



# 2021 Asia-Pacific Labour Law Comparison Chart

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# APAC Legislations At a Glance

## Keeping Up to Date with Labour Laws:

- An easy-to-read legislation update comparison chart between countries in Asia-Pacific.
- Stay compliant with regulations in 16 locations.
- For more in-depth legislation insights contact us now: <https://linksinternational.com/about-us/contact-us/>

# Labour Law - Basics (1)

|                       | Minimum Wage             | Minimum Wage Amount   | Legal Probation Period  | Standard Working Hours  | Legal Notice Period   | Retirement Age   | Collective Bargaining | Employment disputes channels             | Compulsory Employment Insurance   | Unemployment Insurance                       |
|-----------------------|--------------------------|---|---|---|---|--|-----------------------|--|---|--|
| <b>Australia</b>      | √                        | \$19.84 AUD per hour  | 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  | Up to 4 weeks, depending on the length of service   | 66   | √                     | Fair Work Ombudsman                      | Workers' compensation; Public liability insurance; Third party personal injury insurance  | √  |
| <b>Cambodia</b>       | √                        | \$192 USD per month   | 1 month for non skilled workers<br>2 months for skilled workers<br>3 months for professional staff                                    | 48 hrs/week   | Up to 3 months, depending on the length of continuous service & type of employment contract   | Not yet defined in Labour Law, however it will be defined by National Social Security Fund (NSSF) under pension scheme that would happen by 2021 | √                     | N/A                                      | Employment Injury Scheme; Health Insurance Scheme which is covered by National Social Security Fund (NSSF) under Ministry of Labour and Vocational Training   | X  |
| <b>Hong Kong</b>      | √                        | \$37.5 HKD per hour   | No provision that specifies probation period, but standard practice is to have a 1-3 month period                                     | 8 hrs per day only applicable to teenagers between 15 and 18 years old  | Depending on probation period and contract provision. 7 days if contract does not include probationary period   | 65   | X                     | 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. | X  |
| <b>Indonesia</b>      | √                        | Varies depending on province. Lowest: Yogyakarta at \$124 USD; Highest: Jakarta at \$310 USD    | No more than 3 months   | 7 working hours in 1 day or 40 working hours for 6 working days in 1 week; or<br>8 working hours in 1 day or 40 working hours in 1 week for 5 working days in 1 week. | 30 days   | 57   | √                     | Labour Unit under Ministry of Manpower   | BPJS health insurance; Work accident insurance  | X  |
| <b>Japan</b>          | √                        | Varies nationally, dependent on prefecture. ¥901 JPY per hour - National Average                | 3-6 months, no more than 1 year   | 40hrs/week; Overtime should not exceed 45hrs/month  | 14 days for employees; 30 days for employers  | 65   | √                     | Labour Bureau                            | Workers' Accident Compensation Insurance; Employment Insurance; Health Insurance and Nursing Care Insurance; Employees' Pension Insurance   | √  |
| <b>Macau</b>          | √                        | 32 Patacas per hour   | 30 days for time-limited contract 90 days for timeless contract   | 8 hrs per day, 48 hrs per week  | Employers must give 15 days; 7 days if initiated by employees   | N/A depending on labour contract   | X                     | Labour Affairs Bureau (DSAL)             | Work-related accident and sickness insurance  | √  |
| <b>Mainland China</b> | √ Varies across location | Highest: 2480 Yuan (Shanghai)   | Up to 6 months, depending on labour contract period   | No more than 44 hrs/week, normally 8 hrs per day  | 30 days   | Male - 60<br>Female - 50<br>(Under Review)   | √                     | Labor Dispute Arbitration Committee      | Social insurance and housing fund   | √  |
| <b>Malaysia</b>       | √                        | Minimum wage is 1200 ringgits per month for major towns under 56 city and municipality councils | No provision that specifies probation period, but standard practice is to have a 3-6 month period                                     | 48 hours/week; no more than 8 hours/day   | Advance notice in writing is required as per agreed terms in employment contract. (Should correspond with the length of time the employee has worked for the company) | 60   | √                     | Department of Labour Peninsular Malaysia | Social Security Organization (SOCSO) & Employment Insurance System (EIS)  | Include in Employment Insurance System (EIS) |

\*All information was taken from corresponding government official and intended for comparison purposes. Information is accurate as of June 2021. For legal use, please refer to government resources.

