

# FRAMEWORK ACT ON EMPLOYMENT POLICY

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Act No. 10339, jun. 4, 2010

Act No. 10361, jun. 8, 2010

Act No. 10966, Jul. 25, 2011

Act No. 11568, Dec. 18, 2012

Act No. 12244, Jan. 14, 2014

Act No. 12324, Jan. 21, 2014

Act No. 13262, Mar. 27, 2015

Act No. 14839, Jul. 26, 2017

Act No. 15270, Dec. 19, 2017

Act No. 15522, Mar. 20, 2018

Act No. 16412, Apr. 30, 2019

Act No. 17326, May 26, 2020

Act No. 17893, Jan. 12, 2021

Act No. 18175, May 18, 2021



## CHAPTER I GENERAL PROVISIONS

### **Article 1 (Purpose)**

The purpose of this Act is to ensure the State formulates and implements employment policies so that every citizen may develop vocational skills and have more job opportunities throughout their entire life, and the State may support workers for their employment security and enterprises for the creation of jobs and smooth securing of human resources, as well as promote efficiency in the labor market and a balance between supply and demand of human resources, thereby contributing to improvement in the quality of citizens' life and social integration through sustainable economic growth and employment.

### **Article 2 (Definition)**

The term "worker" in this Act means any person who is employed by a business owner or who intends to seek a job.

### **Article 3 (Basic Principles)**

The State shall, in formulating and implementing the employment policies under this Act, ensure that the following matters are realized:

1. Workers' freedom to choose an occupation and the right to work shall be secured;
2. Business owners' autonomy in labor management shall be respected;
3. Job applicants' voluntary efforts to get a job shall be promoted;
4. Employment policies shall be formulated and implemented in an efficient and performance-oriented manner;
5. Employment policies shall be formulated and implemented in a balanced manner by taking into account the conditions of the labor market, and economic and social policies;
6. Employment policies shall be formulated and implemented based on cooperation between the State and local governments, public sector and private sector, and workers, business owners, and the Government.

### **Article 4 (Relationship to Other Statutes)**

Other statutes concerning employment policies to be enacted or amended shall be in compliance with the purpose and basic principles of this Act.

### **Article 5 (Responsibilities and Duties of Workers and Business Owners)**

- (1) A worker shall choose an occupation suitable for his or her aptitude and abilities, constantly develop the skills needed for the occupation (hereinafter referred to as "vocational skills") throughout the career, and endeavor to strive for self-development through the occupation.
- (2) A business owner shall train human resources needed for his or her business, endeavor to develop the vocational skills of his or her workers, and endeavor to improve the employment management, and to promote employment security and equal employment opportunity for the workers, etc., so as to allow the workers to use their vocational skills to the fullest.
- (3) A labor union and an association of business owners shall actively cooperate in workers' efforts to develop their vocational skills and business owners' efforts to develop workers' vocational skills, improve employment management, and promote employment security and equal employment opportunity for workers.
- (4) A worker, a business owner, a labor union and an association of business owners shall actively cooperate for the smooth implementation of the State and local government policies referred to in Article 6.
- (5) A recipient of unemployment allowances under the Employment Insurance Act, a recipient who has an ability to work under the National Basic Living Security Act, and any other person who participates in the employment support programs supported by the Government shall vigorously endeavor to seek a job on

their own, diligently follow and actively participate in the job placement services, vocational guidance, vocational skills development training, etc. provided by the State and local governments.

#### **Article 6 (State and Local Government Policies)**

(1) The State shall formulate and implement necessary policies with regard to the following matters:  
<Amended on May 26, 2020>

1. Matters concerning the collection and offering of information on employment, jobs, and labor market for the selection of an occupation suitable for each citizen's abilities and aptitudes, and the resolution of an imbalance between supply and demand of human resources, and matters concerning the survey and publication of the trends and prospects of the supply and demand of human resources;
2. Matters concerning the development of the workers' vocational skills throughout the entire life, vocational skills development training for fostering technical and skilled human resources needed for industries, and technical qualification examination;
3. Matters concerning the prevention of unemployment, and promotion of employment security and equal employment opportunities for workers;
4. Matters concerning support for workers' migration between industries, occupations, and regions;
5. Matters concerning income support and provision of job placement services, vocational guidance, and vocational training to the unemployed for employment promotion during the unemployment period, the career development of the underemployed for their re-employment to a better occupation, and promotion of the economically inactive population's participation in the labor market;
6. Matters concerning the promotion of employment of those who have, in particular, difficulty in getting employed under the ordinary conditions of the labor market, due to insufficient academic background and career, old age, physical or mental disability, prolonged unemployment, migration from overseas, etc., and recipients, etc. under the National Basic Living Security Act (hereinafter referred to as "vulnerable group in employment");
7. Matters concerning support for business owners' job creation, securing of human resources, employment maintenance, etc. and the prevention of shortage in human resources;
8. Matters concerning the promotion of employment by region for local job creation and revitalization of the local labor market;
9. Matters concerning the efficient operation of the system for support, such as various subsidies, promotion subsidies, and allowances, to promote the policies on the matters under subparagraphs 1 through 8;
10. Matters concerning the expansion of affairs to support employment, such as offering of employment information, job placement services, vocational guidance, or vocational skills development, to job applicants or job offerers in order to efficiently implement the policies on the matters under subparagraphs 1 through 8 (hereinafter referred to as "employment services"), and the development of the private employment services market;

11. Other matters necessary to enhance the efficiency and soundness of the labor market.
- (2) In formulating and implementing the policies referred to in paragraph (1), the State shall comprehensively take into account the policies for the improvement of enterprises' management foundation, balanced development of the economy and society, balanced regional development, etc., strive to expand job opportunities, redress any inter-regional imbalance, give preferential treatment to small and medium enterprises, and endeavor to improve employment practices that prevent workers from demonstrating their abilities such as discriminatory employment practices.
- (3) Local governments shall endeavor to formulate and implement policies to promote employment of local residents, and to provide job placement services appropriate for local residents and conduct vocational training, etc. by taking into account the State policies formulated under paragraph (1) and the characteristics of the local labor market.
- (4) The State may provide the necessary support to a local government which formulates and implements policies under paragraph (3).

#### **Article 7 (Guarantee of Equal Employment Opportunity)**

- (1) In recruiting and employing workers, business owners shall not discriminate against them on grounds of gender, religion, age, physical conditions, social status, place of birth, level of education, educational background, marriage, pregnancy, medical history, etc. (hereinafter referred to as "gender, etc.") without reasonable grounds and shall guarantee equal employment opportunities. *<Amended on Jan. 21, 2014>*
- (2) A person who provides employment services shall not discriminate against a job applicant on grounds of gender, etc. without reasonable grounds, when performing his or her affairs.
- (3) A person who conducts vocational skills development training, when recruiting trainees, conducting training, providing employment support, etc., shall not discriminate against a trainee on grounds of gender, etc. without reasonable grounds.

