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孖士打律師行

# 中国动态： 双语版亚洲雇佣法：季评

2014-2015

第十期：2015年第四季度

# Asia Employment Law: Quarterly Review

2014-2015

ISSUE 10: FOURTH QUARTER 2015

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引言 INTRODUCTION

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亚洲法律顾问与人力资源顾问的工作往往涉及多个司法辖区。准确把握雇佣相关法律发展情况既是重中之重又充满挑战。

为协助阁下获取最新法律动态，孖士打律师行发布电子期刊**亚洲雇佣法：季评**，内容涵盖亚洲15个司法辖区，并将每季更新。

在第十期中，我们将回顾并评点2015年第四季雇佣法发展情况，同时列出一些2016年立法、咨询、政策及判例法方面的预期重大变革。

孖士打与亚洲地区15家律师行长期开展跨境合作，与对方律师建立了密切的工作关系，本刊正是这一努力的结果。欲获悉撰稿律师及律师行名单，请浏览[连络人页面](#)。

我们衷心希望本刊对阁下有所助益。

Asia's legal and human resources advisors are often required to function across multiple jurisdictions. Staying on top of employment-related legal developments is important but can be challenging.

To help keep you up to date, Mayer Brown JSM produces the **Asia Employment Law: Quarterly Review**, an e-publication covering 15 jurisdictions in Asia.

In this tenth edition, we flag and provide comment on anticipated employment law developments during the last quarter of 2015 and highlight some of the major legislative, consultative, policy and case law changes to look out for in 2016.

This publication is a result of ongoing cross-border collaboration between 15 law firms across Asia with whose lawyers Mayer Brown JSM has had the pleasure of working with closely for many years. For a list of contributing lawyers and law firms, please see the [contacts page](#).

We hope you find this edition useful.

顺颂商祺

With best regards,



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2014

中国  
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2013 期刊

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2013 edition

**重要：**  
可能需要  
采取行动

**Important:**  
action likely  
required

**不可不知：**  
关注发展动态

**Good to know:**  
follow  
developments

**注意变更：**  
无需采取行动

**Note changes:**  
no action  
required

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中国  
12月16日  
2014

CHINA  
16  
DEC  
2014

## 国务院办公厅关于2015年部分节假日安排的通知

国务院办公厅经国务院批准，就2015年元旦、春节、清明节、劳动节、端午节、中秋节和国庆节放假调休日期的具体安排于2014年12月16日发布了通知。

[更多...](#)

## Notice on the Schedule of the Public Holidays for 2015

The State Council approved the schedule of the public holidays for 2015, and the Notice on the Schedule of the Public Holidays for 2015 was issued on 16 December 2014.

[More...](#)

中国  
12月25日  
2014

CHINA  
25  
DEC  
2014

## 关于修改〈就业服务与就业管理规定〉的决定

人社部部务会讨论通过了《人力资源社会保障部关于修改〈就业服务与就业管理规定〉的决定》。修改后的《规定》自2015年2月1日起施行。该《规定》较以前有部分内容的修改，颇引人关注。第六十三条放宽了失业登记条件，修改为：“在法定劳动年龄内，有劳动能力，有就业要求，处于无业状态的城镇常住人员，可以到常住地的公共就业服务机构进行失业登记。”删除了“其中，没有就业经历的城镇户籍人员，在户籍所在地登记；农村进城务工人员和其他非本地户籍人员在常住地稳定就业满6个月的，失业后可以在常住地登记”。

[更多...](#)

## Opinion on Fostering Human Resource Outsourcing Services by MHRSS, NDRC and MOF

Wording: The Opinion on Fostering Human Resource Outsourcing Services was jointly issued by the Ministry of Human Resources and Social Security, National Development and Reform Commission, and the Ministry of Finance on 25 December 2014, the Opinion offers incentives for companies to use professional outsourcing services in non-core businesses.

