

FRAMEWORK ACT ON EMPLOYMENT POLICY

Act No. 4643, Dec. 27, 1993

Amended by Act No. 5509, Feb. 20, 1998
Act No. 6510, Aug. 14, 2001
Act No. 6510, Aug. 14, 2001
Act No. 7045, Dec. 31, 2003
Act No. 7299, Dec. 31, 2004
Act No. 7831, Dec. 30, 2005
Act No. 8372, Apr. 11, 2007
Act No. 8813, Dec. 27, 2007
Wholly Amended by Act No. 9792, Oct. 9, 2009
Act No. 10338, May 31, 2010
Act No. 10339, Jun. 4, 2010
Act No. 10361, Jun. 8, 2010

CHAPTER I

General Provisions

Article 1 (Purpose)

The purpose of this Act is to allow each citizen to develop vocational skills throughout his/her life and have more employment opportunities through the establishment and implementation of employment policies by the State, and to contribute to social integration through people's improved quality of life and sustainable economic growth and employment by supporting employment security for workers and the creation of jobs and the smooth securing of workforces by enterprises and by promoting the efficiency of the labor market and a balance between labor supply and demand.

Article 2 (Definition)

The term "worker" in this Act means any person who is employed by an employer and who intends to seek a job.

Article 3 (Basic principles)

The State shall, if establishing and implementing employment policies under this Act, ensure that matters falling under any of the following subparagraphs are realized.

1. Workers' freedom to choose an occupation and right to work should be secured;
2. Employers' independence in employment management should be respected;

3. Job seekers' voluntary efforts for employment should be promoted;
4. Employment policies should be established and implemented in an efficient and performance-oriented way;
5. Employment policies should be established and implemented in a balanced way in consideration of labor market conditions, economic policies and social policies; and
6. Employment policies should be established and implemented on the basis of cooperation between the State and local governments, between the public and private sectors and between workers, employers and the government.

Article 4 (Relations to Other Acts)

Any enactment or amendment of other Acts concerning employment policies shall comply with the purpose and basic principles of this Act.

Article 5 (Responsibilities and Duties of Workers, Employers, etc.)

(1) A worker shall choose an occupation suited to his/her aptitude and skills, constantly develop the skills (hereinafter referred to as "vocational skills") needed for his/her occupation throughout his/her career, and make efforts to achieve self-development through his/her occupation.

(2) An employer shall train workforces needed for his/her business, make efforts to develop the vocational skills of the workers employed by him/her and to improve employment management, promote employment security and equal employment for workers and so on so as to enable workers to exert their abilities to the greatest extent possible while at work.

(3) A trade union and an employers' organization shall actively cooperate in workers' efforts to develop their vocational skills and employers' efforts to develop the vocational skills of workers, improve employment management, promote employment security and employment equality for workers and so on.

(4) A worker, an employer, a trade union and an employers' organization shall actively cooperate for the smooth implementation of the policies of the State and local governments referred to in Article 6.

(5) A recipient of unemployment benefits under the Employment Insurance Act, a recipient able to work under the National Basic Living Security Act, and a person who participates in the government's employment support projects shall make active efforts to be employed for themselves, and diligently comply with and actively participate in the job placement services, vocational guidance, vocational skills development training, etc., conducted by the State and local governments.

Article 6 (Policies of the State and local governments)

(1) The State shall establish and implement necessary policies with regard to the matters described in any of the following subparagraphs:

1. Matters concerning the collection and provision of information on employment, jobs and the labor market to help each citizen to choose a job suitable for his/her abilities and aptitude and resolve mismatch between labor supply and demand, and matters concerning the surveys and announcement of trends and prospects for labor supply and demand;
2. Matters concerning vocational skills development training and technical qualification tests to develop workers' vocational skills throughout their lives and cultivate technical and skilled workforces needed for industries;
3. Matters concerning the prevention of unemployment and promotion of employment security and equal employment;
4. Matters concerning support for workers' mobility across industries, occupations and regions;
5. Matters concerning job placement, vocational guidance and vocational training to provide income support for the unemployed and promote their employment during unemployment; career development for the underemployed to be reemployed in better jobs; and the promotion of the economically inactive population's participation in the labor market;
6. Matters concerning employment promotion for those who have particular difficulties in getting employed under the ordinary conditions of the labor market due to their lack of education and professional experience, old age, physical or mental disabilities, prolonged unemployment, migration from overseas and so on, and for eligible recipients, etc., under the National Basic Living Security Act (hereinafter referred to as "vulnerable groups");
7. Matters concerning support for job creation, securing of workforces, employment retention, etc., by employers, and the prevention of labor shortages;
8. Matters concerning employment promotion by region to create jobs in local areas and activate local labor markets;
9. Matters concerning the efficient operation of the system of providing various subsidies, grants, allowances, etc., in order to implement policies with regard to the matters referred to in subparagraphs 1 through 8;
10. Matters concerning the provision of employment information to job seekers and job offerers, the expansion of the

services of providing employment support (hereinafter referred to as "employment services"), such as job placement, vocational guidance or vocational skills development, and the fostering of the private employment service market in order to effectively implement policies with regard to the matters referred to in subparagraphs 1 through 8; and

