國立中山大學97學年度碩士班招生考試試題

科目:管理學【人管所碩士班】

共/頁第/3

一、問答題(每題10分)

- 1、請比較態度的認知要素與情感要素有何異同?
- 2、請分別由員工及主管觀點,說明彈性工作時間的優點?
- 3、"魅力"會有何負面影響嗎?
- 4、衝突過程模式的要素爲何?依自己的經驗,舉例說明衝突如何透過五個階段來進行?
- 5、組織文化對致力於員工多樣化的組織有何影響?
- 6. 如果您的公司將併購其他公司,請說明在人力資源管理方面可能面臨的挑戰。
- 7. 如果您是企業的 CEO,應如何擬訂並傳遞企業願景?

二、名詞解釋(每題5分)

- 1. 資源依賴理論 (Resource Dependence Theory)
- 2. 交易成本 (transaction cost)
- 3. 學習型文化 (learning culture)
- 4. 跨國結構 (transnational structure)
- 5. 策略性人力資源管理 (strategic human resource management)
- 6. 人力資源發展 (human resource development)

壹、單選題(請選擇一個最適當的答案,每題三分)30%

- ()1.在一個實證研究過程中,研究者必須控制多種可能存在的誤差,才能確保該研究之嚴謹性;其中因抽樣的設計不當所造成的誤差稱為 ①抽樣誤差 ②操作誤差③工具誤差 ④統計誤差 ⑤推論誤差。
- ()2.承續上題,因抽出的樣本數太少所造成的誤差稱為 ①抽樣誤差 ②操作誤差③工具誤差 ④統計誤差 ③推論誤差。
- ()3.在一個右偏分配中, ①平均數(M)>中位數(Me)>眾數(Mo) ②M>Mo>Me ③ Mo>Me>M ④ Mo>Me ⑤ Me>Mo>M 。
- () 4.偏態係數 α_3 > -1 之分配為 ①右偏分配 ②常態分配 ③左偏分配 ④不一定 ⑤以上皆非。
- () 5.下列何種統計量,是類別變數適用的統計量? ①中位數 ②平均數 ③變異數 ④標準差 ③以上皆非。
- () 6.下列何者為兩個次序變數適用的雙變數統計量? ①相關比 (Eta) ②Pearson's r ③Gamma ④Lambda ⑤以上皆非。
- ()7.下表是某次「項目分析」的描述統計檢驗結果。

Descriptive Statistics

| | N_ | Mean | Std. Dev | Ske | wness |
|--|-----------|-----------|-----------|-----------|------------|
| Al醫院整體環境建築物優雅清爽 | Statistic | Statistic | Statistic | Statistic | Std. Error |
| A2 醫院具有新穎的現代化醫療設備 | 106 | 4.12 | .658 | 952 | .235 |
| A3 醫院工作人員的服裝儀容整泡 | 105 | 4.03 | .713 | 852 | .236 |
| A4 醫院擁有吸引人的外觀 | 106 | 4.17 | .624 | 852 | .235 |
| A5 醫院工作人員對承諾的事情能在時限內完成 | 106 | 3.69 | .970 | 549 | .235 |
| A6 醫院工作人員能盡力解決您的問題 | 106 | 4.00 | .647 | 644 | .235 |
| A7 醫院通常一次把事情做對 | 106 | 4.13 | .634 | - 799 | .235 |
| A8 醫院擁有完善的服務或說明資料 | 106 | 3.80 | .855 | 907 | .235 |
| A9 醫院能依照公佈的時間表進行服務 | 106 | 4.00 | .647 | 859 | .235 |
| A10 醫院工作人員能告知您確實的服務時間 | 106 | 4.07 | .574 | 920 | .235 |
| All 醫院工作人員能即時爲您提供服務 | 106 | 4.05 | .592 | 853 | .235 |
| A12 醫院工作人員具有很高的服務熱忱 | 106 | 4.13 | .618 | 581 | .235 |
| A13 醫院工作人員不會因忙碌而不回應問題 | 106 | 4.09 | .697 | -817 | .235 |
| A14 醫院工作人員的表現讓您覺得就醫很安全 | 106 | 3.96 | .703 | 619 | .235 |
| A15 醫院工作人員對每位病人都親切有禮貌 | 106 | 4.08 | .619 | 299 | .235 |
| A16 醫院工作人員具足夠的專業知識回答您所詢問的問題 A17 醫院工作人員具足夠的專業知識回答您所詢問的問題 | 106 | 3.97 | .810 | -1.043 | .235 |
| A17 醫院工作人員的行為讓您感到信任 | 106 | 4.04 | .675 | 234 | .235 |
| A18 醫院給予不同病人不同關心與注意 | 106 | 4.06 | .659 | 466 | .235 |
| A19 醫院工作人員了解您的特殊需求 | 105 | 3.87 | .821 | 915 | .236 |
| A20 醫 院的服務時間對您而言很方便 | 105 | 3.93 | .711 | 231 | .236 |
| 21 智能數 人員出自真心的照顧病人 | 104 | 4.04 | .723 | 844 | .237 |
| 22 醫院對顧客所在意的事非常重視 | 104 | 3.96 | .800 | -1.092 | |
| OTAL 總量表 | 104 | 3.88 | .844 | 449 | .237 |
| | 102 | 4.0089 | 51945 | .216 | .237 |