[More...](#)

中国  
12月31日  
2014

CHINA  
31  
DEC  
2014

## 关于《企业裁减人员规定（征求意见稿）》公开征求意见的通知

国务院法制办于2014年12月31日公布《企业裁减人员规定（征求意见稿）》，并向社会征求意见。该意见稿规定，对于不裁员或少裁员的企业，还可以享受国家补贴。征求意见稿规定，企业出现破产重整；生产经营发生严重困难；转产、重大技术革新或者经营方式调整等情况可以裁员。裁减20人以上或者裁减不足20人但占企业职工总数10%以上的人员的，适用这一规定。

[更多...](#)

The Ministry of Human Resources and Social Security (MOHRSS) issued on 31 December 2014 a draft regulation on enterprise mass layoff, viz. the Provisions on Enterprise Mass Layoff (Draft for Comments) (the “Draft Provisions”). Public comments are invited to be submitted by 31 January 2015. The Draft Provisions provide the detailed procedures and requirements to implement a layoff plan as well as the employer’s obligations if the number of the employees who are terminated by mutual consent exceeds 20.

[More...](#)

中国  
1月1日  
2015

## 关于印发劳务派遣用工参加社会保险有关问题暂行规定的通知

天津市人力社保局、市财政局联合印发《劳务派遣用工参加社会保险有关问题暂行规定》，自2015年1月1日起，被派遣劳动者社会保险费直接由用工单位代缴。用工单位负责代劳务派遣单位，为本单位使用的被派遣劳动者办理参保登记手续。劳务派遣单位应缴纳的社会保险费及其被派遣劳动者的个人缴费部分，用工单位不再拨付到劳务派遣单位，直接缴纳至社会保险经办机构。参加社会保险的被派遣劳动者，按照国家和天津有关规定享受相应的社会保险待遇，相关手续仍由劳务派遣单位负责办理。

[更多...](#)

2015

中国  
CHINA重要:  
可能需要  
采取行动Important:  
action likely  
required不可不知:  
关注发展动态Good to know:  
follow  
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无需采取行动Note changes:  
no action  
required

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CHINA

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JAN

2015

## Notice on Tentative Rules for the Social Insurance Contribution of the Labour Dispatch Employees

Tianjin Labour Bureau and Tian Jin Finance Bureau jointly issued a Notice on Tentative Rules for the Social Insurance Contribution of the Labour Dispatch Employees. According to the Notice, host companies now required to directly pay social insurance contributions for labor dispatch workers instead of through dispatch agencies.

[More...](#)

中国

1月1日

2015

## 外国人入境完成短期工作任务的相关办理程序(试行)

人社部、外交部、公安部及文化部日前联合发布通知印发《外国人入境完成短期工作任务的相关办理程序(试行)》(《程序》),自2015年1月1日起施行。《程序》明确外国人入境完成短期工作任务指因到境内合作方完成某项技术、科研、管理、指导等工作等六类事由入境,且在境内停留不超过90日。短期工作人员应根据《程序》的要求申请入境工作许可和工作证明,并申请工作签证。

[更多...](#)

CHINA

1  
JAN

2015

Tentative Procedural Rules For Foreign Nationals Working in China for A Short Period was issued by the Ministry of Human Resources and Social Security and other departments jointly effective from 1 January 2015. According to the Rules, foreign nationals working in China less than 90 days on projects at affiliated branches, subsidiaries, and representative offices may enter China on business visas, and foreign nationals working at non-affiliates must obtain work visas.

[More...](#)

中国

1月8日

2015

## 关于对《上海市集体合同条例修正案(草案)》公开征求意见的公告

2015年1月8日,上海公布了《上海市集体合同条例修正案(草案)》并向社会公开征求意见。草案补充明确了工资集体协商的内容和参考因素,强化了上级工会在集体协商中的作用,明确了集体协商过程中双方的禁止行为及其法律责任,并就集体合同签订、履行、终止等各环节的争议解决机制寻求意见及建议。

[更多...](#)

CHINA

8  
JAN

2015

## Draft Amendment on Shanghai Collective Contract Regulations Sought Public Comments

Shanghai Municipal People's Congress solicits comments on amendments to Collective Contract Regulations in Shanghai and the draft amendments target disputes and negotiation and termination of collective contracts. Public comments are invited to be submitted by 23 January 2015.

