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** This Act reflects only the amendments made until June 30, 2014*

ACT ON EMPLOYMENT PROMOTION AND VOCATIONAL REHABILITATION FOR DISABLED PERSONS

Act No. 4219, Jan. 13, 1990

Amended by Act No. 4975, Aug. 4, 1995
Act No. 5170, Dec. 12, 1996
Act No. 5454, Dec. 13, 1997
Act No. 5889, Feb. 8, 1999
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Act No. 6836, Dec. 30, 2002
Act No. 7154, Jan. 29, 2004
Act No. 7298, Dec. 31, 2004
Act No. 7468, Mar. 31, 2005
Act No. 7568, May 31, 2005
Act No. 7828, Dec. 30, 2005
Act No. 8135, Dec. 30, 2006
Act No. 8367, Apr. 11, 2007
Act No. 8483, May 25, 2007
Wholly Amended by Act No. 8491, May 25, 2007
Amended by Act No. 8507, Jul. 13, 2007
Act No. 8817, Dec. 27, 2007
Act No. 8852, Feb. 29, 2008
Act No. 9791, Oct. 9, 2009
Act No. 9795, Oct. 9, 2009
Act No. 9932, Jan. 18, 2010
Act No. 10303, May 17, 2010
Act No. 10339, Jun. 4, 2010
Act No. 10460, Mar. 9, 2011
Act No. 10682, May 19, 2011
Act No. 10969, Jul. 25, 2011
Act No. 11240, Jan. 26, 2012
Act No. 11570, Dec. 18, 2012
Act No. 11690, Mar. 23, 2013

CHAPTER I

General Provisions

Article 1 (Purpose)

The purpose of this Act is to contribute to the employment promotion and vocational rehabilitation of disabled persons so that they may live a decent live through work suited to their abilities.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows:
<Amended by Act No. 10339, Jun. 4, 2010>

1. The term "disabled person" means a person who has his/her long-term working life substantially restricted due to a physical or mental disability and corresponds to the standards prescribed by the Presidential Decree;
2. The term "persons with severe disabilities" means a disabled person who has significantly lost his/her working abilities, and corresponds to the standards prescribed by the Presidential Decree;
3. The term "employment promotion and vocational rehabilitation" means enabling a disabled person to become self-reliant through working life by taking measures under this Act with respect to vocational guidance, vocational adaptation training, vocational skills development training, job placement, employment, post-employment adaptation guidance, etc., for disabled persons;
4. The term "employer" means a person who carries on or intends to carry on a business with workers employed by him/her;
5. The term "worker" means a worker defined in Article 2 (1) 1 of the Labor Standards Act: Provided that any person (excluding persons with severe disabilities) whose fixed working hours fall short of the working hours set by the Presidential Decree shall be excluded;
6. The term "vocational skills development training" means training defined in subparagraph 1 of Article 2 of the Act on the Workers Vocational Skills Development Act;
7. The term "vocational skills development training facility" means facility defined in subparagraph 3 of Article 2 of the Act on the Workers Vocational Skills Development Act; and
8. The term "standard workplace for disabled persons" means a workplace that meets the criteria prescribed by the Ordinance of the Ministry of Employment and Labor concerning the number and ratio of, and facilities and wages for, disabled persons employed (excluding vocational rehabilitation facilities for disabled persons under Article 58 (1) 3 of the Act on Welfare of Persons with Disabilities).

Article 3 (Responsibilities of State and Local Governments)

- (1) The State and local governments shall continually promote

education, publicity and employment promotion campaigns for disabled persons, in order to enhance the understanding of employers and the general public on the employment promotion and vocational rehabilitation of disabled persons.

(2) The State and local governments shall take measures for vocational rehabilitation that considers the characteristics of disabled persons, and for providing support to employers, disabled persons and other related persons, and for comprehensively and effectively implement policies necessary for promoting the employment of disabled persons. In such cases, the State and local governments shall lay stress on the employment promotion and vocational rehabilitation of persons with severe disabilities and female disabled persons.

Article 4 (State Liability)

(1) The State may finance each year part of the expenses required for projects for the employment promotion and vocational rehabilitation of disabled persons from its general account.

(2) The State shall actively support each year the expenses required for executing projects for the employment promotion and vocational rehabilitation of disabled persons within the limits of its budgets.

Article 5 (Obligations of Employers)

(1) Employers shall have the obligation to cooperate with the government in implementing policies on the employment of disabled persons, provide them with employment opportunities by evaluating their abilities fairly, and conduct employment management for them in a proper way.

(2) Employers shall not discriminate against any worker in personnel management, such as hiring, promotion, transfer, education and training, merely on the ground that the worker is a disabled person.

