

國立成功大學學生兼任研究助理管理暫行要點
National Cheng Kung University
Interim Directions of Managing Part-time Research Assistants

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第一條 國立成功大學（以下簡稱本校）為促進學生多元學習，並保障學生兼任研究助理之學習或勞動權益，特依教育部「專科以上學校獎助生權益保障指導原則」，及勞動部「專科以上學校兼任助理勞動權益保障指導原則」，訂定本要點。

Article 1. To encourage student participation in a diverse range of learning and development in research and practical knowledge and skills, as well as to protect the rights and interests of part-time research assistants, National Cheng Kung University (hereinafter referred to as the University) has stipulated these Directions in accordance with the “Ministry of Education Guidelines for Protection of College/University Student Scholarship Recipient’s Rights & Interests” and “Ministry of Labor Guiding Principles for Safeguarding the Labor Rights and Benefits of Part-time Assistants in the Tertiary Education”.

第二條 本要點適用對象，以具有本校學籍之學生為原則，包含外籍生及僑生。前項學生如辦理休學時，自休學證明書所載之日期起，不得擔任。

Article 2. These Directions are applicable to students of the University, including international and overseas Chinese students. A student may not serve as a research assistant from the date of the certificate of suspension.

第三條 本要點所稱學生兼任研究助理，係指學生以部分時間協助專題研究計畫之執行，依其性質分為學習型兼任研究助理（教育部稱為「研究獎助生」）與勞務型兼任研究助理（教育部稱為「兼任研究助理」）。學習型兼任研究助理（教育部稱為「研究獎助生」）之認定，應符合教育部「專科以上學校獎助生權益保障指導原則」第八點，並由計畫主持人及學生書面合意。同意書如後附。勞務型兼任研究助理（教育部稱為「兼任研究助理」）之認定，由主持人及學生共同協議之。

Article 3. For the purposes of these Directions, the term "part-time research assistant" refers to a student who assists in research projects, which can be classified into learning-oriented assistant (referred to as "research scholarship recipient" by the Ministry of Education) and employee-based assistant (referred to as "part-time assistants" by the Ministry of Education). The identification of learning-oriented assistants shall be processed in accordance with Section 8 of the Guiding Principles for Safeguarding the Rights and Benefits of Part-time Employee-based Assistant and shall be agreed by the principal investigator and the students in written form. The consent form is attached. The identification of employee-based research assistants shall be both agreed upon by the principal investigator and the students.

第四條 學習型兼任研究助理（教育部稱為「研究獎助生」）要件之認定，由本校研究發展處邀集教師代表及學生代表，每年召開會議，共同研商討論並訂定基本規範。前項參與之本校學生代表之比率不得低於全體會議人數十分之一。

Article 4. The Office of Research and Development of the University shall invite faculty representatives and student representatives to hold a meeting annually to discuss and formulate the basic requirements of learning-oriented assistants (referred to as "research scholarship recipient" by the Ministry of Education). The number of student representatives should not be less than one tenth of the members of the plenary meeting.

第五條 學習型兼任研究助理（教育部稱為「研究獎助生」）係指為發表論文或符合畢業條件等目的，在教師之指導下，協助相關研究執行，須符合下列條件之一：

(一) 參與專題研究計畫之內容，與其專業領域或論文研究相關，計畫主持人（含共同或協同主持人）為其指導教授。

(二) 其他學習活動，未有勞務對價關係者。

Article 5. A learning-oriented assistant (referred to as "research scholarship recipient" by the Ministry of Education) refers to a student participating in research projects under the guidance of an instructor for the purpose of publishing research paper or for fulfilling graduation requirements. One of the following criteria shall be met:

(1) The content of the project that the student engages in is related to the student's professional field or thesis research, and the principal investigator (including co-investigator or sub-investigator) shall be the student's instructor.

(2) Other learning activities without labor service consideration.

第六條 勞務型兼任研究助理（教育部稱為「兼任研究助理」），係指本校僱用協助專題研究計畫之執行，受計畫主持人指揮監督，獲有工作酬金者。

Article 6. An employee-based assistant (referred to as "part-time research assistants" by the Ministry of Education) refers to a student who is employed by the University to assist in research related works under the instruction of the principal investigator. A wage is provided in return for the student's work.