[More...](#)

中国

1月28日

2015

## 2015年深圳最低工资标准 提高至2030元

1月28日下午,深圳市政府五届一百二十五次常务会议审议并原则通过了2015年深圳市最低工资标准调整有关方案,自今年3月1日起,深圳全日制就业劳动者月最低工资标准提高至2030元,非全日制就业劳动者小时最低工资标准提高至18.5元。

[更多...](#)

CHINA

28  
JAN

2015

## Shenzhen Raises Minimum Wage Rate to RMB2030 Effective From 1 March 2015

The Shenzhen Municipality Standing Congress approved a proposal that the monthly minimum wage in Shenzhen is increased to CNY2,030, and for a part-time employee, the standard of hourly minimum wage is increased to CNY18.5, effective from 1 March 2015.

[More...](#)

2015

中国  
CHINA回顾  
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## 重要:

可能需要  
采取行动**Important:**  
action likely  
required不可不知:  
关注发展动态**Good to know:**  
follow  
developments注意变更:  
无需采取行动**Note changes:**  
no action  
required

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2月1日  
2015

CHINA

1  
FEB

2015

## 关于修改〈就业服务与就业管理规定〉的决定

人社部部务会讨论通过了《人力资源社会保障部关于修改〈就业服务与就业管理规定〉的决定》。修改后的《规定》自2015年2月1日起施行。该《规定》较以前有部分内容的修改, 颇引人关注。第六十三条放宽了失业登记条件, 修改为: “在法定劳动年龄内, 有劳动能力, 有就业要求, 处于无业状态的城镇常住人员, 可以到常住地的公共就业服务机构进行失业登记。”删除了“其中, 没有就业经历的城镇户籍人员, 在户籍所在地登记; 农村进城务工人员和其他非本地户籍人员在常住地稳定就业满6个月的, 失业后可以在常住地登记”。

[更多...](#)

## Regulation on Employment Service and Employment Management

The Regulation on Employment Service and Employment Management was revised by the Ministry of Human Resources and Social Security effective from 1 February 2015. The threshold requirement for unemployment registration has been reduced, and the unemployed individual with urban *hukou* may register their unemployment status at the service agent located in the district where their residing place locates.

[More...](#)中国  
2月27日  
2015

CHINA

27  
FEB

2015

## 人力资源和社会保障部、财政部决定下调失业保险、工伤保险和生育保险费率

人力资源和社会保障部、财政部陆续联合发布了《关于调整失业保险费率有关问题的通知》、《关于调整工伤保险费率政策的通知》和《关于适当降低生育保险费率的通知》, 进一步减轻企业负担。自2015年3月1日起, 失业保险费率由3%降至2%。自2015年10月1日起, 工伤保险费率按各行业一类至八类工伤风险类别对应的全国工伤保险行业基准费率, 分别控制在该行业用人单位职工工资总额的0.2%、0.4%、0.7%、0.9%、1.1%、1.3%、1.6%、1.9%左右。自2015年10月1日起, 生育保险基金累计结余超过9个月的统筹地区应将生育保险基金费率调整到用人单位职工工资总额的0.5%以内。

[更多...](#)[更多...](#)[更多...](#)

## Rates of Unemployment Insurance, Work-Related Injury Insurance and Maternity Insurance Reduced

The Ministry of Human Resources and Social Security and the Ministry of Finance jointly released several Circulars to reduce the rates of unemployment insurance, work-related injury insurance and maternity insurance respectively to alleviate the burden on enterprises. From 1 March 2015, the unemployment insurance rate will be reduced from 3% to 2%. From 1 October 2015, the rate of the work-related injury insurance will be maintained at the benchmark rate of the national work injury insurance industry corresponding to Type 1 through Type 8 work injury risks of the industries at approximately 0.2%, 0.4%, 0.7%, 0.9%, 1.1%, 1.3%, 1.6% and 1.9%. From 1 October 2015, the rate of the maternity insurance should be adjusted to within 0.5% in the cities where the maternity insurance fund accumulates surplus for over nine months.

