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# 中华人民共和国就业促进法（2015修正）

# Employment Promotion Law of the People's Republic of China (Revision 2015)

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（2007年8月30日第十届全国人民代表大会常务委员会第二十九次会议通过 根据2015年4月24日第十二届全国人民代表大会常务委员会第十四次会议《关于修改〈中华人民共和国电力法〉等六部法律的决定》修正）

(Adopted at the 29th Session of the Standing Committee of the 10th National People's Congress of the People's Republic of China on 30 August 2007, and revised according to the Decision on Revising Six Laws including the Electric Power Law of the People's Republic of China passed at the 14th Session of the Standing Committee of the 12th National People's Congress of the People's Republic of China on 24 April 2015)

第一章 总则

Chapter 1 General Provisions

第一条   为了促进就业，促进经济发展与扩大就业相协调，促进社会和谐稳定，制定本法。

Article 1 This Law is formulated with a view to promoting employment, promoting the balance between economic development and the expansion of employment opportunities, and promoting social harmony and stability.

第二条   国家把扩大就业放在经济社会发展的突出位置，实施积极的就业政策，坚持劳动者自主择业、市场调节就业、政府促进就业的方针，多渠道扩大就业。

Article 2 The State shall highlight the prominent role played by employment expansion in the economic and social development, implement active employment policies, and adhere to the principle of labourers seeking employment on their own, the market regulating employment and the government promoting employment in order to expand employment through the multiple channels.

第三条   劳动者依法享有平等就业和自主择业的权利。

Article 3 Workers are entitled by law to enjoy the right to equal employment and to seek their own employment.

劳动者就业，不因民族、种族、性别、宗教信仰等不同而受歧视。

No worker seeking employment shall be discriminated on the grounds of ethnicity, race, gender or religious belief.

第四条   县级以上人民政府把扩大就业作为经济和社会发展的重要目标，纳入国民经济和社会发展规划，并制定促进就业的中长期规划和年度工作计划。

Article 4 The people's governments at and above the county level shall make employment expansion an important target of economic and social development, incorporate it into the plan for national economic and social development, and formulate a mid-term and long-term plan as well as an annual work plan for employment promotion.

第五条   县级以上人民政府通过发展经济和调整产业结构、规范人力资源市场、完善就业服务、加强职业教育和培训、提供就业援助等措施，创造就业条件，扩大就业。

Article 5. The people's governments at and above the county level shall create a favorable environment for employment expansion by measures such as developing the economy and adjusting the industrial structure, regulating the human resources market, consummating employment services, strengthening vocational education and training, and providing employment assistance, etc.

第六条   国务院建立全国促进就业工作协调机制，研究就业工作中的重大问题，协调推动全国的促进就业工作。国务院劳动行政部门具体负责全国的促进就业工作。

Article 6 The State Council shall establish a coordinating mechanism for nationwide employment promotion, researching significant employment-related issues as well as coordinating and pushing forward with national employment promotion. The labor administrative department of the State Council shall be specifically responsible for the nationwide work of promoting employment.

省、自治区、直辖市人民政府根据促进就业工作的需要，建立促进就业工作协调机制，协调解决本行政区域就业工作中的重大问题。

The people's governments of the various provinces, autonomous regions and directly administered municipalities shall establish a coordinating mechanism for employment promotion based on employment promotion needs in order to coordinate and resolve the major employment promotion issues within their respective administrative regions.

县级以上人民政府有关部门按照各自的职责分工，共同做好促进就业工作。

The relevant departments of the people's governments at and above the county level shall endeavor to promote employment in accordance with their respective duties.

第七条   国家倡导劳动者树立正确的择业观念，提高就业能力和创业能力；鼓励劳动者自主创业、自谋职业。

Article 7 The State shall advocate labourers to foster a proper awareness of employment and enhance their employability and entrepreneurship, and encourage them to set up their own businesses or seek self-employment.

各级人民政府和有关部门应当简化程序，提高效率，为劳动者自主创业、自谋职业提供便利。

The people's governments at all levels and the relevant departments shall streamline their procedures and raise their efficiency for the convenience of workers who seek to start up their own businesses or become self-employed.

第八条   用人单位依法享有自主用人的权利。

Article 8 An employer is entitled to recruit workers at its own discretion in accordance with the law.

用人单位应当依照本法以及其他法律、法规的规定，保障劳动者的合法权益。

Employers shall protect the legitimate rights and interests of workers pursuant to this Law and other laws and regulations.