(3) Employers shall provide education to improve the awareness of disabled persons in order to create stable working conditions and expand the employment for disabled workers. *<Newly Inserted by Act No. 8817, Dec. 27, 2007>*

(4) The Minister of Employment and Labor shall develop and distribute education materials, etc. to facilitate employers' education to improve recognition of disabled persons under paragraph (3). *<Newly Inserted by Act No. 8817, Dec. 27, 2007 and Amended by Act No. 10339, Jun. 4, 2010>*

Article 6 (Self-Reliance Efforts of Disabled Persons, etc.)

(1) Every disabled person shall make efforts to become a self-reliant competent career person by striving to develop and enhance his/her abilities with self-consciousness as a career person.

(2) Family members or guardians of disabled persons shall cooperate with the government in implementing policies for disabled persons, and make active efforts to promote the self-reliance of disabled persons.

Article 7 (Basic Plans, etc. for Employment Promotion and Vocational Rehabilitation of Disabled Persons)

(1) The Minister of Employment and Labor shall, in consultation with the head of a related central administrative agency, devise a basic plan for the employment promotion and vocational rehabilitation of disabled persons. *<Amended by Act No 8852, Feb 29, 2008; Act No 9791, Oct. 9, 2009; and Act No 10339, Jun. 4, 2010>*

(2) The following matters shall be contained in the basic plan under paragraph (1): *<Amended by Act No 10339, Jun. 4, 2010>*

1. Matters concerning the employment promotion and vocational rehabilitation of disabled persons;
2. Matters concerning the fund for the employment promotion and vocational rehabilitation of disabled persons under Article 68;
3. Matters concerning the installation and operation of, and support to, facilities for disabled persons; and
4. Other matters deemed necessary for the employment promotion and vocational rehabilitation of disabled persons by the Minister of Employment and Labor.

(3) Important matters concerning the basic plan under paragraph (1) and the employment promotion and vocational rehabilitation of disabled persons shall be subject to deliberation by the Employment Policy Council (hereinafter referred to as "Employment Policy Council") under Article 10 of the Framework Act on Employment Policy. *<Amended by Act No 9791, Oct. 9, 2009>*

(4) Deleted. *<Act No 9791, Oct. 9, 2009>*

(5) Deleted. *<Act No 9791, Oct. 9, 2009>*

(6) Deleted. *<Act No 9791, Oct. 9, 2009>*

Article 8 (Coordination with Ministry of Education and Ministry

of Health and Welfare)

(1) The Minister of Education shall, if it is deemed necessary for the employment promotion of persons subject to special education under the Act on Special Education for Disabled Persons, etc., consult with the Minister of Employment and Labor on the contents, etc. of vocational education. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9791, Oct. 9, 2009; Act No. 10339, Jun. 4, 2010; and Act No. 11690, Mar. 23, 2013>*

(2) The Minister of Health and Welfare shall closely cooperate with the Minister of Employment and Labor to ensure the efficient implementation of vocational rehabilitation projects, etc. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; and Act No. 10339, Jun. 4, 2010>*

<Title of This Article Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; and Act No. 11690, Mar. 23, 2013>

CHAPTER II

Employment Promotion and Vocational Rehabilitation of Disabled Persons

Article 9 (Vocational Rehabilitation Institutes for Disabled Persons)

(1) Vocational rehabilitation institutes for disabled persons (hereinafter referred to as "rehabilitation institutes") shall develop diverse projects for the vocational rehabilitation of disabled persons, and directly provide them to such persons, and particularly endeavor to provide vocational rehabilitation services aimed at enhancing the self-reliance abilities of persons with severe disabilities.

(2) Rehabilitation institutes shall fall under any of the following categories: *<Amended by Act No. 9791, Oct. 9, 2009; Act No. 10339, Jun. 4, 2010; and Act No. 11240, Jan. 26, 2012>*

1. Educational institutes for disabled people under subparagraph 10 of Article 2 of the Act on Special Education for Disabled Persons, etc.;
2. Community rehabilitation facilities for disabled persons under Article 58 (1) 2 of the Act on Welfare of Persons with Disabilities;
3. Vocational rehabilitation facilities for disabled persons under Article 58 (1) 3 of the Act on Welfare of Persons with Disabilities;
4. Welfare organizations for disabled persons under Article

- 63 of the Act on Welfare of Persons with Disabilities;
5. Vocational skills development training facilities under subparagraph 3 of Article 2 of the Act on the Workers Vocational Skills Development Act; and
 6. Other institutions deemed capable of conducting vocational rehabilitation projects for disabled persons by the Minister of Employment and Labor, and prescribed by the Ordinance of the Ministry of Employment and Labor.

