**Consent Form for Academia Sinica Study-based Concurrent Employee and Employment-based Concurrent Employee**

⯎ To protect your rights, please read carefully and select ONE applicable description before signing the form.⯎

* This Consent Form is an agreement between the principal investigator (PI) and the concurrent employee. Before selecting and signing this Consent Form, you must first understand the regulations, rights and obligations prescribed by the Ministry of Education and Ministry of Labor in order to confirm whether the employee is a Study-based Concurrent Employee (SCE) or an Employment-based Concurrent Employee (ECE).
* The recruitment of a concurrent employee should be subject to the agreement between the principal investigator and the concurrent employee, but said agreement should also conform to the following:
1. The recruitment type of a concurrent employee should be consistent with actual research or work.
2. The Study-based Concurrent Employment relationship between the PI and the employee is not subject to the Labor Standards Act. Therefore, the employee’s participation in research projects should focus on learning and research practices according to the definition of SCE. Otherwise, the employee should be recruited as an Employment-based Concurrent Employee (ECE).
3. For research projects commissioned by agencies other than the Academia Sinica and National Science and Technology Council, concurrent employees should be recruited as Employment-based Concurrent Employees by default. If a contract is otherwise provided, such contract should be followed.

|  |  |  |
| --- | --- | --- |
| **Employment Type** | * **Study-based Concurrent Employee (SCE) (Defined by the student’s university or college.)**
 | * **Employment-based Concurrent Employee (ECE)**
 |
| Relevant Guidelines | The Ministry of Education’s “Guidelines for Protecting Interests of Scholarship Students of Institutions of Higher Education” is applicable by analogy. | Ministry of Labor’s “Guidelines for Employment of Part-Time Workers” |
| Ownership of Research Results | 1. Copyright:If the principal investigator (PI) only provides concept guidance for an Academia Sinica (AS) research, the copyright remain with the student. If the PI provides not only concept guidance but also participates in writing and finishing the report with the student, the PI owns joint copyright with the student.2. Patent Rights:Patent rights to research results are determined based on Paragraph 2, Article 5 of the *Patent Act*. If the student is the inventor, utility model creator, or designer, he or she is entitled to patent rights to the research results and may file for patent prosecution pursuant to Paragraph 1 of the same Article. If the PI has made substantial contributions to thesis’ research results, he or she may be named as the joint inventor. | Relevant research results from assisting or participating in the execution of the research project are subject to the following:1. Guidelines for Academia Sinica Copyright Management.
2. Academia Sinica Regulations for Ownership and Utilization of Scientific and Technological Research and Development Achievements.
 |
| Signature of Study-based Concurrent Employee or Employment-based Concurrent Employee(Signature of a legal representative is required if the signee is under 18 years of age.) | 1. To protect personal rights and interests, the concurrent employee should promptly notify his or her school (the School), and the School should “provide extra coverage for occupational accidents as required by the Labor Standards Act in addition to the scholarship student’s current group insurance by purchasing commercial insurance using the School’s budget or Ministry of Education’s (MOE) allowances for the period each student conducts relevant research, learning, or service activities” to process additional insurance, pursuant to Article 8 of the MOE’s “Guidelines for Protecting Interests of Scholarship Students of Institutions of Higher Education.”
2. Should an SCE be involved in any academic ethics violation, the “Code of Ethics for Academia Sinica Research Fellows and Research Specialists” shall apply to his or her case.
3. If the employment type does not conform to both parties’ mutual agreement and the recruitment violates relevant regulations, the concurrent employee, PI, and project execution unit will be liable for any expenses incurred thereof or punishments due to such a violation.
4. I have read the above information, and agree to hold the SCE position.