第九条   工会、共产主义青年团、妇女联合会、残疾人联合会以及其他社会组织，协助人民政府开展促进就业工作，依法维护劳动者的劳动权利。

Article 9 Trade unions, communist youth leagues, women's federations, disabled persons' federations and other social organizations shall assist the people's governments in employment promotion and protection of workers' labor rights in accordance with the law.

第十条   各级人民政府和有关部门对在促进就业工作中作出显著成绩的单位和个人，给予表彰和奖励。

Article 10 The people's governments at all levels and the relevant departments shall commend and award institutions and individuals who have made remarkable contributions to employment promotion.

第二章 政策支持

Chapter 2 Policy Support

第十一条   县级以上人民政府应当把扩大就业作为重要职责，统筹协调产业政策与就业政策。

Article 11 The people's governments at and above the county level shall make employment expansion as their important duties, and shall organize and coordinate the industrial policies and employment policies.

第十二条   国家鼓励各类企业在法律、法规规定的范围内，通过兴办产业或者拓展经营，增加就业岗位。

Article 12 The State shall encourage all types of enterprises to create additional job opportunities by establishing businesses or expanding operations within the scope of their permitted activities as prescribed in laws and regulations.

国家鼓励发展劳动密集型产业、服务业，扶持中小企业，多渠道、多方式增加就业岗位。

The State shall encourage the development of labor-intensive industries and service industries and shall support small and medium-sized enterprises (hereinafter referred to as "SMEs") in order to create additional job opportunities through multiple channels and means.

国家鼓励、支持、引导非公有制经济发展，扩大就业，增加就业岗位。

The State shall encourage, support and guide the development of the non-public sector of the economy in order to create more jobs and broaden employment opportunities.

第十三条   国家发展国内外贸易和国际经济合作，拓宽就业渠道。

Article 13 The State shall develop domestic and international trade and international economic cooperation in an effort to widen employment channels.

第十四条   县级以上人民政府在安排政府投资和确定重大建设项目时，应当发挥投资和重大建设项目带动就业的作用，增加就业岗位。

Article 14 While arranging governmental investment and deciding on major construction projects, the people's governments at and above the county level shall, perform the function of leading employment in investment and major construction projects so as to create more jobs.

第十五条   国家实行有利于促进就业的财政政策，加大资金投入，改善就业环境，扩大就业。

Article 15 The State shall implement employment promotion-oriented fiscal policies aimed at improving the employment environment and enlarging employment by increasing capital input.

县级以上人民政府应当根据就业状况和就业工作目标，在财政预算中安排就业专项资金用于促进就业工作。

In the light of the local employment situation and employment targets, the people's governments at and above the county level shall allocate special employment funds from their financial budgets for the purpose of promoting employment.

就业专项资金用于职业介绍、职业培训、公益性岗位、职业技能鉴定、特定就业政策和社会保险等的补贴，小额贷款担保基金和微利项目的小额担保贷款贴息，以及扶持公共就业服务等。就业专项资金的使用管理办法由国务院财政部门和劳动行政部门规定。

Special employment funds shall be used to subsidize job referrals, vocational training, public welfare positions, vocational skills testing, specific employment policies, social insurance, etc., to serve as guarantee funds for small loans and interest subsidies for small secured loans for less profitable projects, and to support public employment services, etc. The administrative procedures for the use of the special employment fund shall be formulated by the financial department and the labour administration department of the State Council.

第十六条   国家建立健全失业保险制度，依法确保失业人员的基本生活，并促进其实现就业。

Article 16 The State shall establish a sound unemployment insurance system to secure the basic subsistence of the unemployed in accordance with the law and promote their employment.

第十七条   国家鼓励企业增加就业岗位，扶持失业人员和残疾人就业，对下列企业、人员依法给予税收优惠：

Article 17 The state shall encourage enterprises to increase the number of job opportunities and support the employment of unemployed persons and handicapped persons, and shall provide tax incentives to the following types of enterprises and individuals in accordance with the law:

（一）吸纳符合国家规定条件的失业人员达到规定要求的企业；

1. enterprises that satisfy the requirements relating to the absorption of eligible unemployed persons who meet the conditions prescribed by the State;

（二）失业人员创办的中小企业；

(II) SMEs founded by unemployed persons;

（三）安置残疾人员达到规定比例或者集中使用残疾人的企业；

3. Enterprises that reach the required ratio for the employment of disabled persons or employ a large number of disabled persons;

（四）从事个体经营的符合国家规定条件的失业人员；

(IV) unemployed persons that engage in individual business operations and meet the conditions prescribed by the state;

（五）从事个体经营的残疾人；

(V) disabled persons that engage in individual business operations; and

（六）国务院规定给予税收优惠的其他企业、人员。

(VI) other enterprises and individuals that are entitled to tax incentives as specified by the State Council.