Article 10 (Vocational Guidance)

(1) In order to enable disabled persons to find jobs suited to their abilities, the Minister of Employment and Labor and the Minister of Health and Welfare shall conduct job counseling, job aptitude tests, and evaluation of vocational skills, and provide vocational guidance, including providing employment information. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010 and Act No. 10339, Jun. 4, 2010>*

(2) In order to enable disabled persons to have a working life suited to their abilities, the Minister of Employment and Labor and the Minister of Health and Welfare shall endeavor to develop types of jobs suitable for disabled persons. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010 and Act No. 10339, Jun. 4, 2010>*

(3) If special professional knowledge and technology are deemed necessary for providing vocational guidance under paragraph (1), the Minister of Employment and Labor and the Minister of Health and Welfare may request a related specialized institute, such as a rehabilitation institute, to provide such guidance and pay the relevant expenses. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010 and Act No. 10339, Jun. 4, 2010>*

(4) The Minister of Employment and Labor and the Minister of Health and Welfare may provide a loan or subsidy for the expenses incurred by any person who provides or intends to provide vocational guidance. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010 and Act No. 10339, Jun. 4, 2010>*

(5) Necessary matters concerning criteria for the payment of, and loans or subsidies for, expenses under paragraphs (3) and (4) shall be prescribed by the Presidential Decree.

Article 11 (Vocational Adaptation Training)

(1) The Minister of Employment and Labor and the Minister of Health and Welfare may, if deemed necessary to enable disabled

persons to have a working life suited to their expectations, aptitude, abilities, etc., provide vocational adaptation training for their adaptation to a working environment. *<Amended by Act No 8852, Feb 29, 2008; Act No 9932, Jan. 18, 2010 and Act No 10339, Jun. 4, 2010>*

(2) The Minister of Employment and Labor and the Minister of Health and Welfare may, if deemed necessary for the efficient implementation of vocational adaptation training under paragraph (1), determine separate training standards, etc. *<Amended by Act No 8852, Feb 29, 2008; Act No 9932, Jan. 18, 2010 and Act No 10339, Jun. 4, 2010>*

(3) In order to develop and improve the vocational skills of disabled persons, the Minister of Employment and Labor and the Minister of Health and Welfare may provide a loan or subsidy to a person who installs and operates, or intends to install and operate a vocational adaptation training facility or training courses to cover the required expenses (including training expenses). *<Amended by Act No 8852, Feb 29, 2008; Act No 9932, Jan. 18, 2010 and Act No 10339, Jun. 4, 2010>*

(4) The Minister of Employment and Labor and the Minister of Health and Welfare may provide training allowances to disabled persons who receive vocational adaptation training at a vocational adaptation training facility. *<Amended by Act No 8852, Feb 29, 2008; Act No 9932, Jan. 18, 2010 and Act No 10339, Jun. 4, 2010>*

(5) Necessary matters concerning the criteria for loans and subsidies and for the payment of training allowances, etc. under paragraphs (3) and (4) shall be prescribed by the Presidential Decree.

Article 12 (Vocational Skills Development Training)

(1) The Minister of Employment and Labor shall provide vocational skills development training for disabled persons so that they can have a working life suited to their expectations, aptitude, abilities, etc. *<Amended by Act No 10339, Jun. 4, 2010>*

(2) In order to develop and improve the vocational skills of disabled persons, the Minister of Employment and Labor may provide a loan or subsidy to a person who installs and operates or intends to install and operate, a vocational skills development training facility or training courses to cover the required expenses (including training expenses). *<Amended by Act No 10339, Jun. 4, 2010>*

(3) The Minister of Employment and Labor may provide training allowances to a disabled person who receives vocational skills development training at a vocational skills development training facility. *<Amended by Act No. 10339, Jun. 4, 2010>*

(4) Necessary matters concerning the criteria for loans and subsidies and for the payment of training allowances, etc. under paragraphs (2) and (3) shall be prescribed by the Presidential Decree.

Article 13 (Supportive Employment)

(1) The Minister of Employment and Labor and the Minister of Health and Welfare shall implement a supportive employment system and provide required supports, in order to enable persons with severe disabilities who may have difficulties in performing their duties in a business place run by an employer to fulfill their duties. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010 and Act No. 10339, Jun. 4, 2010>*

(2) Necessary matters concerning the contents of, and standards, etc. for, the support under paragraph (1) shall be prescribed by the Presidential Decree.

Article 14 (Sheltered Employment)

The State and local governments shall provide a specific working environment for disabled persons who may hardly work under normal working conditions, and implement a sheltered employment system so as for such persons to be able to work in the relevant working environment.

Article 15 (Job Placement, etc.)