[More...](#)[More...](#)[More...](#)中国  
3月24日  
2015

## 安监局发布用人单位职业病危害防治规定

国家安监总局发布《用人单位职业病危害防治八条规定》, 重点围绕责任制、工作场所、防护设施、防护用品、警示告知、定期检测、培训教育、健康监护等8个方面对所有产生职业病危害的用人单位提出了明确要求。《规定》强调, 用人单位必须定期进行职业病危害检测; 必须对劳动者进行职业卫生培训, 严禁不培训或培训不合格上岗; 必须组织劳动者职业健康检查并建立监护档案, 严禁不体检不建档。

[更多...](#)



2015

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可能需要  
采取行动Important:  
action likely  
required不可不知：  
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no action  
required

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CHINA

24  
MAR

2015

## SAWS Issues Provisions on Employers' Occupational Hazard Prevention and Control

The State Administration of Work Safety (SAWS) issued the Eight Provisions on Occupational Hazard Prevention and Control by Employers (hereinafter referred to as the Provisions). The Provisions specifies requirements in the following eight aspects: accountability, workplace, protective facilities, protective devices, warning notices, regular tests, training and health supervision. The Provisions stresses that employers must provide their employees protective equipment that meet the relevant requirements. They must also conduct occupational health training for their employees; employees are prohibited from working if they are not trained or are deemed unqualified after the training. Employers must also organise occupational health inspections for their employees and establish health surveillance records; they are strictly prohibited from failing to organise health inspections or establish health records.

[More...](#)

中国

5月13日

2015

## 国务院关于中国人民抗日战争暨世界反法西斯战争胜利70周年纪念日调休放假的通知

国务院发布关于中国人民抗日战争暨世界反法西斯战争胜利70周年纪念日调休放假的通知。2015年是中国人民抗日战争暨世界反法西斯战争胜利70周年。为使全国人民广泛参与中央及各地区各部门举行的纪念活动, 2015年9月3日全国放假1天。

[更多...](#)

CHINA

13  
MAY

2015

The Notice on Designating An Statutory Holiday for Commemorating the 70<sup>th</sup> Anniversary of the victory in the Chinese People's War of Resistance Against Japanese Aggression issued

The State Council has designated 3 September as an additional statutory holiday in 2015. This date commemorates the 70<sup>th</sup> anniversary of the victory in the Chinese people's war of resistance against Japanese aggression. This holiday is applicable to all employees and only being legislated for 2015.

[More...](#)

## 广东省工资支付条例征求意见

广东省人力资源和社会保障厅发布了《关于修改〈广东省工资支付条例〉的决定(征求意见稿)》(下称《意见稿》), 现征求社会各界意见, 截止日期为2015年7月30日。《意见稿》明确, 用人单位应当按照约定的日期支付劳动者工资, 其中按月支付工资的约定时间不得迟于第二个月10号。

[更多...](#)

中国

6月

2015

## Proposed Changes on Salary Payment Regulations of Guangdong Province Seeking Public Comments

Guangdong Provincial Department of Human Resources & Social Security issued the Decision on Revising Salary Payment Regulations of Guangdong Province (Request for Proposal) (Hereinafter the "Draft") to seek opinions on the Draft by 30 July 2015. The Draft clarifies that all employees should pay salary to employees on the agreed date. If it is agreed that the salary be paid on a monthly basis, the salary payment date shall not be later than the 10<sup>th</sup> day of the following month.

[More...](#)

中国

6月18日

2015

## 上海集体合同条例修改通过, 于2015年10月1日起施行

上海市人大常委会会议表决通过了修改后的《上海市集体合同条例》(下称《条例》), 《条例》自2015年10月1日起施行。《条例》明确, 将工资涨幅、加班待遇等问题纳入工资集体协商, 并明确企业若无正当理由拒绝或者拖延集体协商的, 市和区、县总工会可以发出整改通知书, 要求企业改正。

[更多...](#)

2015

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CHINA

18  
JUN

2015

**The Revised Regulation on Collective Agreement of Shanghai Adopted**

The meeting of the Standing Committee of Shanghai People's Congress adopted the revised the Regulations on Collective Agreement of Shanghai (hereinafter the Regulations) by vote, which shall become effective as of 1 October 2015. The Regulations clarifies that pay increase and benefits for overtime work fall within the scope of collective bargain over pay and that in the event that an employer rejects or delays collective bargain without just reasons, the trade union of the city, district and county may issue a correction notice requiring the employer to take corrective actions.