第十八条   对本法第十七条第四项、第五项规定的人员，有关部门应当在经营场地等方面给予照顾，免除行政事业性收费。

Article 18 The relevant authorities shall give preferential treatment to persons as prescribed in items (4) and (5) of Article 17 hereof by providing them business premises and exempting them from administrative fees.

第十九条   国家实行有利于促进就业的金融政策，增加中小企业的融资渠道；鼓励金融机构改进金融服务，加大对中小企业的信贷支持，并对自主创业人员在一定期限内给予小额信贷等扶持。

Article 19 The State shall implement financial policies which are beneficial to furthering employment promotion with a view to increasing financing channels for SMEs; and encourage financial institutions to improve financial services to enhance credit support for SMEs and offer small-scale credit support for self-employed persons within a prescribed period.

第二十条   国家实行城乡统筹的就业政策，建立健全城乡劳动者平等就业的制度，引导农业富余劳动力有序转移就业。

Article 20 The State shall implement employment policies with an overall planning for both urban and rural areas, aiming to guide the transfer of surplus rural labour to rural areas for employment in an orderly manner through establishing a sound and equitable employment system for both urban and rural labourers.

县级以上地方人民政府推进小城镇建设和加快县域经济发展，引导农业富余劳动力就地就近转移就业；在制定小城镇规划时，将本地区农业富余劳动力转移就业作为重要内容。

The people's governments at and above the county level shall push ahead with the construction of small cities and towns and accelerate the economic development of county areas to guide the employment transfer of local surplus rural labor force; in formulating plans for small cities and towns, the people's governments at and above the county level shall treat the employment transfer of local surplus rural labor force as an important part of their plans.

县级以上地方人民政府引导农业富余劳动力有序向城市异地转移就业；劳动力输出地和输入地人民政府应当互相配合，改善农村劳动者进城就业的环境和条件。

The people's governments at and above the county level shall guide the orderly transfer of surplus rural labour to urban areas for employment; the people's governments in the source and destination regions of the rural labour transfer shall cooperate with each other to improve the environment and conditions for rural labour to seek employment in urban areas.

第二十一条   国家支持区域经济发展，鼓励区域协作，统筹协调不同地区就业的均衡增长。

Article 21 The State shall support regional economic development, encourage regional collaboration, organize and coordinate balanced growth of employment across different regions.

国家支持民族地区发展经济，扩大就业。

The state shall support economic development and the expansion of employment in the ethnic minority areas.

第二十二条   各级人民政府统筹做好城镇新增劳动力就业、农业富余劳动力转移就业和失业人员就业工作。

Article 22 The people's governments at all levels shall organize and coordinate the employment of the new labour force in the cities and towns, the employment transfer of the surplus rural labour and the employment of the unemployed persons.

第二十三条   各级人民政府采取措施，逐步完善和实施与非全日制用工等灵活就业相适应的劳动和社会保险政策，为灵活就业人员提供帮助和服务。

Article 23 The people's governments at all levels shall take measures to gradually improve and implement labor and social insurance policies applicable to flexible employment of non-full-time staff and provide assistance and services for persons in flexible employment.

第二十四条   地方各级人民政府和有关部门应当加强对失业人员从事个体经营的指导，提供政策咨询、就业培训和开业指导等服务。

Article 24 The local people's governments at all levels and the relevant departments shall strengthen the guidance for unemployed persons engaged in individual business operation and provide them with such services as policy consultation, vocational training and start-up of business.

第三章 公平就业

Chapter 3 Fair Employment

第二十五条   各级人民政府创造公平就业的环境，消除就业歧视，制定政策并采取措施对就业困难人员给予扶持和援助。

Article 25 The people's governments at all levels shall create a fair employment environment to eliminate employment discrimination, formulate policies and adopt measures in support and aid of persons with difficulties in seeking employment.

第二十六条   用人单位招用人员、职业中介机构从事职业中介活动，应当向劳动者提供平等的就业机会和公平的就业条件，不得实施就业歧视。

Article 26 The employment units, when recruiting new employees, and job agencies, while engaging in job placement, shall provide equal employment opportunities and equitable employment conditions to the labourers without any employment discrimination.

第二十七条   国家保障妇女享有与男子平等的劳动权利。

Article 27 The State shall guarantee that women enjoy the equal right, with men, to work.