(1) The Minister of Employment and Labor shall arrange a job suitable for a disabled person on the basis of employment information and in consideration of his/her expectations, aptitude, abilities, type of job, etc. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) The Minister of Employment and Labor shall devise policies for the employment promotion of disabled persons in order to enable them to become self-reliant through working life. *<Amended by Act No. 10339, Jun. 4, 2010>*

(3) The Minister of Employment and Labor may, if it is necessary for job placement and employment promotion under paragraphs (1) and (2), request related specialized institutions, such as rehabilitation institutes, to carry out part of his/her business, and pay the relevant expenses. *<Amended by Act No. 10339, Jun. 4, 2010>*

(4) The Minister of Employment and Labor may provide a loan or subsidy to a person who installs and operates, or intends to install and operate a job placement facility to cover the required expenses (including subsidies for job placement).

<Amended by Act No. 10339, Jun. 4, 2010>

(5) Necessary matters concerning the payment of expenses and the criteria for loans and subsidies under paragraphs (3) and (4) shall be prescribed by the Presidential Decree.

Article 16 (Coordination, etc. between Job Placement Agencies)

(1) In order to expand employment opportunities for disabled persons, the Minister of Employment and Labor shall take such measures as building a computer network for job placement to ensure efficient coordination between rehabilitation institutes providing job placement services with regard to exchanges of information on job seekers and job offerers, and management of disabled workers, and to enable the Korea Employment Agency for the Disabled under Article 43 to perform the comprehensive and centralized management thereof.

<Amended by Act No. 9791, Oct. 9, 2009 and Act No. 10339, Jun. 4, 2010>

(2) When taking such measures as building a job placement computer network, etc. under paragraph (1), the Minister of Employment and Labor shall ensure coordination with the employment security agencies under subparagraph 1 of Article 2-2 of the Employment Security Act. *<Amended by Act No. 9791, Oct. 9, 2009 and Act No. 10339, Jun. 4, 2010>*

Article 17 (Support for Self-employed Disabled Persons)

(1) The Minister of Employment and Labor may provide a loan to a disabled person who intends to run a business independently for the necessary costs of establishing an enterprise or lease him/her a place to do the business.

<Amended by Act No. 10339, Jun. 4, 2010>

(2) Notwithstanding the provisions of the State Properties Act, the yearly rental fee for a place of business under paragraph (1) shall be an amount obtained by multiplying the value of the property concerned by 10/1000 or more, as determined by the Minister of Employment and Labor, and may be calculated on a monthly or daily basis. *<Amended by Act No. 10339, Jun. 4, 2010>*

(3) Necessary matters concerning the criteria, etc. for loans or lease under paragraph (1) and (2) shall be prescribed by the Ordinance of the Ministry of Employment and Labor. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 18 (Support for Disabled Workers)

(1) The Minister of Employment and Labor may provide a loan to a disabled worker as necessary for his/her stable working life. <Amended by Act No. 10339, Jun. 4, 2010>

(2) Necessary matters concerning the criteria for loans under paragraph (1) shall be prescribed by the Ordinance of the Ministry of Employment and Labor. <Amended by Act No. 10339, Jun. 4, 2010>

Article 19 (Post-employment Adaptation Guidance)

(1) The Minister of Employment and Labor and the Minister of Health and Welfare shall, if deemed necessary for the employment security of disabled persons, provide disabled persons employed in a workplace with guidance necessary for adapting themselves to their working environments. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; and Act No. 10339, Jun. 4, 2010>

(2) Necessary matters concerning the details, etc. of guidance under paragraph (1) shall be prescribed by the Presidential Decree.

Article 19-2 (Provision of Personal Assistance Services)

(1) The Minister of Employment and Labor may provide necessary services, such as sending a person who assists persons with severe disabilities in their working life, etc. (hereinafter referred to as "personal assistant"), so that persons with severe disabilities can lead a working life in a stable and sustainable manner.

(2) Necessary matters concerning the selection of those eligible for personal assistance services and cancellation thereof, the method of providing personal assistance services, etc., shall be prescribed by the Presidential Decree.

<This Article Newly Inserted by Act No. 10460, Mar. 9, 2011>

Article 20 (Employment Guidance to Employers)

The Minister of Employment and Labor shall, if deemed necessary for the employers who employ or intend to employ disabled persons, provide them with guidance on technical matters concerning employment, placement, work aids, work equipment, working environments and other matters concerning the employment management of disabled persons. <Amended by Act No. 10339, Jun. 4, 2010>

Article 21 (Support for Employers who Employ Disabled Persons)

(1) The Minister of Employment and Labor may provide a loan or subsidy to an employer who employs or intends to

employ disabled persons for the expenses or equipment described in any of the following subparagraphs and needed for the employment of disabled persons. In such cases, an employer who employs or intends to employ persons with severe disabilities or disabled women shall be preferentially treated: *<Amended by Act No. 9791, Oct. 9, 2009 and Act No. 10339, Jun. 4, 2010>*

1. Expenses incurred for the purchase, installment, repair, etc. of necessary facilities and equipment for the employment of disabled persons;
2. Work-related assistive technology devices, equipment, etc. needed for working life of disabled persons;
3. Expenses incurred for the placement of counsellors for working life of disabled persons, work instructors, sign language interpreters, readers, etc. for the proper employment management of disabled persons; and
4. Other expenses or equipment equivalent to those under subparagraphs (1) through (3) as necessary for the employment of disabled persons.