# Labour Law - Basics (2)

|                    | Minimum Wage                                | Minimum Wage Amount   | Legal Probation Period  | Standard Working Hours                                   | Legal Notice Period  | Retirement Age   | Collective Bargaining  | Employment disputes channels   | Compulsory Employment Insurance  | Unemployment Insurance                                   |
|--------------------|---|---|---|--|--|--|--|--|--|--|
| <b>Myanmar</b>     | √   | \$3.07 USD per day for 8 hours of work (4,800 Kyat/MMK)                     | 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  | X  |
| <b>New Zealand</b> | √   | \$20.00 NZD per hour  | Depends on employment agreement   | No more than 40 hrs/week depends on employment agreement | Depending on contract provision  | 65   | √  | Employment Relations Authority (ERA); Employment Court; Human Rights Review Tribunal | Accident Compensation Corporation  | √  |
| <b>Philippines</b> | √   | 537 PHP per day   | No more than 6 months   | 8 hrs/day  | 30 days  | Employees shall have the option to retire and receive retirement pay upon reaching 60 or more but not beyond 65 (Employee should have served the establishment for at least 5 years) | √<br>Only applicable to companies with legally established and duly registered labour unions | The National Labor Relations Commission (NLRC)                                       | Philippine Health Insurance Corporation  | X  |
| <b>Singapore</b>   | √ cleaning, security and landscaping sector | N/A   | No provision that specifies probation period, but standard practice is to have a 3-6 month period                     | Up to 9 hours per day or 44 hours a week                 | 1 day to 4 weeks, depending on the length of service   | Current retirement age is 62, Singapore will raise the retirement age to 63 from 1 July 2022, they are also planning to increase the retirement age to 65 by the end of 2030         | √  | Tripartite Alliance for Dispute Management (TADM)                                    | Work injury compensation insurance for manual workers regardless of salary and non-manual workers earning \$2,100 or less a month. Basic health insurance  | X  |
| <b>South Korea</b> | √   | 8,720 KRW per hour  | No more than 3 months   | 40hrs/week should not exceed 52 hrs/week                 | 30 days  | 60   | √  | Trade union and/or Department of Labor   | National social insurances   | √  |
| <b>Taiwan</b>      | √   | NT\$24,000 per month  | No provision that specifies probation period, but standard practice is to have a 1-3 month period                     | 40 hrs/week, no more than 8hrs 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 - Labor Procedure Act (LPA)  | Employers must make the following social security contributions:<br>- National health insurance (NHI)<br>- Labour insurance(include employment service insurance)<br>- New pension   | √<br>Unemployment Insurance included in Labour insurance |
| <b>Thailand</b>    | √   | Minimum wage varies through regions, ranging from 313 to 336 Baht           | Depending on Labour contract, generally not exceeding 119 days  | 8 hrs/day  | Minimum statutory notice period is one pay period (usually one month), but no more than 3 months   | 60   | √  | Labour Inspection Officer  | Work injury compensation insurance under Workers' Compensation Act B.E. 2537 (1994) and the Social Security Fund is entitled to receive compensation benefits in non work-related cases such as illness, disablement, death, child welfare, childbirth, and unemployment as well as old-age benefits under Social insurance Act B.E. 2533 (1990) | √  |
| <b>Vietnam</b>     | √   | Varies from region, VND 4.42 Million - VND 3.07 Million (\$132 - \$192 USD) | Based on the nature and complexity of the job but probation is applied only once for each job and can be 6 to 60 days | 8 hrs/day, mustn't be more than 48 hrs/week              | 45 days for indefinite term contracts; 3-30 days for definite term. Employees are able to terminate employment contract immediately for mistreatment and pregnancy                 | male-60.3 female-55.4  | √  | Chairman of the county people's committee; Labor arbitration committee               | Social insurance; unemployment insurance; health insurance   | √  |