第七條 勞務型兼任研究助理（教育部稱為「兼任研究助理」），除寒暑假期間外，工作時間如下：

(一) 一般學生：由計畫主持人視其研究計畫進行之需要，與兼任研究助理協議之，但不得違反勞動基準法及相關法令規定

(二) 外籍生及僑生：每星期最長以二十小時為原則。

Article 7. The working hours of employee-based assistants (referred to as "part-time research assistants" by the Ministry of Education) are as follows, except for winter and summer vacation:

(1) General students: The principal investigator shall make an agreement with the assistants according to the needs of the research project, but shall not violate the Labor Standards Act or other relevant regulations.

(2) Foreign and overseas Chinese students: A maximum of 20 hours a week in principle.

第八條 學習型兼任研究助理（教育部稱為「研究獎助生」）研究津貼與勞務型兼任研究助理（教育部稱為「兼任研究助理」）工作酬金，按月給付，各項支給標準如下：

(一) 博士班研究生

1. 未獲博士候選人資格者：以新臺幣肆萬元為限。
2. 已獲博士候選人資格者：以新臺幣肆萬肆仟元為限。

(二) 碩士班研究生：以新臺幣貳萬元為限。

(三) 大學部學生：以新臺幣壹萬元為限。

前項支給標準，經費補助或委託機關（構）另有規定者，從其規定。

Article 8. The research subsidy of the learning-oriented assistant (referred to as "research scholarship recipient" by the Ministry of Education) and the remuneration of the Employee-based assistants (referred to as "part-time research assistants" by the Ministry of Education) shall be paid on a monthly basis. The payment standards are as follows:

(1) Doctoral students

(a) A PhD student: Not more than NT\$40,000.

(b) A PhD candidate: Not more than NT\$44,000.

(2) Graduate students: Not more than NT\$20,000.

(3) Undergraduate students: Not more than NT\$10,000.

Where there are other provisions on the standard of subsidy or remuneration in the preceding paragraph, such provisions shall prevail.

第九條 建教合作計畫管理費授權支用比率，依「國立成功大學建教合作計畫行政管理費及節餘款支用要點」規定辦理。建教合作計畫節餘款分配，由主持人與指導教授協商之。但未依建教合作合約規定辦理者，節餘款由校方統籌運用。

Article 9. A student who concurrently serves as a research assistant shall be entitled to two research subsidies at most at the same time. However, those who have already received graduate scholarships and grants may only receive one of them in accordance with the provisions of these Directions. A learning-oriented assistant may take one on-campus temporary work at the same time. In the first case, if a student holds two assistant spots concurrently, at least one of them shall be learning-oriented, so as to protect the student's rights and interests.

第十條 學習型兼任研究助理（教育部稱為「研究獎助生」）從事相關研究等學習活動期間，除原有學生團體保險外，計畫主持人應比照勞動基準法規定職業災害補償額度以加保商業保險方式增加其保障範圍。計畫主持人不得以第一項保險費增加支出，調降研究津貼支給標準。

Article 10. In addition to the original student group insurance, the principal investigator shall increase the scope of insurance in the form of commercial insurance in accordance with the occupational disaster compensation amount stipulated by the Labor Standards Act during the time that the learning-oriented assistant (referred to as "research scholarship recipient" by the Ministry of Education) engages in the relevant research. The principal investigator may not reduce the research allowance on the grounds that the insurance premium increases expenditure.

第十一條 進用身心障礙學生擔任學習型兼任研究助理（教育部稱為「研究獎助生」）時，計畫主持人應協同校方妥善規劃其學習環境、提供設備等必要之協助。

Article 11. When students with physical and mental disabilities serve as learning-oriented assistants (referred to as "research scholarship recipient" by the Ministry of Education), the principal investigator shall coordinate with the University to properly plan their learning environment and provide necessary assistance such as equipment.