若項目 (A1 至 A22) 的平均數落在「總量表」平均數上下 1 個標準差之外,則該項目相較之下鑑別力較差。A1 至 A22 中,鑑別力較差的項目共有 ① 0 個② 1-4 個 ③ 5-9 個 ④ 10-14 個 ⑤ 15 個以上。

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請

- () 8.承續上題,從偏態係數 (Skewness) 來看, A1 至 A22 中,「近似常態分配」的項目共有 ① 0 個 ② 1-4 個 ③ 5-9 個 ④ 10-14 個 ⑤ 15 個以上。
- () 9.行政院環保署欲進行「台灣地區民眾環保意象調查」,若在 95%信心水準下,推 論的誤差範圍要求控制在 1%以下,則該次調查,必須完成的有效樣本數最少應達 ① 1067 ② 3007 ③ 9604 ④16641 ⑤ 27060。
- ()10.某研究人員調查市民對市長施政的滿意程度,他的訪題是「請問您對市長施政的滿意程度是 (1)非常滿意 (2)很滿意 (3)還算滿意」。這樣的訪題設計是不恰當的,因為它不具備態度量表應有的 ①普遍性 ②互斥性 ③對稱性 ④引導性 ⑤遞移性 原則。

貳、複選題 (請將對的答案全部選出,全對才給分,每題五分) 40%

- ()1.有關「樣本代表性」之性質,下列敘述何者為真? @一個具有代表性的樣本是一個具體而微的母體 ®一個具有代表性的樣本與原有母體 具有相同的組成結構 ②樣本是否具有代表性,可透過變異數同質性來 檢定 ⑩若抽出樣本具有代表性,則有效樣本也具有代表性。
- () 2.下列何種抽樣方法,可望得出一個具有代表性的抽出樣本? A 簡單 隨機抽樣 B 系統抽樣 C 群集抽樣 D 普查。

- () 6.有關複迴歸方程式的迴歸係數,下列敘述何者為真? A若 B1(X1的

-) 8.有關變異數分析與(線性)複迴歸分析,下列敘述何者為真? ④變異數分析與複迴歸分析的依變數都是一種屬量變數 ®變異數分析與複迴歸分析都分析自變數對依變數所解釋的變異量百分比 ⑥將變異數分析的自變數,按其類別轉換成 N 個虛擬變數 (N 為自變數的類別數),取其中 N-1 個對依變數進行迴歸分析,則迴歸方程式對依變數所解釋的變異量與變異數分析的組間變異量 (即解釋變異量) 是完全相同的 ⑥變異數分析與複迴歸分析都不分析自變數群間的交互作用力。

參、綜合題30%

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- 1.請各舉一例説明並比較單一樣本 T 檢定、獨立樣本 T 檢定、相依樣本 T 檢定與單因子變 異數分析之分析功能。 (二十分)
- 2.許多統計分析方法,都有它的分析前題,變數的常態分配便是一種常見的假設前題;但 我們蒐集到的經驗資料,通常都不是一種絕對的常態分配,此時您應如何解決?請問下 表中「得票率」與「參選人數」兩個變數是否為近似常態分配?(十分)

Descriptive Statistics

| | N | Skewness | | Kurtosis | |
|--------------------|-----------|-----------|------------|-----------|------------|
| 得票率 | Statistic | Statistic | Std. Error | Statistic | Std. Error |
| | 76 | 085 | .276 | -1.487 | .545 |
| 參選人數 | 76 | .434 | .276 | 802 | .545 |
| Valid N (listwise) | 76 | | | .502 | .545 |