11. Other matters necessary for the enhancement of the efficiency and soundness of the labor market.

(2) If establishing and implementing the policies referred to in paragraph (1), the State shall give comprehensive consideration to policies, such as for the improvement of corporate management basis, the balanced development of the economy and society, and the balanced development of the national land, ensure the expansion of employment opportunities, the redress of imbalance between regions and the favorable treatment of small and medium-sized enterprises, and make efforts to improve employment practices, such as discriminatory employment practices, which keep workers from displaying their abilities.

(3) Local governments shall make efforts to establish and implement policies concerning employment promotion for local residents, the provision of jobs and vocational training suitable for local residents and so on after taking into account the State's policies established under paragraph (1) and the characteristics of the local labor market.

(4) The State may provide necessary support to a local government which establishes and implements policies under paragraph (3).

Article 7 (Guarantee of Equal Opportunity in Employment)

(1) When recruiting and employing workers, an employer shall not discriminate against a worker on grounds of gender, religion, age, physical conditions, social status, place of origin, attended school, marital status, pregnancy or medical history (hereinafter referred to as "gender, etc.") without reasonable grounds and shall guarantee equal opportunities for employment.

(2) No person who provides employment services shall discriminate against a job seeker on grounds of gender, etc without reasonable grounds when performing his/her duties.

(3) No person who conducts vocational skills development training shall discriminate against a trainee on grounds of gender, etc., without reasonable grounds when recruiting trainees, conducting training or providing employment support.

CHAPTER II

System of Establishing and Implementing Employment Policy

Article 8 (Establishment and Implementation of Basic Plan on Employment Policies)

(1) The Minister of Employment and Labor shall establish a basic plan on employment policies of the State (hereinafter referred to as "basic plan") every five years in consultation with the heads of relevant central administration agencies. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) When establishing the basic plan under paragraph (1), the Minister of Employment and Labor shall report the established basic plan to a cabinet meeting and announce it to the public after deliberation by the Employment Policy Council under Article 10 (1). *<Amended by Act No. 10339, Jun. 4, 2010>*

(3) A basic plan shall contain the following matters:

1. Mid- and long-term goals and direction of employment policies
2. Matters concerning trends in economic, industrial, educational, welfare or population policies, etc., that affect labor demand and supply;
3. Matters concerning employment trends and prospects for labor demand and supply;
4. Matters concerning the basic direction of policies with regard to the matters described in each subparagraph of Article 6 (1); and
5. Other matters concerning major policies relating to employment.

(4) When the head of a relevant central administration agency establishes a plan relating to employment, he/she shall do so in harmony with the basic plan.

(5) If it is necessary for the establishment of the basic plan, the Minister of Employment and Labor may request the head of a relevant administration agency or local government to submit necessary materials. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 9 (Establishment and Implementation of Basic Plan on Local Employment Policies)

(1) The heads of a special metropolitan city, metropolitan city, province and special self-governing province (hereinafter referred to as "heads of cities and provinces") shall establish and implement a basic plan for local employment policies concerning employment promotion, employment security, etc., for local residents (hereinafter referred to as "local employment

plan” after deliberation by the local employment council under Article 10 (1).

(2) When establishing a local employment policy, the heads of cities and provinces shall do so in harmony with the basic plan.

(3) The heads of cities and provinces may request cooperation from the head of a relevant central administration agency or the head of the competent employment security office if it is necessary for the establishment of a local employment plan.

(4) The State may provide necessary support to the heads of cities and provinces when they establish and implement a local employment plan.

Article 10 (Employment Policy Council)

(1) In order to deliberate on major matters concerning employment, an Employment Policy Council (hereinafter referred to as “Policy Council”) shall be set up in the Ministry of Employment and Labor and a local employment council in a special metropolitan city, metropolitan city, province and special self-governing province. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) The Policy Council shall deliberate on each of the following matters: *<Amended by Act No. 10338, May 31, 2010 and Act No. 10361, Jun. 8, 2010>*