用人单位招用人员，除国家规定的不适合妇女的工种或者岗位外，不得以性别为由拒绝录用妇女或者提高对妇女的录用标准。

With exception of the special types of work or post unsuitable to women as prescribed by the State, no employment unit, when recruiting new employees, shall refuse to recruit women by reason of sex or impose higher employment standards on women.

用人单位录用女职工，不得在劳动合同中规定限制女职工结婚、生育的内容。

No employment unit, when recruiting a female employee, shall include a clause in the employment contract imposing marriage or childbirth restrictions on the female employee.

第二十八条   各民族劳动者享有平等的劳动权利。

Article 28 Employees of all ethnic groups shall be entitled to equal labour rights.

用人单位招用人员，应当依法对少数民族劳动者给予适当照顾。

When recruiting workers, any employer shall grant preferential treatments to workers of ethnic minorities to an appropriate extent in accordance with the law.

第二十九条   国家保障残疾人的劳动权利。

Article 29 The State shall safeguard the labour rights of the disabled.

各级人民政府应当对残疾人就业统筹规划，为残疾人创造就业条件。

The people's governments at all levels shall organize and coordinate the employment of the disabled and create favorable employment conditions for them.

用人单位招用人员，不得歧视残疾人。

No employment unit, when recruiting employees, shall discriminate against disabled persons.

第三十条   用人单位招用人员，不得以是传染病病原携带者为由拒绝录用。但是，经医学鉴定传染病病原携带者在治愈前或者排除传染嫌疑前，不得从事法律、行政法规和国务院卫生行政部门规定禁止从事的易使传染病扩散的工作。

Article 30 No employment unit, when recruiting employees, shall refuse to employ a job candidate on the basis that he/she is a carrier of any infectious pathogen. However, no carrier of any infectious pathogen which has been proven by the medical examination shall enter into any employment which is prone to facilitate the spread of infectious diseases and is therefore forbidden by laws, administrative regulations or the public health administration department of the State Council before he/she is cured or eliminates the suspicion of carrying such pathogen.

第三十一条   农村劳动者进城就业享有与城镇劳动者平等的劳动权利，不得对农村劳动者进城就业设置歧视性限制。

Article 31 Rural workers seeking employment in urban areas shall enjoy equal labour rights as urban workers do. It is not allowed to impose discriminatory restrictions upon Rural workers seeking employment in urban areas.

第四章 就业服务和管理

Chapter 4 Employment Services and Administration

第三十二条   县级以上人民政府培育和完善统一开放、竞争有序的人力资源市场，为劳动者就业提供服务。

Article 32 The people's governments at and above the county level shall foster and perfect a uniform, open, competitive and orderly human resources market to provide employment services for workers.

第三十三条   县级以上人民政府鼓励社会各方面依法开展就业服务活动，加强对公共就业服务和职业中介服务的指导和监督，逐步完善覆盖城乡的就业服务体系。

Article 33 The people's governments at and above the county level shall encourage all sectors of society to provide employment services in accordance with the law, strengthen guidance and supervision of public employment services and job intermediary services, and gradually improve the employment service system covering both urban and rural areas.

第三十四条   县级以上人民政府加强人力资源市场信息网络及相关设施建设，建立健全人力资源市场信息服务体系，完善市场信息发布制度。

Article 34 People's Governments of county level and above shall strengthen establishment of human resources market information network and the relevant facilities, establish and improve upon the human resources market information service system, and improve upon the market information announcement system.

第三十五条   县级以上人民政府建立健全公共就业服务体系，设立公共就业服务机构，为劳动者免费提供下列服务：

Article 35 The people's governments at and above the county level shall establish a sound public employment service system, set up a public employment service institution and provide workers with the following free services:

（一）就业政策法规咨询；

1. consultation services on employment policies and regulations;

（二）职业供求信息、市场工资指导价位信息和职业培训信息发布；

(II) Publication of information on job supply and demand, prevailing market salary levels and vocational training;

（三）职业指导和职业介绍；

(III) vocational guidance and referrals;

（四）对就业困难人员实施就业援助；

(IV) Employment assistance for persons who encounter difficulties in seeking employment;

（五）办理就业登记、失业登记等事务；

(V) Employment and unemployment registration, etc.; and

（六）其他公共就业服务。

(VI) Other public employment services.

公共就业服务机构应当不断提高服务的质量和效率，不得从事经营性活动。

Public employment service organs should constantly improve the quality and efficiency of services, and should not engage in business activities.