[More...](#)

中国

7月1日

2015

**国务院关于修改《中国公民往来台湾地区管理办法》的决定**

国务院总理李克强签署第661号国务院令, 公布《国务院关于修改〈中国公民往来台湾地区管理办法〉的决定》(以下简称《决定》)。《决定》自2015年7月1日起施行。此后, 台湾居民可以凭有效台胞证, 无需办理签注, 即可经开放口岸来往大陆并在大陆停留、居留。

[更多...](#)

CHINA

1  
JUL

2015

**Measures Governing Chinese Citizens Travelling to and From the Region of Taiwan Revised**

The State Council revised the Administrative Measures governing Chinese Citizens Travelling to and From the Region of Taiwan effective from 1 July 2015, and the entry permit requirements for Taiwan residents are removed.

[More...](#)

中国

8月4日

2015

**广州市职工生育保险实施办法, 自2015年10月1日起施行**

经过早期的公开征求意见和论证后, 备受关注的广州市职工生育保险新政, 以《广州市人民政府办公厅关于印发广州市职工生育保险实施办法的通知》形式正式予以明确, 并从2015年10月1日开始实施, 相关的生育保险参保人待遇标准也有了新的变化。其中最受关注的男方看护假、女方计生假的问题, 也最终明确, 假期依然存在, 但发放方式由生育保险基金改由用人单位承担。

[更多...](#)

CHINA

4  
AUG

2015

**The Implementation Rules on Maternity Insurance of Guangzhou, Issued**

After consultation and hearing of public opinions, the new maternity insurance policy which attracted much attention has been officially clarified by the "Notice of the Implementation Rules on Maternity Insurance of Guangzhou" ("The Implementation Rules"). The Implementation Rules were promulgated by the General Office of the Guangzhou Municipal Government and it came into force on 1 October 2015. There are some changes on the treatment standard of participants in the maternity insurance. The major concerns are paternity leave and maternity leave which have finally been settled. The two categories of leave still exist, but the payment of the two categories of leave shall be borne by the employer instead of the Maternity Insurance Fund.

[More...](#)

中国

8月5日

2015

**上海发布海外人才引进政策实施办法**

上海市印发办法, 实施更加开放的海外人才引进政策。办法明确, 对经上海市人社局认定的外籍高层次人才, 可持推荐函到市公安局出入境管理局申请办理5年有效期的工作类居留许可; 工作满3年后, 经用人单位推荐, 可按规定到市公安局出入境管理局申请外国人永久居留证。办法突破外籍人员在沪就业需有两年工作经验的限制, 对在上海地区高校取得硕士及以上学历的外国留学生, 可凭上海自贸试验区、张江高新区管委会出具的证明, 申请办理外国人就业手续和相应的工作类居留证件。上海还放宽外籍高层次人才在华工作年限限制, 明确已连续在上海市申办过两次工作类居留许可的无违法违规问题的外籍人员, 可直接向市公安局出入境管理局申请有效期5年以内的工作类居留许可。

[更多...](#)

CHINA

5  
AUG

2015

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## Shanghai has issued the Regulations on the Implementation of Talent Introduction from Overseas

Shanghai has published the “Regulations on implementing a more open policy of talent introduction from overseas”. The Regulations have clarified that senior level foreign talents approved by the Shanghai Municipal Human Resources and Social Security Bureau can go to the Bureau of Exit-Entry Administration of Shanghai public security to apply for a 5-year valid working residence permit. After working for 3 years in Shanghai, a foreign talent can go to the Bureau of Exit-Entry Administration of Shanghai public security department to apply for a permanent residence credential with the recommendation of the employer. The Regulations have abolished the restriction that a foreigner coming to work in Shanghai is required to have 2-years working experience. For international students with master degree or above obtained in Shanghai colleges and universities, they can apply employment permit and residence permit by producing the certification provided by the Shanghai Pilot Free Trade Zone and Zhangjiang National Innovation Zone Administration Committee. Shanghai has also relaxed the working age restriction of senior level foreign talents employed in China, and has announced that any foreign employee who has applied for a working residence permit and has no record of having breached the law, can apply to the Bureau of Exit-Entry Administration of Shanghai Public Security for a 5-year valid working residence permit.