## **CHAPTER II FORMULATION AND IMPLEMENTATION SYSTEM OF EMPLOYMENT POLICY**

#### **Article 8 (Formulation and Implementation of Basic Plans on Employment Policies)**

- (1) The Minister of Employment and Labor shall formulate a basic plan on the State's employment policies (hereinafter referred to as "basic plan") every five years after consulting with the heads of the relevant central administrative agencies. *<Amended on Jun. 4, 2010>*
- (2) Where the Minister of Employment and Labor formulates the basic plan under paragraph (1), the Minister shall report it to the State Council and publish it after deliberation by the Employment Policy Deliberative Council under Article 10 (1). *<Amended on Jun. 4, 2010>*
- (3) A basic plan shall include the following matters:

1. Objectives and direction of mid- and long-term employment policies;
2. Matters concerning trends in economic, industrial, educational, welfare, or population policies, etc. that affect the supply and demand of human resources;
3. Matters concerning employment trends and prospect of the supply and demand of human resources;
4. Matters concerning the basic direction of policies regarding the matters falling under each subparagraph of Article 6 (1);
5. Other matters concerning the important policies related to employment.

(4) Where the heads of the relevant central administrative agencies formulate a plan related to employment, they shall do so in harmony with the basic plan.

(5) Where necessary for the formulation of a basic plan, the Minister of Employment and Labor may request the submission of necessary data to the heads of the relevant central administrative agencies and the heads of local governments. *<Amended on Jun. 4, 2010>*

#### **Article 9 (Formulation and Implementation of Basic Plans for Local Employment Policies)**

(1) The Special Metropolitan City Mayor, a Metropolitan City Mayor, the Special Self-Governing City Mayor, a Do Governor and the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") shall formulate and implement a basic plan on local employment policies concerning employment promotion, employment security, etc. of local residents, after deliberation by the local employment deliberative council under Article 10 (1). *<Amended on Jul. 25, 2011>*

(2) The Mayor/Do Governor shall formulate a local employment plan in accordance with a basic plan.

(3) Where necessary for the formulation of the local employment plan, the Mayor/Do Governor may request the heads of the relevant central administrative agencies and the heads of the competent employment security offices to offer cooperation.

(4) The State may provide necessary support to the Mayor/Do Governor in formulating and implementing the local employment plan.

#### **Article 9-2 (Formulation of Measures to Create Local Jobs)**

(1) The Mayor/Do Governor and the head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply) may formulate and publish measures to create jobs, which they are to promote during their term of office for residents in their jurisdiction.

(2) In order to promote measures to create jobs as prescribed in paragraph (1), the Mayor/Do Governor and the head of a Si/Gun/Gu may request the head of a relevant central administrative agency and the head of the competent employment security office to offer cooperation. In such cases, the head of the relevant central administrative agency and the head of the competent employment security office, upon receipt of a request, shall comply with such request, in the absence of good cause to the contrary.

(3) The Minister of Employment and Labor may ascertain and publish the outcome of measures to create jobs under paragraph (1) that have been promoted, and he or she may request the head of a relevant central

administrative agency and the head of a local government to offer cooperation, such as submitting necessary data.

(4) The State may provide the Mayor/Do Governor and the head of a Si/Gun/Gu with assistance necessary for promoting measures to create jobs pursuant to paragraph (1).

(5) In order to enhance the effects of measures to create jobs, the Minister of Employment and Labor may submit relevant opinions to the head of a relevant local government.

(6) Matters necessary for the implementation of measures to create local jobs shall be prescribed by Ordinance of the Ministry of Employment and Labor.

#### **Article 10 (Employment Policy Deliberative Council)**

(1) In order to deliberate on important matters concerning employment, the Ministry of Employment and Labor shall establish the Employment Policy Deliberative Council (hereinafter referred to as the "Policy Deliberative Council"), and the Special Metropolitan City, Metropolitan Cities, Special Self-Governing City, Dos, and Special Self-Governing Province shall each establish a local employment deliberative council. In such cases, where a consultative body to encourage cooperation among labor, management, residents, and the local government pursuant to Article 3 (1) of the Act on Support for the Improvement in Labor-Management Relations has been already organized in the Special Metropolitan City, Metropolitan Cities, Special Self-Governing City, Dos, and Special Self-Governing Province, such consultative body may be deemed a local employment deliberative council. <Amended on Jun. 4, 2010; Jul. 25, 2011>

(2) The Policy Deliberative Council shall deliberate on the following matters: <Amended on May 31, 2010; Jun. 8, 2010; Jul. 25, 2011; Jan. 14, 2014; Jan. 21, 2014; Apr. 30, 2019>

1. Matters concerning the formulation of policies under Article 6 (1) and a basic plan under Article 8 (1);
2. Matters concerning employment and measures against unemployment resulting from changes, etc. in the supply structure of human resources and in industrial structures;
3. Matters concerning the selection of subject matters of employment impact assessment, methods of assessment, etc. under Article 13;
4. Matters concerning the promotion of efficiency in government-funded employment programs under Article 13-2;
5. The following matters under the Social Enterprise Promotion Act:
  - (a) Master plans for the promotion of social enterprises under Article 5 of the Social Enterprise Promotion Act;
  - (b) Matters concerning the certification of social enterprises under Article 7 of the Social Enterprise Promotion Act;
  - (c) Other matters necessary for the support of social enterprises, which are prescribed by Presidential Decree;

6. Matters under the subparagraphs of Article 17-8 of the Equal Employment Opportunity and Work-Family Balance Assistance Act;
  7. The following matters under the Act on the Employment Promotion and Vocational Rehabilitation of Persons With Disabilities:
    - (a) Matters concerning the formulation of master plans for the promotion of employment and vocational rehabilitation of persons with disabilities under Article 7 (1) of the Act on the Employment Promotion and Vocational Rehabilitation of Persons With Disabilities;
    - (b) Other matters submitted to meetings by the Chairperson concerning the promotion of employment and vocational rehabilitation of persons with disabilities;
  8. Matters under the subparagraphs of Article 8 of the Framework Act on Labor Welfare;
  9. Matters, the deliberation on which has been requested by the head of a relevant central administrative agency, in relation to employment;
  10. Other matters required to be deliberated by the Policy Deliberative Council pursuant to other statutes and regulations, and matters prescribed by Presidential Decree.
- (3) The Policy Deliberative Council shall be comprised of not more than 30 members, including one Chairperson, and the Minister of Employment and Labor shall be appointed as the Chairperson. Members shall be commissioned by the Minister of Employment and Labor, from among the following persons, and the Vice Ministers or public officials at vice-ministerial level of relevant central administrative agencies prescribed by Presidential Decree: <Amended on Jun. 4, 2010; Jan. 12, 2021>
1. Persons who represent workers and business owners;
  2. Persons who have abundant knowledge and experience in employment issues;
  3. Persons recommended by the nationwide consultative council of the Mayors/Do Governors under Article 182 of the Local Autonomy Act.
- (4) To ensure an efficient operation of the Policy Deliberative Council and expert deliberation on matters to be deliberated by the Policy Deliberative Council, specialized committees may be established by area under the Policy Deliberative Council.
- (5) Specialized committees shall deliberate on matters delegated by the Policy Deliberative Council, as prescribed by Presidential Decree. In such cases, deliberation by specialized committees shall be deemed deliberation by the Policy Deliberative Council.
- (6) The organization, operation, and other necessary matters of the Policy Deliberative Council, local employment deliberative councils, and specialized committees shall be prescribed by Presidential Decree.

