

ENFORCEMENT DECREE OF THE FRAMEWORK ACT ON EMPLOYMENT POLICY

[Enforcement Date 25. Jan, 2016.] [Presidential Decree No.26922, 22. Jan, 2016., Amendment by Other Act]

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Article 1 (Purpose)

The purpose of this Decree is to provide for such matters as delegated by the Framework Act on Employment Policy and those necessary for its enforcement.

Article 2 (Matters to be Deliberated by Employment Policy Deliberative Council)

(1) The term "matters prescribed by Presidential Decree" in Article 10 (2) 5 (c) of the Framework Act on Employment Policy (hereinafter referred to as the "Act") means the following matters:

<Amended by Presidential Decree No. 24062, Aug. 22, 2012>

1. Matters on a yearly implementation plan based on a basic plan on promoting social enterprises under Article 5 of the Social Enterprise Promotion Act;
2. Matters on the delegation of support duties under Article 10 (2) of the Social Enterprise Promotion Act.

(2) The term "matters prescribed by Presidential Decree" in Article 10 (2) 10 of the Act means the following matters: <Amended by Presidential Decree No. 22269, Jul. 12, 2010; Presidential Decree No. 24062, Aug. 22, 2012>

1. Matters on the evaluation of outcomes of executing employment policies;
2. Matters to be deliberated by the Employment Policy Deliberative Council under this Decree;
3. Other matters to be referred for deliberation, which is deemed necessary by the Minister of Employment and Labor.

Article 3 (Composition of Employment Policy Deliberative Council)

(1) "Vice ministers or vice ministerial-level public officials of related central administrative agencies prescribed by Presidential Decree" in Article 10 (3) of the Act means any of the following persons: <Amended by Presidential Decree No. 22075, Mar. 15, 2010; Presidential Decree No.

24447, Mar. 23, 2013; Presidential Decree No. 25751, Nov. 19, 2014>

1. First Vice Minister of Strategy and Finance, Vice Minister of Education, First Vice Minister of Science, ICT and Future Planning, Vice Minister of the Interior, First Vice Minister of Trade, Industry and Energy, Vice Minister of Health and Welfare, Vice Minister of Gender Equality and Family, Vice Minister of Land and Infrastructure, and the Administrator of the Small and Medium Business Administration;
2. Vice ministers or vice ministerial-level public officials of related central administrative agencies who are deemed necessary for deliberation on agenda items and are commissioned by the Chairperson of the Employment Policy Deliberative Council (hereinafter referred to as the "Policy Deliberative Council"), other than the persons referred to in paragraph (1).

(2) Commissioned members under paragraph (1) 2 shall be qualified as members only with respect to the matters designated by the Chairperson of the Policy Deliberative Council for deliberation.

Article 4 (Term of Office)

The term of office of commissioned members under Article 10 (3) of the Act shall be two years: Provided, That the term of office of members who fill vacancies shall be the remainder of the predecessors' term of office.

Article 5 (Duties of Chairperson)(1) The chairperson of the Policy Deliberative Council shall represent the Policy Deliberative Council and exercise overall control over the affairs of the Council.

(2) Where the chairperson cannot perform his/her duties on any unavoidable ground, a member designated by the chairperson shall act as chairperson on his/her behalf.

Article 6 (Meetings)(1) The chairperson of the Policy Deliberative Council shall convene and preside over meetings of the Policy Deliberative Council.

(2) Meetings shall be opened with the attendance of a majority of all incumbent members and resolved by the affirmative vote of a majority of those present.

Article 7 (Specialized Committees)(1) The following specialized committees shall be established under the Policy Deliberative Council,

pursuant to Article 10 (4) of the Act:

1. Specialized committee for the promotion of social enterprises;
2. Specialized committee for affirmative action;
3. Specialized committee for the employment promotion of disabled persons;
4. Specialized committee for labor welfare;
5. Specialized committee for improvement in the employment of construction workers.

(2) Each specialized committee (hereinafter referred to as "specialized committee") referred to in each subparagraph of paragraph (1) shall be comprised of not more than 20 members, including one chairperson.

(3) Members of specialized committees shall be appointed or commissioned by the chairperson of the Policy Deliberative Council, from among the following persons, and the chairpersons of specialized committees shall be nominated by the chairperson of the Policy Deliberative Council from among the members of each specialized committee:

1. A representative of the workers and a representative of the business owners with knowledge and experience related to matters for deliberation by the specialized committees;
2. A person with profound learning and experience in matters for deliberation by the specialized committees;
3. Grade III public officials of related central administration agencies, or public officials belonging to the Senior Civil Service Corps.

(4) Where it is deemed necessary to deliberate on its agenda, the chairpersons of each specialized committee may commission relevant experts determined by the chairperson of the Policy Deliberative Council, Grade III public officials of the related central administration agencies, or public officials belonging to the Senior Civil Service Corps to participate in the deliberation of the agenda as special members of the specialized committee in addition to members referred to in paragraph (3).

