

外籍船員疑遭勞力剝削檢視表(中英雙語版)

Suspected Labor Trafficking of Foreign Crew Member Examination Chart

外籍船員姓名： _____ 性別： _____
Name of the foreign crew member: _____ Gender: _____

生日： 年 月 日 國籍： _____
Birth date (y/m/d): _____ / _____ / _____ Nationality: _____

護照號碼： _____ 聯絡電話： _____
Passport number: _____ Phone number: _____

居住地址： _____
Address (residence): _____

漁船名稱： _____
Name of fishing vessel: _____

工作日期： 年 月 日至 年 月 日
Duration of employment (y/m/d): from _____ / _____ / _____ to _____ / _____ / _____

船公司名稱： _____ 電話： _____
Company operating the fishing vessel: _____ Phone number: _____

仲介名稱： _____ 電話： _____
Employment Agency: _____ Phone number: _____

身分類型【請勾選其中 1 項】 Status of crew member employment [select only 1 category] :

境外僱用(含權宜船) Overseas employment (including convenience flag ship)

境內僱用(取得勞動部許可函) Domestic employment (employment permit issued by MOL)

序號	勞力剝削 指標態樣 Labor Trafficking Indicators	疑似不法具體手段 Suspected Illegal Means
1	濫用弱勢處境 Abuse under vulnerability	<input type="checkbox"/> 船公司(或船主)未曾提供給我熟悉或母國語文之工作契約，或曾經提供但不准我保留正本或影本。 The fishing vessel's company (or owner) hasn't provided me with any employment contract in my native language or a language that I am familiar with. Even when there is an employment contract, I was never allowed to keep a copy/photocopy of it. <input type="checkbox"/> 船上管理幹部曾對我實施嚴重不當行為並進行懲罰，我不知道申訴管道(或我曾經申訴但都不被處理)。 The supervisors on board the fishing vessel has taken severely improper actions along with penal actions against me. Either I had no known access to file a complaint or my complaint(s) filed was responded with no action at all. <input type="checkbox"/> 將我轉聘至其他漁船未重新簽訂契約。 I was transferred to another fishing vessel without signing a new contract.
2	人身暴力 Physical violence	<input type="checkbox"/> 在船上的睡眠、休息時間或生病時，我不想配合工作，被船長或管理幹部以脅迫的懲罰性言語(如扣薪、終止合約等)、肢體暴力等手段要脅配合工作。 I did not want to work during my sleeping hours, break or sickness, but the fishing vessel captain or the supervisors coerced me to work by means of threatening language (such as threats to deduct pay or terminate the contract) or physical violence. <input type="checkbox"/> 在船上曾因工作未按船長或管理幹部的要求，而被用手或物品毆打。 While on board the fishing vessel, I was beaten with bare hands or with objects when my work did not meet the requirements of the captain or the supervisors.
3	恐嚇及威脅 Threats and Terror	<input type="checkbox"/> 船長或管理幹部在工作時間，常常握著鉤子、棍棒、鐵條等物品，大聲辱罵工作不佳的船員，並揮動打傷我或船上其他船員。 The fishing vessel captain or supervisors often wielded objects such as hooks, bats or iron rods during work, yelling with abusive language at crew members that did not perform well, then beat us