#### **Article 11 (Establishment of Employment Security Offices)**

- (1) The State shall, where promoting policies under Article 6 (1), establish and operate employment security offices by region, so that local workers and business owners may receive employment services with ease.

(2) Where the head of a local government operates an organization which provides employment services to job applicants and job offering enterprises in the relevant region, the State may provide support necessary for the operation of such organization.

(3) The head of an employment security office and the head of a local government shall cooperate with each other in performing the affairs of providing employment services.

(4) The State or local governments may establish and operate facilities necessary for the provision of employment services to the vulnerable group in employment, as prescribed by Presidential Decree.

#### **Article 12 (Support for Provision of Employment Services by Private Sector)**

(1) The State may formulate and implement the following policies necessary for the development of the private employment services industry:

1. Training of experts in employment services;
2. Connection of public and private information networks related to employment;
3. Identification of a program in which private expertise can be utilized among employment services programs conducted by the State or local governments, and entrustment of such program;
4. Certification of private organizations which provide exemplary employment services.

(2) An employment security office and a private organization may cooperate with one another to promote a program for providing employment services through a joint promotion or promotion in connection.

(3) The Minister of Employment and Labor or the head of an employment security office may provide necessary support, such as facilities, equipment, to the administrative agencies, local governments and other private organizations which provide employment services. *<Amended on Jun. 4, 2010>*

#### **Article 13 (Employment Impact Assessment)**

(1) The head of a central administrative agency and the head of a local government shall analyze and assess the impact that the policies under their control have on the rise and fall of employment, the quality of employment, etc. (hereinafter referred to as “employment impact assessment”) and endeavor to reflect the results thereof in the formulation and implementation of policies. *<Amended on Jan. 21, 2014>*

(2) Where the head of a central administrative agency selects any of the following programs, in consideration of the impact on employment, the size of the program, and other matters prescribed by Presidential Decree, he or she shall conduct an employment impact assessment thereof as prescribed by Ordinance of the Ministry of Employment and Labor and submit the result to the Minister of Employment and Labor: *<Newly Inserted on Apr. 30, 2019>*

1. An expenditure budget program included in the budget request under Article 31 (1) of the National Finance Act;
2. A fund program included in the draft fund management plan under Article 66 (5) of the National Finance Act.



(3) Where a policy (including a plan; hereafter in this Article the same shall apply) with a big impact on employment, among the plans that are to be implemented, are being implemented, or were implemented by the head of a central administrative agency or a local government, falls under any of the following, the Minister of Employment and Labor may conduct an employment impact assessment and notify the results to the head of the competent central administrative agency or local government: *<Amended on Jun. 4, 2010; Jan. 21, 2014; Apr. 30, 2019>*

1. A policy of which an employment impact assessment is requested by the head of the relevant central administrative agency or local government and is deemed necessary by the Minister of Employment and Labor;

2. A policy of which the Policy Deliberative Council has determined to conduct an employment impact assessment;

3. A policy of which an employment impact assessment is deemed necessary ex officio by the Minister of Employment and Labor;

4. A policy prescribed by Presidential Decree which requires a large amount of budget spending.

(4) Where deemed necessary for an employment impact assessment, the Minister of Employment and Labor may request a relevant administrative agency, educational or research institute, etc. to provide necessary data. In such cases, the head of the relevant administrative agency, the head of the educational or research institute, etc. shall comply with such request unless there is a compelling reason not to do so. *<Newly Inserted on Jan. 21, 2014; Apr. 30, 2019>*

(5) The Minister of Employment and Labor shall disclose the results of the employment impact assessment under paragraph (3). *<Newly Inserted on Jan. 21, 2014; Apr. 30, 2019>*

(6) Where deemed necessary for the promotion of employment security and job creation as a result of the employment impact assessment under paragraphs (2) and (3), the Minister of Employment and Labor may make proposals or improvement recommendations regarding the relevant policies to the heads of relevant central administrative agencies or the heads of local governments. *<Newly Inserted on Jan. 21, 2014; Apr. 30, 2019>*

(7) Upon receipt of proposals or improvement recommendations under paragraph (6), the heads of relevant central administrative agencies or the heads of relevant local governments shall formulate and implement improvement measures and notify the Minister of Employment and Labor of the results thereof unless there is a compelling reason not to do so. *<Newly Inserted on Jan. 21, 2014; Apr. 30, 2019>*

(8) Matters necessary for the procedures for requesting an employment impact assessment, selection of programs to be assessed, methods thereof, proposals for policies, improvement recommendations, formulation and implementation of improvement measures, etc. under paragraphs (3), (6) and (7) shall be prescribed by Presidential Decree. *<Amended on Jan. 21, 2014; Apr. 30, 2019>*

(9) The Minister of Employment and Labor may have any of the following institutes conduct the affairs of employment impact assessment under paragraph (3) as proxy, as prescribed by Presidential Decree. In such cases, the Minister of Employment and Labor shall pay expenses incurred in conducting such affairs

as proxy: <Amended on Jun. 4, 2010; Jan. 21, 2014; Apr. 30, 2019>

1. Research institutes contributed by the State or local governments (including the research institutes re-contributed by the institutes contributed by the State or local governments);
2. Private research institutes.

### **Article 13-2 (Promoting Efficiency of Government-Funded Employment Programs)**

(1) The Minister of Employment and Labor shall promote the following matters in order to promote the efficiency of government-funded employment programs (referring to government-funded programs implemented by central administrative agencies, local governments, or various institutions and organizations entrusted by aforementioned agencies, etc., which aim to support employment; hereinafter the same shall apply): <Amended on Apr. 30, 2019>

1. Scope and classification of government-funded employment programs, and preparation of evaluation standards;
- 1-2. Survey of the current status of government-funded employment programs;
2. Preparation of standards to coordinate the overlapped government-funded employment programs, and coordination thereby;
3. Defining of the vulnerable group in employment in order to give priority in participating in government-funded employment programs, and presentation of employment rates by program, employment methods, etc.;
4. Improvement of systems to implement government-funded employment programs;
5. Strengthening of connections between government-funded employment programs;
6. Evaluation of government-funded employment programs, and presentation of opinions on the system improvement or reflection in the budget, based on such evaluation;
7. Operation of an information network performing integrated management of government-funded employment programs;
8. Other matters determined by the Policy Deliberative Council in order to promote the efficiency of government-funded employment programs.