(5) The Policy Deliberative Council shall, pursuant to Article 10 (5) of the Act, delegate some of matters for deliberation referred to in Article 10 (2) of the Act to the specialized committees, as provided for in the following subparagraphs: [<Amended by Presidential Decree No. 22269, Jul. 12, 2010; Presidential Decree No. 24062, Aug. 22, 2012>](#)

1. Matters referred to in Article 10 (2) 5 of the Act: Specialized committee for the promotion of social enterprises;

2. Matters referred to in Article 10 (2) 6 of the Act: Specialized committee for affirmative action;
 3. Matters referred to in Article 10 (2) 7 of the Act: Specialized committee for employment promotion of disabled persons;
 4. Matters referred to in Article 10 (2) 8 of the Act: Specialized committee for labor welfare;
 5. Matters requested by the Minister of Employment and Labor for deliberation related to the establishment and change of basic plans on improvement in the employment of construction workers under Article 3 (3) of the Act on the Employment Improvement, etc. of Construction Workers: Specialized committee for improvement in the employment of construction workers.
- (6) The chairpersons of specialized committees shall report matters deliberated by the specialized committees to the Policy Deliberative Council.
- (7) Articles 4 through 6 shall apply mutatis mutandis to the specialized committees.

Article 8 (Investigative and Research Members)(1) The Policy Deliberative Council may have not more than nine investigative and research members to investigate and research matters related to employment policies.

(2) Investigative and research members shall be commissioned by the Minister of Employment and Labor, from among those who have profound learning and experience in employment policies. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 9 (Requests for Cooperation)

Where it is deemed necessary to deliberate on matters at issue, the Policy Deliberative Council or specialized committees (hereinafter referred to as "Deliberative Council, etc.") may request related administration agencies or organizations to provide materials, and require relevant persons, such as related public officials or specialists, to appear and state their opinions.

Article 10 (Allowances for Members)

Members and investigative and research members who attend any meeting of the Deliberative Council, etc. and state their opinions on the agenda of such meeting may be paid allowances and traveling

expenses within the budgetary limits: Provided, That the same shall not apply where the members and investigative and research members who are public officials attend meetings or state their opinions on the agenda of such meetings directly related to the affairs under their jurisdiction.

Article 11 (Secretaries)(1) Each deliberative Council, etc. shall have one secretary.

(2) A secretary under paragraph (1) shall be appointed by the Minister of Employment and Labor from among public officials belonging to the Ministry of Employment and Labor. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 12 (Operational Regulations)

Matters necessary for the operation of the Deliberative Council, etc., other than those provided for in this Decree, shall be determined by the chairperson of the Deliberative Council, etc., following a resolution of the relevant Deliberative Council, etc.

Article 13 (Organization of Local Employment Deliberative Councils)(1) A local employment deliberative council (hereinafter referred to as the "local employment deliberative council") under Article 10 (1) of the Act shall be comprised of not more than 20 members, including one chairperson.

(2) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor, or the Governor of a Special Self-Governing Province (hereinafter referred to as the "Mayor/Do Governor") shall be the chairperson of the council and the following persons shall be its members: Provided, That where the head of an employment security office under subparagraph 2 is the head of a branch office, the chief of the local employment and labor office nominated by the Minister of Employment and Labor in consideration of a jurisdiction of duties, etc. may become a member: [<Amended by Presidential Decree No. 22269, Jul. 12, 2010; Presidential Decree No. 26922, Jan. 22, 2016>](#)

1. Persons who are appointed or commissioned by the Mayor/Do Governor from among the following persons:

(a) The representatives of workers and the representatives of business owners;

(b) Persons and relevant public officials who have profound learning

and experience in employment issues;

2. The heads of employment security offices (referring to the employment security office to be established under the jurisdiction of the Governor of Jeju Special Self-Governing Province under Article 395 (1) of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City in cases of Jeju Special Self-Governing Province; hereinafter the same shall apply).

Article 14 (Functions of Local Employment Deliberative Council)

The local employment deliberative council shall deliberate on the following matters:

1. Matters on the establishment and implementation of basic plans for local employment policies under Article 9 (1) of the Act;
2. Important matters on the employment promotion, development of vocational abilities, and unemployment measures of the Special Metropolitan City, Metropolitan Cities, Dos, or Special Self-Governing Province (hereinafter referred to as "City/Do");
3. Other matters concerning employment issues referred by the Mayor/Do Governor or the head of an employment security office for deliberation.

Article 15 (Specialized Committee of Local Employment Deliberative Council)

(1) A specialized committee consisting of not more than ten members including one chairperson may be established in the local employment deliberative council in order to research and examine the deliberative matters of the said council more professionally.

