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The Exercise and Protection of the Right to Solidarity of Foreign Workers (Migration) — ILO Convention, Trade Union Organization Practices and Policies

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Abstract

As far as Taiwan's collective labor relations are concerned, whether it is blue-collar or white-collar foreign workers, and in terms of the protection of collective labor rights, whether legal or practical, foreign workers are clearly in a relatively uninterested position relative to domestic workers. Even in the practice of exercising the right to solidarity, there are still considerable restrictions on laws and regulations. However, in practice, compared to the long-term non-unionization of white-collar foreign workers (migrant workers), blue-collar foreign workers (approximately guest workers) have long been inadequate or neglected in the protection of related rights, and gradually develop various "collective organizations", and even in recent years have established related occupations or industrial "union" or-

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ganization types in specific occupational fields, such as fishermen or care workers' unions. Observing the labor relations practices of national laborers outside our society, it is clear that the need or expectation for the protective norms (labor conditions criteria) of individual labor relations is higher than the protection of collective labor relations norms; Observation of action orientation, the degree of collective action (the result of the exercise of collective rights) of blue-collar workers (guest workers) is also much higher than that of white-collar foreign workers (migrant workers). This research is based on the analysis of ILO international labor law norms, and introduces the practical development and controversy of Taiwan and Japan's migrant workers' exercise of the right to solidarity. Finally, it proposes the direction of union policies and collective labor rights protection of migrant workers from the policy side.

Keywords: Foreign Labor, Migration, Guest Workers, Collective Labor Relations, Trade Unions, International Labor Law