blue-collar foreigners, including fishermen, domestic helpers or caretakers, manufacturing workers or caretakers in nursing institutions. In addition, in accordance with the same article, the Ministry of Labor establishes work qualification and examination criteria to ensure that foreigners employed by employers meet the relevant qualifications and standards. The Employment Service Act also requires the government to restrict foreign workers to certain occupations and to review their eligibility for employment. Moreover, the government does not make it mandatory for employers to conduct employment procedures through agents, but allows employers to hire foreign workers directly on their own. However, due to the complexity of the current procedures for hiring foreign workers, many employers choose to entrust agencies to handle the relevant procedures and provide translation services. According to the regulations of the Ministry of Labor (Taiwan) (2023), agencies can only charge foreign workers when they provide services. If a foreign worker believes that the agency has not provided any services in a month, he or she can refuse to pay the service fee for that month. Some agencies may require employers to withhold service fees from foreign workers' salaries, but this is illegal. The employer must pay the full salary of the foreign worker directly, it is not allowed to withhold, pay or save on behalf of the foreign worker without consent. Therefore, the monthly service fee shall be paid by the foreign worker to the agency, and shall not be deducted or paid by the employer without consent. The medium through which Vietnam recruits' migrant workers is not a vertical division of labor, but a horizontal cooperative network. For a long time, the Vietnamese government has strictly controlled agency licenses, which are limited to more than 500 state-run agencies

in the country. Therefore, most agencies dealing with Taiwanese agencies in actual operation must borrow a license in order to operate, and must pay about USD 100 to the licensed agency when recruiting each worker. Vietnamese agency is usually divided into three departments: the overseas department, which is responsible for contacting overseas agents, the document department, which is responsible for handling the visa of migrant workers, medical examination and other documents, and the recruitment department, which is responsible for contacting the intermediaries. They work with multiple agents and have no contractual relationship with each other. The intermediary's main job is to recruit workers and help with passports and good citizenship cards in the local, and then take the workers to agencies or training centers in Hanoi. The market price of the intermediary fee is between USD 300 and USD 500, and there are basically two ways of payment. One is that the agent first charges the worker an agency fee, which is USD 300 to USD 500 more than the actual amount paid to the agent, and the intermediary deducts the fee when he or she gives it to the agent, and the agency usually does not ask about the figure. The other is that the worker pays the full agency fee to the Vietnamese agent, and after the worker has gone abroad for a month, the Vietnamese agent remits the money to the intermediary. The amount depends on the number of workers recruited, and is settled on a monthly basis. An intermediary may also recommend jobs or workers through other intermediaries, thus deriving the class difference. Usually, each transfer of an introducer will reduce the profit of USD 100 to USD 200(Lan & Chien, 2022).

3. Methodology

This study mainly focuses on the influence of Taiwan's policy on foreign migrant workers and human resources agencies on the recruitment of Vietnamese migrant workers. Three research methods are mainly adopted: In-depth interview (human resources agents for migrant workers), questionnaire survey (Vietnamese migrant workers in Taiwan) and literature analysis, so as to comprehensively discuss the research topic, collect, organize and analyze data. Interview method is to directly collect data. Through the oral communication between the researchers and the interviewee, the views and opinions on the research topic were obtained. In qualitative research, an interview is a purposeful face-to-face conversation aimed at the exchange and sharing of views and opinions (Rubin & Rubin, 2012). In this study, subjects were recruited mainly through the introduction of personal relationships and the assistance of agencies to find migrant workers who met the research criteria for purposive sampling. Because the pandemic limited the number of subjects to be collected, the researchers adopted a flexible sampling method to ensure that the subjects met the research objectives and criteria. This approach not only improves the reliability and credibility of the study, but also makes subjects more willing to participate in the study, thus providing researchers with a wealth of information and insights. In order to improve interview quality and interview questions, the researchers must first prepare for the interview, develop the interview

