

# The Case Study of The Leased Work in Government Institution Organization & Worker Dimension

楊惠芬、陳月娥

E-mail: 9223098@mail.dyu.edu.tw

## ABSTRACT

Under thinking of new public management, governments in the world have gradually changed their traditional concepts. Peters (1994) presented “ Public Choice Theory ” in which he thought that “ the outsourcing of government is one of means for government to reform ” . While some of our government outsourcing have been changed from commission basis of leased work, most of past academic researches on the dimension usually focused on its exercises in private sectors. When we reviewed literature, there was no related research on the exercises in public sectors. Therefore, the research took the first example of exercises of leased work in public sectors as a study case to conduct a preliminary research. Though in-depth interviews and focus group forums to collect materials, we aimed to recover the factors and models of the exercises of leased work in governmental institution, analyze the current situations of temporary worker, induct and work out findings and present analysis of feasibility, suggestions for policy-decision for governmental institution ’ reference when they exercise this kind of atypical employment. The research explored from dimension of organization and labors. Its major findings are described as follows: 1.The Dimension of Organization 1) The factors of exercise that are same in inside public and private sectors are simplification of organization, consideration of affair, cost reduction of training and recruiting, temporary and brief supplement of core manpower demands. The research found that the factors such as unifying standard of employment, promoting competition inside organization and improving labor relations only exists in the operation model of public sectors. 2) The research found that in additional to meet policy of a central government, the main external factor is for protecting labors. As the founding purposes of labor administrations, governmental institution has rigorously standardized, it may establish gauging effects to protect labor ’ s rights. 3) The increase of labor cost, the limit of budget and related regulations would impose pressures on policy-makers. The related researches concerning the exercise of leased work in private sectors did not found those unfavorable factors such as no enhancement of function of leased work, unclear direction, supervision and authorities that are supposed to take responsibility. 2.The Dimension of Labor 1) More temporary workers satisfied with seniority accumulation, basic wage drawing, and raise of short-term welfare and increase of employment channel. 2) More temporary workers not satisfied with unclear asking-for-leave system, no fulfillment of education and training, extension of working hours and travel subsistence allowance. The recommendations of research as follows: 1.On the policy: Should draw up laws of leased work, establish new type of leased work model and build up new thinking of labor outsourcing. 2.On the institution: Should enhance the cognition of leased work, control cost, make recruiting operation open, unified responsible units, establish working rules, fulfill check system and follow-up supervision.

Keywords : Government Institution ; Leased Work ; New Public Management ; Public Choice Theory ; Temporary Worker

## Table of Contents

第一章 緒論 第一節 背景說明	1 第二節 研究動機	3 第三節 研
究目的	4 第四節 研究程序	6 第二章 文獻回顧 第一節 人力派遣
之界定	8 第二節 非典型勞動型態之介紹	12 第三節 私部門人力運用現況之相關研究
20 第四節 政府機構人力運用與相關概念	28 第五節 理論探討	31 第六節 小結
37 第三章 研究設計 第一節 研究對象		39 第二節 分析架構
40 第三節 研究方法		44 第四節 研究限制
46 第四章 資料分析與研究結果 第一節 組織內部人力分佈概況		48 第二節 要派機構人力運用現況分
析 51 第三節 派遣勞工勞務提供與勞動條件	95 第四節 小結	111 第五
章 結論與建議 第一節 結論	112 第二節 建議	116 參考
文獻	122 附錄 附錄一.政府機構內部人力之相關福利分析	132 附
錄二.訪談逐字稿	133	