公共就业服务经费纳入同级财政预算。

The operating funds for public employment services shall be included in the fiscal budget at the same level.

第三十六条   县级以上地方人民政府对职业中介机构提供公益性就业服务的，按照规定给予补贴。

Article 36 The local people's governments at and above the county level shall grant subsidies, in accordance with the applicable provisions, to employment agencies that provide non-profit-making employment services.

国家鼓励社会各界为公益性就业服务提供捐赠、资助。

The State shall encourage all sectors of the society to provide donations and financial aid to non-profit-making employment services.

第三十七条   地方各级人民政府和有关部门不得举办或者与他人联合举办经营性的职业中介机构。

Article 37. The local people's governments at all levels and the relevant departments shall not found or co-found profit-making employment agencies with any other party.

地方各级人民政府和有关部门、公共就业服务机构举办的招聘会，不得向劳动者收取费用。

The local people's governments at all levels, the relevant departments and public employment service institutions are prohibited from charging workers for job fairs they organize.

第三十八条   县级以上人民政府和有关部门加强对职业中介机构的管理，鼓励其提高服务质量，发挥其在促进就业中的作用。

Article 38. The people's governments at and above the county level and the relevant departments shall strengthen the administration of employment agencies and encourage them to improve the quality of their services so as to perform their functions in employment promotion.

第三十九条   从事职业中介活动，应当遵循合法、诚实信用、公平、公开的原则。

Article 39. Engagement of job placement activities shall be subject to the principles of lawfulness, good faith, fairness and openness.

用人单位通过职业中介机构招用人员，应当如实向职业中介机构提供岗位需求信息。

Any employment unit that recruits a new employee through an employment agency shall offer truthful information about the job position to the employment agency.

禁止任何组织或者个人利用职业中介活动侵害劳动者的合法权益。

No organization or individual shall infringe the legitimate rights and interests of workers through job placement activities.

第四十条   设立职业中介机构应当具备下列条件：

Article 40 Any employment agency that seeks to be established shall:

（一）有明确的章程和管理制度；

1. having clear articles of association and management system;

（二）有开展业务必备的固定场所、办公设施和一定数额的开办资金；

(II) having fixed business premises, office facilities and operating capital sufficient for its business operation;

（三）有一定数量具备相应职业资格的专职工作人员；

(III) have a certain number of full-time staff with appropriate professional qualifications;

（四）法律、法规规定的其他条件。

(IV) Other conditions as prescribed by laws and regulations.

设立职业中介机构应当在工商行政管理部门办理登记后，向劳动行政部门申请行政许可。

Any employment agency that seeks to become established shall obtain an administrative license in accordance with the law.

未经依法许可和登记的机构，不得从事职业中介活动。

Any institution without obtaining a license and registration in accordance with the law shall not engage in job placement activities.

国家对外商投资职业中介机构和向劳动者提供境外就业服务的职业中介机构另有规定的，依照其规定。

Where the State provides otherwise for foreign-funded employment agencies and employment agencies providing overseas employment services to workers, such provisions shall prevail.

第四十一条   职业中介机构不得有下列行为：

Article 41 No job intermediary may have the following acts:

（一）提供虚假就业信息；

1. providing false employment information;

（二）为无合法证照的用人单位提供职业中介服务；

2. provide recruitment services to any employment unit that is not legally licensed and certified;

（三）伪造、涂改、转让职业中介许可证；

(III) forge, alter or transfer its employment service license;

（四）扣押劳动者的居民身份证和其他证件，或者向劳动者收取押金；

4. retain any worker's resident identity card or other documentation or collect a deposit from any worker; or

（五）其他违反法律、法规规定的行为。

(V) Other acts in violation of laws or regulations.

第四十二条   县级以上人民政府建立失业预警制度，对可能出现的较大规模的失业，实施预防、调节和控制。

Article 42 The people's governments at and above the county level shall establish an early- warning system for unemployment, and implement prevention, regulation and control over possible large-scale unemployment.

第四十三条   国家建立劳动力调查统计制度和就业登记、失业登记制度，开展劳动力资源和就业、失业状况调查统计，并公布调查统计结果。

Article 43 The State shall establish a labour force survey statistical system and an employment/unemployment registration system to obtain the survey statistics about the labour force resources and employment and unemployment status, and shall publicize the survey statistics result.

统计部门和劳动行政部门进行劳动力调查统计和就业、失业登记时，用人单位和个人应当如实提供调查统计和登记所需要的情况。

When statistics departments and labor administrative departments carry out labor force survey statistics and employment and unemployment registration, employers and individuals shall truthfully provide the information required for the survey statistics and registration.