content and interview process, and conduct the interview in a semi-structured and focused way, aiming at the job content, responsibilities, and required conditions and abilities for the job and other items. Before the interview, it is necessary to make preparations at all stages, so that interviewees can convey deeper thoughts and make detailed statements about the functional indicators of agency business personnel for migrant workers during the interview for the purpose of research. Interviews were conducted in a semi-structured manner -- based on the job content, responsibilities, conditions, and abilities, subjects were guided to express deeper ideas according to the functional expression construction of the human resources agency's business personnel. The interviews were conducted after the research subjects had a full understanding of the research topic. The interview process is open and in accordance with the interview procedures. The research subjects were guided to freely express their thoughts, feelings, experiences, and the non-verbal messages of the research subjects that had been observed, so as to further understand the context and motivation. In the part of questionnaire survey, in order to ensure the accuracy and reliability of data collection, in addition to online survey, paper questionnaire and random convenient sampling were also adopted. Not just the Internet questionnaire was used. This consideration was mainly out of the following several reasons. First, it is difficult to verify through an agent whether a foreign migrant worker who completes an online survey is actually employed by a factory that has implemented the code of conduct. Second, though online survey is convenient, it may be prone to repetitive and careless responses. Third, not all factories have implemented the code of conduct through intermediaries, and if the survey is published online without careful explanation, it may trigger discussions among workers at different factories. This could lead to unnecessary conflicts or demands from workers on employers to implement the code of conduct, which could have a negative impact on the overall management of foreign migrant workers as many of them are still unfamiliar with the codes of conduct. Therefore, in the factories that implement the code of conduct, paper questionnaires were distributed in selected dormitories for foreign migrant workers with the assistance of the managers. The questionnaire is anonymous and requires workers to present their residence permits when collecting and returning them. Their name, factory name and the last 3 digits of their residence permits would also be recorded in a separate form to confirm that they worked in a factory where the code of conduct had been implemented and to prevent duplication. A promise was made to the employees that their responses would be kept confidential. In addition, the researchers know the importance of gaining the trust of migrant workers, so the purpose of the study was clearly stated before the workers were invited to complete the questionnaire. The questionnaire survey (for Vietnamese migrant workers in Taiwan) was conducted in the following steps:

- 1) Preparation: During the preparation stage, researchers needed to ensure that the content and structure of the questionnaire cover the research purpose and questions. This includes choosing the right type of question, writing clear and specific questions and options, and ensuring that the questionnaire is

understandable and answerable. In addition, it is necessary to take into account the linguistic and cultural differences migrant workers may face, and try to use concise and non-discriminatory language.

- 2) Selection of questionnaire distribution method: The special situation of migrant workers should be considered. According to the migrant workers' workplace, working hours and contact channels, the appropriate way was selected to distribute the questionnaires. For example, if migrant workers do not have time to fill out the questionnaire, they can send an online questionnaire link via SMS or email.
- 3) Instructions: In order to ensure that migrant workers correctly understand the purpose and questions of the questionnaire, clear instructions of the purpose and reason of sending the questionnaire should be sent to the migrant workers before they filled in the information. These instructions should include important information about the background, purpose and confidentiality of the questionnaire. In addition, they can also provide answers to questions migrant workers may encounter when filling out the questionnaire and contact information.
- 4) Participation and consent of migrant workers: The participation and consent of migrant workers were obtained before they completed the questionnaire. The research purpose, its importance and the protection of migrant workers' rights were explained, and they were made aware of their right not to participate or to stop completing the questionnaire at any time.
- 5) Completing the questionnaire: When completing the questionnaire, migrant workers should ensure that they answer the questions carefully as instructed. Necessary help, such as dictionary or translation services, can be provided to ensure that migrant workers understand questions and provide accurate answers. In addition, the confidentiality and anonymity of the questionnaire should be ensured to encourage migrant workers to freely express their views and experiences.
- 6) Data collection and collation: Once migrant workers had completed the questionnaire, researchers needed to collect and collate data in a timely manner. Data can be entered using electronic data collection tools or manually. It is necessary to ensure the accuracy and completeness of the data for subsequent data analysis and interpretation. During the whole process, researchers should respect the rights and privacy of migrant workers and ensure the transparency and legality of the questionnaire process. Meanwhile, timely communication and response are needed.