- 一、名詞解釋(共50分,一題5分)
- (1) 人口轉型(demographic transition)
- (2) 次級團體(secondary groups)
- (3) 水平階級流動(horizontal class mobility)
- (4) 正當性(legitimacy)
- (5) 社會化(socialization)
- (6) 士紳化(gentrification)
- (7) 認同(identity)
- (8) 雙元勞動市場(dual labor market)
- (9) 去技能化(de-skilling)
- (10) 性別分工(sexual division of labor)
- 二、選擇題(共50分,一題5分)
- (1) 關於韋伯的科層組織理論(Max Weber's theory of bureaucracy),下列陳述何者爲不正確的:(1)科層是一種沒有效率的組織方式。(2)科層組織是根據正式規則行事。(3)科層組織的人員招募主要是考慮專業背景,而不是通才能力。(4)科層是當代社會最普遍的組織方式。
- (2) 關於馬克思的階級理論(Karl Marx's theory of class),下列陳述何者爲不正確 的:(1)階級鬥爭是普遍存在的現象。(2)階級的劃分是依據所得分配、社會聲望 等因素的總合。(3)如果沒有階級意識,就不會有階級的共同行動。(4)階級兩極 化是資本主義社會必然的趨勢。
- (3) 關於依附理論(dependency theory),下列陳述何者爲<u>不正確的</u>:(1)依附理論大部分是針對東亞經驗反省而來的觀點。(2)依附理論反對現代化理論的樂觀預期。(3)從依附理論的角度來看,現代化理論是一種美國官方的意識型態。(4)依附理論強調國際性的不平等經濟關係。
- (4) 全球化(globalization)的趨勢正在席捲全世界各地,請問下列陳述何者爲不正確的:(1)全球化意味著訊息、資金、貨物、人員跨國流動更加頻繁。(2)在全球化的年代中,能夠跨國流動的群體,較能獲得優勢。(3)全球化的潮流強化了國家的管控能力,使得主權在國際社會中更形重要。(4)經濟領域的全球化也引發了勞工、環境、人權運動團體的抵抗,形成一股反全球化的運動。
- (5) 安德生(Benedict Anderson)指出,民族主義(nationalism)的本質是爲一種想像的共同體,下列何者不屬於他的看法:(1)民族是被想像爲具有主權的共同體。(2)民族是被想像具有邊界的共同體。(3)民族的想像是使人願意忽略普遍的不平等與剝削。(4)民族的想像是一種捏造與虛假。

- (6) 關於公民社會(civil society)的概念,下列何種陳述爲<u>不正確的</u>:(1)公民社會是由志願結社所構成的領域。(2)血緣團體、家族是屬於公民社會的一部分。(3)大致而言,公民社會是獨立於國家權威。(4)在缺乏政治民主的環境下,公民社會是很難持續運作。
- (7) 關於社會資本(social capital)的概念,下列何種陳述爲不正確的: (1)我們的人際關係可以帶來物質性的回報。(2)個人所參與的團體數目反映了她/他所具有的社會資本總量。(3)在缺乏信任的情況下,社會資本是很難產生的。(4)社會資本即是一種人力資本。
- (8) 關於布爾厄的習性理論(Pierre Bourdieu's theory of habitus),下列何種陳述爲 不正確的: (1) 習性是來自於生物遺傳,很難透過人爲的方式改變。(2) 習性影響 了文化品味,表現在各種生活消費方式的選擇。(3) 不同的階級位置會形塑出相 異的習性。(4) 習性維持了既有的社會不平等結構。
- (9) 相對於傳統社會,下列何種陳述不是現代社會的特徵:(1)物質資源的分配越來越是取決於後天的個人努力,而不是先天的出身背景。(2)一套普遍的價值標準適用於更多的人群。(3)群體對於個體的道德約束力越來越強大。(4)個體的差異性更加明顯。
- (10) 米爾思(C. Wright Mills)指出,社會學最重要的貢獻在於培養社會學的想像 (sociological imagination),下列何者不屬於他的看法:(1)社會學的想像只能在專業社會學科系中培養,其他學科很難訓練出這種能力。(2)社會學的想像能夠連結個體的煩惱與公共的議題。(3)社會學的想像能夠解決普遍感受到的不安與焦慮感。(4)社會學想像即是一種採取不同觀點的能力,能夠重新認知已往被視爲理所當然的事物。

NATIONAL SUN YAT-SEN UNIVERSITY

MA Entrance Examination Subject: English Human Resource Management Department March 30, 2008

This exam consists of a Grammar and Vocabulary part, and a Reading Comprehension part. The total number of questions is 50 (2 points per correct answer). You have 100 minutes for this exam.