(2) The Minister of Employment and Labor may, if an employer with disabilities employs or intends to employ disabled persons, provide work-related assistive technology devices, equipment, etc., needed for working life of the employer him/herself. *<Newly Inserted by Act No. 10969, Jul. 25, 2011>*

(3) Necessary matters concerning the criteria, etc. for loans or subsidies under paragraph (1) shall be prescribed by the Presidential Decree. *<Amended by Act No. 10969, Jul. 25, 2011>*

Article 22 (Support for Standard Workplace for Disabled Persons)

(1) The Minister of Employment and Labor may provide a loan or subsidy to an employer who establishes and operates or intends to establish and operate a standard workplace for disabled persons to cover the expenses necessary for the establishment and operation. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) When providing a loan or subsidy pursuant to paragraph (1), the Minister of Employment and Labor shall preferentially treat employers prescribed in any of the following subparagraphs: *<Amended by Act No. 10339, Jun. 4, 2010>*

1. Employers who employ or intend to employ persons with severe disabilities or disabled women; and
2. Employers who establish and operate or intend to establish a standard workplace for disabled persons through the active

participation of a community, including receiving support from a local government or finance from a non-profit corporation or other private companies.

(3) If an employer who has the obligation to employ disabled persons pursuant to Article 28 (1) actually controls a standard workplace for disabled persons in terms of the criteria prescribed by the Presidential Decree, such as the total number of issued stocks and total amount of investment, when applying Articles 28, 29 and 33, the workers employed at the standard workplace for disabled persons shall be included in the number of workers employed by the employer (however, the number of disabled persons excluding women and the severely disabled shall refer to a half of the total number, and the figure shall be rounded up to the nearest whole number) and the standard workplace for disabled persons concerned shall be considered a workplace of the employer concerned. *<Newly Inserted by Act No. 8507, Jul. 13, 2007 and Amended by Act No. 9791, Oct. 9, 2009>*

(4) Notwithstanding paragraph (3), if two employers or more obligated to employ disabled persons own or invest in the stocks of a standard workplace for disabled persons, the number of workers corresponding to their respective ownership or investment percentages (the figure shall be rounded down to the nearest whole number) shall be included in the number of workers employed by each employer: Provided that if among two employers or more obligated to employ disabled persons, there is an actually controlling employer specified in paragraph (3), the number of workers excluding the number of workers corresponding to the percentage by which the other employers own or invest in the stocks shall be included in the number of workers employed by the actually controlling employer. *<Newly Inserted by Act No. 10460, Mar. 9, 2011>*

(5) Necessary matters concerning the criteria, etc., for the provision of loans or subsidies under paragraph (1) and (2) shall be prescribed by the Presidential Decree. *<Amended by Act No. 8507, Jul. 13, 2007; Act No. 10460, Mar. 9, 2011 and Act No. 11570, Dec. 18, 2012>*

Article 22-2 (Special Case Concerning Prohibition of Unfair Trade Practices)

If an employer who actually controls a standard workplace for disabled persons pursuant to Article 22 (3) supports the standard workplace for disabled persons concerned in

accordance with reasonable criteria which were made public in advance as prescribed by the Presidential Decree, such an act shall not be deemed to fall under the unfair trade practice set forth in Article 23 (1) 7 of the Monopoly Regulation and Fair Trade Act.

Article 22-3 (Preferential Purchase, etc., of Products of Standard Workplaces for Disabled Persons)

(1) If the head of a public institution under subparagraph 2 of Article 2 of the Act on Facilitation of Purchase of Small and Medium Enterprise-Manufactured Products and Support for Development of Their Markets (hereinafter referred to as "public institution" in this Article) makes a contract with regard to goods and services, he/she shall preferentially purchase goods produced and services provided by standard workplaces for disabled persons (hereinafter referred to as "products of standard workplaces for disabled persons").

(2) The head of a public institution shall submit a purchase plan for products of standard workplaces for disabled persons and purchase records for the previous year to the Minister of Employment and Labor as prescribed by the Presidential Decree. In such cases, the purchase plan shall indicate a purchase target for products of standard workplaces for disabled persons, which is equal to or higher than the ratio determined by the Minister of Employment and Labor within the limit of 1/100 of the total purchase amount of each public institution (referring to the total purchase amount for goods and services but excluding construction costs).