Finally, in the part of data analysis methods, literature analysis, which can also be called literature review, is a common method in social science research. By collecting, analyzing and summarizing various sources and types of literature, we can deeply understand the past and present of the research topic, and then improve the correct understanding of the research topic, so as to be able to make meaningful findings. The document literature can include government statistics, media reports, books, and documents, which can provide valuable support and evidence for

research and help increase the reliability and validity of research (Neuman, 2014). When this method is adopted, it is still necessary to carefully select data sources to ensure the reliability and independence of the data (Kumar, 2011). This study explores the relationship between foreign migrant workers and policy and agents. Because the generation, development, problems and results of the research direction are deeply influenced by the historical context of policy and economic development, it is very important to conduct research on historical context. Through government statistics, we can obtain information on long-term trends in Taiwan's demand for foreign workers and labor supply. Understanding the policy background, formulation and implementation requires continuous macro data collection, induction, analysis and interpretation, so as to have a comprehensive and in-depth understanding of the subject studied in this paper.

4. Results

This study explores the influence of the code of conduct of human resources agencies on Vietnamese migrant workers, and uses interviews, questionnaires and secondary data collection to understand migrant workers' working experience and feelings under the code of conduct of human resources agencies. This study hopes to improve the awareness and importance of human resources agencies and enterprises on the protection of migrant workers' rights and interests, and further improve the working environment and working conditions of migrant workers. In summary, agencies need to consider a number of aspects when recruiting migrant workers, including developing new employers, recruiting advertisements, introducing and serving migrant workers, and assisting employers in the care for the lives of migrant workers. In this process, agencies must pay special attention to the issues of non-discrimination and the avoidance of forced labor, as any form of discrimination or deception can have a negative impact on the company's reputation and business operations. To avoid candidates being discriminated against and employees being swindled into working in Taiwan, agencies need to establish effective procedures, and to let employees fully understand the working conditions to avoid being misled to work in Taiwan. By increasing information screening and notification procedures, we can improve the transparency of operation procedures and reduce capital disputes between workers and agencies. In addition, these operation procedures should be adequately documented for future audit or use as evidence. After in-depth interviews with human resources agents for migrant workers, the results are summarized as follows:

- 1) In Vietnam, agencies have developed a more decentralized recruitment network through network technology, and it is difficult to reduce the matching cost under profit sharing by layers. In Taiwan, most of the agencies recruiting Vietnamese migrant workers are small and medium-sized institutions. Facing the fierce competition in the same industry, the national supervision is strengthened, and the service model that takes the legal edge is developed, which also increases the value of the goods converted by fast orders and overtime hours. The

Taiwanese government has also tightened controls on de-commoditization, and the total number of agency fees should be reduced, but not necessarily. In this industrial chain, foreign migrant workers and Taiwanese employers need to go through three agencies: Intermediary, agency in Vietnam and agency in Taiwan, each of which may abuse its position and increase the agency fees in order to obtain higher profits. Therefore, even though the government has made efforts to reduce the agency fees, the agency fees remain high. Basically, the main source of profit for the human resources agencies is the long and complex recruitment procedures of the migrant worker, which allows the agencies to profit from it.

- 2) Before the pandemic, the labor market was relatively balanced, with little variation in labor conditions offered by different employers, and online recruitment by agencies and intermediaries was not well developed. Since the outbreak of the pandemic in 2019, many agencies and intermediaries have sent recruitment messages on the Internet, and migrant workers have received a lot of recruitment information through online media, and TikTok is one of the important platforms, and agencies and intermediaries publicly invited migrant workers to fill in the expected conditions and leave contact information. When eligible employers are available, migrant workers will be contacted. The information revealed by the recruitment platform has become a formal operation for seeking substantive help for foreign migrant workers. However, it also brings a lot of difficulties, many foreign migrant workers because they believe some real recruitment news. They are tricked into working in a foreign country only to learn that the living and working conditions are not what they were promised.
- 3) Most migrant workers have graduated from high school. The qualifications and age of migrant workers are concerns for many agencies, so migrant workers are often refused in the process of finding a job or waiting for an employer. Migrant workers are in a passive position throughout the employment process and lack the necessary information, and human resources agencies master such information. Migrant workers rarely have the opportunity to review the full job description before work, and the selection of migrant workers by employers is mostly determined by agents. Usually, the details of the job can only be confirmed after arriving at the workplace in Taiwan. In addition, in order to pursue maximum profits, agents often use language and cultural barriers, so that migrant workers do not know enough about the work content and rights, which makes the agent have the opportunity to hide some important information, such as salary and working hours, resulting in some potential risks and unequal treatment. In this situation, it is difficult for migrant workers to find alternative agencies and monitor the ultimate human behavior, so that they are usually in a vulnerable position before signing contracts and starting work. Although the Employment Service Act of Taiwan stipulates that employers can introduce foreign migrant workers themselves or introduce foreign migrant workers through agencies, we can see that employers rely too much on agents.