- For the Grammar and Vocabulary part, choose the word or phrase that first best in the blank of the given sentence.
- For the reading Comprehension part, choose the answer that comes closest to the meaning of the text.

Grammar and Vocabulary

| 1. Jealousy is his | _ attractive characteris | stic. | | | |
|--|--------------------------|-------------------------|-------------------|--|--|
| a) less | b) least | c) last | d) lesser | | |
| 2. Please turn down the TV: the noise is so! | | | | | |
| a) strong | b) heavy | c) intrusive | d) conclusive | | |
| 3. I once knew a philosopher who had never read by Plato. | | | | | |
| a) anytning | b) something | c) once | d) all | | |
| 4What time did you come home last night? -I don't know. It wasn't light | | | | | |
| a) already | b) almost | c) yet | d) approximately | | |
| | ucceeded in two | of the stolen paintings | • | | |
| a) redirecting | b) relocating | c) recurring | d) retrieving | | |
| 6What sort of job does he have? -Something in fashion, I think. | | | | | |
| a) male's | b) man's | c) mens | d) men's | | |
| 7 from behind, he looked much older. | | | | | |
| a) Walking up | b) Seen | c) Fair | d) Far | | |
| 8. His computer crashed so often that he was to throw it through the window. | | | | | |
| a) forced | b) seduced | c) angered | d) tempted | | |
| 9Have you eaten yet? -Yes, And you? | | | | | |
| | b) very much | c) let's go | d) wonderful | | |
| 10. Carlos is a paramedic, to be a doctor. | | | | | |
| a) studying | b) studying how | c) study for | d) studying about | | |
| 11. The balance of power in the world is from the West to the East. | | | | | |
| a) changing | b) going | c) sliding | d) shifting | | |

| 12. The politician's a | dulterous affair1 | not only his name, but | also his marriage. |
|-------------------------|--------------------------|---------------------------|-----------------------------------|
| | b) contravened | | |
| | ernor's wife stand by l | | |
| a) diverted | b) digressed | c) divulged | d) divorced |
| 14. Some spiders we | ave the most wel | os. | |
| a) intricate | b) intrepid | c) integral | d) intravenous |
| 15. Carlo demanded | that Isadora stalk | king him. | |
| a) stopped | b) stops | c) stop | d) stopping |
| | vas 13, she an ev | | |
| a) has been leading | b) leads | c) already had had | d) has been having |
| 17. Tears were | in Jacob's eyes when l | Rachel broke up with l | nim. |
| a) streaming | b) streaking | c) crying | d) stinging |
| 18 copyrights a | are getting to be better | protected. | |
| a) Authors' | b) Author's | c) Authorized | d) An authors' |
| 19I am so fed up! | I am going to quit my | v job. | |
| -Think again, and | l consider all that that | ! | |
| a) entrails | b) entails | c) ensues | d) encapsulates |
| 20. Americans usuall | y shower in the morni | ng, Taiwanese do | o so in the evening. |
| a) whereas | b) on the other hand | c) when | d) on the contrary |
| 21. As long as we are | on foreign oil, | our economy will be v | vulnerable. |
| | b) depended | | |
| 22. At Ikea, the entire | e range of furniture, be | edding, lighting fixture | es, and cutlery on sale tomorrow! |
| a) go | b) goes | c) are going | d) has gone |
| 23. In just minutes a | thick smoke the | burning building. | |
| | b) insulated | | d) embedded |
| 24I never want to s | ee you again, Eugene! | 1 | |
| | You really unreas | | |
| a) are being | b) quite | c) have been | d) too |
| 25. After his fatal acc | ident, the young fathe | r was by his wife | e and three children. |
| | b) surveyed | | |
| 26. Carrefour's veget | ables are less fre | esh than those at the tra | aditional market. |
| _ | b) markedly | | |
| 27. Do animals have | an of the future, | you think? | |
| | b) knowledge | • | d) awareness |