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## 上海市人民政府印发修订后的《关于本市劳动者在履行劳动合同期间患病或者非因工负伤的医疗期标准的规定》=通知

上海市人民政府于2015年8月17日印发了修订后的《关于本市劳动者在履行劳动合同期间患病或者非因工负伤的医疗期标准的规定》，本规定自2015年5月1日起施行。规定中明确，劳动者在本单位工作期间累计病休时间超过按照规定享受的医疗期，用人单位可以依法与其解除劳动合同。

[更多...](#)

## The Revised Regulations on the Standard of Medical Treatment Leave when the Employee Contracted an Illness or Sustained a Non-work-related Injury during Employment in Shanghai

On 17 August 2015, Shanghai Municipal Government printed and distributed the revised Regulations on the prescribed period of leave for medical treatment when an employee contracted an illness or sustained a non-work-related injury during performance of his/her employment contract in Shanghai. The Regulations came into force on 1 May 2015. It is clear from the Regulations that where the accumulative sick leave days has exceeded the prescribed period for medical treatment, an employer can terminate the employment contract with the employee concerned pursuant to the law.

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## 人力资源社会保障部关于2015年9月3日放假期间安排劳动者工作工资计发问题的通知

人力资源社会保障部就9月3日放假期间安排劳动者工作的工资计发问题通知如下：用人单位因工作需要，在9月3日放假期间安排劳动者工作的，应支付工资报酬并安排补休；对不能安排补休的，应按照不低于劳动者本人日或小时工资标准的200%支付工资报酬。

[更多...](#)

## The Notice on Wages Calculation and Payment of Arranging Employees to Work on Legal Holiday of 3 September, Issued

“The Notice on wages calculation and payment of arranging employees to work on 3 September” was issued by the Ministry of Human Resources and Social Security, it is as follows:

Where an employer requires its employee to work on 3 September due to the need of business, the employer shall pay wages and arrange time off in lieu; if no time off can be arranged afterwards, the employer shall pay no less than 200 percent of the employee's wages.

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## 残疾人就业保障金管理办法发布

财政部近日对外公布《残疾人就业保障金征收使用管理办法》，明确规定，地方各级残疾人联合会、财政部门应当每年向社会公布保障金用于支持残疾人就业和保障残疾人生活支出情况，接受社会监督。各地应当建立用人单位按比例安排残疾人就业及缴纳保障金公示制度。

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## Measures for the Administration of the Collection and Use of the Employment Security Funds for the Disabled, Issued

Ministry of Finance issued “Measures for the Administration of the Collection and Use of Employment Security Funds for the Disabled” (“the Measures”). The Measures require that disabled persons’ federations and fiscal departments at all levels to publicize for public scrutiny purpose, the expenditure of the security funds supporting the employment and the living of the disabled, annually. Moreover, all localities shall establish an information disclosure system regarding employers’ hiring of disabled persons on a pro-rata basis and contribution to the disabled persons’ employment security fund.