(3) The head of a public institution may purchase products of standard workplaces for disabled persons through a negotiated contract. In such cases, the procedure for and method, etc., of making a negotiated contract shall be governed by the relevant Acts and subordinate statutes, such as the Act on Contracts to Which the State Is a Party.

(4) If the head of a public institution conducts an evaluation of its affiliated organizations, etc., he/she shall include therein their purchase records pertaining to products of standard workplaces for disabled persons.

(5) The Minister of Employment and Labor may request the head of a public institution to submit its purchase records pertaining to products of standard workplaces for disabled persons in order to monitor the implementation of its purchase plan and so on. In such cases, the head of the public institution

shall comply with the request unless there is any special reason not to do so.

<This Article Newly Inserted by Act No. 11570, Dec. 18, 2012>

Article 22-4 (Certification of Standard Workplace for Disabled Persons and Revocation Thereof)

(1) A person who intends to run a standard workplace for disabled persons shall meet the criteria referred to in subparagraph 8 of Article 2 and then be certified by the Minister of Employment and Labor.

(2) If a standard workplace for disabled persons falls under any of the following subparagraphs, the Minister of Employment and Labor may revoke the certification under paragraph (1): Provided that in cases falling under subparagraph 1, the certification shall be revoked:

1. Where the standard workplace has received certification in a false or any other fraudulent way;

2. Where the standard workplace ceases to meet the criteria referred to in subparagraph 8 of Article 2; and

3. Where the standard workplace requests the Minister of Employment and Labor to revoke the certification due to an inevitable managerial reason, etc.

(3) If the Minister of Employment and Labor certifies a standard workplace for disabled persons pursuant to paragraph (1) or revoke such certification pursuant to paragraph (2), he/she shall give public notice thereof.

(4) Necessary matters, such as the methods of, and procedures for, the certification of a standard workplace for disabled persons and the revocation thereof under paragraphs (1) and (2) shall be prescribed by the Ordinance of the Ministry of Employment and Labor.

(5) A person who is not certified pursuant to paragraph (1) shall not use in his/her title the term 'standard workplace for disabled persons' or any other term similar thereto.

(6) A person who is certified pursuant to paragraph (1) shall not have any other person run a standard workplace for disabled persons using his/her name or the name of his/her business nor lend the certificate.

<This Article Newly Inserted by Act No. 11570, Dec. 18, 2012>

Article 23 (Collection of Undue Loans or Subsidies, etc., Restrictions on Payment, etc.)

(1) If a person who has received a loan or support pursuant to Article 21 or 22 falls under any of the following

subparagraphs, the Minister of Employment and Labor shall cancel the loan or support concerned and collect that amount or an amount equivalent to the support:

1. Where the person has received the loan or support in a false or any other fraudulent way; and
2. Where the person has received a loan or support from the State or local government (including an entrusted institution) again for the same reason;
3. Where the person fails to make a correction even after receiving a request for correction under paragraph (2) twice or more for the same reason; and
4. Where the person requests the loan or support to be cancelled.

(2) If a person who has received a loan or support pursuant to Article 21 or 22 falls under any of the following subparagraphs, the Minister of Employment and Labor may request the person to make a correction within a set period:

1. Where the person fails to fulfill the conditions for getting the loan or support;
2. Where the person fails to spend the loan or subsidy for the business purpose under each subparagraph of Article 21 (1), Article 21 (2) and Article 22 (1); and
3. Other events determined and announced by the Minister of Employment and Labor.

(3) In cases falling under any subparagraph of paragraph (1), the Minister of Employment and Labor may restrict loans or support for three years from the date on which such act is committed.

(4) Necessary matters concerning the cancellation, collection, request for correction, restriction on payment, etc., under paragraphs (1) through (3) shall be prescribed by the Ordinance of the Ministry of Employment and Labor.

<This Article Wholly Amended by Act No. 11570, Dec. 18, 2012>

Article 24 (Preferential Treatment of Excellent Employers who Employ Disabled Persons)

(1) The Minister of Employment and Labor may select those employers setting a model of employing disabled persons as excellent employers employing disabled persons, and take such measures as supporting their business. (hereinafter referred to as "preferential treatment"). *<Amended by Act No. 10339, Jun. 4, 2010>*

- (2) Necessary matters concerning the selection, preferential

treatment, etc. of excellent employers employing disabled persons under paragraph (1) shall be prescribed by the Presidential Decree.