國立中山大學97學年度碩士班招生考試試題

目: 英文【人管所碩士班丙組】

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| 28. Thoroughly dried, a) she neatly folded the laundry. b) laundry often crackles with static electricity. c) it is hard to fold cotton fabrics. d) you should remove lint from the dryer's air filter. | | | | | |
|---|---|--|---|--|--|
| 29 a child, grown-ups are big and strong and incomprehensible. a) For b) When c) Against d) To | | | | | |
| | slightest of his o | decision to emigrate. c) premonition | d) warning | | |
| 31Is he American of -American, definition a) affectation | itely. That British acco | ent of his is just a silly c) effusiveness | d) effulgence | | |
| 32. Carl uses the wor a) intangible | d "fluid" as if it were b) integral | with "fluent." c) interconnected | d) interchangeable | | |
| 33. Why don't we try a) discussing | to resolve our disagre b) discussing about | eements by calmly c) arbitrating | _ them? d) arbitrating between | | |
| | | als with too many issue c) judiciously | | | |
| 35. Forget about cook a); just | cing dinner order b) call to | a pizza. c) let's | d) I'll | | |
| 36. I could nevera) forget | _ the first time I saw s b) forgot | snow. c) to forget | d) have been forgetting | | |
| 37. After a spell in a ca) revolted | drug rehabilitation cen b) relapsed | ter, Britney quickly c) recurred | into her old lifestyle again. d) returned | | |
| 38. Once the children a) played | together for a w | hile, their earlier squal c) playing | bbles were forgotten. d) had been playing | | |
| 39. Our library has _ a) fewer | b) less | s, but you can still find c) lesser | I most of what you would need. d) more | | |
| 40. Many professors a) dressing | are very unexciting in b) wearing | their sense of c) style | d) clothing | | |

Reading Comprehension

In Britain, the long march to maturity is being pushed back. In October 2007 cigarettes were plucked from the hands of 16-year-olds, who must now wait another two years for their first legal puff. The following month ministers unveiled plans to keep teenagers in school or part-time training until they

are 18. And on March 4th 2008, as part of a package of curbs on binge-drinking, the government launched a crusade against under-age drunkenness. Shops and bars caught serving under-18-year-olds will get one warning before losing their license, rather than two, and minors caught furtively boozing will be sent with their parents to meet a social worker. Some suspect that next week's budget will ramp up tax on child-friendly tipples such as cider.

(adapted from The Economist, March 8-14, 2008)

- 41. "In Britain, the long march to maturity is being pushed back." In other words
- a) it is taking longer for young British people to be considered adults
- b) it is taking longer for young British people to reach adulthood
- c) young British people grow up faster than before
- d) attempts are being made to make growing up fast easier for British teenagers
- 42. The need for a package of curbs on binge-drinking suggests that
- a) British teenagers like child-friendly tipples such as cider
- b) British teenagers are in the habit of falling into heavy bouts of drinking alcohol
- c) furtively boozing minors failed to meet with their social workers
- d) shops and bars needed a stronger impetus not to serve minors alcohol
- 43. The government has started to give shops and bars who serve minors only one warning because
- a) giving them two warnings would be too harsh a penalty
- b) then it is possible to take away licenses quicker from offending shops and bars
- c) then minors will meet more quickly with their social worker
- d) it is better that minors stop boozing after one warning rather than two

India has more fake than genuine doctors, according to K.K. Kohli, who chairs the anti-quackery committee of the Delhi Medical Council. In Delhi alone there are around 40,000. In the teeming slums where up to a third of the capital's population of 14 million live, requests for directions to a doctor will lead to one of many dingy clinic-shacks, where a man who looks more prosperous than his neighbors plies his trade with a stethoscope, a thermometer and a big pile of pills.

"They take acute patients and make them chronic," says Dr Kohli, citing quacks who misdiagnose, prescribe steroids as pick-me-ups, mix their own remedies and buy cheap, out-of-date antibiotics. Their most common error is prescribing and selling antibiotics unnecessarily. Sandeep Guleria, a professor at the All India Institute of Medical Sciences (AIIMS) in Delhi, says quacks have helped cause the high levels of drug resistance in India.

(adapted from The Economist, February 23-29, 2008)

- 44. Quacks are
- a) unqualified pretenders to medical skills
- b) doctors who do not prescribe real drugs
- c) doctors who mix their own medicines, buy out-of-date antibiotics, and prescribe these unnecessarily
- d) Indian doctors who have increased drug resistance in India
- 45. In Delhi's slums
- a) some 14 million people live
- b) some 4 to 5 million people live
- c) some 40,000 quacks are teeming
- d) quacks cause high levels of drug addiction

- 46. "They take acute patients and make them chronic." In other words
- a) quacks misdiagnose illnesses and prescribe steroids as pick-me-ups
 b) quacks force patients to buy unnecessary medicines and cause their chronic poverty
 c) quacks force patients to become their assistants
 d) quacks turn incidental illnesses into permanent ones

The key to the potato's value lies in its high yield and its almost perfect balance of nutrients. It is possible (though tedious) to subsist on a diet of potatoes and very little else.