- Employers' involvement in the labor market of migrant workers is often not as high as that of agencies, which are used as the medium for introducing migrant workers. Employers who want to hire migrant workers only need to pay a fee. The human resources agency will introduce the migrant workers and arrange the documents properly. There is no need to pay any fees to the agent. In addition, the agency also has translators. Therefore, the cost of introducing foreign migrant workers by the employer alone is higher than the cost of introducing foreign migrant workers by the agency. As a result, most employers use agencies to introduce foreign workers on their behalf, and those who choose to introduce foreign workers on their own also have more or less cooperative relations with agencies. However, when an employer commissions an agency to find foreign migrant workers, there is a cost to the agency as to whether there is fraud or laziness, that is, there is a conflict of interest, which means that there is information asymmetry between employers and agencies. As a result of this dependence, a monopoly of agents has been created, reducing the incentive for employers to understand the law. In particular, they depend on the knowledge and trust of foreign migrant workers to assist in recruitment (the introduction of returning migrant workers who have worked abroad, or who are still working abroad). Therefore, when signing labor contracts and other documents, they often sign such documents according to the requirements of the agent introduced by the intermediary, and they will not carefully understand the project and content of the signed documents. Thus, they are easy to be led to sign illegal or unreasonable documents, such as the consent to keep passports for other people.
- 4) Affected by the pandemic, countries and exporting countries have implemented border control measures, which make it difficult for foreign migrant workers who have been recruited before the pandemic to leave their home countries and enter Taiwan, resulting in continuous delays in the entry schedule of foreign migrant workers who are expected to be hired. Both the personal work and financial situation are affected. For employers, there are more costs than before, such as those related to quarantine. Some employers have canceled the contracts of foreign migrant workers who were originally intended to be employed but have not yet entered the country due to economic and caregiving manpower considerations, and have taken over from the domestic labor market, including foreign migrant workers, or converted to other nationalities or switched to long-term employment resources. In such case, the waiting time for employers to undertake is relatively short. At the beginning of the pandemic, there were still a large number of foreign migrant workers in Taiwan's labor market. As the pandemic continues, the number of migrant workers in the labor market continues to decline, and resumes of migrant workers that agents can provide to employers are also decreasing. Competition among employers is getting fiercer and the time waiting to take over is getting longer. As a result, recruitment happens only when the foreign migrant workers' achievements and the situation of getting along can be accepted. As far as possible, they will renew their employment at the end of the term, or do not agree to change employers, in order

to avoid a long waiting period for take-over.

- 5) Before foreign migrant workers go abroad, they can go to the agency to receive education and training, including Chinese language, work norms, law and life and culture in Taiwan. Most labor contracts require at least one week of training. However, if workers do not want to attend training, the agency cannot force them. Due to the tight schedule, many workers do not have the opportunity to receive training. Before going abroad, they need to handle many affairs, including filing and lending money to finance companies. Usually, these can be completed in 15 days to a month. In addition, it is important to note that in Vietnam, the qualification of education and training instructors is not required to be certified by the Ministry of Labor. Similarly, lecturers who teach Chinese courses after coming to Taiwan are only required to provide proof of their Chinese language ability, which means that the educational training received before coming to Taiwan may not meet the level required for the actual job.