第五章 职业教育和培训

Chapter 5 Vocational Education and Training

第四十四条   国家依法发展职业教育，鼓励开展职业培训，促进劳动者提高职业技能，增强就业能力和创业能力。

Article 44 The state shall, in accordance with the law, develop vocational education programs, encourage the delivery of vocational training, promote the enhancement of workers' vocational skills and strengthen their employability and entrepreneurship.

第四十五条   县级以上人民政府根据经济社会发展和市场需求，制定并实施职业能力开发计划。

Article 45 The people's governments at and above the county level shall formulate and implement an occupational capacity development program in accordance with economic and social development and market needs.

第四十六条   县级以上人民政府加强统筹协调，鼓励和支持各类职业院校、职业技能培训机构和用人单位依法开展就业前培训、在职培训、再就业培训和创业培训；鼓励劳动者参加各种形式的培训。

Article 46. The people's governments at and above the county level shall strengthen coordination, encourage and support all types of vocational schools, vocational training institutions and employment units to carry out pre-employment training, employment training, re-employment training and entrepreneurship training, and encourage labourers to attend various types of training.

第四十七条   县级以上地方人民政府和有关部门根据市场需求和产业发展方向，鼓励、指导企业加强职业教育和培训。

Article 47 The local people's governments at and above the county level and the relevant departments shall encourage and guide enterprises to strengthen vocational education and training in accordance with market demands and the orientation of industrial development.

职业院校、职业技能培训机构与企业应当密切联系，实行产教结合，为经济建设服务，培养实用人才和熟练劳动者。

Vocational schools, vocational training institutions and enterprises shall liaise closely to combine production and education to serve economic development by training practical talents and skilled workers.

企业应当按照国家有关规定提取职工教育经费，对劳动者进行职业技能培训和继续教育培训。

An enterprise shall, in accordance with the relevant regulations of the State, set up an employee education fund to deliver vocational skills training and continuing education training to the workers.

第四十八条   国家采取措施建立健全劳动预备制度，县级以上地方人民政府对有就业要求的初高中毕业生实行一定期限的职业教育和培训，使其取得相应的职业资格或者掌握一定的职业技能。

Article 48 The State shall take measures to establish a sound labour preparation system, under which the local people's governments at and above the county level shall provide a certain period of vocational education and training for junior and senior high school graduates who are in need of employment so as to enable them to obtain appropriate vocational qualifications or acquire certain vocational skills.

第四十九条   地方各级人民政府鼓励和支持开展就业培训，帮助失业人员提高职业技能，增强其就业能力和创业能力。失业人员参加就业培训的，按照有关规定享受政府培训补贴。

Article 49 The local people's governments at all levels shall encourage and support the delivery of vocational training to help unemployed persons to improve their vocational skills and enhance their employability and entrepreneurship. Unemployed persons participating in vocational training shall be entitled to government training subsidies in accordance with the relevant provisions.

第五十条   地方各级人民政府采取有效措施，组织和引导进城就业的农村劳动者参加技能培训，鼓励各类培训机构为进城就业的农村劳动者提供技能培训，增强其就业能力和创业能力。

Article 50 The local people's governments at all levels shall take effective measures to organize and guide rural labourers who enter the cities to seek employment to receive skills training, and encourage all types of training institutions to provide skills training for them and enhance their employability and entrepreneurship.

第五十一条   国家对从事涉及公共安全、人身健康、生命财产安全等特殊工种的劳动者，实行职业资格证书制度，具体办法由国务院规定。

Article 51 The State shall implement a vocational qualification certificates system on labourers who engage in special types of work relating to public security, personal health, safety of life and property. The specific measures shall be provided for by the State Council.

第六章 就业援助

Chapter 6 Employment Aids

第五十二条   各级人民政府建立健全就业援助制度，采取税费减免、贷款贴息、社会保险补贴、岗位补贴等办法，通过公益性岗位安置等途径，对就业困难人员实行优先扶持和重点帮助。

Article 52. The people's governments at all levels shall establish a sound employment assistance system to give priority support and assistance in major areas for persons with difficulties in seeking employment by means of tax reduction and exemption, discounted interest loans, social insurance subsidies, job position subsidies and through placement in public welfare positions, etc.