## REFERENCES

一.中文部分 1.---(1998~2002),「勞動派遣一百問(1)-(41)」,勞資關係月刊,17(8)-20(12) 2.---(1999),政府業務委託民間辦理業務手冊,行政院經建會 3.---(1998),新勞工派遣法之實務解說,日本勞動省職業安定局編著 4.大塚美樹(1999),派遣的工作,CHUOKEIZAI-SHA 5.丘昌泰(1997),建立市民導向的新市府:政府再造運動的省思,高雄市政府公教人力資源發展中心 6.丘昌泰(2000),公共管理:理論與實務手冊,台北:元照 7.西谷敏(1994),日本派遣勞動之法律與實務,行政院勞委會編印 8.行政院勞工委員會(1996),中華民國 台灣地區民營事業單位僱用中高齡勞工及派遣人力調查報告 9.成之約(1998),我國勞動派遣法草案之研擬,行政院勞委會職訓局:勞雇合作關係基金會 10.成之約(1998),「淺論『派遣勞動』及其對勞資關係的影響」,就業與訓練,87/11 11.成之約(1999),「淺論非典型僱用關係工作形態的發展與影響」,勞工行政,139 12.成之約(2000),「因應政府組織再造與人力精簡政策:『派遣勞動』運用的探討」,公務人員月刊,33 13.呂海僑(2001),「地方政府推動業務委託民間辦理之作法」,人事月刊,33(3) 14.李元隆(2000),台灣人才派遣業現況之研究 以日本人才派遣業為比較基礎,中山人資所碩士論文 15.李右婷(2002),「日本人才派遣業發展之考察」,產業金融,113 16.李宗勳(2002),政府業務委外經營理論與實務,台北:智勝文化 17.李誠(2001),經濟國際趨勢下我國勞工法制之改進,行政院經濟建設委員會:台北市知識經濟與管理研究院教育基金會 18.余致力、郭昱瑩、陳敦源(2001),公共政策分析的理論與實務,台北:韋伯 19.沈昆興(2002),地方公務人力管理專題 台北市政府個案研究,台北:商鼎 20.吳芝儀、李奉儒譯(1995),Michael Quinn Patton 原著,質的評鑑與研究,台北:桂冠 21.吳英明(1996),公司部門協力關係之研究:兼論都市發展與公私部門聯合開發,高雄:復文 22.吳錦錫(2002),「僱用多樣化」,勞資關係月刊,20(6) 23.吳秉恩(2002),分享式人力資源管理 理念、程序與實務,台北:翰蘆 24.林秀如(2001),人力資源彈性運用對企業勞資關係之影響,政大勞研所碩士論文 25.林素貞(2000),企業使用非典型勞動的原因與影響之研究,文化勞工所碩士論文 26.邱駿彥(1998),「日本勞工派遣法之現狀」,就業與訓練,87/11 27.邱駿彥(1999),「勞動派遣法制之研究 以日本勞工派遣法為例」,勞動派遣法制研討會合輯,中華民國勞動法學會 28.施能傑(1999),「人力運用的兩項趨勢 精簡與彈性化」,人事月刊,28(4) 29.許妙穗(2000),我國人力派遣制度安排之探討,中山人資所碩士論文 30.許毓園(2001),「政府機關裁減聘僱人員之評析」,國家政策研究基金會:國改評論,憲政(評)090-143號 31.黃仕儀(2000),我國勞動派遣法制化之研究,中正法研所碩士論文 32.黃俐文(2000),勞動派遣對勞資關係之衝擊,政大勞研所碩士論文 33.黃越欽(2002),勞動法新論,台北:翰蘆圖書 34.黃程貫(1998),「德國勞工派遣關係之法律結構」,政大法學評論,87/12 35.張美惠譯(1995),William Bridges 原著,新工作潮,台北:時報文化 36.張紹勳(2000),研究方法,台北:滄海 37.張潤書(1979),行政學概要,台北:空中大學 38.張愷倫(2000),人力派遣業之跨國性比較 以在台執業之人力派遣業者為例,中山人資所碩士論文 39.高必綺(2001),台灣勞動派遣業勞動者保護之探討,政大勞研所碩士論文 40.俞慧芸(2002),「公務機關業務委外之流程與管理課題之研究」,公營事業評論,3(1) 41.胡幼慧(1996),質性研究:理論、方法及本土女性研究實例,台北:巨流 42.周信旗(2002),人力資源彈性化任用管理之研究 - 以我國派遣勞動為例,中山大學人資所碩士論文 43.范祥偉(2001),「活化公務人力運用之策略思考」,人事月刊,33(3) 44.孫本初審訂(2000),Peters, B. Guy 原著,政府未來的治理模式,台北:智勝文化 45.孫本初(2001),公共管理,台北:智勝 46.孫茄綾(2001),「人力派遣的利基」,管理雜誌,第320期 47.翁玉珍(1999),派遣勞動對派遣員工的功能評估研究,中正勞研所碩士論文 48.陳正良(1994),「派遣業勞工之僱用關係與勞動條件」,勞資關係月刊,12(12) 49.陳坤森譯(1998),Peters, B. Guy 原著,公共組織與管理 比較的觀點,台北:桂冠 50.陳姝娟(2002),「派遣勞工、要派公司、派遣公司三角關係如何取得平衡」,管理雜誌,第340期 51.陳榮宏(2002),「政府改造之員額精簡執行情形與後續推動方向」,人事月刊,36(5) 52.陳泓鍵(2001),派遣員工的工作動機、工作特性對工作滿足的影響,中央大學人資所碩士論文 53.陳昆鴻(1999),轉包制工作型態的出步分析 以家內勞動及派遣勞動為例,政大勞研所碩士論文 54.陳德禹(1993),行政管理,台北:三民 55.焦興鎧(1999),「論勞動派遣之國際勞動基準」,勞動派遣法制研討會合輯,中華民國勞動法學會 56.