

LINKS HR OUTSOURCING

ASIA PACIFIC LEGISLATION

Labour Law Comparison Chart

Links HR Outsourcing

Reach greater heights with simplified HR

Keeping track of legislation updates can be difficult, especially if you manage multiple locations. A common problem Regional HR leaders have is in dealing with nuances between different countries.

Our mission is help people work smart by simplifying tedious HR tasks. We've put together this Asia Pacific legislation comparison chart to help you quickly compare different labour laws across key APAC locations.

For a more in-depth legislation summary, visit:

<https://info.linksinternational.com/legislation-page-matrix>



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Labour Law - Basics (Part 1)

	Minimum Wage	Probation Period	Standard Working Hours	Legal Notice Period	Retirement Age	Collective Bargaining	Employment disputes channels	Compulsory Employment Insurance	Unemployment Insurance
Australia	√	The employer decides on the length of the probation period. It can range from a few weeks to a few months at the start of employment.	37.5hrs or 38 hrs/week	Depending on the length of service	65	√	Fair Work Ombudsman	Workers' compensation; Public liability insurance; Third party personal injury insurance	√
Cambodia	√	1 month for non skilled workers 2 months for skilled workers 3 months for professional staff	48 hrs/week	Depending on the length of continuous service & type of employment contract	Not yet defined in Labour Law, however it will be defined by Social Security under pension scheme that would happen by 2020	√	N/A	Only Social Security Contribution is compulsory. Currently it covers for workplace accident during working hours and health care	×
Hong Kong	√	Typically 3 months	8 hrs per day only applicable to teenagers between 15 and 18 years old	Depending on probation period and contract provision	65	×	Labour Relations Division offices	The minimum insurance cover should be no less than \$100 million for a company with less than 200 employees. Companies with more than 200 employees should have an insurance coverage no less than \$200 million.	×
Indonesia	√	No more than 6 months	7 working hours in 1 week or 40 working hours in 1 week for 6 working days in 1 week; or 8 working hours in 1 day or 40 working hours in 1 week for 5 working days in 1 week.	30 days	57	√	Ministry of Manpower	BPJS Health and Social Security Program	×
Japan	√	3-6 months, no more than 1 year	45 hrs/week	30 days	62	√	Labour bureaus	Workers' Accident Compensation Insurance; Employment Insurance; Health Insurance and Nursing Care Insurance; Employees' Pension Insurance	√
Macau	√ Cleaners and security guards	30 days for time-limited contract & 90 days for timeless contract	8 hrs per day, 48 hrs per week	15 days for employers; 7 days for employees	N/A depending on labour contract	×	Labour Affairs Bureau (DSAL)	work-related accident and sickness insurance	√
Mainland China	√ Varies across location	Typically 1-6 months depending on contract	44 hrs/week, no more than 8 hrs per day	30 days	Male-60 Female-50	√	labor dispute arbitration committee	social insurance and housing fund	√
Myanmar	√	No more than 3 months	8 hrs/day or 48 hours per week	30 days	60 for civil servants	√	Arbitration Council	Employment Injury Benefit Insurance; Health and Social Care Insurance	×
New Zealand	√	Depends on employment agreement	No more than 40 hrs/week and depending on employment agreement	Depending on contract provision	65	√	Employment Relations Authority (ERA) ; Employment Court; Human Rights Review Tribunal	N/A	√

Labour Law - Basics (Part 2)