1. Matters concerning the policies under Article 6 (1) and matters concerning the establishment of a basic plan under Article 8 (1);
2. Matters concerning employment and unemployment measures in response to changes, etc., in the structure of labor supply and industrial structure;
3. Matters concerning the selection of subject matters for policy analysis and evaluation, evaluation method, etc. under Article 13;
4. Matters described in each of the following items under the Social Enterprise Promotion Act:
 - A. Basic plan for social enterprise promotion under Article 5 of the Social Enterprise Promotion Act;
 - B. Matters concerning examination criteria for certification of social enterprises under Article 7 of the Social Enterprise Promotion Act; and
 - C. Other matters prescribed by the Presidential Decree, which are necessary for supporting social enterprises.
5. Matters described in each subparagraph of Article 17 (7) of the Act on Equal Employment and Support for Work-Family Reconciliation;
6. Matters described in each of the following items under the Act on Employment Promotion and Vocational Rehabilitation of Disabled Persons:

- A. Matters concerning the establishment of a basic plan for employment promotion and vocational rehabilitation of disabled persons under Article 7 (1) of the Act on Employment Promotion and Vocational Rehabilitation of Disabled Persons;
 - B. Other matters put forward by the chair at a meeting with regard to employment promotion and vocational rehabilitation of disabled persons
7. Matters described in each subparagraph of Article 8 of the Framework Act on Labor Welfare ;
 8. Matters on which deliberation is requested by the head of a relevant administration agencies in relation to employment;
 9. Other matters required by other laws and regulations to undergo deliberation by the Policy Council and matters prescribed by the Presidential Decree.
- (3) The Policy Council shall be comprised of not more than thirty members including a chairman, and chaired by the Minister of Employment and Labor and the members shall be commissioned by the Minister of Employment and Labor from among those who fall under any of the following subparagraphs and the Vice Ministers or vice-ministerial level officials of relevant central administration agencies as provided by the Presidential Decree; *<Amended by Act No. 10339, Jun. 4, 2010>*
1. Those who represent workers and employers;
 2. Those who have plenty of knowledge and experience in employment issues; and
 3. Those recommended by the nationwide consultative body of the heads of cities and provinces under Article 165 of the Local Autonomy Act.
- (4) Technical committees by field may be set up under the Policy Council in order to efficiently operate the Policy Council and to professionally deliberate on the matters to be deliberated on by the Policy Council.
- (5) Technical committees shall deliberate on the matters delegated to them by the Policy Council under the conditions prescribed by the Presidential Decree. In this case, deliberation by the technical committees shall be deemed deliberation by the Policy Council.
- (6) The organization, operation and other necessary matters of the Policy Council, a local employment council and a technical committee shall be prescribed by the Presidential Decree.

Article 11 (Establishment of Employment Security Office)

- (1) The State shall, if implementing policies under Article 6 (1), set up and operate an employment security office in each region to ensure that local workers and employers can receive employment services conveniently.

(2) If the head of a local government operates an organization in charge of providing employment services to job seekers and job-offering enterprises in his/her region, the State may provide support necessary for the operation of that organization.

(3) The heads of employment security offices and the heads of local governments shall cooperate with each other in performing the duties of providing employment services.

(4) The State or a local government may establish and operate facilities necessary for the provision of employment services to vulnerable groups under the conditions prescribed by the Presidential Decree.

Article 12 (Support, etc., for Provision of Employment Services by Private Sector)

(1) The State may establish and implement policies falling under each of the following subparagraphs for the development of the private employment services industry:

1. Training of experts in employment services;
2. Linking together of private and public information networks relating to employment;
3. Discovery of projects for which private-sector expertise can be utilized, from among the employment service projects conducted by the State and local governments, and entrustment of such projects; and
4. Certification of private agencies offering outstanding employment services.

(2) Employment security offices and private agencies may cooperate in conducting projects to provide employment services by, for instance, conducting them jointly or linking them.

(3) The Minister of Employment and Labor or the head of an employment security office may provide necessary support, such as facilities, equipment, etc., to administration agencies, local governments and other private employment service agencies which provide employment services. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 13 (Policy Analysis and Evaluation)

(1) The head of a central administration agency and the head of a local government shall analyze and evaluate the impacts of their policies on employment and job creation, and make efforts to reflect the results in the establishment and implementation of policies.

(2) Where policies having a great impact on employment fall under any of the following subparagraphs, the Minister of Employment and Labor may analyze and evaluate the impacts of such policies on employment and job creation, and notify the head of the competent central administration agency or the head

of the competent local government of the results: <Amended by Act No. 10339, Jun. 4, 2010>

1. Policies for which the head of the related central administration agency or the head of the related local government requests the analysis and evaluation; and
 2. policies which are being or have been implemented by the related central administrative agency or local government and have been determined to be analyzed or evaluated during deliberation by the Policy Council;
- (3) Necessary matters concerning the procedures for requesting the analysis and evaluation under paragraph (2), the selection of subject matters for analysis and evaluation, the selection method, etc. shall be prescribed by the Presidential Decree.
- (4) The Minister of Employment and Labor may have an institution falling under any of the following subparagraphs conduct the analysis and evaluation referred to in paragraph (2) on his/her behalf under the conditions prescribed by the Presidential Decree. In this case, the Minister of Employment and Labor shall pay the expenses required for conducting that analysis and evaluation on his/her behalf. <Amended by Act No. 10339, Jun. 4, 2010>
1. Research institutes to which the State or local governments contribute (including research institutes to which such institutes re-contribute); and
 2. Private research institutes

Article 14 (International Cooperation)

The Minister of Employment and Labor may conduct cooperation projects with international organizations, foreign governments or foreign organizations with regard to the examination of trends in the international labor market, the preparation of measures and the development of employment policies. <Amended by Act No. 10339, Jun. 4, 2010>

CHAPTER III

Collection and Provision of Employment Information, etc.