**Signature of Concurrent Employee:** **(MM/DD/YYYY)****Signature of Legal Representative if Concurrent Employee is under 18:** **(MM/DD/YYYY)** | 1. Should an ECE be involved in any academic ethics violation, the “Code of Ethics for Academia Sinica Research Fellows and Research Specialists” shall apply to his or her case.
2. An ECE should comply with the provisions of the labor contract (e.g. signing in and out for work in person, completing resignation procedures in cases of early resignation, etc.).
3. Foreign students, overseas Taiwanese students, and Hong Kong/Macao students should apply for a work permit according to the Employment Service Act.
4. If the employment type does not conform to both parties’ mutual agreement and the recruitment violates relevant regulations, the concurrent employee, PI, and project execution unit will be liable for any expenses incurred thereof or punishments due to such a violation.
5. I have read the above information, and agree to hold the ECE position.

**Signature of Concurrent Employee:** **(MM/DD/YYYY)****Signature of Legal Representative if Concurrent Employee is under 18:** **(MM/DD/YYYY)** |
| Signature of Principal Investigator and Seal of Project Execution Unit | 1. The learning activities should be directly related to the scope of the curriculum.
2. There should be a directly corresponding curriculum, internship program, thesis research supervision, and specified learning rules, evaluation methods, and credit or graduation requirements.
3. The PI should impart actual professional knowledge instruction to students.
4. If the employment type does not conform to both parties’ mutual agreement and the recruitment violates relevant regulations, the concurrent employee, PI, and project execution unit will be liable for any expenses incurred thereof or punishments due to such a violation.
5. The PI and project execution unit have read the above information.

**Signature of Principal Investigator:** **(MM/DD/YYYY)****Seal of Project Execution Unit:** **(MM/DD/YYYY)** | 1. Employment-based Concurrent Employees are subject to the Labor Standards Act and should follow relevant labor laws and Academia Sinica regulations.
2. Salary, work hours and extended work hours should comply with relevant labor laws. Labor conditions such as salary and work hours may not be changed without consent. ECE should maintain attendance records for inspection according to Academia Sinica regulations and the Labor Standards Act.
3. ECE appointments may not be terminated during the employment period. In case of severance pursuant to the circumstances in Article 11, the proviso of Article 13, and Article 20 of the Labor Standards Act, prior notice should be given and severance pay computed, with hardcopies submitted to the execution unit 14 days before the termination date.
4. If the employment type does not conform to both parties’ mutual agreement and the recruitment violates relevant regulations, the concurrent employee, PI, and project execution unit will be liable for any expenses incurred thereof or punishments due to such a violation.
5. The PI and project execution unit have read the above information.

**Signature of Principal Investigator:** **(MM/DD/YYYY)****Seal of Project Execution Unit:** **(MM/DD/YYYY)** |
| Seal of Student’s University or College | 1. The School recognizes that the student is participating the research project due to graduation requirements, credit hours, or thesis requirements, pursuant to MOE’s “Guidelines for Protecting Interests of Scholarship Students of Institutions of Higher Education.”
2. The School should “provide extra coverage for occupational accidents as required by the Labor Standards Act in addition to the scholarship student’s current group insurance by purchasing commercial insurance using the School’s budget or MOE’s allowances for the period each student conducts relevant research, learning, or service activities” to process additional insurance, pursuant to Article 8 of MOE’s “Guidelines for Protecting Interests of Scholarship Students of Institutions of Higher Education.”

To be checked by the School:□ The School has purchased additional insurance for the student.□ The School has not purchased additional insurance for the student.1. If the employment type does not conform to both parties’ mutual agreement and the recruitment violates relevant regulations, the concurrent employee, PI, and project execution unit will be liable for any expenses incurred thereof or punishments due to such a violation.
2. The School has read the above information.

**Seal of Student’s School:** **(MM/DD/YYYY)** |  |
| Notes | 1. For SCE or ECE under 18 years of age, their expression and acceptance of intent are subject to the permission of the legal representative as specified in Article 77 of the Civil Code.
2. This Consent Form should be made in 4 copies in case of a SCE employment, respectively retained by the student, PI, project execution unit and the student’s school; 3 copies in case of an ECE employment, respectively retained by the student, PI, and project execution unit.
3. After this Consent Form has been signed, a renewed consent form may be signed if there is any dispute about the original employment type.
 |