(2) The Minister of Employment and Labor shall, each year, prepare measures to promote the efficiency of government-funded employment programs including the matters prescribed in paragraph (1) 1-2 and 2 through 5 in connection with the results of evaluation under paragraph (1) 6, and shall notify such measures to the heads of relevant central administrative agencies, such as the Minister of Economy and Finance, after deliberation by the Policy Deliberative Council. <Newly Inserted on Apr. 30, 2019>

(3) Where the heads of relevant central administrative agencies, such as the Minister of Economy and Finance, are notified of the measures to promote the efficiency of government-funded employment programs under paragraph (2), they shall adjust the measures for designing and operating government-funded employment programs by reflecting therein the details of the measures to promote efficiency; and at the request of the Minister of Employment and Labor, they shall notify the results of reflection to the

Minister of Employment and Labor. <Newly Inserted on Apr. 30, 2019>

(4) The heads of relevant central administrative agencies and the heads of local governments shall ensure that government-funded employment programs are not similar to or do not overlap with existing programs, and shall efficiently promote the government-funded employment programs, such as strengthening connections between government-funded employment programs. <Newly Inserted on Apr. 30, 2019>

(5) Where the Minister of Employment and Labor makes a request for the promotion of efficiency of government-funded employment programs, the heads of central administrative agencies and local governments performing the government-funded employment programs, or entrusted institutions and organizations shall implement the following matters: <Amended on Apr. 30, 2019>

1. Notification of the current status of government-funded employment programs performed by themselves every year, such as implementation results, budget plans, and operational guidelines;
2. Reporting on the results regarding the opinions presented by the Minister of Employment and Labor for the program improvement and reflection in the budget;
3. Management of integrated information networks of government-funded employment programs under their control and connection with existing information networks;
4. Ascertainment of whether a person is participating in multiple government-funded employment programs at the same time by using information networks, etc.;
5. Other matters determined by the Policy Deliberative Council for the promotion of efficiency of government-funded employment programs.

(6) Where the heads of relevant central administrative agencies and the heads of local governments intend to launch or change government-funded employment programs, they shall, in advance, notify the details of such programs to the Minister of Employment and Labor. <Newly Inserted on Apr. 30, 2019>

(7) Upon receipt of the notification under paragraph (6), the Minister of Employment and Labor may present his or her opinions to or make recommendations to the heads of central administrative agencies, if necessary to prevent overlapping between the relevant programs and other government-funded employment programs and to enhance the efficiency of such programs. <Newly Inserted on Apr. 30, 2019>

(8) The Minister of Employment and Labor shall notify the details of his or her opinions or recommendations presented pursuant to paragraph (7) and the results thereof to the heads of relevant central administrative agencies, such as the Minister of Economy and Finance. <Newly Inserted on Apr. 30, 2019>

#### **Article 14 (International Cooperation)**

The Minister of Employment and Labor may conduct cooperative programs with international organizations, foreign governments, or foreign organizations concerning the surveys of trends in the international labor market, preparation of measures, and development of employment policies, etc. <Amended on Jun. 4, 2010>

## CHAPTER III COLLECTION AND PROVISION OF EMPLOYMENT INFORMATION

### **Article 15 (Collection and Management of Information on Employment and Occupation)**

(1) In order to improve employment-related services for workers and enterprises and to enhance the efficiency of the labor market, the Minister of Employment and Labor shall collect and manage the information on employment and occupations (hereinafter referred to as "information on employment and occupations"): *<Amended on Apr. 30, 2019>*

1. Information on job offering and job seeking;
2. Information necessary to operate employment insurance systems and employment security programs;
3. Information on the current status and prospects of jobs and on training for the development of vocational skills;
4. Information necessary for the employment management of foreigners;
5. Information necessary for the operation of government-funded employment programs;
6. Employment trends by each industry and region, and information on the labor market;
7. Other information necessary to improve the services provided based on the information under subparagraphs 1 through 6, which is prescribed by Presidential Decree.

(2) The Minister of Employment and Labor shall take necessary measures, such as the publication and distribution of booklets, to ensure that job applicants and job offerers, vocational training institutions, educational institutions, and other persons in need of the information on employment and occupations can use the information in a prompt and convenient manner. *<Amended on Jun. 4, 2010; May 26, 2020>*

(3) The Minister of Employment and Labor shall prepare and publicly notify the Korean Employment Classification of Occupation reflecting the occupational structure of the labor market in order to collect and manage information on employment and occupations. In such cases, he or she may have prior consultation with the heads of relevant administrative agencies. *<Newly Inserted on Jul. 25, 2011; Apr. 30, 2019>*

### **Article 15-2 (Establishment and Operation of Employment Information System)**

(1) In order to efficiently perform the affairs under Article 15 (1), the Minister of Employment and Labor may establish and operate an electronic information system covering the information on employment and occupations under each subparagraph of that paragraph (hereinafter referred to as "employment information system").

(2) In order to perform the affairs under paragraph (1), the Minister of Employment and Labor may request the heads of the relevant central administrative agencies, such as the courts, the Ministry of Health and Welfare, the Ministry of the Interior and Safety, and the National Tax Service, the heads of local governments, and the heads of relevant agencies and organizations to provide data and to allow the use of

related computer networks. In such cases, a person upon receipt of a request to provide data, etc. shall comply with such request, in the absence of good cause to the contrary.

(3) The Minister of Employment and Labor may collect, retain, and use the following information, pursuant to paragraph (2):

1. Business registration certificates;
2. Whether a person is registered with the system of national health insurance, national pension, employment insurance, industrial accident compensation insurance, veterans' benefit, public officials' pension, public officials' accident compensation benefit, military pension, pension for private school teachers and staff, or special post office pension, the types and classification of the system with which he or she is registered, information on income, the amount imposed and amount of benefits;
3. The publicly announced prices or tax base amounts of buildings, land, motor vehicles, construction machinery, or ships;
4. A certified copy and extract of the resident registration card;
5. Family relation register (family relation certificate, marriage relation certificate, and identification certificate);
6. North Korean refugee identity certificate;
7. Information on criminal records;
8. Information on entry into or departure from the Republic of Korea;
9. Level of disabilities;
10. Records of social security benefits received;
11. Information on the acquisition of qualifications under the National Technical Qualifications Act or other statutes and regulations;
12. Information on educational backgrounds;
13. Information on employment and occupations collected by local governments, etc.

(4) In order to use the data and related computer networks under paragraphs (2) and (3), the Minister of Employment and Labor may connect them to the social security information system under Article 37 (2) of the Social Security Guarantee Act.

(5) Where the heads of central administrative agencies or local governments performing the affairs of employment support, such as government-funded employment programs, or the heads of institutions or organizations entrusted therewith (hereinafter referred to as "performing institution") make a request for the utilization of personal information, etc. for the performance and management of the affairs, the Minister of Employment and Labor may allow them to use the personal information, etc. by using the employment information system or connecting it to the computer network under his or her control. In such cases, he or she may collect expenses incurred in providing information to the performing institutions and in operating the information system therefor.

(6) Charges, user fees, etc. for the provision of data and the use of related computer networks under paragraphs (2) through (4) shall be exempt.