First domesticated in the Andes, the potato was carried to Europe in the 16th century. At first Europeans were suspicious: the potato was variously thought to be an aphrodisiac, to cause leprosy or to be poisonous. But it slowly caught on as its merits in times of famine and war became apparent (it is more reliable than grain and remains hidden underground until harvested). By the late 18th century it was being hailed as a wonder-food—for the poor, at least.

People then started to worry that the potato was too popular, and that its abundance was causing an unsustainable increase in population. Exhibit A was Ireland, where the booming population subsisted almost entirely on potatoes. The danger of such dependency was starkly revealed by the Irish potato famine of 1845: at least a million people died, and another million emigrated.

(adapted from The Economist, March 1-7, 2008)

- 47. According to this article
- a) it is possible to survive on a diet of potatoes because of that crop's high yield
- b) it is possible to live on a diet of almost nothing but potatoes, but this would not be enjoyable
- c) it is possible, but dangerous, to subsist on a diet of potatoes and very little else
- d) it is possible, but unhealthy, to subsist on a diet of potatoes and very little else
- 48. When the potato first came to Europe, Europeans
- a) initially thought that it was an aphrodisiac, then a cause of leprosy, and then poisonous.
- b) initially were suspicious, then thought it a wonder-food, then that it was too popular
- c) thought that it was either an aphrodisiac, or a cause or leprosy, or poisonous.
- d) initially were suspicious because it was first domesticated in the Andes
- 49. The potato proved its value in times of war because
- a) it was more reliable than grain, and can be grown under adverse conditions
- b) it provided food during famines, a common phenomenon of war
- c) it could be harvested underground, uninterrupted by marauding enemies
- d) it grows hidden away underground, invisible to enemies bent on crop destruction
- 50. The Irish potato famine of 1845 revealed
- a) that it isn't possible to subsist almost entirely on potatoes after all
- b) that it is dangerous to rely exclusively on one single food crop
- c) that potatoes can indeed be poisonous, as the Europeans initially suspected
- d) that the increase in population caused by dependency on the potato was unsustainable

個案一:(50分)

月東公司是一家提供客戶電子產品代工製造與組裝服務的公司,代工產品主要為電腦、網路、通訊、及其他消費電子相關之半成品與成品,故月東在後段製程上需要大量的人力進行品產品的加工、組裝、及包裝,但對人力的技術要求不高,且較無技術保密的要求。

由於電子產品的使用範圍廣泛、消費者喜好易變、廠商競爭激烈,因而形成產品創新速度迅速、種類繁多、生命週期短暫等消費性電子產業的特色,也使得<u>月東</u>的營運情形深受消費市場需求與經濟景氣波動的直接影響。

當景氣看好、市場需求轉強時,月東會面臨產能不足、人力短缺的窘境;而當景氣看淡、市場需求轉弱時,月東則面臨產能過剩、人力閒置的問題。因而總經理要求人力資源部門協助生產部門解決現有的人力運用問題,以使公司在人力運用上能更加彈性。若你是月東的人力資源經理,你會建議公司採取哪些可行的用人措施,以增進生產部門在人力運用上的彈性?(15%) 這些不同措施的各自效益與問題為何?(35%)

個案二:(50分)

美台電信是一家美國電話公司,主要從事國際間和美國各州的電信事業,此公司有一個辦公室位於 New York,總共雇用大約 60 個員工,其中有許多屬於電信工會會員,在 1935 年,該電信工會因不滿新集體協約的協商,發起罷工,在罷工期間,資方為了生產事業能夠繼續下去,便由其他地區的辦公室調來若干員工來填補罷工員工所留下的職位(這些填補的勞工稱為罷工替代人)。當某些罷工員工發現罷工可能失敗,這些罷工員工便想要儘早返回工作崗位,以免他們的工作被其他地區的員工所取代,後來有 11 個罷工員工想要回去工作,資方告訴他們,他們的工作已經被其他人取代了,因此他們不能回到公司上班。請問:

- (1)公司在工會罷工期間可否雇用罷工替代人?罷工結束後雇主應否回復罷工勞工的工作?請說明理由。(20分)
- (2)雇主應否給於勞工罷工期間的薪資?請論述。(20分)
- (3) 罷工期間勞工和雇主的勞動關係為何?請論述。(10分)