就业困难人员是指因身体状况、技能水平、家庭因素、失去土地等原因难以实现就业，以及连续失业一定时间仍未能实现就业的人员。就业困难人员的具体范围，由省、自治区、直辖市人民政府根据本行政区域的实际情况规定。

The term "persons who encounter difficulties in seeking employment" refers to those persons who find it difficult to secure employment for reasons such as unfavorable physical conditions, skill levels, family status or loss of land, and those persons who remain unemployed for a certain period of time. The specific scope of persons who encounter difficulties in seeking employment shall be stipulated by the People's Governments of provinces, autonomous regions and centrally-administered municipalities pursuant to the actual conditions of their respective administrative regions.

第五十三条   政府投资开发的公益性岗位，应当优先安排符合岗位要求的就业困难人员。被安排在公益性岗位工作的，按照国家规定给予岗位补贴。

Article 53 Public welfare positions created with government investment shall be filled first by persons with difficulties in seeking employment who satisfy the requirements of the positions. Those who have been arranged to work in the public welfare positions shall be given job position subsidies in accordance with the State provisions.

第五十四条   地方各级人民政府加强基层就业援助服务工作，对就业困难人员实施重点帮助，提供有针对性的就业服务和公益性岗位援助。

Article 54. The local people's governments at all levels shall strengthen grass-roots employment assistance services and give priority assistance to persons with difficulties in seeking employment by offering assistance in targeted employment services and public welfare positions.

地方各级人民政府鼓励和支持社会各方面为就业困难人员提供技能培训、岗位信息等服务。

The local people's governments at all levels shall encourage and support all sectors of society in providing skills training, job information and other services to persons with difficulties in seeking employment.

第五十五条   各级人民政府采取特别扶助措施，促进残疾人就业。

Article 55 The people's governments at all levels shall take special support measures to promote the employment of disabled persons.

用人单位应当按照国家规定安排残疾人就业，具体办法由国务院规定。

Employment units shall employ disabled persons in accordance with state provisions, the specific measures for which shall be formulated by the State Council.

第五十六条   县级以上地方人民政府采取多种就业形式，拓宽公益性岗位范围，开发就业岗位，确保城市有就业需求的家庭至少有一人实现就业。

Article 56 The local people's governments at and above the county level shall adopt multiple forms of employment, broaden the scope of public welfare positions, and create more job positions to ensure that each urban family with employment needs has at least one member in employment.

法定劳动年龄内的家庭人员均处于失业状况的城市居民家庭，可以向住所地街道、社区公共就业服务机构申请就业援助。街道、社区公共就业服务机构经确认属实的，应当为该家庭中至少一人提供适当的就业岗位。

An urban resident family in which all family members of legal working age are unemployed shall apply to the public employment service institution in the road or community where it is located for employment assistance. If the case is proved, the public employment service institution in the street or community shall provide at least one family member with an appropriate job position.

第五十七条   国家鼓励资源开采型城市和独立工矿区发展与市场需求相适应的产业，引导劳动者转移就业。

Article 57 The State shall encourage resource-exploiting cities and independent mining areas to develop industries catering to market demands so as to guide the employment transfer of laborers.

对因资源枯竭或者经济结构调整等原因造成就业困难人员集中的地区，上级人民政府应当给予必要的扶持和帮助。

The people's governments at a higher level shall give necessary support and assistance to areas with a concentration of people who have encountered difficulties in seeking employment due to reasons such as the depletion of resources or economic restructuring.

第七章 监督检查

Chapter 7 Supervision and Inspection

第五十八条   各级人民政府和有关部门应当建立促进就业的目标责任制度。县级以上人民政府按照促进就业目标责任制的要求，对所属的有关部门和下一级人民政府进行考核和监督。

Article 58 The people's governments at all levels and the relevant departments shall establish a target responsibility system for employment promotion. The people's governments at and above the county level shall examine and supervise the relevant subordinate departments and the people's governments at a lower level in accordance with the requirements of the target responsibility system for employment promotion.

第五十九条   审计机关、财政部门应当依法对就业专项资金的管理和使用情况进行监督检查。

Article 59 Auditing bodies and finance departments shall supervise and examine, in accordance with the law, on the management and use of special employment funds.

第六十条   劳动行政部门应当对本法实施情况进行监督检查，建立举报制度，受理对违反本法行为的举报，并及时予以核实、处理。

Article 60 The administrative departments of labor shall supervise and inspect the implementation of this Law, establish a reporting system to receive reports on any violation of this Law, and verify and deal with such cases in a timely manner.