Article 15 (Collection and Provision of Employment and Job Information)

(1) The Minister of Employment and Labor shall collect and manage information on job seekers and job offers, employment trends by industry and region, labor market information, information on the current state and prospects of jobs, information on vocational skills development training, information on subsidized

jobs and other employment and job information (hereinafter referred to as “employment and job information”) to promptly and properly match job seekers and job offers. <Amended by Act No. 10339, Jun. 4, 2010>

(2) The Minister of Employment and Labor shall take necessary measures, including the publication and distribution of booklets, to ensure that job seekers and job offerers, vocational training institutions, educational institutions and other people who need employment and job information can use such information promptly and conveniently. <Amended by Act No. 10339, Jun. 4, 2010>

(3) The Minister of Employment and Labor shall build and operate employment-related information networks, such as employment security network and employment insurance network, in order to efficiently carry out the work referred to in paragraphs (1) and (2). <Amended by Act No. 10339, Jun. 4, 2010>

Article 16 (Preparation of Data on Labor Supply and Demand Trends)

(1) The Minister of Employment and Labor shall annually examine trends and prospects for labor supply and demand, including economic and industrial trends and prospects that affect labor supply and demand, and prepare and publicize data thereon. <Amended by Act No. 10339, Jun. 4, 2010>

(2) If it is deemed necessary for the preparation of data on trends and prospects for labor supply and demand under paragraph (1), the Minister of Employment and Labor may request any of the following organizations to provide necessary data: <Amended by Act No. 10339, Jun. 4, 2010>

1. Related administration agencies;
2. Educational and research institutes;
3. Employers or their organizations;
4. Trade unions; and
5. Other related organizations

(3) A person who is requested to provide data under paragraph (2) shall comply with the request unless there is any special reason.

Article 17 (Preparation, Distribution, etc., of Statistics on Employment)

(1) For the efficient establishment and implementation of employment policies, the Minister of Employment and Labor shall prepare and publicize statistics on employment structure and labor demand by industry, occupation and region to make them available to people. <Amended by Act No. 10339, Jun. 4, 2010>

(2) The Minister of Employment and Labor shall take necessary measures, such as building a database, so that people can conveniently use the statistics prepared under paragraph (1). <Amended by Act No. 10339, Jun. 4, 2010>

Article 18 (Establishment of Korea Employment Information Service)

(1) The Korea Employment Information Service shall be established to efficiently carry out the business delegated under Article 40, such as collecting and providing employment information, and conducting surveys and research on jobs, and other business concerning employment support.

(2) The Korea Employment Information Service shall be a legal person.

(3) The Korea Employment Information Service may have branch offices with the approval of the Minister of Employment and Labor. *<Amended by Act No. 10339, Jun. 4, 2010>*

(4) Business of the Korea Employment Information Service shall be as follows: *<Amended by Act No. 10339, Jun. 4, 2010>*

1. Business delegated by the Minister of Employment and Labor under Article 40;
2. Study, development and distribution of techniques concerning vocational guidance, vocational aptitude tests and vocational counselling;
3. Evaluation of and support for employment services;
4. International cooperation and other incidental business concerning the business referred to in subparagraphs 1 through 3; and
5. Other business delegated by the Minister of Employment and Labor, the head of another central administration agency or a local government.

(5) The government may contribute expenses necessary for the establishment and operation of the Korea Employment Information Service within the limits of its budget.

(6) The provisions concerning incorporated foundations in the Civil Act shall apply *mutatis mutandis* to the Korea Employment Information Service except for matters provided for in this Act and the Act on the Management of Public Institutions.

(7) The Korea Employment Information Service may request State agencies, local governments, educational and research institutes and other public institutions to provide information needed for its business.

(8) In applying Articles 129 through 132 of the Criminal Act, the officers and employees of the Korea Employment Information Service shall be regarded as public officials.

(9) Present and former officers and employees of the Korea Employment Information Service shall not disclose confidential information acquired in the course of performing their duties, or use them for other purposes.