(2) Members of the specialized committee under paragraph (1) shall be appointed or commissioned by the Mayor/Do Governor from among those falling under any of the following subparagraphs, and the chairperson shall be nominated by the Mayor/Do Governor from among the members of specialized committee under paragraph (1):

1. Representative of workers and the representative of business owners having knowledge and experience in employment policies;
2. Persons having profound knowledge and experience in employment policies;
3. Public officials of the related administration agencies who are in charge of employment policies.

(3) The specialized committee under paragraph (1) shall research or

examine the matters requested of the specialized committee by the local employment deliberative council, and the chairperson of the specialized committee shall report their results to the local employment deliberative council.

Article 16 (Working Committees of Local Employment Deliberative Council)

(1) Working committees consisting of not more than ten members, including two chairpersons shall be established in the local employment deliberative council in order to examine and adjust the agenda to be raised before the local employment deliberative council and to support the operation of the local employment deliberative council.

(2) Members of working committees shall be appointed or commissioned by the Mayor/Do Governor from among the relevant public officials of the administration agencies related to employment policies or the heads of agencies related thereto.

(3) Any of the following persons shall jointly work as chairpersons of the working committees:

1. The head of employment security office or the chief of the department related to the employment policies belonging to the employment security office;
2. The chief of the department related to the employment policies of the City/Do to which the chairperson of the local employment deliberative council belongs.

(4) Not more than five investigative and research members may be placed in each working committee in order to investigate and research the status, etc. of the supply and demand of human resources in the region. In such cases, the investigative and research members shall be commissioned by the Mayor/Do Governor from among the persons having profound learning and experience in employment policies.

Article 17 (Si/Gun/Gu Employment Deliberative Council of Local Employment Deliberative Councils)

(1) When it is deemed necessary for deliberating on matters relating to one or more Sis/Guns/Gus (referring to autonomous Gu; hereinafter the same shall apply) from among matters to be deliberated on by the local employment deliberative council, the Si/Gun/Gu employment deliberative council may be placed in the local employment deliberative council by undergoing a resolution of the local employment deliberative council.

(2) The chairperson of each Si/Gun/Gu employment deliberative council

shall be the head of each Si/Gun/Gu (referring to the head of autonomous Gu; hereinafter the same shall apply) of related areas where the deliberation referred to in paragraph (1) is necessary:

Provided, That when the Si/Gun/Gu employment deliberative council is placed for examining matters related to two or more Sis/Guns/Gus, the chairperson of a local employment deliberative council shall nominate a single chairperson or joint chairpersons from among the heads of Sis/Guns/Gus of related areas.

(3) The members of Si/Gun/Gu employment deliberative council shall be appointed or commissioned by the chairperson of local employment deliberative council by recommendation of the chairperson of Si/Gun/Gu employment deliberative council, from among the persons of each item of Article 13 (2) 1.

(4) The chairperson of each Si/Gun/Gu employment deliberative council shall report the matters deliberated by the Si/Gun/Gu employment deliberative council and their results to the local employment deliberative council.

Article 18 (Operational Regulations of Local Employment Deliberative

Councils)(1) Other than the matters provided for in this Decree, matters necessary for the composition and operation of the local employment deliberative council, its specialized committees, and its working committee shall be determined by the chairperson of local employment deliberative council, following a resolution of the local employment deliberative council.

(2) The chairperson of each Si/Gun/Gu employment deliberative council may separately determine matters necessary for the composition and operation of the Si/Gun/Gu employment deliberative council pursuant to this Decree and paragraph (1) under the operational regulations determined by the chairperson of each local employment deliberative council.

Article 19 (To be Applied Mutatis Mutandis)

@Articles 4 through 6, 9 and 10 shall apply mutatis mutandis to the local employment deliberative council, its specialized committee, its working committee, and its Si/Gun/Gu employment deliberative council.

Article 20 (Support to Operation of Local Employment Deliberative Councils, etc.)

The State or local governments may subsidize within the budgetary limits the expenses necessary for operation, such as allowances to the members for the smooth operation of the local employment deliberative council, its specialized committees, its working committees, and its Si/Gun/Gu employment deliberative council.

Article 21 (Establishment and Operation of Facilities to Provide Employment Services)

Where the State or local governments establish and operate necessary facilities for the provision of employment services (hereinafter referred to as "employment services") under Article 6 (1) 10 of the Act to the vulnerable class in employment under Article 11 (4) of the Act, they shall secure professional human resources, etc. required for the provision of specialized employment services to the class vulnerable in employment, and they shall establish and operate necessary facilities for the provision of employment services in the place to which the class vulnerable in employment may easily gain access thereto.

Article 22 (Policies, etc. Subject to Employment Impact Assessment)(1)

Where the subject matters of the evaluation of effects on employment prescribed in Article 13 (2) of the Act (hereinafter referred to as "employment impact assessment") are to be selected, the effects of relevant policies on the labor market and the degree, the prospects for evaluation thereof, the urgency of analysis and evaluation of policies, etc. shall be comprehensively taken into consideration.