The questionnaire results of the migrant workers found that there may be some conflicts and problems between migrant workers and agencies. Here are some common conflict situations:

- 1) False advertising and fraud: Some agencies may exaggerate job offers, salaries and benefits to attract migrant workers to register and pay fees, but the actual situation does not match the advertised situation. Because of such false advertising and fraud, migrant workers may feel cheated and disappointed.
- 2) High fees and additional charges: Some agencies may charge migrant workers exorbitant agency fees or additional fees that are beyond reasonable limits. This can place a financial burden on migrant workers, especially for low-income migrant workers.
- 3) Unreasonable contract terms: The contract terms of the agency may contain unfair or unreasonable terms that are detrimental to migrant workers' rights. For example, contracts may contain harsh working conditions, provisions that violate labor laws, or provisions that provide inadequate protection for migrant workers' rights.
- 4) Working environment and rights protection: Some agencies may fail to ensure that migrant workers enjoy a good working environment and legal rights protection in the destination country. This may include conditions such as low pay, excessive working hours, occupational safety and health issues, and discrimination or abuse.
- 5) Inadequate service quality and support: Some agencies may not provide adequate support and services, pay little attention to the problems and difficulties encountered by migrant workers in the foreign country or provide insufficient help. This may lead the migrant workers to feel neglected and helpless.

5. Discussion

As the pandemic prevention measures have interrupted the flow of foreign migrant workers, the overall foreign migrant worker market in Taiwan has been in short supply, resulting in an imbalance between supply and demand. Foreign migrant workers are affected by false information before coming to Taiwan and rely on agencies to help them find job opportunities, to assist them in matching with foreign employers and to complete the process of working abroad. In order to achieve the goal of earning money abroad, they must pay high labor costs to cover the cost of the agency, hoping that the agency can smoothly assist them to complete the procedures for going abroad. However, such an approach often puts migrant workers in a situation of adversarial choice and makes decisions that are not good for them. In addition, after completing the entrustment work for helping workers to go abroad to work, the agency lacks supervision and verification ability, and migrant workers may easily receive unfair benefits, so that migrant workers may be treated unfairly in the process of work. During the pandemic period, the quarantine was required for those who went abroad, which increased the cost of migrant workers' payment and the extended migrant workers' employment, so that many Vietnamese migrant workers chose to stay in Vietnam to take jobs. Migrant workers from areas with limited resources and information often face many difficulties and challenges. In such cases, they often need to rely on human resources agencies to help them find jobs, but this also means that they need to pay a high cost to get a job. Even so, many migrant workers still believe that they can realize their dream of working abroad only through human resources agencies, as they can provide the necessary application documents and guarantee their employment rights overseas. On the other hand, according to the current mainstream practice policy, agents are still needed to assist migrant workers in finding job opportunities. Although some people believe that migrant workers should no longer rely on human resources agencies, the current mainstream policy still cannot completely eliminate the difficulties migrant workers have in finding job opportunities. Because migrant workers face administrative barriers in their home countries that make it difficult for them to collect information and complete the application process on their own, agents are needed to assist them with job matching and application procedures. However, to improve migrant workers' situation, policymakers need to first reduce the cost of finding jobs and accessing information for migrant workers, and provide simpler and more effective channels to assist them in finding jobs and contacting employers.

The government must play a more active role in matching the jobs for migrant workers, rather than merely standing on the sidelines as a facilitator. In order to improve the situation, the government should strengthen the supervision of agencies, develop more specific regulations and enforcement cost standards, to prevent agencies from passing on excessive costs to migrant workers, and to avoid agencies from engaging in unethical behavior for their own interests. This study mainly collected data through interviews and questionnaires on the views of agency

employees and Vietnamese migrant workers in Taiwan. The subjects were mainly agency employees and Vietnamese migrant workers in Taiwan. The questionnaire was mainly completed by Vietnamese migrant workers in Taiwan. However, employers play a very important role, both from the perspective of the migration process of migrant workers and from the perspective of job matching by human resources agencies. In such a relationship, the employer serves as both the agency and the principal of the migrant worker, so knowing the employer's views and perspective can help resolve conflicts of interest and contradictions more comprehensively.