CHAPTER IV

Vocational Skills Development

Article 19 (Vocational Skills Development Policies)

(1) The State shall establish and implement the necessary policies described in any of the following subparagraphs in order to promote and support vocational skills development:

1. Establishment of standards for vocational skills development
2. Expansion of vocational skills development training facilities and equipment
3. Research and development of the contents and methods of vocational skills development training;
4. Training and securing of vocational skills development training instructors and improvement of their quality; and
5. Other matters necessary to support workers' vocational skills development

(2) The State shall ensure that workers equipped with vocational skills necessary for industries are cultivated by connecting them with any of the following training:

1. Education and research conducted by educational and research institutes;
2. Vocational skills development training conducted by public vocational training facilities; and
3. Vocational skills development training conducted by employers and other individuals or organizations.

(3) Necessary matters concerning the vocational skills development under paragraph (1) shall be prescribed by a separate Act.

Article 20 (Support for Vocational Skills Development)

(1) An employer shall conduct necessary vocational skills development training for the workers employed by him/her and a worker shall make voluntary efforts to develop his/her vocational skills.

(2) The State may provide information, guidance and counseling concerning vocational skills development, and support necessary costs.

(3) The State may provide necessary support for all citizens to develop vocational skills and manage their career throughout their entire life.

Article 21 (Training of Technical and Skilled Workers)

The State shall investigate industrial development trends and the status of labor supply and demand in the labor market, and establish and implement necessary policies to cultivate technical and skilled workforces needed for the sustainable development of the national economy.

Article 22 (Establishment of Vocational Skills Evaluation System)

(1) The State shall establish a system of examining workers' knowledge, techniques and skills by setting standards for the evaluation of vocational skills, and make efforts to spread it.

(2) Necessary matters concerning the examination system under paragraph (1) shall be prescribed by a separate Act.

CHAPTER V

Employment Promotion for Workers and Support for Securing of Workforces by Employers

Article 23 (Support for Job Seekers and Job Offerers)

(1) The head of an employment security office shall provide systematic employment services to job seekers in consideration of the aptitude, abilities, etc., of each job seeker so that they can be employed in a job suitable for their aptitude, abilities, experience, etc.

(2) The head of an employment security office shall provide job offerers with information on job seekers, counseling, advice and other support necessary for finding workers so that they can promptly employ suitable workers.

Article 24 (Vocational Guidance for Students, etc.)

The State shall provide guidance and advice to students, etc., in all levels of schools under the Elementary and Secondary Education Act and the Higher Education Act in choosing a job in the future, provide them with information on occupations to help each of them to find a job suitable for his/her aptitude and abilities, give them opportunities to receive vocational guidance, such as vocational aptitude test, and provide them with other necessary support.

Article 25 (Employment Promotion for Youths, Women, the Aged, etc.)

(1) In order to promote the employment of youths, women, the aged, etc., the State shall develop types of occupations suitable for their employment, provide training courses for the development of their vocational skills, come up with a system for the expansion of their employment opportunities, reform relevant Acts and subordinate statutes, and establish and implement other necessary measures:

(2) Necessary matters concerning employment promotion for youths, women, the aged, etc., under paragraph (1) shall be prescribed by a separate Act.

Article 26 (Employment Promotion for Vulnerable Groups)

(1) In order to promote the employment of vulnerable groups, the State shall provide necessary support, such as developing their vocational skills, under employment support programs including any of the following contents:

1. Diagnosis of the skills and aptitude of people in vulnerable groups;
2. Enhancement of the desire for employment and promotion of vocational skills; and
3. Support, such as intensive job placement

(2) Necessary matters concerning employment promotion for vulnerable groups under paragraph (1) shall be prescribed by a separate Act.

Article 27 (Support for Employment Security for Daily Workers, etc.)

In order to ensure employment security for daily workers, dispatched workers, etc., the State shall provide employment information suitable for the characteristics of their employment status and vocational counseling, expand opportunities for vocational skills development, and take other necessary measures.

Article 28 (Creation of Social Service Jobs and Promotion of Social Enterprises)

(1) The State may provide necessary support to a corporation or an organization which creates jobs in the area of social services, such as education, health, social welfare, the environment and culture, which are necessary in society but are not sufficiently provided in the market due to profitability, etc.

(2) The State shall make efforts to promote as social enterprises, corporations or organizations that pursue social objectives, such as raising local residents' quality of life, by providing social services or jobs to vulnerable groups, etc., and engage in business activities, such as the production and sales of goods and services.

(3) Necessary matters concerning the promotion of social enterprises under paragraph (2) shall be prescribed by a separate Act.

Article 29 (Support for Job Creation, etc., by Enterprises)

(1) The State shall establish and implement measures needed to help enterprises create jobs, retain employment and reassign workforces in order to expand workers' employment opportunities and raise corporate competitiveness.

(2) If the head of an employment security office is requested by an employer, a workers' representative or a trade union to provide assistance in the recruitment, hiring or assignment of workers, vocational skills development, promotion, wage system, and other employment management, he/she shall provide necessary support, such as counselling and guidance, using employment information.