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		<p>with the objects causing bodily harm.</p> <p><input type="checkbox"/> 在船上工作期間，船長、管理幹部或仲介恐嚇對我或家人傷害，迫使我繼續工作。</p> <p>During work on board the fishing vessel, the captain, supervisors or the employment agents threatened to harm me or my family members in order to force me to keep on working.</p>
4	行動限制 Constraints on Movements	<p><input type="checkbox"/> 船舶靠港後，雖可以下船到岸上活動，但隨時有管理幹部或其他船員進行監控(如不能拿自己的手機)，甚至要求與他們一起行動。</p> <p>After docking in a harbor, the crew member were denied the freedom to go move around on shore even when the situation allowed. Their movements were constantly monitored and controlled by the captain and the supervisors (such as withholding the mobile phones of crew member). Sometimes the captain or the supervisors even insisted upon the crew members to move together with them.</p> <p><input type="checkbox"/> 船舶靠港期間，我沒有欠缺有效護照或其他無法下船等原因，卻遭到不准下船處罰。</p> <p>After docking in a harbor, I was denied the freedom to go to shore even when I have a valid passport and have no other reason that prevented me from leaving the vessel.</p> <p><input type="checkbox"/> 船舶航行期間，我遭到船長或管理幹部指示而被關閉到冷凍庫或其他類似緊閉艙房進行處罰。</p> <p>While sailing at sea, the captain or the supervisors gave instruction to punish me by confining me to the freezer or confinement cabin.</p>
5	抵債勞務 (債務約束) Debt Bondage	<p><input type="checkbox"/> 仲介事後收取比原先約定較高的仲介費(或貸款利息)，因為我已上船，只好接受(或無法申訴)。</p> <p>The employment agent agreed a fee amount but later overcharged my fee (or loan interest). Since I was already on board the fishing vessel, I had no choice but to accept the term as is (or had no access to file a complaint).</p> <p><input type="checkbox"/> 契約已經約定上船前的交通費、訓練費或其他費用，應該由</p>

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		<p>船公司(或船主)支付，但發放薪資時，不應該由我支付的費用，卻直接由我的薪資內扣除。</p> <p>The employment contract provides that the transportation, training or other expenses prior to boarding the vessel shall be burdened by the fishing vessel's company (or owner), but items that should not be my burden were deducted from my actual salary received on pay day.</p>
6	扣發薪資 Withheld Salary	<p><input type="checkbox"/> 每月或依約定期間應支付的薪資未依照約定時間支付給我且不完整，或常常發生短少或延遲的情形。</p> <p>Monthly salary or payment due on an agreed payday was not paid to me on time and some parts were missing. The payment received was often late and short.</p> <p><input type="checkbox"/> 每月或依約定期間應保留給我的零用金，在靠港時並未完整支付給我，或常常短付且延遲支付。</p> <p>Pocket money that is due monthly or otherwise due on an agreed time was not paid in full to me while docking in a harbor. The payment received was often late or short of the agreed amount.</p> <p><input type="checkbox"/> 上船工作後，發現在船上工作或靠港下船時訂定很多不合理罰錢措施，並遭船主、仲介或其他發放薪資人員直接在薪資中扣除。</p> <p>Many unreasonable fines were not mentioned beforehand but imposed to the crew members after boarding the fishing vessels. These fines are related to situations while working on board as well as docking in a harbor. The fishing vessel owner, the employment agent or any party that pays the salary deducts the fined amount directly from the crew members' salary</p>
7	超時加班 Working Overtime	<p><input type="checkbox"/> 在船上平均每日的工作時數，比原來約定增加很多(如平均1日超過4小時以上)，且不另外支付我加班費用(或是不讓我靠港後增加補休時間)。</p> <p>The average working hours on board the fishing vessel far exceeds (4 hours per day) what was agreed upon in the employment contract. No overtime was paid (or no extra rest hour after docking in a harbor were granted).</p>