[Previous Article 15-2 moved to Article 15-6 <Apr. 30, 2019>]

### **Article 15-3 (Protection of Personal Information)**

(1) Where the Minister of Employment and Labor allows performing institutions to use the employment information system or to use such system by connecting it to the computer network under his or her control pursuant to Article 15-2 (5), the Minister shall provide them with only the minimum information necessary for affairs. In such cases, the Minister of Employment and Labor shall designate the scope of usable information and authority thereon for each performing institution and each person in charge.

*<Amended on Apr. 30, 2019>*

(2) The Minister of Employment and Labor shall prepare measures necessary for the protection of personal information on the employment information system; and where a performing institution requests the use of the employment information network from the Minister of Employment and Labor pursuant to Article 15-2 (5), it shall prepare measures to protect the personal information of participants in the employment programs, such as security education.

*<Amended on Apr. 30, 2019>*

(3) Where a performing institution intends to use the data and related computer networks under Article 15-2 (2) through (5), it shall, in advance, obtain consent from the information subject.

*<Amended on Apr. 30, 2019>*

(4) Where the purpose of selecting participants or supporting employment is attained in using the data and related computer networks under Article 15-2 (2) through (5), a performing institution shall, without delay, destroy all the information other than the following personal information:

*<Amended on Apr. 30, 2019; May 26, 2020>*

1. Characteristics of applicants for and participants in the government-funded employment programs;
2. Participation records of participants in the government-funded employment programs;
3. Employment records of participants in the government-funded employment programs, after completion of the programs.

(5) Only persons who are approved to handle personal information by the head of a performing institution, among those in charge of employment support programs in the institution shall handle such information.

*<Amended on Apr. 30, 2019; May 26, 2020>*

(6) No person formerly or currently engaged in the affairs of employment support, such as government-funded employment programs, shall divulge information on individuals, juristic persons, or organizations, acquired in the course of performing the affairs of employment support, or shall use such information for other purposes.

*<Amended on Apr. 30, 2019>*

(7) Details concerning the designation of the scope of usable information and authority thereon for each performing institution, measures to protect personal information, methods of obtaining advance consent from information subjects, timing and methods for destroying information the purpose of which is attained, procedures for approving the handling of personal information, security education etc. prescribed in paragraphs (1) through (5) shall be determined by the Minister of Employment and Labor.

*<Amended on*

*Apr. 30, 2019*>

[Moved from Article 13-4 <*Apr. 30, 2019*>]

#### **Article 15-4 (Provision of Information to Relevant Institutions and Disclosure)**

(1) Upon obtaining consent from information subjects, the Minister of Employment and Labor may provide personal information and information on the places of business necessary for the support, etc. for job offering and job seeking to the administrative agencies, local governments, etc. that provide employment services.

(2) For statistical purposes or the formulation of policies, the Minister of Employment and Labor may provide the relevant institutions, organizations, etc. with employment information other than personal information among the information collected and managed by the employment information system.

(3) Where the Minister of Employment and Labor provides the relevant institutions, organizations, etc. with information pursuant to paragraphs (1) and (2), the Minister may determine the procedures and requirements for using information to ensure that such information is not utilized illegally, and may restrict the use of information if such procedures and requirements are violated.

#### **Article 15-5 (Establishment and Operation of Integrated Information Network for Government-Funded Employment Programs)**

(1) The Minister of Employment and Labor may establish and operate an information system (hereinafter referred to as "integrated information network") to efficiently handle various data or information necessary for the performance and management of government-funded employment programs, such as selection of participants in such government-funded employment programs, support for employment, and payment and redemption of various benefits and allowances, and to digitize the recording and management affairs.

(2) Article 15-2 (2) through (6) shall apply mutatis mutandis to the establishment and operation of the integrated information network under paragraph (1). In such cases, "employment information system" shall be construed as "integrated information network". <*Amended on Apr. 30, 2019*>

(3) Article 15-3 shall apply mutatis mutandis to the protection of personal information with regard to the establishment and operation of the integrated information network. In such cases, "employment information system" shall be construed as "integrated information network". <*Amended on Apr. 30, 2019; May 26, 2020*>

(4) Deleted. <*Apr. 30, 2019*>

(5) Deleted. <*Apr. 30, 2019*>

[Moved from Article 13-3 <*Apr. 30, 2019*>]

#### **Article 15-6 (Public Announcement of Status of Employment Type)**

(1) Business owners who have employed workers, the number of which exceeds that prescribed by Presidential Decree, shall publicly announce the status of employment type of the workers each year.

(2) The employment type, procedures for public announcement, and other necessary matters under paragraph (1) shall be prescribed by Ordinance of the Ministry of Employment and Labor.

[Moved from Article 15-2 <Apr. 30, 2019>]

#### **Article 16 (Preparation of Data on Supply and Demand Trends of Human Resources)**

(1) The Minister of Employment and Labor shall conduct surveys on the trends and prospects of the supply and demand of human resources that include the economic and industry trends and prospects which affect the supply and demand of human resources, and annually prepare and publish the data thereon.

<Amended on Jun. 4, 2010>

(2) Where deemed necessary for the preparation of data on the trends and prospects of the supply and demand of human resources under paragraph (1), the Minister of Employment and Labor may request the following institutions to submit the necessary data: <Amended on Jun. 4, 2010>

1. Relevant administrative agencies;
2. Educational and research institutes;
3. Business owners or associations of business owners;
4. Labor unions;
5. Other related institutes.

(3) A person who is requested to provide data under paragraph (2) shall comply with such request, unless there is a compelling reason not to do so.

#### **Article 17 (Preparation and Distribution of Statistics Related to Employment)**

(1) The Minister of Employment and Labor shall prepare and publish the statistics concerning the employment structure, demand for human resources, etc. by type of industry, occupation, and region for the efficient formulation and implementation of employment policies so that citizens may use them.

<Amended on Jun. 4, 2010>

(2) The Minister of Employment and Labor shall take necessary measures, such as the construction of database so that citizens may conveniently use statistics prepared under paragraph (1). <Amended on Jun. 4, 2010>

#### **Article 18 (Establishment of the Korea Employment Information Service)**

(1) The Korea Employment Information Service shall be established to efficiently perform the affairs delegated under Article 40, such as the collection and provision of employment information and surveys and research on occupations, and other affairs concerning employment support.

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

(3) The Korea Employment Information Service may establish branch offices, upon approval from the Minister of Employment and Labor. <Amended on Jun. 4, 2010>



(4) Business of the Korea Employment Information Service shall be as follows: <Amended on Jun. 4, 2010; Jan. 21, 2014; Apr. 30, 2019>

1. Collection and management of information regarding employment trends and the current status and prospects of jobs;
2. Provision of information on the trends and prospects of the supply and demand of human resources;
3. Establishment and operation of an employment information system;
4. Research, development, and dissemination of techniques concerning vocational guidance, vocational psychological test, and vocational counselling;
5. Evaluation and support for employment services;
6. International cooperation and other incidental business concerning business under subparagraphs 1 through 5;
7. Other business entrusted by the Minister of Employment and Labor, the heads of other central administrative agencies, or local governments.