馮飛耀(2002),派遣勞動產生之問題與因應對策之研究,中正勞研所碩士論文 57.詹中原(1993),民營化政策 公共行政理論與實務之分析,台北:五南 58.詹中原(1999),新公共管理 政府再造的理論與實務,台北:五南 59.楊通軒(1998),「勞動派遣立法必要性之研究」,全國律師,34(7) 60.楊通軒(1999),「論德國勞動派遣法制」,勞動派遣法制研討會合輯,中華民國勞動法學會 61.蔡新賢(2000),終身學習與公務人力發展,台北:商鼎 62.蔡博全(1999),國內人力派遣業制度運作及人力資源管理實務之探討 以美國相關產業為對比,中山人資所碩士論文 63.謝俊義(1998),「從行政改革策略與途徑論政府再造」,研考報導,第44期 64.簡建忠(1999),「台灣派遣勞工對派遣工作看法之研究」,勞資關係論叢,第九期 65.鄭津津(1998),「勞動派遣相關法律問題之探討」,就業與訓練,87/11 66.鄭津津(1999),「美國派遣法制之研究」,勞動派遣法制研討會合輯,中華民國勞動法學會 67.劉秀珍(1999),「人才派遣業在促進就業所扮演的角色」,勞資關係月刊,17(9) 68.劉珍如譯(2002),Peter F. Drucker 原著,下一個社會,台北:商周 69.潘東傑譯(2002),Charlies Handy 原著,大象與跳蚤 預見組織與個人的未來,台北:天下 70.顏雅倫、蔡淑娟(2002),知識經濟下之勞僱關係與企業競爭力,台北:益思科技 71.魏啟林(2000),政府再造運動,台北:行政院研考會出版 72.盧娜譯(2001),Charles L. Gay, James Essinger 原著,企業外包模式,台北:商周 73.嚴愛靜譯(2001),Eirik G. Furubotn, Rudolf Richter 原著,制度與經濟理論 新制度經濟學之貢獻,台北:五南 二.英文部分 1. Agranoff, R.J.(1986), " Intergovernmental Management ", Albany, NY.: State University of New York Press 2. Anthony, R.N. and R.E. Herzlinger(1980), " Management Control in Nonprofit Organizations ". Homewood, ILL:Richard D. Irwin 3. Belous, R.S.(1989). Human Resource Flexibility and Equity: Difficult Questions for Business, Labor, and Government. Journal of Labor Research, 10(1) 4. Boyne, George A.(1998), " Public Choice Theory and Local Government :A Comparative Analysis of the UK. And the USA ". New York, NY.: St. Martin ' s Press, Inc. 5. Brown, J.B., Sangster, M., & Swift, J.(1998), " Factors influencing palliative care: Qualitative study of family physicians practices ", Canadian Family Physician, 44 6. Cohn, Daniel(1997), Creating Crises and Avoiding Blame the Politics of Public Service Reform and the New Public Management in Great Britain and the United States, Administration & Society, 29(5) 7. Conference Board(1995), Contingent Empolymnt, HR Executive Review 8. Considine, Mark(2000), Contract Regimes and Reflexive Governance: Comparing Employment Service Reform in the United Kingdom, the Netherlands, New Zealand and Australia, Public Administration, 78(3) 9. Crabtree, B.F., Miller, W.L., Aita, V.A., Flocke, S.A., & Strange, K.C.(1998), Primary care practice organization and preventive services delivery: A qualitative analysis. Journal of Family Practice, 46(5) 10. David Farnham , Sylvia Horton(2000), " Human Resources Flexibilities in the Public Services: Internaltional Perspectives ", London: Macmillan 11. Dunleavy, Patrick &