The following suggestions are made for human resources agencies:

- 1) In the education for migrant workers, most companies only teach simple language communication or some job skills. There should be examinations at the end of each education section and technical skills tests, including training courses, native language papers, etc. Certification should be given according to the skills of foreign migrant workers. Salary range recommendations should be made according to different certifications in line with market conditions. Relevant certifications can be set as one of the technical conditions for obtaining mid-level skilled personnel status, so that employers can employ suitable foreign migrant workers according to the needs of recipients of care, and foreign migrant workers can negotiate wages higher than international agreements based on salary recommendations. Employers should be encouraged to assist certified and hired foreign migrant workers to transform into mid-level skilled personnel, so as to strengthen the employee-employer relationship. In addition, films or related documents can be provided, so that migrant workers can learn about Taiwan's unique culture, values, etc., to increase their adaptability.
- 2) Screening and training of migrant workers should be strengthened: Human resources agencies should be more rigorous in screening and selecting suitable migrant workers to ensure that they have the appropriate skills and qualifications. Meanwhile, comprehensive training programs should be provided to equip migrant workers with the knowledge and skills to cope with the pandemic and work challenges.
- 3) Diverse job opportunities should be provided: Human resources agencies can strive to increase the work options for migrant workers and provide more diverse job opportunities to meet the needs and skills of migrant workers. This includes providing more choice in different industries and positions, thereby improving the employment opportunities and flexibility of migrant workers.
- 4) Supervision and protection of migrant workers' rights and interests should be strengthened: Human resources agencies should ensure that migrant workers' rights and interests are protected, including reasonable wages, control of working hours, safety and health conditions. Additionally, workplace supervision should be strengthened to ensure that employers comply with relevant labor regulations and standards.
- 5) Support and counseling services should be established: Human resources

agencies can establish support and counseling services to provide migrant workers with help and guidance in life and work. This includes providing migrant workers with benefits and welfare programs, answering their questions and concerns, and providing mental health support.

- 6) Cooperation with employers and relevant organizations should be strengthened: Human resources agencies should establish good cooperative relations with employers and relevant organizations to jointly improve migrant workers' working environment and treatment. This includes communicating regularly with employers to understand their needs and requirements, and negotiating solutions to problems.
- 7) Ongoing support and follow-up should be provided: Human resources agencies should maintain continuous contact and follow-up with migrant workers to ensure that their working conditions and welfare are addressed in a timely manner. Moreover, they should regularly collect the opinions and feedback of migrant workers, and improve and adjust the operation of the company.
- 8) Some content can be added to let migrant workers know the company's organizational structure and business philosophy to increase migrant workers' belief in the agency. By reducing parts, stages and profession features, they can quickly find the right foreign migrant workers and rely on introducers to reduce migrant costs.

Suggestions on Taiwan's policy are as follows:

- 1) Taiwan's policy should maintain its close relationship with Vietnam's policy.
- 2) The management of Taiwan's agency fees should be strengthened.
- 3) Transparency of the balance of the fees required by the two governments to be paid by the workers concerned should be improved. The protection of migrant workers' rights and interests should be strengthened: The government should formulate better laws and policies to protect the labor rights and interests of migrant workers, including reasonable working hours, fair wages, and safe working conditions. Meanwhile, an effective whistleblowing mechanism should be established to protect the rights and interests of migrant workers to report, and the punishment on employers who violate the law should be strengthened.
- 4) The transparency of information on foreign migrant workers should be enhanced.
- 5) Due to the pandemic, the function of transmitting information of online media becomes more important. Online media can accurately convey relevant information to migrant workers, such as government policies. Foreign migrant workers are not subject to restrictions on the number of migrant business visitors, geographical space and time. Therefore, government agencies should make use of online platforms actively used by foreign migrant workers to increase effective access.
- 6) State agencies should make good use of the media, actively provide information, take the initiative to provide assistance to foreign migrant workers, and fill the gaps in the migrant workers inspection policy and system. For example, during the pandemic, migrant workers are infected but were not notified and still have

to carry out their daily work. Government departments should take the initiative to send rapid screening reagents, and inform foreign migrant workers through the media in their native language of the expedited screening time. If a migrant worker is diagnosed through rapid screening but the employer does not report it, the migrant worker can report it through the media. After receiving the report, the labor inspection system will investigate to protect the migrant worker's health and interests.