(2) Where the heads of central administrative agencies or local governments intend to request employment impact assessment by the Minister of Employment and Labor pursuant to Article 13 (2) 1 of the Act, they shall submit a written request for such employment impact assessment, including the name, outline, and expected effects of policies and the necessity for employment impact assessment, to the Minister of Employment and Labor.

(3) "Policies prescribed by Presidential Decree" in Article 13 (2) 4 of the Act means any of the following policies:

1. A project subject to a preliminary feasibility survey prescribed in Article 38 of the National Finance Act, which is determined by the Minister of Employment and Labor after consultation with the Minister of Strategy and Finance, in order to conduct employment impact assessment;

2. A policy requested by a resolution of the National Assembly to conduct employment impact assessment.

[This Article Wholly Amended by Presidential Decree No. 25498, Jul. 21, 2014]

Article 22–2 (Results, etc. of Employment Impact Assessment)(1) The results of employment impact assessment shall include any of the following matters:

1. Connectivity with employment and the course of job creation according to the implementation of the relevant policies;
2. An increase or decrease in jobs that are expected or created due to the relevant policies;
3. Changes in the quality of employment in the relevant employment market that are created or expected to be created by the relevant policies;
4. Policy proposals and recommendations on improvement in order to heighten the positive effect on an increase or decrease in jobs or the quality of employment.

(2) The Minister of Employment and Labor shall report the results of employment impact assessment referred to in paragraph (1) to the Deliberative Council and notify the heads of relevant central administrative agencies or local governments thereof.

[This Article Newly Inserted by Presidential Decree No. 25498, Jul. 21, 2014]

Article 22–3 (Policy Proposals and Recommendations on Improvement)(1)

In receipt of policy proposals or recommendations on improvement concerning the relevant policies pursuant to Article 13 (5) of the Act, the heads of relevant central administrative agencies or local governments shall develop improvement measures for such proposals or recommendations on improvement within 30 days from the date of receipt of such proposals or recommendations on improvement and submit the relevant measures to the Minister of Employment and Labor.

(2) After completing implementation of improvement measures, the heads of relevant central administrative agencies or local governments who have developed the improvement measures pursuant to paragraph (1) shall notify the Minister of Employment and Labor of the results thereof without delay.

[This Article Newly Inserted by Presidential Decree No. 25498, Jul. 21,

2014]

Article 23 (Vicarious Execution of Employment Impact Assessment)

The Minister of Employment and Labor shall designate one of the institutes falling under any subparagraph of Article 13 (8) of the Act as an institute to vicariously conduct employment impact assessment and publicly announce it. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010; Presidential Decree No. 25498, Jul. 21, 2014>](#)

Article 24 (Consultation, etc. to Specialized Agencies)(1) The Minister of Employment and Labor may seek advice from specialized agencies and refer to them for investigation and research regarding the collection and provision of employment and vocational information under Article 15 of the Act, compiling of the data on trends, etc. in supply and demand of human resources under Article 16 of the Act, or other necessary matters. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)
(2) Where the Minister of Employment and Labor seeks advice or refers for investigation and research pursuant to paragraph (1), he/she may pay all or part of expenses incurred in providing the relevant advice and conducting investigation and research to specialized agencies within the budgetary limits. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 25 (Establishment and Operation of Information Communications Networks for Jobs in Financial Support)(1) The Minister of Employment and Labor shall, in order to establish and operate the information communications networks for jobs in financial support under Article 15 (1) of the Act under Article 15 (3) (hereinafter referred to as "information communications networks for jobs in financial support"), shall determine a project related to jobs in financial support to be managed through the information communications networks for jobs in financial support from among projects conducted by the government each year, through the consultation with the heads of the related central administrative agencies and inform such heads of the outcomes of such determination. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

(2) The heads of the central administrative agencies that conduct projects related to jobs determined as subject matters to be managed through the information communications networks for jobs in financial

support under paragraph (1) shall enter necessary information for the operation of such networks.

(3) The Minister of Employment and Labor may, where it is necessary to establish and operate the information communications networks for jobs in financial support, organize and operate the consultative council consisting of the public officials of the related central administrative agencies. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 26 (Requests for Provision of Data)

Where the Minister of Employment and Labor deems it necessary to establish and operate information and communication network concerning employment under Article 15 (3) of the Act, he/she may request the heads of the related administrative agencies to provide necessary data. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 26–2 (Business Owners Required to Publicly Announce Current Status of Employment Type)

(1) "Business owner employing workers of at least the number prescribed by Presidential Decree" in Article 15–2 (1) of the Act means a business owner employing at least 300 full-time workers.