(5) The Government may contribute the funds necessary for the establishment and operation of the Korea Employment Information Service and for the business referred to in paragraph (4) 1 through 6 within budgetary limits. <Amended on Jan. 21, 2014>

(6) The provisions concerning incorporated foundations under the Civil Act shall apply mutatis mutandis to the Korea Employment Information Service, except as provided 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 any other public institutions to provide data necessary for performing its affairs.

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

(9) No current or former executive officer or employee of the Korea Employment Information Service shall divulge confidential information acquired in the course of performing the duties or use them for other purposes.

#### **Article 18-2 (Establishment of the Korea Job World)**

(1) In order to perform the following business activities, the Korea Job World shall be established under the Korea Employment Information Service: <Amended on May 18, 2021>

1. Exhibition and supply of data and information on occupations;
2. Creation and operation of programs for work experience;
3. Creation and operation of vocational education programs for youth, etc.;
4. Creation and operation of vocational guidance education programs for teachers, etc.;
5. Provision of services of vocational counselling and vocational psychological tests;

6. Research and development of techniques for exhibiting data and information on occupations and experience programs;
  7. International cooperation for business under subparagraphs 1 through 6 and incidental business;
  8. Other business activities entrusted by the Minister of Employment and Labor, heads of other central administrative agencies, or heads of local governments.
- (2) The Korea Job World shall be a juristic person.
- (3) The Government may contribute the funds necessary for the establishment and operation of the Korea Job World and for the business referred to in paragraph (1) 1 through 7 within budgetary limits. *<Amended on Jan. 21, 2014>*
- (4) The Korea Job World may conduct profit-making business prescribed by Presidential Decree, such as the collection of admission fees and fees for experience, and advertisement, in order to meet the expenses incurred in performing business under the subparagraphs of paragraph (1).
- (5) Individuals, juristic persons, or organizations may contribute or donate money, goods, or other property to the Korea Job World in order to support the business of the Korea Job World.
- (6) The following shall be the incomes of the Korea Job World:
1. Contributions and donations received from the State or persons other than the State;
  2. Other revenues of the Korea Job World.
- (7) Where necessary for the establishment and operation of the Korea Job World, the Government may allow the Korea Job World to lease or use State property or State commodities free of charge, notwithstanding the provisions of the State Property Act and the Commodity Management Act.

## CHAPTER IV DEVELOPMENT OF VOCATIONAL SKILLS

### **Article 19 (Policies on Development of Vocational Skills)**

- (1) The State shall formulate and implement the following policies necessary to promote and support the development of vocational skills:
1. Establishment of standards for the development of vocational skills;
  2. Expansion of facilities and equipment for vocational skills development training;
  3. Research and development of the details of vocational skills development training and training methods;
  4. Training and securing of teachers for the development of vocational skills, and improvement in such teachers' qualifications;
  5. Other matters necessary to support the development of workers' vocational skills.
- (2) The State shall ensure that workers are trained to be equipped with vocational skills necessary for industries by connecting the following training:
1. Education and research conducted by educational and research institutes;

2. Vocational skills development training conducted by public vocational training facilities;
  3. Other vocational skills development training conducted by business owners and other individuals or organizations.
- (3) Matters necessary for the development of vocational skills under paragraph (1) shall be separately prescribed by statutes.

**Article 20 (Support for Development of Vocational Skills)**

- (1) A business owner shall conduct necessary vocational skills development training for the workers employed by the business owner, and the workers shall endeavor to develop their vocational skills.
- (2) The State shall provide information on the development of vocational skills, guidance and counseling, and necessary expenses to workers and business owners.
- (3) The State may provide necessary support so that all citizens may develop vocational skills and manage their career throughout the entire life.

**Article 21 (Training of Technical and Skilled Human Resources)**

The State shall formulate and implement policies necessary to train technical and skilled human resources for the continuous development of the national economy by conducting surveys on the progress of industrial development and the status of supply and demand of human resources.

**Article 22 (Establishment of Vocational Skills Evaluation System)**

- (1) The State shall endeavor to establish a system for the examination of knowledge, techniques, and skills of workers by setting the standards for the evaluation of vocational skills of workers, and to expand such system.
- (2) Matters necessary for the examination system under paragraph (1) shall be separately prescribed by statutes.

**CHAPTER V SUPPORT FOR PROMOTION OF EMPLOYMENT  
OF WORKERS AND SECURING OF HUMAN  
RESOURCES BY BUSINESS OWNERS**

**Article 23 (Support for Job Applicants and Job Offerers)**

- (1) The heads of employment security offices shall provide systematic employment services to job applicants in consideration of each of the job applicants' aptitudes, abilities, etc. so that job applicants are employed according to their aptitudes, abilities, experience, etc.
- (2) The heads of employment security offices shall provide job offerers with information on job applicants, counseling, advice and other support necessary for job offering so that they may promptly employ appropriate workers.

#### **Article 24 (Vocational Guidance for Students)**

The State shall guide and advise students, etc. of all levels of schools under the Elementary and Secondary Education Act and the Higher Education Act in choosing their occupations in the future, and provide them with information on occupations to help them find occupations suitable for each individual's aptitude and abilities, and with the necessary support to enable them to receive vocational guidance, such as vocational aptitude test.

#### **Article 25 (Support for Promotion of Employment of Youth, Women, and Aged)**

(1) For the purpose of promoting the employment of the youth, women, the aged, etc., the State shall develop occupations suitable for their employment, create training courses for the development of vocational skills, prepare a system for the expansion of employment opportunities, amend the relevant statutes and regulations, and formulate and implement other necessary measures.

(2) Matters necessary for the promotion of employment of the youth, women, the aged, etc. under paragraph (1) shall be separately prescribed by statutes.

#### **Article 26 (Support for Promotion of Employment of Vulnerable Group in Employment)**

(1) The State shall provide necessary support for the development of vocational skills, etc. according to an employment support program including the following matters, in order to promote the employment of the vulnerable group in employment:

1. Assessment of the abilities, aptitudes, etc. of the vulnerable group in employment;
2. Motivation to get a job and improvement of vocational skills;
3. Support through intensive job placement services, etc.

(2) Matters necessary for the promotion of employment of the vulnerable group in employment under paragraph (1) shall be separately prescribed by statutes.

#### **Article 27 (Employment Security Support for Daily Hire Workers)**

In order to promote employment security for daily hire workers, temporary agency workers, etc., the State shall provide them with employment information suitable for the type of work, vocational counseling, and more opportunities for the development of vocational skills, and take other necessary measures.

#### **Article 28 (Creation of Social Service Jobs and Fostering of Social Enterprises)**

(1) The State may provide necessary support to a juristic person or organization which creates jobs in the social service sector, such as education, health, social welfare, environment, and culture, which are necessary in society but are not sufficiently provided in the market due to profitability and other reasons.