- 7) Activities related to selection and training of migrant workers (especially in the areas of language skills, law, migrant rights, working skills and healthy living) should be strengthened.
- 8) During the employment process, the employer must send a representative to cooperate with the Taiwan agency. The employer needs to assist with detailed teaching mode, and to convey the company rules, salary, and various living conditions online by giving open answers. Therefore, the agencies that find workers and migrant workers who meet the needs of employers can receive the right information.
- 9) The relationship between migrant workers and employers should be improved: The government should strengthen the management of the relationship between migrant workers and employers, establish effective communication channels and dispute resolution mechanisms. Meanwhile, education and training for employers should be strengthened to enhance their understanding and respect for migrant workers' rights and interests and diversified cultures.
- 10) Agency business personnel must be familiar with the relevant laws and regulations on the employment of foreign migrant workers and the operation process, so that their employers can employ suitable foreign migrant workers who comply with the laws and regulations. In this part, usually the human resources agency for migrant workers needs to send a dedicated person to report to the employer, and tell the employer every step that the migrant workers have completed, and immediately help the employer with the matters to which foreign migrant workers needs to pay special attention. Apart from communication and coordination skills, cross-cultural understanding and time management skills are also needed.

Suggestions on Vietnam's policy are as follows:

- 1) The inspection of these units should be strengthened in relation to labor selection, labor training, labor fees and so on. Serious punishment should be imposed on enterprises that violate the rules.
- 2) In conjunction with the media (Vietnam Television, Vietnam Radio and Vietnam's well-known newspapers), the list of labor export enterprises that have been evaluated and blacklisted should be published, and each labor export enterprise should be evaluated jointly with the Vietnam Labor Export Association.
- 3) The laws and related information on the export of labor abroad should be publicized to avoid the situation of being cheated and being charged high agency fees.

- 4) Cooperation with Vietnam's local government and police should be provided to track down illegal agents and punish illegal agents severely.
- 5) After returning to their home country, Vietnamese migrant workers need to be interviewed so that relevant departments can learn the working and living environment in foreign countries, so as to set up a special export department of the Vietnam government. This helps to solve the problems of all Vietnamese migrant workers before and after their operation abroad.
- 6) The government has the right to formulate labor export policies and regulations to promote Vietnamese workers to work abroad and contribute to the country's economic and social development.
- 7) The employment needs of various industries should be coordinated, planned and promoted by institutions organized or authorized by the government. Institutions and individuals engaged in labor export activities must operate in accordance with the law, abide by laws and regulations, and ensure labor rights and interests.
- 8) Labor export institutions and labor export enterprises should set up specialized units responsible for labor selection, training, management and follow-up services to ensure that workers meet the standards for working abroad.
- 9) Workers should have the right to choose whether or not to participate in labor export activities. Labor export institutions and labor export enterprises must ensure workers' right to know, to choose and to make decisions independently, and must not commit acts of coercion or fraud.
- 10) Workers should sign employment contracts in accordance with the law. Such contracts should specify the contents of work, place of work, working hours, wages and benefits, etc., to ensure the workers' rights and interests.
- 11) Labor export institutions and labor export enterprises should be responsible for coordinating and arranging the procedures, insurance and work permits of workers going abroad to ensure that workers go abroad to work in accordance with the law.
- 12) Labor export institutions and labor export enterprises should be responsible for the training and skills upgrading of workers, improve the vocational skills and competitiveness of workers, and ensure that workers can adapt to the overseas working environment.
- 13) Labor export institutions and labor export enterprises should follow up workers' working conditions, protect their rights and interests of workers during overseas work and welfare, and promptly solve the problems they meet in work and life.

This study was conducted during the pandemic. Because the pandemic is not yet fully over, changes in the pandemic may have other impacts on Vietnamese migrant workers and relevant stakeholders. Therefore, future studies can be conducted after the pandemic ends, to explore more fully and in greater depth to understand the long-term effects of the pandemic on these people. This study was mainly conducted in the form of interviews and questionnaires. Affected by the pandemic, the subjects were not so willing to accept interviews. Therefore, most interview subjects were introduced through contacts, and those who received introductions had usually been

screened by the introducer. The questionnaire was distributed in paper format and a convenient random sampling method was adopted to collect data from migrant workers. Because the process of sending questionnaires was affected by the personal situation of working time, the concentration of answering questions is reduced. If we can expand the interview scope and increase the number of migrant workers to fill in the answers to make the data obtained from the study more representative. The compilation of data limits the subjective awareness of the research subjects, resulting in some deviations in the research conclusions. Future studies can complement this information by facilitating access to target interview subjects through expert groups.

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