(2) The number of full-time workers being employed under paragraph (1) shall be calculated following the method of calculation of the number of full-time workers under Article 2 (1) 3 of the Act on the Collection of Insurance Premiums, etc. for Employment Insurance and Industrial Accident Compensation Insurance. [<Amended by Presidential Decree No. 26122, Feb. 26, 2015>](#)

[This Article Newly Inserted by Presidential Decree No. 24590, Jun. 11, 2013]

Article 27 (Preparation of Data on Supply and Demand Trends, etc. of Human Resources)

(1) When preparing the data on supply and demand trends, etc. of human resources under Article 16 of the Act, the Minister of Employment and Labor shall take into account the data related to the supply and demand trends, etc. of human resources prepared by heads of the related central administrative agencies. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

(2) Where the heads of the related central administrative agencies prepare the data on supply and demand trends, etc. of human

resources, they shall take into account the data related to the supply and demand trends, etc. of human resources prepared by the Minister of Employment and Labor under paragraph (1). [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

(3) The Minister of Employment and Labor may establish and operate the consultative council consisting of public officials of the related central administrative agencies in order to enhance the consistency of the data on the trends, etc. of supply and demand of human resources prepared under paragraphs (1) and (2). [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

(4) The Minister of Employment and Labor may separately enact the regulations on the establishment and operation of the consultative council referred to in paragraph (3). [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 27-2 (Profit-Making Business of Korea Job World)(1) Profit-making business the Korea Job World is allowed to conduct as prescribed in Article 18-2 of the Act shall be as listed in the following:

1. Sale of admission tickets to the Korea Job World and tickets for experiential programs;
2. Lease of facilities of the Korea Job World;
3. Production and sale of souvenirs;
4. Operation of programs for designing future occupational careers;
5. Advertisement using facilities of the Korea Job World;
6. Other business the Minister of Employment and Labor deems necessary to cover expenses incurred in conducting projects of the Korea Job World.

(2) Where the Korea Job World intends to engage in profit-making business pursuant to Article 18-2 (4) of the Act, it shall submit a business plan by no later than December 31 of the previous year and obtain approval from the Minister of Employment and Labor. Where an alteration is to be made to the approved plan, it shall, beforehand, obtain approval as well.

(3) The Korea Job World shall submit records of performance and account settlement of profit-making business to the Minister of Employment and Labor by no later than March 31 of the following year. [This Article Newly Inserted by Presidential Decree No. 24062, Aug. 22, 2012]

Article 28 (Human Resources Maintenance Support Plans for Small and Medium Enterprises)

(1) A human resources maintenance support plan for small and medium enterprises under Article 30 of the Act shall include the following matters: [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

1. Matters on employment trends in small and medium enterprises;
2. Matters on the working environment and welfare facilities of small and medium enterprises and other matters on the present conditions, improvement, etc. of employment management;
3. Matters on the subjects, details and procedures of support for small and medium enterprises;
4. Matters on the subsidization of funds and cost-bearing pursuant to the statutes relating to support for small and medium enterprises;
5. Matters relating to subparagraphs 2 through 4, which are deemed particularly necessary by the Minister of Employment and Labor.

(2) Where the Minister of Employment and Labor deems it particularly necessary to smoothly implement the human resources maintenance support plan for small and medium enterprises established under paragraph (1), he/she may request the head of a related administrative agency to provide support. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

(3) The head of an administrative agency who is requested to provide support pursuant to paragraph (2) shall notify (including notification by an electronic document) a plan to act on such request and its outcomes to the Minister of Employment and Labor. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 29 (Occupational Categories, Regions, etc. Subject to Support)

(1) Occupational categories or regions requiring support, etc. for employment adjustment under Article 32 of the Act shall be limited to occupational categories or regions determined and publicly notified by the Minister of Employment and Labor, among any of the followings:

[<Amended by Presidential Decree No. 22269, Jul. 12, 2010; Presidential Decree No. 24062, Aug. 22, 2012>](#)

1. Occupational categories, employment levels of which significantly decline or are likely to decline due to conversion or reduction, suspension and discontinuance of projects;
2. Regions in which employment situations significantly worsen or are likely to worsen as occupational categories listed in subparagraph 1

are concentrated in a specific region, and which are deemed to require measures such as preventing unemployment, promoting to re-employment, etc. for workers in the relevant region;

3. Regions in which many job seekers move to another region or the employment opportunities are significantly limited compared to the number of job seekers, and which are deemed to require measures for employment development in the relevant region.

(2) Where the Minister of Employment and Labor designates and publicly announces the occupational categories or regions pursuant to paragraph (1), he/she shall publicly announce the period of support, etc. for employment adjustment for the relevant occupational categories or regions together. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

(3) Where the Minister of Employment and Labor intends to designate and publicly announce occupational categories or regions pursuant to paragraph (1), he/she shall consult in advance with the head of a related central administrative agency, and undergo deliberation by the Policy Deliberative Council. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 30 (Support, etc. for Adjustments in Employment)(1) By conducting projects for the stabilization of employment and the development of occupational capability under the Employment Insurance Act, the Minister of Employment and Labor may provide necessary support for persons currently or formerly insured under the Employment Insurance Act of the occupational category or region designated pursuant to Article 29, other persons intending to find employment, or business owners governed by the Employment Insurance Act. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010; Presidential Decree No. 25498, Jul. 21, 2014>](#)