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## 山西首次将女职工“更年期”纳入劳动保护范围

山西省人大审议通过《山西省女职工劳动保护条例》，细化、明确了女职工劳动保护的措施和权益标准，首次将“更年期”列入劳动保护范畴，《条例》于10月1日起实施。国务院制定的《女职工劳动保护特别规定》只对女职工“经期、孕期、产期、哺乳期”保护作了规定，该《条例》有效扩充了诸多女职工劳动保护权益，首次提出了对女性更年期的保护。

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## For the first time, Menopause of Female Employees is classified under Labour Protection in Shanxi Province

The People’s Congress of Shanxi Province has adopted the Regulations on Labour Protection of Female Employees, which further clarified labour protection and the standard of rights and interests. Under the Regulations, menopause of female employees is now classified as a labour protection. The Regulations came into force on 1 October 2015. In the past, the Special Rules on Labour Protection of Female Employees issued by the State Council were confined to protection of female employees in menstrual period, pregnancy, maternity leave and nursing period. The Regulations extended the scope of labour protection of women by including menopause, for the first time

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## 天津发文明确劳动人事争议一裁终局有关问题通知

2015年10月8日，天津市人力资源和社会保障局印发《关于劳动人事争议案件适用一裁终局有关问题的通知》（以下简称“《通知》”）。依据《通知》，关于“一裁终局”案件的适用范围为：

1. 追索劳动报酬、工伤医疗费、经济补偿或者赔偿金，不超过天津市月最低工资标准十二个月金额的争议及因执行国家劳动标准在在工作时间、休息休假、社会保险等方面发生的劳动争议，仲裁裁决为终局裁决，裁决书自做出之日起发生法律效力。
2. 仲裁裁决涉及劳动报酬、工伤医疗费、经济补偿或者赔偿金数项，每项裁决的数额均不超过天津市月最低工资标准十二个月金额的，应当按照终局裁决处理。其中，“月最低工资”的适用节点应以作出仲裁裁决时的月最低工资标准为计算标准。
3. 按集体争议立案的劳动人事争议案件，单个劳动者的请求事项符合《劳动争议调解仲裁法》第四十七条规定的终局裁决情形的，适用终局裁决。

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## Tianjin Human Resources and Social Security Bureau Issued Notice on Matters Concerning Final Arbitration Award of Labour Dispute Granted in a Single Arbitration Hearing

The Tianjin Human Resources and Social Security Bureau issued the notice on matters relating to applicability of final arbitration award of labour dispute with one arbitration hearing ("the Notice"). According to the Notice, single hearing arbitration is applicable to the followings:

1. Disputes over claims for an amount less than 12 months' minimum monthly wage of Tianjin, in connection with labour remunerations, work-related injury medical fees, statutory severance pay, punitive severance pay, and disputes regarding working hours, rest, leave and holidays, and social insurance arising from the observance of national standards, arbitral awards granted are final and binding as of the dates of issuance.
2. Awards involving labour remuneration, work-related injury medical fees, statutory severance pay and punitive severance pay, where the claim amount under each category is less than the 12 months' minimum monthly wage of Tianjin, are final and binding. The "minimum monthly wage" for such claims is the minimum wage at the time when the award is granted.
3. Awards to individual claimants in collective disputes for claims falling within the circumstances stipulated in Article 47 of the Labour Dispute Mediation and Arbitration Law, are final and binding.

[More...](#)

## 国务院办公厅关于2016年部分节假日安排的通知

国务院办公厅发布了关于2016年部分节假日安排的通知。根据通知，2016年放假安排为：

1. 元旦1月1日放假
2. 春节：2月7日(除夕)-13日放假，2月6日、14日上班
3. 清明：4月4日，连休3天
4. 劳动节：5月1日，连休3天
5. 端午：6月9日-11日放假，12日上班
6. 中秋：9月15日-17日放假，18日上班
7. 国庆节：10月1日-7日放假，10月8日、10月9日上班

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## The Notice on Statutory Holidays in 2016, Issued

The General Office of the State Council recently issued the statutory holiday in 2016. According to the Notice, Holidays in 2016 are listed below:

1. New Year's Day: 1 Jan
2. Spring Festival: 7 Feb - 13 Feb, 6 Feb & 14 Feb are working days
3. Tomb-sweeping Day: 4 Apr
4. Labour Day: 1 May
5. Dragon Boat Festival: 9 Jun-11 Jun, 12 Jun is a working day
6. Mid-autumn Festival: 15 Sep-17 Sep, 18 Sep is a working day
7. National Day: 1 Oct-7 Oct, 8 Oct & 9 Oct are working days

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