Christopher Hood(1994), From Old Public Administration to New Public Management, *Public Money and Management*, 14(3) 12. European Industrial Relations Observatory (2000), *IROBERVER: Supplement*. Jan. available at [www.eiro.eurofound.ie](http://www.eiro.eurofound.ie) 13. Goodin, R. E.(1998), More than Anyone Bargained for Beyond the Welfare Contract, *Ethics and International Affairs*, 12 14. Hood, Christopher(1995), Emerging Issues in Public Administration, *Public Administration*, 73(1) 15. Hood, Christopher(2000), "Paradoxes of Public Sector Managerialism, Old Public Management and Public Service Bargains", International Public Management Network Conference, Macquarie University, Sydney(March) 16. Jette and Clay-Edward Dixon(1998), The Outsourced / Contingent Workforce — Abuse, Threat, or Blessing?, *Library Administration & Management*, Vol.12 17. Karen D. Jette and Clay-Edward Dixon(1998), The Outsourced / Contingent Workforce — Abuse, Threat, or Blessing?, *Library Administration & Management*, Vol.12 18. Laird, K. & Williams N.(1996). Employment Growth in the Temporary Help Supply Industry. *Journal of Labor Research*, 17(4) 19. Lane, Jan-Erik(1994), Will Public Management Drive Out Public Administration?, *Asian Journal of Public Administration*, 16(2) 20. Lane, Jan-Erik(2000), "New Public Management". New York, NY.: Routledge. 21. Lane, Jan-Erik(2001), From Long-Term to Short-Term Contracting, *Public Administration*, 79(1) 22. Lee, D.R.(1996). Why Is Flexible Employment Increasing?, *Journal of Labor Research*, 17(4) 23. Lenz, A.A.(1996). Flexible Employment: Positive Work Strategies for 21st Century. *Journal of Labor Research*, 17(4) 24. IRAS(1999), The Non-Career Public Service. *International Review of Administrative Sciences*, 65 25. Mascarenhas, R.C.(1993), Building an Enterprise Culture in the Public Sector: Reform of the Public Sector in Australia, Britain, and New Zealand, *Public Administration Review*, 53(4) 26. Miller, W.L. & Crabtree, B.F.(1992), "Primary Care Research: A Multimethod Typology and Qualitative Road Map. Doing Qualitative Research", Newbury Park CA: Sage. 27. Morgan, D.(1998), "Focus Groups as Qualitative Research", Newbury Park, CA: Sage. 28. Mueller, Dennis C.(1989), "Public Choice", Cambridge, UK.: Cambridge University Press. 29. OECD(1999), "Structure of the Civil Service Employment in Seven OECD Countries", Paris: OECD 30. Ostrom, Elinor & Vincent Ostrom(1977), "Public Goods and Public Choices, in E.S. Saves(eds.)", *Alternatives for Delivering Public Services*. Boulder, CO.: Westview 31. Ostrom, Vincent(1989), "The Intellectual Crisis in American Public Administration. 2nd ed.", Tuscaloosa, Alabama: The University of Alabama Press. 32. Peters, B. Guy.(1994), "New Visions of Government and the Public Service, in *New Paradigms for Government*", S.F.: Jossey-Bass Inc.. 33. Salamon, L.M.(1992), "America's Nonprofit Sector: A Primer", Maryland: The Johns Hopkins University, The Foundation Center. 34. Saves, E. S.(2000), "Privatization and Public-Private Partnerships", New York: Chatham House. 35. Terry, Larry D.(1998), Administrative Leadership, Neo-Managerialism, and the Public Management Movement, *Public Administration Review*, 58(3) 36. Seidenstat, Paul(1999), "Theory and Practice of Contracting Out in the United States, in Paul Seidenstat(ed.)", *Contracting Out Government Services.*, Westport, CT.: Praeger Publishers. 37. William (1988), They Serve Two Masters, *HR Magazine*, 33 38. William M. Mercer(1999), "Competency Based Human Resources Management Revolution", 東洋經濟新報社 39. Weimer, D. & A. Vining(1992), "Policy Analysis. Englewood Cliffs", New Jersey: Prentice-Hall.