(2) The State and the local government may provide support within the budgetary limits, for business owners who are not governed by the Employment Insurance Act among those in the occupational categories or regions designated pursuant to Article 29, as he/she deems necessary. In such cases, the details of and standards and procedures for support and other necessary matters shall be determined by the Minister of Employment and Labor, following deliberation by the Policy Deliberative Council. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

(3) Where support, etc. for adjustments in employment referred to in Article 32 of the Act correspond to a project using the Fund for the Establishment and Promotion of Small and Medium Enterprises prescribed in the Small and Medium Enterprises Promotion Act, pursuant to Article 33 of the Industrial Development Act, the Minister of Employment and Labor may request the Minister of Trade, Industry and Energy to provide support from the Fund. <Amended by Presidential Decree No. 22269, Jul. 12, 2010; Presidential Decree No. 24447, Mar. 23, 2013>

Article 30-2 (Composition, Operation, etc. of Employment-Related Disaster Research Team)

(1) An employment disaster investigation team under Article 32-2 (3) of the Act (hereinafter referred to as "employment disaster investigation team") shall consist of 15 members or less including a head.

(2) A public official of the Ministry of Employment and Labor who is a member of the Senior Civil Service Corps shall become the head of the team; the public officials of the Ministry of Employment and Labor and relevant central administrative agencies, and private specialists with sufficient expertise and knowledge in the field of employment, labor, etc., who are appointed by the Minister of Employment and Labor, shall become its members.

(3) After inspections on the scale and current status of damage, such as unemployment, etc., the details of necessary support, etc., the employment disaster investigation team shall report such results to the Minister of Employment and Labor and the heads of the relevant central administrative agencies.

(4) If necessary for the inspection on the situation of damage, such as unemployment, etc., the employment disaster investigation team may request the owners of businesses experiencing bankruptcy, unemployment, etc., the heads of relevant central administrative agencies and local governments, etc. to submit relevant data. In such cases, any business owner, etc. in receipt of a request to submit data shall comply with such request unless there is a compelling reason not to do so.

(5) Except as otherwise expressly provided for in paragraphs (1) through (4), matters necessary for the composition and operation of the employment disaster investigation team shall be determined by the Minister of Employment and Labor after consultation with the heads of

relevant central administrative agencies.

[This Article Newly Inserted by Presidential Decree No. 25498, Jul. 21, 2014]

Article 30–3 (Support for Employment Disaster Areas)

The details of special administrative, fiscal and financial support necessary for overcoming employment–related disaster under Article 32–2 (4) of the Act are as follows: [<Amended by Presidential Decree No. 26248, May 26, 2015>](#)

1. Use of reserve funds under Article 51 of the National Finance Act and special support under Article 58 of the Local Finance Act;
2. Requests for loans from the Fund for the Establishment and Promotion of Small and Medium Enterprises under the Small and Medium Enterprises Promotion Act, and requests for preferential credit guarantees from the Credit Guarantee Fund under the Credit Guarantee Fund Act and preferential treatment regarding the conditions for such guarantees;
3. Tax reductions and/or exemptions under tax–related statutes for small and micro enterprises referred to in Article 14 of the Act on the Protection of and Support for Micro Enterprises;
4. Deferment of dispositions on default on the premiums of employment insurance and industrial accident compensation insurance or charges under Article 28 of the Act on the Collection of Insurance Premiums, etc. for Employment Insurance and Industrial Accident Compensation Insurance and the extension of deadlines for payment under Article 39 of the same Act;
5. Special support for employment programs implemented by central administrative agencies and local governments;
6. Other support necessary for the stabilization of employment, job creation, etc. in areas experiencing employment–related disaster.

[This Article Newly Inserted by Presidential Decree No. 25498, Jul. 21, 2014]

Article 31 (Level for Report of Radical Changes in Employment)

"Level prescribed by Presidential Decree" in the main sentence of Article 33 (1) of the Act means where number of workers leaving their jobs within one month falls under any of the following levels, except where workers leaving their jobs fall under the level as determined by Ordinance of the Ministry of Employment and Labor: [<Amended by](#)

Presidential Decree No. 22269, Jul. 12, 2010>

1. At least 30 persons in a business or workplace which employs less than 300 full-time workers;
2. At least 10/100 of the total number of workers in a business or workplace which employs at least 300 full-time workers.

Article 32 (Projects for Unemployment Measures)(1) Where the Minister of Employment and Labor formulates unemployment measures under Article 34 of the Act for the implementation of projects for unemployment measures, he/she shall determine enforcement subjects, kinds, scale and timing of the relevant unemployment measures.

<Amended by Presidential Decree No. 22269, Jul. 12, 2010>

(2) Projects for unemployment measures under Article 34 of the Act shall include the following projects:

1. A project which uses mass human resources;
2. A project performed in a region where many persons have lost their jobs or are likely to lose their jobs;
3. A project which is easy to suspend or change its scope according to changes in the employment situation.