(2) The State shall endeavor to foster juristic persons or organizations which are engaged in the business activities, such as the production, sale, etc. of goods and services, while pursuing to fulfil their social

purpose such as increasing the quality of life for local residents by providing the vulnerable group in employment, etc. with social services or jobs, as social enterprises.

(3) Matters necessary for the fostering of social enterprises under paragraph (2) shall be separately prescribed by statutes.

#### **Article 29 (Support to Enterprises for Job Creation)**

(1) The State shall formulate and implement necessary measures to support enterprises in the creation of jobs, employment maintenance, relocation of human resources, etc. in order to expand the employment opportunities for workers and raise enterprises' competitiveness.

(2) Upon receipt of a request from business owners, representatives of workers, labor unions, etc. regarding the recruitment, hiring or assignment of workers, development of vocational skills, promotion, and wage systems, and other enterprises' employment management, the head of an employment security office shall provide necessary support, such as counseling and advice, based on employment information, etc.

#### **Article 30 (Formulation and Implementation of Human Resources Maintenance Support Plan for Small and Medium Enterprises)**

(1) The Minister of Employment and Labor may formulate and implement a plan for supporting the improvement of working environment, expansion of welfare facilities and other improvements, etc. of employment management (hereinafter referred to as "human resources maintenance support plan for small and medium enterprises"), in order to support small and medium enterprises to secure human resources.

*<Amended on Jun. 4, 2010>*

(2) Where the Minister of Employment and Labor intends to formulate a human resources maintenance support plan for small and medium enterprises, the Minister shall consult in advance with the heads of the relevant central administrative agencies. *<Amended on Jun. 4, 2010>*

(3) Matters necessary for the formulation and implementation of a human resources maintenance support plan for small and medium enterprises shall be prescribed by Presidential Decree.

#### **Article 31 (Introduction of Foreign Workers)**

(1) The State may introduce foreign workers for the smooth supply and demand of human resources in the labor market. In such cases, the State shall endeavor not to infringe on the employment opportunities of citizens.

(2) Matters necessary for the introduction, etc. of foreign workers under paragraph (1) shall be separately prescribed by statutes.

## **CHAPTER VI SUPPORT FOR EMPLOYMENT ADJUSTMENTS AND EMPLOYMENT SECURITY MEASURES**

### **Article 32 (Support for Employment Adjustment by Occupation or Region)**

(1) The Minister of Employment and Labor may provide support for the following matters to occupations or regions in which the employment situations have worsened or are feared to worsen drastically due to changes, etc. in domestic or foreign economic conditions: *<Amended on Jan. 21, 2014>*

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

(2) Matters necessary for the support measures under paragraph (1) shall be prescribed by Presidential Decree.

### **Article 32-2 (Declaration and Support of Employment Disaster Area)**

(1) For a region in which employment security has been severely undermined by major corporate failures, restructuring, etc. and thus special measures are deemed necessary, the Minister of Employment and Labor may suggest the declaration of such region as an employment disaster area to the President.

(2) Upon receipt of the suggestion of the declaration of an employment disaster area under paragraph (1), the President may declare the relevant region as an employment disaster area after deliberation by the State Council.

(3) Before suggesting the declaration of an employment disaster area to the President under paragraph (1), the Minister of Employment and Labor may investigate damage, such as unemployment, by jointly forming an employment disaster investigation team with the heads of relevant central administrative agencies.

(4) Where the declaration of an employment disaster area is made under paragraph (2), the Government may formulate and implement a comprehensive measure including special assistance in administration, finance, and banking.

(5) Matters necessary for the composition and operation of an employment disaster investigation team and conducting investigation under paragraph (3) and details of the assistance under paragraph (4) shall be prescribed by Presidential Decree.

### **Article 33 (Reports on Large-Scale Changes in Employment)**

(1) Where fluctuations in the volume of employment caused by the automation, new installation or extension of production facilities, and the reduction, adjustment, etc. of business scale reach the level prescribed by Presidential Decree, business owners shall report to the head of an employment security office on the matters concerning fluctuations in the volume of employment, as prescribed by Ordinance of the Ministry of Employment: Provided, That this shall not apply where a report is filed in accordance with Article 24 (4) of the Labor Standards Act. *<Amended on May 18, 2021>*

(2) Upon receipt of the report under paragraph (1), the head of an employment security office shall take measures necessary for the promotion of re-employment of the unemployed or for securing human resources for the relevant business, such as expansion of job placement services by securing the information on job offering and job seeking, and requiring vocational training institutions to conduct vocational training.

#### **Article 34 (Unemployment Relief Programs)**

(1) Where there are or are likely to be a large number of unemployed persons or where employment security measures, such as employment promotion for the unemployed is deemed necessary, based on the result of a survey on unemployment situations by industry and region, the Minister of Employment and Labor may conduct unemployment relief programs including the following measures (hereinafter referred to as "unemployment relief programs"), in consultation with the head of the relevant central administrative agency: *<Amended on Jun. 4, 2010>*

1. Execution of and support for training for promoting the employment of the unemployed;
2. Support for living costs, rehabilitation funds, social insurance premiums, such as insurance premiums under the National Health Insurance Act, medical expenses (including family's medical expenses), school expenses (including children's school expenses), deposit money for the lease of a house, the lease of a shop for business start-up, etc. for the unemployed;
3. Prevention of unemployment, promotion of re-employment of the unemployed, and support for persons carrying out other programs for employment security;
4. Loans to those who carry out programs related to employment promotion;
5. Execution of public work programs for the unemployed;
6. Other measures necessary for the resolution of unemployment.

(2) The Minister of Employment and Labor may entrust the Labor Welfare Corporation under the Industrial Accident Compensation Insurance Act (hereinafter referred to as the "Corporation") with some of the unemployment relief programs, as prescribed by Presidential Decree. *<Amended on Jun. 4, 2010>*

(3) In applying paragraphs (1) and (2), workers on unpaid leave of absence prescribed by Presidential Decree shall be hereby deemed the unemployed.

(4) Matters necessary for conducting unemployment relief programs shall be prescribed by Presidential Decree.

#### **Article 35 (Creation of Funds for Unemployment Relief Programs)**

(1) Where the Corporation is entrusted to carry out the unemployment relief programs pursuant to Article 34 (2), it shall create funds required to carry out the unemployment relief programs through the following methods:

1. Contributions or subsidies by the Government or persons other than the Government;

2. Borrowing of funds under Article 36;

3. Other revenues.

(2) The Corporation shall manage and operate funds created pursuant to paragraph (1) as resources of the labor welfare promotion fund under Article 87 of the Framework Act on Labor Welfare. <Amended on Jun. 8, 2010>

#### **Article 36 (Borrowing of Funds)**

Where deemed necessary to conduct the unemployment relief programs entrusted pursuant to Article 34 (2), the Corporation may borrow funds (including borrowing from international organizations, foreign governments, or foreigners) upon approval from the Minister of Employment and Labor. <Amended on Jun. 4, 2010>

#### **Article 37 (Cooperation with Related Agencies)**

(1) Where deemed necessary for employment security for the unemployed or adjustment of the supply and demand of human resources, the Minister of Employment and Labor may request the heads of relevant central administrative agencies or the heads of local governments for cooperation with regard to the commencement and suspension of works under their control or employment etc. of workers. <Amended on Jun. 4, 2010>

(2) Upon receipt of a request for cooperation under paragraph (1), the heads of central administrative agencies or local governments shall comply with such request, unless there is a compelling reason not to do so.