第十二條 學習型兼任研究助理（教育部稱為「研究獎助生」）之研究成果歸屬，依據「專科以上學校獎助生權益保障指導原則」第八點規定辦理。勞務型兼任研究助理（教育部稱為「兼任研究助理」）因提供勞務所生研究成果，其著作權之歸屬，除雙方另有約定外，歸屬本校所有。

Article 12. For any research results obtained from the learning-oriented assistant's (referred to as "research scholarship recipient" by the Ministry of Education) participation in learning activities, the attribution of intellectual property rights shall be subject to Section 8 of the "Guidelines for Protection of College/University Student Scholarship Recipient's Rights & Interests". Unless otherwise agreed by both parties, the copyright of the research results produced by the employee-based assistant (referred to as "part-time research assistants" by the Ministry of Education) shall belong to the University.

第十三條 勞務型兼任研究助理（教育部稱為「兼任研究助理」）應於到職日完成僱用契約之簽訂。

Article 13. The employee-based assistant (referred to as "part-time research assistants" by the Ministry of Education) shall sign the employment contract on the day he/she is on board.

第十四條 勞務型兼任研究助理（教育部稱為「兼任研究助理」）到職時，計畫主持人應依「勞工保險條例」、「就業保險法」、「全民健康保險法」、「勞工退休金條例」等規定，主動申辦加保(轉入)及提繳勞工退休金。聘約期滿或中途離職時，亦應主動申辦退保(轉出)及停繳勞工退休金。

Article 14. When an employee-based assistant (referred to as "part-time research assistants" by the Ministry of Education) arrives at work, the principal investigator shall apply for insurance (enrollment) and pension contributions according to the Labor Insurance Act, the Employment Insurance Act, the National Health Insurance Act, the Labor Pension Act and other regulations. At the end of the term of employment or when the assistant leaves his/her post, the principal investigator should also apply for withdrawal (transfer) and suspension of pension contributions. The person referred to in the preceding paragraph shall bear the insurance premium and self-drawn labor pension by himself/herself. Except in special cases, the University will withhold the money from the salary on a monthly basis. In case of failure to comply with the provisions of the first paragraph, the principal investigator shall be liable for the expenses arising therefrom, or shall be fined for violating relevant laws and regulations.

第十五條 計畫主持人應與勞務型兼任研究助理（教育部稱為「兼任研究助理」）簽訂書面僱用契約，載明僱用聘期、工作酬金、工作內容、工作守則、差假、保險及其他權益義務等事項。

Article 15. The principal investigator should sign a written employment contract with the employee-based assistant (referred to as "part-time research assistants" by the Ministry of Education) stating the term of employment, remuneration, work content, code of practice, leave, insurance and other rights and obligations.

第十六條 勞務型兼任研究助理（教育部稱為「兼任研究助理」）請假或調移工作時間，應事先辦妥請假或調班手續。如因疾病或緊急事故，應先口頭報告計畫主持人，或委請他人補辦請假手續。前項人員請假及出勤紀錄由計畫主持人自行保管，出勤紀錄至少保存五年。

Article 16. If the employee-based assistant (referred to as "part-time research assistants" by the Ministry of Education) asks for a leave or change to working hours, the assistant should go through the procedures of asking for leave or changing working hours in advance. In case of illness or emergency, the employee-based assistant should report to the principal investigator orally or ask others to apply for leave on his/her behalf. Leave and attendance records of the assistants shall be kept by the principal investigator, and the attendance records shall be kept for at least five years.

第十七條 學生兼任研究助理及計畫主持人，如有分流之爭議，由系（所）主任邀集相關領域之教師代表及系（所）學生代表數名，共同協議分流事宜。學生兼任研究助理對計畫主持人，因學習指導或勞務指揮監督所為之措施或處置，認有爭議致損害其權利或利益者，得依本校學生申訴評議委員會設置與申訴處理辦法規定，提起申訴。

Article 17. If there is any dispute on the categorization of the part-time student research assist, the dean of the department (institute) will invite several faculty and student representatives from relevant fields to jointly agree on the identification. If the part-time student research assistant considers relevant measures or the handling of learning activities illegal or improper, and therefore infringe their rights or interests, he/she may file an appeal in accordance with the provisions of the Student Grievances Committee.

第十八條 學生兼任研究助理有關事項，本要點未規定者，準用其他有關法令規定。

Article 18. Matters relating to part-time student research assistants that are not provided for in these Directions shall be governed by other applicable laws and regulations.

第十九條 本要點經主管會報通過後實施，修正時亦同。

Article 19. These Directions shall be implemented after being approved by the Administrative Council Meeting and shall be amended in the same manner.