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		<input type="checkbox"/> 漁汛來臨期間，我連續工作長達7天以上，且平均每日休息時間不足6小時。 During fishing season, I worked over 7 days consecutively and took fewer than 6 hours of rest a day on average.
8	苛刻的工作 及生活條件 Harsh Working and Living Conditions	<input type="checkbox"/> 在船上生病時，常常不被允許在船上請假或休息。 In the case of illness on board the fishing vessel, I was often denied leave or rest. <input type="checkbox"/> 船公司、船長或管理幹部在航行前未能備妥乾淨充足的食物或飲用水，且已經反映，但在下次靠港後再發航時仍未備妥。 The fishing vessel's company, the captain or the supervisors failed to stock sufficient clean food and drinking water on board before the sail. Despite the situation being subsequently brought to their attention, they still failed to correct the problem during the next docking and supply assignment. <input type="checkbox"/> 睡眠空間非常狹小，無法供單人平躺。 Sleeping quarter is too small for a person to lay flat. <input type="checkbox"/> 船上缺乏足夠救生設備或簡單醫療藥品。 The fishing vessel falls short of adequate life-saving facility and basic first aid items.
9	扣留身分文 件 Withholding Personal IDs	<input type="checkbox"/> 靠港後，雖然可以下船，但護照或其他身分證明文件仍遭船長、管理幹部等人扣留，且我在需要使用時提出要求取回，仍沒有辦法取得。 Even when the situation allows the crew member to go to shore when docking in a harbor, their passport or other ID were withheld by the captain and the supervisors. When I needed to use my passport or document and made request to have it returned to me, I was denied the access to it. <input type="checkbox"/> 上船後，相同國籍船員或其他國籍船員的護照可以自行保管，但是我的證明文件卻無故被船長、管理幹部等人扣留，且我在需要使用時提出要求取回，仍沒有辦法取得。 Once on board, other crew members were allowed to keep their own passport, but my passport were withheld by the captain and the supervisors with no reason. Even when I made request to

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		have it returned to me, I was denied the access to it.
10	欺騙 Fraud	<input type="checkbox"/> 依契約原來約定是到別艘(或別國籍)漁船，但上船後發覺與原來約定不同，約定薪資被調降，或工作環境及條件與原約定相較非常不好，但只好繼續工作。 I was originally assigned to a different fishing vessel (or a vessel registered to a different country) by the contract but discovered things being contrary to the contract after coming on board. My salary was fewer than the amount stated in the contract and the condition of the working environment was far inferior to what was originally agreed upon. I could do nothing but to stay on and work. <input type="checkbox"/> 契約約定的工作時數、工作條件比仲介說的工作時數要長，工作條件也比較不好。 The work hours stated in the employment contract is longer than what was described by the employment agent. Other condition of work environment stated in the contract was also inferior to agent's original words. <input type="checkbox"/> 被要求轉換至另一艘船，且薪資比前一艘漁船更少。 I was asked to transfer to a different fishing vessel where the wage is lower.
11	孤立 (難以求助) Isolation	<input type="checkbox"/> 船上工作或休息期間，我常常被限制不准與同國籍的人聊天或互通訊息。 During work as well as break time on board the fishing vessel, I was often prohibited from talking to or communicate with other crew members of the same nationality. <input type="checkbox"/> 相同國籍船員或其他國籍船員可以自己保管手機，但是我的手機遭沒收或保管。 Other crew members of my same nationality or any different nationality were allow to keep their mobile phones, but my mobile phone was taken away from me and withheld.

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		<input type="checkbox"/> 船上多數外籍船員包含我在內，被交代於港口地政府的執法人員登船檢查時，都不得接觸，也不可亂說話。 Most foreign crew members on this fishing vessel including myself were instructed not to make contact with or speak freely with the host country harbor law enforcement officers who board the vessel to conduct inspection.
序號	<input type="checkbox"/> 航行(或合約)期間勞動與報酬顯不相當之初判內容【訪談人紀錄以下欄位數據，受訪談人累計遭他人積欠總金額超過每月薪資3倍以上勾選之】 The initial review indicates labor to which pay is not commensurate with the work duty. [The blanks in the following fields are to be filled in by the interviewer with data obtained in the interview. When the outstanding back payment owed to the person being interviewed has exceeded 3 times of her/his monthly salary, check this category] <input type="checkbox"/> 無剋扣薪資或未達上述累計超過每月薪資3倍以上 Either no back payment is owed to the person being interviewed or the outstanding back payment is less than 3 times of her/his monthly salary. (請訪談人勾選其一)(the interviewer to check one of the above categories)	
1	超時加班時數及積欠金額 Overtime Hours and Back Payment of Overtime Pay	<input type="checkbox"/> 每月工時不可確定者：欠我加班費新臺幣/美金約 _____ 元，相當於每月薪資 _____ 倍。 Without fixed monthly work hours: Overdue overtime pay is owed to the interviewed person, in the amount of _____ NT\$/USD, equaling ____ times of her/his monthly payment. <input type="checkbox"/> 每月工時可確定者：累計超時加班 _____ 小時以上(填寫實際超時加班時數)，欠我加班費新臺幣/美金約 _____ 元，相當於每月薪資 _____ 倍。 With fixed monthly work hours: There is a cumulative total of ____ overtime hours (please fill in actual overtime hours). Overdue overtime pay is owed to the interviewed person in the amount of _____ NT\$/USD, equaling ____ times of her/his monthly payment.
2	未依約支付相關薪資總額	<input type="checkbox"/> 累計積欠薪資新臺幣/美金約 _____ 元，相當於每月薪資 _____ 倍。 Outstanding back payment of salary owed to the interviewed in