Article 30 (Establishment and Implementation of Plan to Secure Workforces for Small and Medium Enterprises)

(1) In order to help small and medium enterprises to secure workforces, the Minister of Employment and Labor may establish and implement a plan to improve working environments, expand welfare facilities and support other improvements in employment management (hereinafter referred to as “plan to help SMEs secure workforces”). <Amended by Act No. 10339, Jun. 4, 2010>

(2) If the Minister of Employment and Labor intends to establish a plan to help SMEs secure workforces, he/she shall consult the head of the relevant central administration agency in advance. <Amended by Act No. 10339, Jun. 4, 2010>

(3) Necessary matters concerning the establishment and implementation of a plan to help SMEs secure workforces shall be prescribed by a separate Act.

Article 31 (Introduction of Foreign Workers)

(1) The State may introduce foreign workers for the smooth supply and demand of workforces in the labor market. In this case, the State shall make efforts not to undermine the employment of domestic citizens.

(2) Necessary matters concerning the introduction, etc., of foreign workers under paragraph (1) shall be prescribed by a separate Act.

CHAPTER VI

Support for Employment Adjustment and Employment Security Measures

Article 32 (Support, etc. for Employment Adjustment by Industry and Region)

(1) The government may provide support for matters described in any of the following subparagraphs to employers in industries and regions where the employment situation has rapidly deteriorated due to changes in economic conditions at home and abroad:

1. Employment adjustment by the employers;
2. Prevention of the unemployment of workers;
3. Promotion of the reemployment of the unemployed; and
4. Other necessary support for employment security and livelihood security for the unemployed

(2) Necessary matters concerning the support measures under paragraph (1) shall be prescribed by the Presidential Decree.

Article 33 (Report, etc., of Large Changes in Employment)

(1) If changes in the volume of employment due to the automation, installation or expansion of production facilities or the reduction, adjustment, etc. of business scale reach the level prescribed by the Presidential Decree, the employer shall report to the head of the competent employment security office on matters relating to the changes : Provided that this shall not apply where a report is filed under Article 24 (4) of the Labor Standards Act.

(2) If the head of an employment security office receives the report under paragraph (1), he/she shall take necessary measures to promote the reemployment of the unemployed and secure workforces for the business concerned, such as expanding job placement by securing information on job seekers and job offers, and having vocational training institutions to provide vocational training.

Article 34 (Unemployment Measures)

(1) If a survey of unemployment situations by industry and region finds that there are or are likely to be a large number of unemployed people, or it is deemed necessary to ensure employment security, such as employment promotion for the unemployed, the Minister of Employment and Labor may conduct unemployment measures (hereinafter referred to as “unemployment measures”) including each of the following matters in consultation with the heads of relevant central administration agencies:
<Amended by Act No. 10339, Jun. 4, 2010>

1. Provision of and support for, training to promote the employment of the unemployed;
2. Support for the unemployed’s living costs, rehabilitation funds, social insurance premiums, including the insurance premiums under the National Health Insurance Act, medical expenses (including medical expenses of family members), school expenses (including school expenses of children), deposit money for the lease of a house, the lease of a shop for business start-up, etc.;
3. Support for a person who conducts projects to prevent unemployment and promote the reemployment of the unemployed, and other employment security projects;
4. Loans to a person who carry out employment promotion projects;
5. Public works projects for the unemployed; and
6. Other projects necessary for the reduction of unemployment.

(2) The Minister of Employment and Labor may entrust

some of the unemployment measures to the Korea Workers Compensation and Welfare Service (hereinafter referred to as "Corporation") under the Industrial Accident Compensation Insurance Act under the conditions prescribed by the Presidential Decree. <Amended by Act No. 10339, Jun. 4, 2010>

(3) In applying paragraphs (1) and (2), a person temporarily suspended from work without pay, prescribed by the Presidential Decree, shall be considered to be unemployed.

(4) Necessary matters concerning the implementation of unemployment measures shall be prescribed by the Presidential Decree.

Article 35 (Creation, etc. of Funds for Unemployment Measures)

(1) If the Corporation is entrusted to carry out the unemployment measures under Article 34 (2), it shall create funds required for the measures through the following methods:

1. Contributions or assistance by the government or persons other than the government;
2. Borrowing of funds under Article 36;
3. Other revenue.