Article 25 (Provision of Data to Employers)

The Minister of Employment and Labor shall provide employers who employ or intend to employ disabled persons with information and other data on such matters as the physical and mental conditions, vocational skills, etc. of disabled persons.
<Amended by Act No. 10339, Jun. 4, 2010>

Article 26 (Survey on Actual Status of Disabled Persons)

The Minister of Employment and Labor shall, for the employment promotion and vocational rehabilitation of disabled persons, conduct a nationwide survey every two years on the actual status of the employment conditions of disabled persons, such as types of jobs, forms of labor, length of continued service, levels of wages, etc. and the actual status of disabled workers' industrial accidents. <Amended by Act No. 10339, Jun. 4, 2010>

<This Article Wholly Amended by Act No. 8507, Jul. 13, 2007>

CHAPTER III

Obligation to Employ Disabled Persons and Contributory Charges

Article 27 (Obligation of State and Local Governments to Employ Disabled Persons)

(1) The State and the heads of local governments shall employ disabled persons to fill at least 3/100 of their prescribed number of public officials. <Amended by Act No. 8817, Dec. 27, 2007>

(2) The heads of government agencies at every level which conduct examinations (hereinafter referred to as "agencies at every level") shall conduct such examinations in a way that disabled persons may take 3/100 or more of the total number of new employees (6/100 in cases where the number of disabled public officials is less than 3/100 of the prescribed number of public officials in an agency). <Amended by Act No. 8817, Dec. 27, 2007 and Act No. 10460, Mar. 9, 2011> <Enforcement Date Jan. 1, 2015>

(3) The provisions of paragraph (2) shall apply mutatis mutandis even in cases where the head of a government agency entrusted with appointment power recruits public officials without publicly offering such job opportunities.

(4) The provisions of paragraphs (1) and (2) shall not apply to public officials in public security service, public prosecutors, police officers, fire fighters, public officials in security guard service, military personnel, etc.: Provided that the State and the heads of local governments shall strive to have disabled persons employed as public officials in public security service, etc., set forth above.

(5) The maximum age of disabled persons eligible for applying for hiring examinations and recruitment under the provisions of paragraphs (2) and (3) shall be respectively extended by three years for persons with severe disabilities and by two years for other disabled persons.

(6) The head of an institution who falls under any of the following subparagraphs shall submit to the Minister of Employment and Labor a plan for employment of disabled public officials, including a plan for employment of public officials in its affiliated organizations at every level, and a report on the implementation thereof, as prescribed by the Presidential Decree. *<Amended by Act No 10339, Jun. 4, 2010 and Act No 11570, Dec. 18, 2012>*

1. The heads of State agencies prescribed by the Presidential Decree, such as the Secretary-General of the National Assembly, the Minister of National Court Administration, the Secretary-General of the Constitutional Court, the Secretary-General of the National Election Commission and the heads of central administrative agencies;

2. The heads of local governments under the Local Autonomy Act; and

3. The superintendents of offices of education under the Local Education Autonomy Act.

(7) The Minister of Employment and Labor may, if he/she deems that a plan for employment of disabled public officials under paragraph (6) is inadequate, request the person who submitted the plan for employment of disabled public officials to alter the plan, and if the results of compliance with the employment obligation under paragraph (1) are significantly poor, he/she may publicize the relevant details. *<Amended by Act No 10339, Jun. 4, 2010>*

Article 28 (Mandatory Employment of Disabled Persons by

Employers)

(1) An employer who ordinarily employs 50 workers or more (an employer whose value of construction work is equal to or higher than the amount determined and announced by the Minister of Employment and Labor, if it is difficult to identify the number of workers in the construction business) shall employ disabled persons at a ratio (any fraction less than one shall be discarded) equal to or higher than the ratio prescribed by the Presidential Decree (hereinafter referred to as "mandatory employment ratio") within the extent of five percent of the total number of workers (if it is difficult to identify the total number of workers in the construction business, the total number of workers shall be calculated by converting the value of construction work, as prescribed by the Presidential Decree).
<Amended by Act No. 10339, Jun. 4, 2010>

(2) Notwithstanding the provisions of paragraph (1), with respect to job types deemed suited to the abilities of specific disabled persons, the relevant employment ratio may be separately prescribed by the Presidential Decree. In such cases, such ratio shall not be considered the mandatory employment ratio.

(3) The mandatory employment ratio shall be set every five years after taking into account the ratio of disabled persons to total population, the ratio of disabled workers to the total number of workers, the number of disabled persons without jobs, etc.

(4) Necessary matters concerning the calculation of the number of workers ordinarily employed and the value of construction work in the construction business under paragraph (1) shall be prescribed by the Presidential Decree.

Article 28-2 (Special Case Concerning Mandatory Employment Ratio of Disabled Persons in Public Institutions)

Notwithstanding Article 28, the mandatory employment ratio applicable to public institutions designated and announced under the provisions of Articles 4 through 6 of the Act on the Management of Public Institutions and local government-controlled corporations, local government-owned corporations and other local government-invested or contributed corporations established under Chapters III, IV and IV-2 of the Local Public Enterprise Act shall be 3/100 of the number of workers employed ordinarily. In such cases, in calculating the number of disabled persons included in the mandatory employment ratio, any fraction less than one shall be discarded.