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# Labour Law - Leave (1)

|                       | Statutory Annual Paid Leave  | Statutory Paid Sick Leave  | Statutory Maternity Leave  | Statutory Paternity/Parental Leave (Childcare Leave, if any)   | Statutory Paid Holiday per Year                                |
|-----------------------|--|--|--|--|--|
| <b>Australia</b>      | Full-time and part-time employees get 4 weeks of annual leave, based on their ordinary hours of work. Shift workers entitled to 5 weeks. | 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   | 2 weeks paid leave at the National Minimum Wage  | 10-16 days varies across states                                |
| <b>Cambodia</b>       | 18 days per year of service with a 1 day increase for every 3 years of services  | There is no statutory paid sick leave but it is common for companies to provide a 3 to 7 days sick leave with hospital supporting document.                      | 90 days with 50% pay when the employee have work from 12 months                              | Special leave is 7 days per year including emergency, funeral or sickness of direct family members and paternity leave   | 21 days  |
| <b>Hong Kong</b>      | 7-14 days, depends 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         | 14 weeks with 4/5 pay after 40 weeks' services   | 5 days with 4/5 full pay after 40 weeks' services  | 12 days statutory holidays, additional 5 days general holidays |
| <b>Indonesia</b>      | 12 days after 1 year service   | 14 days<br>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   | 2 days with full pay   | 22 days  |
| <b>Japan</b>          | 10-20 days, depends on years of service  | N/A  | Six weeks before giving birth and eight weeks after the birth with pay of 2/3 regular salary | The day after child birth (for the father count from day of child birth) up until day before first birthday. Leave can be taken by the father or mother at 67% of regular salary for the first half of leave and 50% for the second half of leave. | 17 days National Holidays; Additional 3 Bank Holidays          |
| <b>Macau</b>          | 0.5-6 days, depends on duration of services  | 6 days Per Year  | 70 days with full pay after 1 year service   | 5 days with full pay after 1 year service  | 10 days mandatory holiday                                      |
| <b>Mainland China</b> | 5-15 days, depends on years of services  | 3-24 months, depending on years of services  | 98 days min. depends on different situations of parturition/<br>Varies across locations      | Varies across locations  | 11 days  |
| <b>Malaysia</b>       | 8-16 days, depending on years of service   | 14-22 days per year depending on years of service; and up to 60 days if hospitalisation is required  | Min 60 days and 90 days for private sector employees   | Private enterprise employers are not required to provide paternity leave. Public sector employees are given 7-14 days  | 14-19 days varies across states                                |

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# Labour Law - Leave (2)

|                    | Statutory Annual Paid Leave  | Statutory Paid Sick Leave  | Statutory Maternity Leave  | Statutory Paternity/Parental Leave (Childcare Leave, if any)   | Statutory Paid Holiday per Year   |
|--------------------|--|--|--|--|---|
| <b>Myanmar</b>     | 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/multiple births                                   | 15 days - Paid at 70% of the average wage for the previous year  | 26 days<br>(6 days statutory casual leave)  |
| <b>New Zealand</b> | 4 weeks with normal weekly pay   | 10 days with normal wage   | Up to 52 weeks, depends on years of service  | 1-2 weeks, depends on years of service   | 10 days   |
| <b>Philippines</b> | 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   | There are two types of statutory parental leaves:<br>a. Paternity Leave – 7 days with full pay<br>b. Solo-Parent Leave - parental leave of not more than seven (7) working days every year   | 11 days national holidays<br>(With additional "special no-working days" and special holidays declared through Presidential Proclamations) |
| <b>Singapore</b>   | 7-14 days, depends 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.<br><br>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.<br><br>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. | 11days  |
| <b>South Korea</b> | 11-25 days, depends on years of service  | N/A  | 90-120 days, depends on numbers of children (fully paid for 60 days)   | Paternity Leave: 10 days of paid paternity leave within 90 days of a child's birth<br><br>Parental Leave: at least 30 days but up to 1 year per child who is under 8 years old   | 15 days   |
| <b>Taiwan</b>      | 3-30 days, depends on years of services  | 1. For the non-hospitalized, a total of less than thirty days in one year;<br>2. For the hospitalized, not exceeding one year;<br>3. The total of hospitalized and non-hospitalized sick leave shall not exceed one year   | 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 before any of their children reach the age of three years old. The period may not exceed two years (5 days of paid paternity leave)  | 11 days national day holidays plus 1 labour day for private sector workers  |
| <b>Thailand</b>    | 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 not less than thirteen (13) traditional holidays per year  |
| <b>Vietnam</b>     | 12-16 days, depends on the danger level of the job, and add 1 day more for every 5 years | Short-term treatment: 30-70 days depends on the working conditions and years of social insurance premiums<br><br>Long-term treatment: up to 180 days per year.<br><br>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 for one child. In case of twins or more, from the second child onwards, for each child, the mother is entitled to 1 more month of leave | 5-14 days paid leave   | 11 days   |

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