(2) The Corporation shall manage and operate the funds created under paragraph (1) as financial resources of the Labor Welfare Promotion Fund under Article 87 of the Framework Act on Labor Welfare. <Amended by Act No. 10361, Jun. 8, 2010>

Article 36 (Borrowing of Funds)

If it is deemed necessary for the implementation of unemployment measures entrusted under Article 34 (2), the Corporation may borrow funds (including borrowings from international organizations, foreign governments and foreigners) after obtaining approval from the Minister of Employment and Labor. <Amended by Act No. 10339, Jun. 4, 2010>

Article 37 (Cooperation with Relevant Agencies)

(1) If it is deemed necessary for employment security for the unemployed and the adjustment of labor supply and demand, the Minister of Employment and Labor may request the head of a relevant central administration agency or the head of a local government to cooperate with regard to the start or suspension of projects under their jurisdiction or the employment, etc. of workers. <Amended by Act No. 10339, Jun. 4, 2010>

(2) If the head of a central administration agency or local government is requested to cooperate under paragraph (1), he/she shall comply with the request unless there is any special reason.

CHAPTER VII

Supplementary Provisions

Article 38 (Report and Inspection)

(1) If it is deemed necessary with regard to the collection and provision of employment information, and support, etc., for employment management and employment adjustments, the Minister of Employment and Labor may have an employer and a person who has received or intends to receive support under this Act make a report on necessary matters, such as the current status of employment management, details of usage of subsidies, suitability of support, etc., under the conditions as prescribed by the Presidential Decree. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) If it is deemed necessary to find out whether law is violated with regard to support for employment management and adjustment, the Minister of Employment and Labor may have related public officials enter the office or workplace of an employer and question relevant persons or inspect documents. *<Amended by Act No. 10339, Jun. 4, 2010>*

(3) If intending to conduct inspection under paragraph (2), the Minister of Employment and Labor shall notify in advance the employer of necessary matters for the inspection, such as the date and details of the inspection : Provided that this shall not apply in case it is urgent or it is deemed that the objectives may not be achieved if prior notice is given. *<Amended by Act No. 10339, Jun. 4, 2010>*

(4) The related government official who conducts inspection under paragraph (2) shall carry a certificate indicating his/her identity and present it to related persons.

(5) Having conducted inspection under paragraphs (2) through (4), the Minister of Employment and Labor shall notify in writing the employer concerned of the inspection outcome. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 39 (Delegation of Authority)

Part of the authority of the Minister of Employment and Labor under this Act may be delegated to the head of a city or province or the head of an employment security office under the conditions as prescribed by the Presidential Decree. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 40 (Entrustment)

(1) The Minister of Employment and Labor may entrust part of business, such as the collection, provision, etc. of employment

information, etc. under Articles 15 through 17 to the Korea Employment Information Service under Article 18. <Amended by Act No. 10339, Jun. 4, 2010>

(2) The State or a local government may entrust work concerning the establishment or operation of facilities under Article 11 (4) to a non-profit corporation or organization prescribed by the Presidential Decree.

Article 41 (Penal Provisions)

A person who discloses confidential information learnt in the course of performing his/her duties or uses it for other purposes in violation of Article 18 (9) shall be punished by imprisonment for up to three years or a fine not exceeding ten million won.

Article 42 (Fine for Negligence)

(1) A person who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding three million won :

1. A person who fails to make a report, or makes a false report in contravention of Article 33 (1);
2. A person who fails to make a report, or makes a false report in contravention of Article 38 (1); or
3. A person who refuses to answer, or obstructs or evades answering, questions asked under Article 38 (2), gives a false answer, or refuses, obstructs or evades the inspection under the same paragraph.

(2) The fine for negligence under paragraph (1) shall be imposed and collected by the Minister of Employment and Labor under the conditions prescribed by the Presidential Decree. <Amended by Act No. 10339, Jun. 4, 2010>

Addenda <Act No. 9792, Oct. 9, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1st, 2010.

Article 2 (Revision of Other Acts)

(1) Parts of the Act on Equal Employment and Support for Work-Family Reconciliation shall be revised as follows :

Article 17-7 shall be revised as follows:

Article 17-7 (Deliberation on Important Matters concerning Affirmative Action Measures)

Any of the following matters relating to affirmative action measures shall go through deliberation by the Employment Policy Council under Article 10 of the Framework Act on Employment Policy:

1. Matters concerning employment criteria for female workers under Article 17-3 (1);
2. Matters concerning the examination of implementation plans under Article 17-3 (4);
3. Matters concerning the evaluation of the results of the implementation of affirmative action measures under Article 17-4 (2);
4. Matters concerning the provision of awards and support to enterprises with outstanding affirmative action measures under Article 17-4 (3) and (4); and
5. Other matters concerning affirmative action measures, put forward by the chair of the Employment Policy Council at its meeting

(2) Parts of the Framework Act on Labor Welfare shall be revised as follows :

Article 8 shall be revised as follows :

Article 8 (Deliberation on Important Matters concerning Labor Welfare Promotion)

The following matters concerning labor welfare under this Act shall be deliberated on by the Employment Policy Council (hereinafter referred to as "the Employment Policy Council") under Article 10 of the Framework Act on Employment Policy:

1. Basic plan on labor welfare promotion under Article 9 (1);
2. Matters concerning the raising of funds needed for labor welfare projects; and
3. Other matters concerning labor welfare policy brought forward by the chair of the Employment Policy Council.