Article 33 (Payment of Wages to Those who Participate in Public Labor Projects)

Where the Minister of Employment and Labor performs public labor projects referred to in Article 34 (1) 5 of the Act and all the following requirements are satisfied, he/she may pay some of the wages to those who participate in such projects with anything, other than currency:

<Amended by Presidential Decree No. 22269, Jul. 12, 2010>

1. It shall be deemed necessary to urgently consider the promotion of consumption, activation of the local economy, etc.;
2. It is necessary to obtain consent from those who participate in projects in that they consent to receive some of the wages with anything, other than currency.

Article 34 (Other Projects for Unemployment Measures)

The Minister of Employment and Labor may implement any of the following projects for unemployment measures, in order to resolve unemployment and stabilize the livelihood of the unemployed under Article 34 (1) 6 of the Act: <Amended by Presidential Decree No. 22269, Jul. 12, 2010>

1. Support for a non-profit corporation or organization performing employment promotion projects, such as a work project employing the unemployed through public activities;
2. Other support for a non-profit corporation or organization performing livelihood stability support projects, such as living and medical support for the unemployed and their families as a part of the projects for unemployment measures.

Article 35 (Entrustment, etc. of Projects for Unemployment Measures)(1)

The Minister of Employment and Labor shall entrust the Korea Labor Welfare Corporation under the Industrial Accident Compensation Insurance Act (hereinafter referred to as the "Corporation") with the following projects pursuant to Article 34 (2) of the Act: [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

1. Supporting projects for the unemployed under Article 34 (1) 2 of the Act;
2. Loans to those who perform employment promotion-related projects under Article 34 (1) 4 of the Act;
3. Projects for unemployment measures referred to in any subparagraph of Article 34.

(2) Where the Minister of Employment and Labor entrusts projects for unemployment measures to the Corporation pursuant to paragraph (1), he/she may pay the Corporation entrustment fees from the general accounts. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 36 (Scope of Unpaid Retirees Temporarily from Office to be Deemed Unemployed)

"Unpaid retirees temporarily from office prescribed by Presidential Decree" in Article 34 (3) of the Act means temporary unpaid retirees from office with a fixed period of not less than six months.

Article 37 (Promotion of Re-employment in Public Business, etc.)(1)

When the Minister of Employment and Labor deems it necessary for projects for unemployment measures pursuant to Article 34, he/she may request any of the following persons to employ the unemployed registered with employment security offices: [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

1. A person who engages in business conducted by the State and local governments;

2. A person who engages in business conducted by agencies financed or contributed by the State and local governments;
3. A person who engages in business conducted with the aid of the State and local governments.

(2) The Minister of Employment and Labor may request a local government performing public activities to offer such opportunities for public activities to a long-term job seeker registered with employment security offices. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 38 (Adjustment of Vocational Ability Development Training)

Where it is deemed necessary for the prompt and effective vocational ability development training of the unemployed, the Minister of Employment and Labor may request public vocational training establishments to adjust the training timing, shorten the training period, adjust the occupational categories for training, adjust the scope of entrusted training, etc. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 39 (Payment of Contributions)(1) Where the Government intends to pay the Corporation contributions under Article 35 (1) 1 of the Act, the Minister of Employment and Labor shall appropriate them in the budget and pay them. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

(2) Where the budget for contributions is decided under paragraph (1), the Minister of Employment and Labor shall notify the Corporation thereof (including notification by an electronic document). [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

(3) When the Corporation intends to receive the contributions, it shall submit (including submission by an electronic document) to the Minister of Employment and Labor an application for payment accompanied by a business plan and a budgetary execution plan by each quarter.

[<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

(4) Upon the receipt of an application for payment under paragraph (3), the Minister of Employment and Labor shall, if he/she deems that the relevant business plan and budget execution plan by each quarter are appropriate, pay the contributions according to the plans. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

Article 40 (Borrowing of Funds)

Where the Corporation intends to obtain approval for borrowing funds under Article 36 of the Act, it shall submit (including submission by an electronic document) to the Minister of Employment and Labor an application for approval in which the following matters are included:

[<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

1. Reasons for and amount of borrowing (in cases of the introduction of materials, the kinds, quantity, and prices of such materials);
2. Sources of borrowing;
3. Terms of borrowing;
4. Methods of and deadline for the repayment of borrowed funds;
5. Other necessary matters for the borrowing and repayment of funds.

Article 41 (Reporting and Inspections)(1) Where the Minister of Employment and Labor requests a report under Article 38 (1) of the Act, he/she shall provide a period of at least seven days, except in cases of matters which require urgency. [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

(2) A request for a report under paragraph (1) shall be made in writing (including electronic documents).

Article 42 (Delegation of Authority)

The Minister of Employment and Labor shall delegate the authority on the following matters to the head of each employment security office pursuant to Article 39 of the Act: [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

1. Reporting and inspections under Article 38 of the Act;
2. Imposition and collection of administrative fines prescribed in Article 42 of the Act;
3. Promotion of re-employment in public business, etc. under Article 37.