	Minimum Wage	Probation Period	Standard Working Hours	Legal Notice Period	Retirement Age	Collective Bargaining	Employment disputes channels	Compulsory Employment Insurance	Unemployment Insurance
Philippines	√	No more than 6 months	8 hrs/day	30 days	65	√ Only applicable to companies with legally established and duly registered labor unions	The National Labor Relations Commission (NLRC)	Philippine Health Insurance Corporation	×
Singapore	√ Cleaning sector	Typically 3 months	Up to 9 hours per day or 44 hours a week	Depending on the length of service	62-67	√	Tripartite Alliance for Dispute Management (TADM)	Work injury compensation insurance for manual workers and non-manual workers earning \$1,600 or less a month	×
South Korea	√	Generally no more than 3 months; "Reasonable" probation period up to 6 months or longer for senior positions	52 hrs/week	30 days	60 or older	√	Trade union & Local Labor Office	Social Insurance Scheme ('SIS')	√
Taiwan	√	X	40 hrs/week, no more than 8 hrs per day	Depending on the length of service. 10 days for working period from 3 months to 1 year; 20 days for working period from 1 year to 3 years; 30 days for working period over 3 years	65	√	Ministry of Labor	Employers must make the following social security contributions: - National health insurance (NHI) - Labour insurance(include employment service insurance) - New pension	√ Unemployment Insurance include in Labour insurance
Thailand	√ Varies across location	Depending on Labor contract, generally not exceeding 119 days	8 hrs/day 48 hrs/week	Depending on employment contract, typically 30 days	60	√	Labour Inspection Officer	Work injury compensation insurance & Social Security Fund	√
Vietnam	√	Based on the nature and complexity of the job but can only be applied once for each job and should not exceed 60 days	8 hrs/day, no more than 48 hrs/week	45 days for indefinite term contracts; 3-30 days for definite term	Male-60 Female-55	√	Chairman of the county people's committee; Labor arbitration committee	Social insurance; unemployment insurance; health insurance	√
Malaysia	√ Varies across location	Typically 3 months	48 hours/week no more than 8 hours/day	Depending on employment contract with advance notice in writing	60	√	Department of Labour Peninsular Malaysia	Social Security Organization (SOCSO) & Employment Insurance System (EIS)	√ include in Employment Insurance System (EIS)

Labour Law - Statutory Leave (Part 1)

	Statutory Annual Paid Leave	Statutory Paid Sick Leave	Statutory Maternity Leave	Statutory Parental Leave (Childcare Leave, if any)	Statutory Paid Holiday per Year
Australia	Full-time and part-time employees get 4 weeks of annual leave, based on their ordinary hours of work.	10 days each year for full-time employees; pro rata of 10 days each year depending on their hours of work for part-time employees.	18 weeks paid leave at the National Minimum Wage based on eligibility or up to 52 weeks unpaid parental leave	2 weeks paid leave at the National Minimum Wage based on eligibility	10-13 days varies across states
Cambodia	18 days per year of service with a 1 day increase for every 3 years of services	Up to 6 months 100% of wages during the first month of sick leave; 60% of wages during the second & third months of sick leave; and unpaid leave from the fourth until sixth month.	90 days with 50% pay when the employee have work from 12 months	Special leave of 7 days per year including emergency, funeral or sickness of direct family members and paternity leave	28 days (Will be reduced to 22 days in 2020)
Hong Kong	7-14 days, depending on years of services	Applied to 4 consecutive sick leave days with doctors note only. Accumulated by 2-4 days/month, depending on years of service. Max 120 days with 4/5 pay	10 weeks with 4/5 pay after 40 weeks' services	5 days with 4/5 full pay after 40 weeks' services	17 days (statutory & public)
Indonesia	12 days after 1 year service	14 days Long term leave is paid at 100% the first four months, 75% the second four months, 50% the third four months and then 25% of wages until termination.	3 months with full pay	14 days with full pay	20 days
Japan	10-20 days, depending on years of service	N/A	Six weeks before giving birth and eight weeks after the birth with pay of 66% regular salary	Can be taken by the father or mother and is paid at 50% of a worker's regular salary.	19 days
Macau	0.5-6 days, depending on year of services	6 days Per Year	56 days with full pay after 1 year service	N/A	10 days
Mainland China	5-15 days, depending on years of services	3-24 months, depends on years of services	98 days depends on different situations of parturition	Varies across locations	11 days
Myanmar	10 days	30 days (with medical certificate)	6 weeks before the birth of the child and 8 weeks after the birth, with an extra four weeks in case of twins	15 days	24 days
New Zealand	4 weeks with normal weekly pay	5 days at least with normal wage	Up to 52 weeks , depends on eligibility	1-2 weeks, depends on years of service	10 days

Above information was taken from corresponding government official websites and intended for comparison purposes. All information is accurate as of September 2019. For legal use, please refer to governmental resources.