"Central Committee" in the latter part of Article 9 (1) shall be changed to "Employment Policy Council", and "Central Committee under Article 8 (3)" in paragraph (4) of the same Article to "Employment Policy Council under Article 8".

"Article 28-2 of the Framework Act on Employment Policy" in Article 48 (1) 9 shall be changed to "Article 35 of the Framework Act on Employment Policy" and "Article 28 of the Framework Act on Employment Policy" in subparagraph 10 of Article 51 to "Article 34 of the Framework Act on Employment Policy".

(3) Parts of the Employment Insurance Act shall be revised as follows :

"Article 26 of the Framework Act on Employment Policy" in Article 21 (3) shall be changed to "Article 32 of the Framework Act on Employment Policy".

(4) Parts of the Act on Prohibition of Age Discrimination in Employment and Aged Employment Promotion shall be revised as follows :

"Article 6 of the Framework Act on Employment Policy" in

Article 4-3 (3) shall be changed to “Article 10 of the Framework Act on Employment Policy”.

(5) Parts of the Workers Vocational Skills Development Act shall be revised as follows :

“Article 10 of the Framework Act on Employment Policy” in Article 5 (2) 1 shall be changed to “Article 16 of the Framework Act on Employment Policy”.

(6) Parts of the Polytechnic Colleges Act shall be revised as follows :
Article 6 (2) 1 shall be revised as follows :

1. Basic plan on employment policies under Article 8 of the Framework Act on Employment Policy

(7) Parts of the Infant Care Act shall be revised as follows :
“Article 21 (2) of the Framework Act on Employment Policy” in the proviso of Article 28 (1) shall be changed to “Article 40 (2) of the Framework Act on Employment Policy”.

(8) Parts of the Wage Claim Guarantee Act shall be revised as follows :

“Article 6 of the Framework Act on Employment Policy” in the latter part of Article 16 shall be changed to “Article 10 of the Framework Act on Employment Policy”.

Article 3 (Relations to Other Acts or Subordinate Statues)

Any reference to the provisions of the previous Framework Act on Employment Policy in other Acts or subordinate statues at the time of enforcement of this Act shall be deemed a reference to the corresponding provisions of this Act in lieu of the previous provisions.

Addenda <Act No. 10338, May 31, 2010; Revision of the Act on the Encouragement of Technical Skills>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1st, 2011.

Articles 2 through 4 Omitted.

Article 5 (Revision of Other Acts)

(1) Omitted.

(2) Parts of the Framework Act on Employment Policy shall be revised as follows :

Article 10 (2) 9 shall be revised as follows :

9. Other matters required by other laws and regulations to undergo deliberation by the Policy Council and matters prescribed by the Presidential Decree.

(3) through (5) Omitted.

Article 6 Omitted.

Addenda <Act No. 10339, Jun. 4, 2010; Revision of the Government Organization Act>

Article 1 (Enforcement Date)

This Act shall enter into force one month after its promulgation.

Articles 2 and 3 Omitted.

Article 4 (Revision of Other Acts)

(1) through (13) Omitted.

(14) Parts of the Framework Act on Employment Policy shall be revised as follows :

“Minister of Labor” in Article 8 (1), (2) and (5), Article 10 (3), Article 12 (3), Article 13 (2) and (4), Article 14, Article 15 (1) through (3), Article 16 (1) and (2), Article 17 (1) and (2), Article 18 (3), Article 18 (4) 1 and 5, Article 30 (1) and (2), Article 34 (1) and (2), Article 36, Article 37 (1), Article 38 (1), (2), (3) and (5), Article 39, Article 40 (1) and Article 42 (2) shall be changed to “Minister of Employment and Labor”.

“Ministry of Labor” in Article 10 (1) shall be changed to “Ministry of Employment and Labor”.

(15) through (82) Omitted.

Article 5 Omitted.

Addenda <Act No. 10361, Jun. 8, 2010; Revision of the Framework Act on Labor Welfare>

Article 1 (Enforcement Date)

This Act shall enter into force six months after its promulgation.
<Proviso omitted>

Articles 2 through 10 Omitted.

Article 11 (Revision of Other Acts)

(1) Parts of the Framework Act on Employment Policy shall be revised as follows :

“Basic Workers Welfare Act” in Article 10 (2) 7 shall be changed to “Framework Act on Labor Welfare”.

“Workers Welfare Promotion Fund under Article 47 of the Basic Workers Welfare Act” in Article 35 (2) shall be changed to “Labor Welfare Promotion Fund under Article 87 of the Framework Act on Labor Welfare”.

(2) through (11) Omitted.

Article 12 Omitted.