Article 43 (Delegation of Duties)

"A non-profit corporation or organization prescribed by Presidential Decree" in Article 40 (2) of the Act means any of the following corporations or organizations: [<Amended by Presidential Decree No. 22269, Jul. 12, 2010>](#)

1. The Korea Employment Information Service under Article 18 of the Act;

2. The Corporation;
3. The Korea Employment Promotion Agency for the Disabled provided for in the Employment Promotion and Vocational Rehabilitation of Disabled Persons Act;
4. The Korea Employers Federation established as an incorporated association after obtaining permission therefor from the Minister of Employment and Labor pursuant to Article 32 of the Civil Act;
5. Non-profit corporations or organizations falling under each subparagraph of Article 24 (2) of the Infant Care Act;
6. Corporations or organizations designated and officially announced by the Minister of Employment and Labor from among non-profit corporations or organizations that render employment services for workers.

Article 43-2 (Handling of Personally Identifiable Information)(1) Where it is inevitable for conducting affairs under the following subparagraphs, the Minister of Employment and Labor (including persons delegated with the authority of the Minister of Employment and Labor pursuant to Article 40 of the Act) may handle data containing resident registration numbers or foreigner registration numbers under subparagraph 1 or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act:

1. Affairs concerning the operation of an information network performing integrated management of government-funded employment projects under Article 13-2 (1) 7 of the Act;
2. Affairs concerning the collection and provision of information on employment and occupations under Article 15 of the Act;
3. Affairs concerning the provision, support, etc. of employment services to job seekers and job offerers under Article 23 of the Act;
4. Affairs concerning support for promotion of employment of vulnerable class in employment under Article 26 of the Act;
5. Affairs concerning support for enterprises for creation, etc. of employment under Article 29 of the Act;
6. Affairs concerning reports on large-scale changes in employment under Article 33 of the Act and measures taken thereagainst.

(2) Where it is inevitable for conducting affairs concerning management, etc. of an integrated information network for government-funded employment programs under Article 13-2 (2) of the Act, the head of a central administrative agency and the head of a local government (including institutions and organizations delegated with

affairs of the head of a central administrative agency and the head of a local government) may handle data containing resident registration numbers or foreigner registration numbers under subparagraph 1 or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act.

[This Article Wholly Amended by Presidential Decree No. 26046, Jan. 12, 2015]

Article 43-3 (Re-Examination of Regulation)

The Minister of Employment and Labor shall examine the appropriateness of business owners obligated to publicly announce the current state of employment type prescribed in Article 26-2 and take measures for improvement, etc. every three years (referring to the period that ends on the day before January 1 of every third year) from January 1, 2014.

[This Article Newly Inserted by Presidential Decree No. 25050, Dec. 30, 2013]

Article 44 (Guidelines for Imposition of Administrative Fines)

The guidelines for imposition of administrative fines shall be specified in the attached Table.

⊕ ADDENDA <Presidential Decree No. 21962, Dec. 31, 2009>

Article 1 (Enforcement Date)

⊕ ADDENDA <Presidential Decree No. 22075, Mar. 15, 2010>

Article 1 (Enforcement Date)

⊕ ADDENDA <Presidential Decree No. 22269, Jul. 12, 2010>

Article 1 (Enforcement Date)

⊕ ADDENDA <Presidential Decree No. 23488, Jan. 6, 2012>

Article 1 (Enforcement Date)

▣ ADDENDUM <Presidential Decree No. 24062, Aug. 22, 2012>

This Decree shall enter into force on the date of its promulgation.

⊕ ADDENDA <Presidential Decree No. 24447, Mar. 23, 2013>

Article 1 (Enforcement Date)

▣ ADDENDUM <Presidential Decree No. 24590, Jun. 11, 2013>

This Decree shall enter into force on June 19, 2013.

▣ ADDENDUM <Presidential Decree No. 25050, Dec. 30, 2013>

This Decree shall enter into force on January 1, 2014. (Proviso Omitted.)

▣ ADDENDUM <Presidential Decree No. 25498, Jul. 21, 2014>

This Decree shall enter into force on July 22, 2014.

⊕ ADDENDA <Presidential Decree No. 25751, Nov. 19, 2014>

Article 1 (Enforcement Date)

▣ ADDENDUM <Presidential Decree No. 26046, Jan. 12, 2015>

This Decree shall enter into force on the date of its promulgation.

▣ ADDENDUM <Presidential Decree No. 26122, Feb. 26, 2015>

This Decree shall enter into force on March 1, 2015.

⊕ ADDENDA <Presidential Decree No. 26248, May 26, 2015>

Article 1 (Enforcement Date)

▣ ADDENDA <Presidential Decree No. 26922, Jan. 22, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on January 25, 2016.

Articles 2 through 6 Omitted.