## CHAPTER VII SUPPLEMENTARY PROVISIONS

#### **Article 38 (Reporting and Inspections)**

(1) Where deemed necessary for the collection and provision of employment information, support for employment management and employment adjustments, etc., the Minister of Employment and Labor may require business owners and persons who have received or intend to receive support under this Act to report on necessary matters, such as the status of employment management, details of usage of subsidies, and qualifications of support, as prescribed by Presidential Decree. <Amended on Jun. 4, 2010>

(2) Where deemed necessary for such matters as determining illegality concerning support for employment management and employment adjustment, the Minister of Employment and Labor may require related public officials to enter places of business or workshops of the business owners to question relevant persons or inspect relevant documents. <Amended on Jun. 4, 2010>

(3) Where intending to conduct an inspection under paragraph (2), the Minister of Employment and Labor shall notify in advance the relevant business owner of matters necessary for the inspection, such as date and details of the inspection: Provided, That this shall not apply where urgency is required or an advance



notice is deemed to make it impossible to achieve the intended purpose. <Amended on Jun. 4, 2010>

(4) The related public officials who conduct an inspection under paragraph (2) shall carry a certificate indicating their authority and present it to the persons concerned.

(5) Where having conducted an inspection under paragraphs (2) through (4), the Minister of Employment and Labor shall notify in writing the relevant business owner of the inspection results. <Amended on Jun. 4, 2010>

### **Article 39 (Delegation of Authority)**

The authority of the Minister of Employment and Labor under this Act may be delegated, in part, to the Mayor/Do Governor or the heads of employment security offices, as prescribed by Presidential Decree.

<Amended on Jun. 4, 2010>

### **Article 40 (Entrustment)**

(1) The Minister of Employment and Labor may entrust the following affairs among his or her affairs under this Act to the Korea Employment Information Service under Article 18: <Amended on Jun. 4, 2010; Apr. 30, 2019>

1. Collection, management, etc. of the information on employment and occupations under Article 15;
2. Establishment, operation, etc. of the employment information system under Article 15-2;
3. Establishment, operation, etc. of the integrated information network under Article 15-5;
4. Survey of the trends and prospects of the supply and demand of human resources, and preparation and publication of data under Article 16;
5. Preparation and publication of statistics related to employment and construction of database under Article 17.

(2) The State or local governments may entrust the affairs concerning the establishment and operation of the facilities under Article 11 (4) to a non-profit juristic person or organization prescribed by Presidential Decree.

### **Article 41 (Penalty Provisions)**

Any person who divulges confidential information acquired in the course of performing the duties or uses it for any other purpose, in violation of Articles 15-3 (6) and 18 (9), shall be punished by imprisonment with labor for not more than 10 years or by a fine not exceeding 100 million won. <Amended on Mar. 27, 2015; Apr. 30, 2019>

### **Article 42 (Administrative Fines)**

(1) Any of the following persons shall be punished by an administrative fine not exceeding three million won:

1. A person who fails to report or reports falsely in violation of Article 33 (1);
  2. A person who fails to report under Article 38 (1) or reports falsely;
  3. A person who refuses, hinders, or evades answers to questions under Article 38 (2) or makes a false answer, or a person who refuses, hinders, or evades inspections under that paragraph.
- (2) Administrative fines referred to in paragraph (1) shall be imposed and collected by the Minister of Employment and Labor, as prescribed by Presidential Decree. <Amended on Jun. 4, 2010>

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

**Article 1 (Enforcement Date)**

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

**Article 2 Omitted.**

**Article 3 (Relationship to Other Statutes or Regulations)**

Where other statutes or regulations cite the provisions of the previous Framework Act on Employment Policy as at the time this Act enters into force, and where this Act includes the provisions corresponding thereto, the corresponding provisions of this Act shall be deemed cited in lieu of the previous provisions.

ADDENDA <Act No. 10338, May 31, 2010>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 6 Omitted.**

ADDENDA <Act No. 10339, Jun. 4, 2010>

**Article 1 (Enforcement Date)**

This Act shall enter into force one month after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 5 Omitted.**

ADDENDA <Act No. 10361, Jun. 8, 2010>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 12 Omitted.**

ADDENDUM <Act No. 10966, Jul. 25, 2011>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 9 (1), and the former and latter parts of Article 10 (1) (limited to the part concerning Special Self-Governing City) shall enter into force on July 1, 2012.

ADDENDUM <Act No. 11568, Dec. 18, 2012>

This Act shall enter into force six months after the date of its promulgation.

ADDENDA <Act No. 12244, Jan. 14, 2014>

**Article 1 (Enforcement Date)**

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 4 Omitted.**

ADDENDUM <Act No. 12324, Jan. 21, 2014>

This Act shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 13262, Mar. 27, 2015>

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

ADDENDA <Act No. 14839, Jul. 26, 2017>

**Article 1 (Enforcement Date)**

This Act shall enter into force on the date of its promulgation: Provided, That the amendments to the statutes to be amended pursuant to Article 5 of the Addenda, which were promulgated before this Act enters into force but the enforcement dates of which have yet to arrive, shall enter into force on the enforcement date of the relevant statute.

**Articles 2 through 6 Omitted.**

ADDENDA <Act No. 15270, Dec. 19, 2017>

**Article 1 (Enforcement Date)**

This Act shall enter into force on July 1, 2019. (Proviso Omitted.)

**Articles 2 and 3 Omitted.**

ADDENDA <Act No. 15522, Mar. 20, 2018>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 30 Omitted.**

ADDENDA <Act No. 16412, Apr. 30, 2019>

**Article 1 (Enforcement Date)**

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 13, 15, 15-2 through 15-5, 18 (4), 40 (1) and 41 shall enter into force six months after the date of its promulgation.

**Article 2 (Transitional Measures concerning Establishment and Operation of Employment Security Network and Employment Insurance Network)**

The employment security network and the employment insurance network that have been established and operated pursuant to the previous provisions of Article 15 (3) as at the time this Act enters into force shall be deemed the employment information system under the amended provisions of Article 15-2.

**Article 3 (Relationship to Other Statutes and Regulations)**

Where other statutes and regulations cite the provisions of the previous Framework Act on Employment Policy as at the time this Act enters into force, and where this Act includes the provisions corresponding thereto, the corresponding provisions of this Act shall be deemed cited in lieu of the previous provisions.

ADDENDUM <Act No. 17326, May 26, 2020>

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

ADDENDA <Act No. 17893, Jan. 12, 2021>

**Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation.

**Articles 2 through 23 Omitted.**

ADDENDUM <Act No. 18175, May 18, 2021>

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

Last updated : 2022-08-09