Labour Law - Statutory Leave (Part 2)

	Statutory Annual Paid Leave	Statutory Paid Sick Leave	Statutory Maternity Leave	Statutory Parental Leave (Childcare Leave, if any)	Statutory Paid Holiday per Year
Philippines	5 days after 1 year service	There is no statutory paid sick leave but it is common for companies to provide a 12 days sick leave	105 days with full pay	Paternity Leave – 7 days with full pay Solo-Parent Leave - parental leave of not more than seven (7) working days every year	22 days (With additional special holidays declared through Presidential Proclamations)
Singapore	7-14 days, depending on years of service	14 days per year; and up to 60 days if hospitalisation is required	16 weeks with full pay	Paternity Leave - Share up to 4 weeks of your spouse's 16 weeks of Government paid maternity leave. Childcare Leave - Eligible working parents of Singapore citizen children (Youngest child below 7 years old) are entitled to 6 days of paid childcare leave per year. Parents of non-citizens with youngest child below 7 years old can get 2 days of childcare leave a year. Extended Childcare Leave - Eligible working parents of Singapore citizen children (Child is between 7 and 12 years old) are entitled to 2 days of paid extended childcare leave per year.	11 days
South Korea	11-25 days, depending on years of service	N/A	90-120 days , depending on the number of children, with at least 45 days after childbirth	Where a worker parenting his/her children (including adopted children) younger than 8 years old or in the second grade of elementary school applies for temporary retirement (hereinafter referred to as "childcare leave"), his/her employer shall grant permission. The period of childcare leave shall not exceed one year.	15 days
Taiwan	3-30 days, depending on years of services 1. Three days for service of six months or more but less than one year. 2. Seven days for service of one year or more but less than two years. 3. Ten days for service of two years or more but less than three years. 4. Fourteen days for service of three years or more but less than five years. 5. Fifteen days for service of five years or more but less than ten years. 6. One additional day for each year of service over ten years up to a maximum of thirty days.	1. For the non-hospitalized, a total of less than thirty days in one year; 2. For the hospitalized, not exceeding one year; 3. The total of hospitalized and non-hospitalized sick leave shall not exceed one year; when a worker diagnosed with cancer (including carcinoma in situ) or pregnancy with threatened abortion by physician , outpatient treatment period shall be included to hospitalized sick leave. Where accounted ordinary sick leave does not exceed thirty days in one year, fifty percent of salary shall be paid. In cases where Labor Insurance payments do not reach fifty percent of salary, the employer shall make up the difference.	8 weeks with full pay after 6 months' services, 50% pay for services less than 6 months	Parental Leave - After being in service for six months, employees may apply for parental leave without pay for any of their children below the age of three. The period may not exceed two years. When employees are raising over two children at the same time, the period of their parental leave shall be computed aggregately and the maximum period shall be limited to two years received by the youngest child. Paternity Leave - 5 days with full pay	12 days
Thailand	6 days	30 days	98 days	It is only applicable to the employee who is working with Government sector. It is not a mandatory for the Private sector and it is depending to company policy.	An Employer shall announce no less than 13 traditional holidays per year
Vietnam	12-16 days, depends on the danger level of the job, and add 01 day more for every 5 years	Short-term treatment: 30-70 days depending on the working conditions and years of social insurance premiums Long-term treatment: up to 180 days per year. After 180 days, employees still needing treatment continue to be entitled to the paid sick leave regime at a lower level but not exceed the period of social insurance premium payment	6 months with full pay	5-14 days	10 days
Malaysia	8-16 days, depending the years of service	14 days per year; and up to 60 days if hospitalisation is required	min 60 days and 90 days for suggested maternity leave for private sector	Male employees are eligible to 2 working days leave for the birth of their own child up to 5 surviving child.	14-19 days varies across states