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	Total Amount of Unpaid Contract- Specified Salary	the approximate amount of _____ NT\$/USD, equaling ___ times of her/his monthly salary. <input type="checkbox"/> 累計積欠個人零用金新臺幣/美金約 _____ 元，相當於每月薪資 _____ 倍。 Outstanding back payment of pocket money owed to the interviewed in the approximate amount of _____ NT\$/USD, equaling ___ times of her/his monthly salary.
3	因不當懲罰 而扣薪金額 Amount of Deducted Salary Due to Inappropriate Penalty	<input type="checkbox"/> 不合理被懲罰而直接從薪資扣減，累計新臺幣/美金約 _____ 元，相當於每月薪資 _____ 倍。 Cumulative amount of unreasonable fine imposed to and directly deducted from the salary of the interviewed in the approximate amount of _____ NT\$/USD, equaling ___ times of her/his monthly salary. <input type="checkbox"/> 未依約定或法定條件而被要求自行支付違約金、負擔返回母國機票費及其他費用，累計新臺幣/美金約 _____ 元，相當於每月薪資 _____ 倍。 Cumulative amount of contract default penalty, costs of returning flight to the country of origin and other costs imposed to the interviewed contrary to the prior agreement between the parties involved or any legal requirements approximately _____ NT\$/USD, equaling ___ times of her/his monthly salary.

訪談日期： 年 月 日 時 分至 月 日 時 分止

Interview date (y/m/d)(exact time): from ___/___/___(:) to ___/___/___(:)

受訪談人(簽名)：

(例外可不簽名，請訪談人填寫「安全考量」、「不願意」或「其他」等文字)

Person interviewed (signature):

(Not required under exceptional situations. Interviewer please specified “safety concern”, “unwilling to sign” or “other reasons”)

訪談單位及聯絡電話：

Agency conducting the interview:

phone number:

訪談人(簽名或蓋章)：

Interviewer (signature or seal):

上述勾選後，結果初判：

Initial review results after checking the above fields:

不屬於疑似勞力剝削案件：「勞力剝削指標態樣」之序號欄經勾選未超過 2 項指標，且勾選「無剋扣薪資或未達累計超過每月薪資 3 倍以上」者。

No suspected labor trafficking: No more than 2 **Labor Trafficking Indicators** being checked while selecting “Either no back payment is owed to the person being interviewed or the outstanding back payment is less than 3 times of her/his monthly salary”.

屬於疑似勞力剝削案件：「勞力剝削指標態樣」之序號欄經勾選已達 2 項以上指標，且「勞動與報酬顯不相當情形」經勾選者。(但船員遭人身暴力對待之強迫勞動，雖未勾選「勞動與報酬顯不相當」，仍屬疑似勞力剝削案件)

Suspected labor trafficking: more than 2 **Labor Trafficking Indicators** being checked while also selecting “The review indicates labor to which pay is not commensurate with the work duty.” (Under the circumstance of forced labor where physical violence is applied to the crew member involved, the case is still a suspected labor trafficking case even without selecting “The review indicates labor to which pay is not commensurate with the work duty”)

訪談單位主管(簽名或蓋章)：

Head of the agency conducting the interview (signature or seal)