第八章 法律责任

Chapter 8 Legal Liabilities

第六十一条   违反本法规定，劳动行政等有关部门及其工作人员滥用职权、玩忽职守、徇私舞弊的，对直接负责的主管人员和其他直接责任人员依法给予处分。

Article 61 Where the administrative department of labor or any other relevant department or any staff member thereof, in violation of the provisions of this Law, is guilty of any abuse of power or dereliction of duty or engages in malpractice for personal gain, the supervisors and any other person directly responsible shall be subject to disciplinary action in accordance with the law.

第六十二条   违反本法规定，实施就业歧视的，劳动者可以向人民法院提起诉讼。

Article 62 The labourers shall bring an action before the peoples' court for the implementation of employment discrimination in violation of the provisions of this Law.

第六十三条   违反本法规定，地方各级人民政府和有关部门、公共就业服务机构举办经营性的职业中介机构，从事经营性职业中介活动，向劳动者收取费用的，由上级主管机关责令限期改正，将违法收取的费用退还劳动者，并对直接负责的主管人员和其他直接责任人员依法给予处分。

Article 63 Where the local people's governments at all levels, the relevant departments or the public employment service institutions, in violation of the provisions of this Law, establish and run the profit-making employment agencies that engage in profit-making employment services and charge the labourers, the superior competent authorities shall order them to make rectification within a prescribed period and refund the illegal charges obtained to the labourers and impose a penalty on the supervisors and other persons who are directly responsible in accordance with the law.

第六十四条   违反本法规定，未经许可和登记，擅自从事职业中介活动的，由劳动行政部门或者其他主管部门依法予以关闭；有违法所得的，没收违法所得，并处一万元以上五万元以下的罚款。

Article 64 Any unlicensed and unregistered entity which, in violation of the provisions of this Law, engages in unauthorized employment services, shall be closed down by the labour administration department or other competent departments in accordance with the law. Where there are illegal gains, they shall be confiscated and a fine of more than 10,000 yuan and less than 50,000 yuan shall be imposed concurrently.

第六十五条   违反本法规定，职业中介机构提供虚假就业信息，为无合法证照的用人单位提供职业中介服务，伪造、涂改、转让职业中介许可证的，由劳动行政部门或者其他主管部门责令改正；有违法所得的，没收违法所得，并处一万元以上五万元以下的罚款；情节严重的，吊销职业中介许可证。

Article 65 Where an employment agency, in violation of the provisions of this Law, provides false employment information or employment services to employment units that do not have legal licenses, or forges, alters or transfers its employment service license shall be ordered by the labour administration department or other competent departments to make rectification. Where there are illegal gains, they shall be confiscated and a fine of more than 10,000 yuan and less than 50,000 yuan shall be imposed concurrently. Where the case is serious, the employment service license shall be revoked.

第六十六条   违反本法规定，职业中介机构扣押劳动者居民身份证等证件的，由劳动行政部门责令限期退还劳动者，并依照有关法律规定给予处罚。

Article 66 Where an employment agency, in violation of the provisions of this Law, retains a labourer's resident identity card or other certificates shall be ordered by the labour administration department to return the item (s) to the labourer within a prescribed period and shall be given a penalty in accordance with the provisions of the applicable laws.

违反本法规定，职业中介机构向劳动者收取押金的，由劳动行政部门责令限期退还劳动者，并以每人五百元以上二千元以下的标准处以罚款。

Where an employment agency, in violation of the provisions of this Law, collects deposits from the labourers, shall be ordered by the labour administration department to refund such deposits to the labourers within a prescribed period and shall be imposed a standard fine in the amount of more than 500 yuan and less than 2,000 yuan for every labourer from whom a deposit has been collected.

第六十七条   违反本法规定，企业未按照国家规定提取职工教育经费，或者挪用职工教育经费的，由劳动行政部门责令改正，并依法给予处罚。

Article 67 Any enterprise that fails to provide for employee education funds in accordance with state provisions or misappropriates employee education funds in violation of the provisions of this Law shall be ordered by the administrative department of labor to take remedial action and penalized in accordance with the law.

第六十八条   违反本法规定，侵害劳动者合法权益，造成财产损失或者其他损害的，依法承担民事责任；构成犯罪的，依法追究刑事责任。

Article 68 Anyone who, in violation of the provisions of this Law, infringes a labourer's legitimate rights and interests and causes the loss of property or other damages, shall bear civil liability in accordance with the law; where it constitutes a crime, criminal liability shall be investigated in accordance with the law.

第九章 附则

Chapter 9 Supplementary Provisions

第六十九条   本法自2008年1月1日起施行。

Article 69 This Law shall go into effect as of January 1, 2008.