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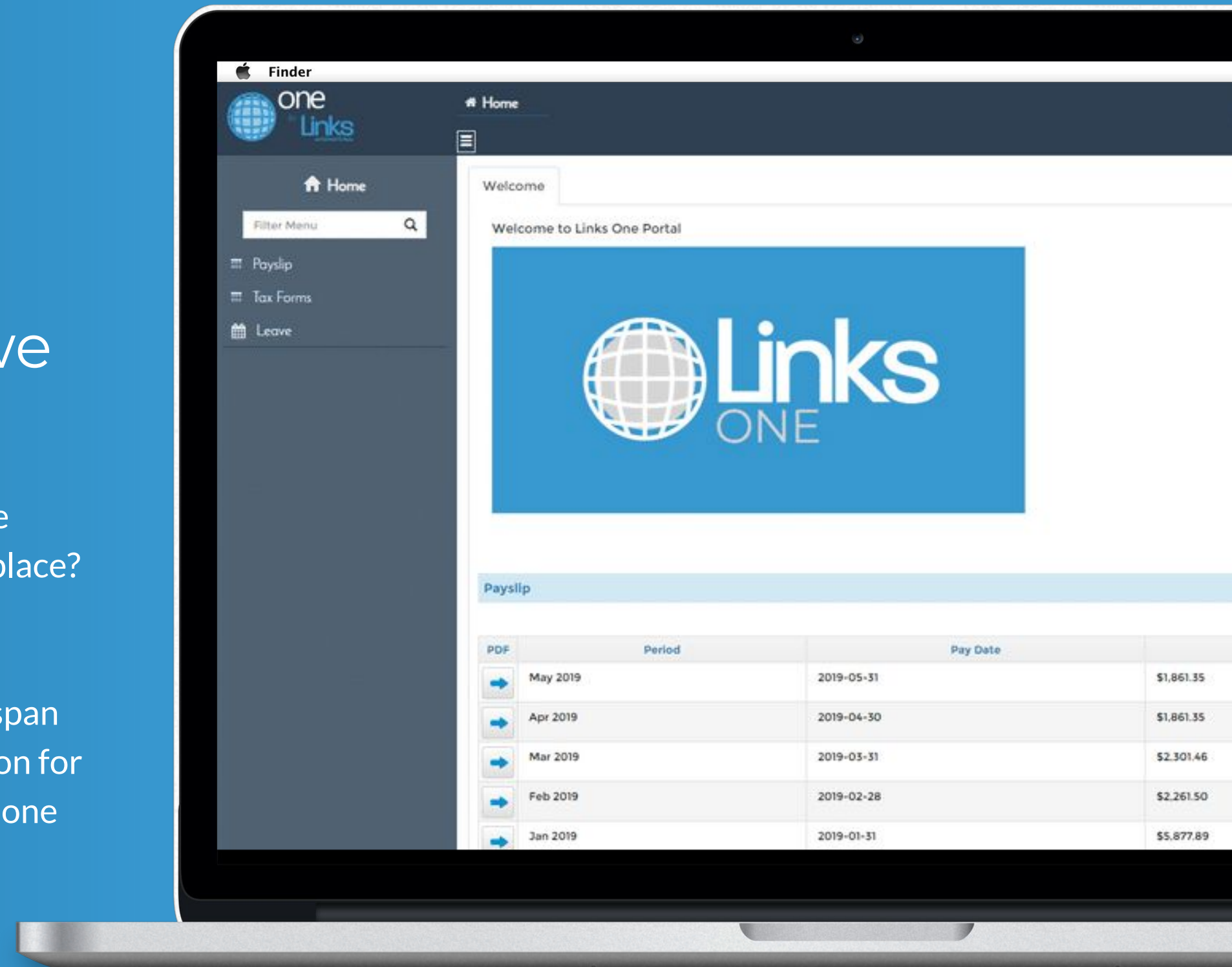
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