<This Article Newly Inserted by Act No. 9791, Oct. 9, 2009 and Amended by Act No. 11570, Dec. 18, 2012>

Article 28-3 (Special Case Concerning Calculation of Number of Disabled Persons to Be Employed)

In the case of calculating the number of disabled persons to be employed pursuant to Articles 27, 28, 28-2, 29 and 33, the employment of a persons with severe disabilities shall be regarded as the employment of two disabled persons: Provided that persons with severe disabilities whose contractual working hours are less than what is prescribed by the Presidential Decree shall be excluded.

<This Article Newly Inserted by Act No. 9791, Oct. 9, 2009>

Article 29 (Establishment, etc., of Plans for Employment of Disabled Persons by Employers)

(1) The Minister of Employment and Labor may order employers to prepare and submit a plan for employment of disabled persons and a report on implementation thereof, as prescribed by the Presidential Decree. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) The Minister of Employment and Labor may, if a plan under paragraph (1) is deemed inadequate, order the employer to revise it. *<Amended by Act No. 10339, Jun. 4, 2010>*

(3) If an employer under Article 28 (1) fails to perform substantially, without justifiable reasons, his/her obligation to establish a plan for employment of disabled persons or to employ disabled persons, the Minister of Employment and Labor may publish the details of such failure to the general public. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 30 (Payment of Subsidy for Employing Disabled Persons)

(1) The Minister of Employment and Labor may pay an employment subsidy to any employer who employs disabled persons (including employers to whom Article 28 (1) does not apply) for the employment promotion and job security of disabled persons. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) The amount of the employment subsidy shall be an amount obtained by subtracting the total number of disabled persons to be employed at the mandatory employment ratio (the same ratio shall be applied in paying an employment subsidy to an employer not subject to Article 28 (1)) from the total number of disabled workers (the figure shall be rounded up to the nearest whole number) employed ordinarily each month and then

multiplying the resulting number by the payment unit under paragraph (3): Provided that in cases where the employer shall pay contributory charges under Article 33, the amount of subsidy shall be obtained by subtracting such charges.

(3) The payment unit and period of the employment subsidy may be set otherwise but within the amount of minimum wages calculated monthly by the Minister of Employment and Labor in accordance with the Minimum Wages Act, after taking into account the basic amount of contributory charges under Article 33 (3), whether to apply the obligation to pay contributory charges, the wages paid to the disabled worker, the employment period, the degree of disability, etc., In such cases, a preferential payment unit and period shall apply to persons with severe disabilities and disabled women. *<Amended by Act No. 9791, Oct. 9, 2009 and Act No. 10339, Jun. 4, 2010>*

(4) For disabled workers eligible for grants and subsidies under the Employment Insurance Act and the Industrial Accident Compensation Insurance Act and other disabled workers prescribed by the Presidential Decree, including those receiving support from the State or local governments for their employment promotion and job security, the payment of the employment subsidy may be restricted as prescribed by the Presidential Decree. *<Amended by Act No. 9791, Oct. 9, 2009>*

(5) Necessary matters concerning the payment of and application for the employment subsidy under paragraph (1) shall be prescribed by the Presidential Decree, and the payment period, procedures, etc., shall be determined by the Minister of Employment and Labor. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 31 (Collection of Undue Benefits and Restrictions on Payment)

(1) In the event that any person who has received an employment subsidy in accordance with Article 30 falls under any of the following subparagraphs, the Minister of Employment and Labor shall collect the amount paid under the respective subparagraphs: Provided that in the case of subparagraph 1, an amount prescribed by the Ordinance of the Ministry of Employment and Labor but not exceeding five times the amount paid shall be collected additionally: *<Amended by Act No. 10339, Jun. 4, 2010 and Act No. 10460, Mar. 9, 2011>*

1. Where he has received the employment subsidy in a false or any other fraudulent way; and
 2. Where the employment subsidy has been paid by mistake.
- (2) In executing additional collection under the proviso to

paragraph (1) in the part other than each subparagraph, a person who reports voluntarily his/her fraudulent conduct within three months of the date on which he/she applies for employment subsidy in a false or any other fraudulent way may be exempted from such additional collection.

(3) With respect to any person who has received or attempted to receive an employment subsidy in a false or any other fraudulent way, the Minister of Employment and Labor shall restrict the payment of any employment subsidy to him/her for one year: Provided that this shall not apply if three years have passed since the employment subsidy was received. *<Amended by Act No. 10339, Jun. 4, 2010 and Act No. 10460, Mar. 9, 2011>*

(4) In applying paragraph (3), the period during which the payment of an employment subsidy is restricted shall be counted from the day when the Minister of Employment and Labor restricts that payment. *<Newly Inserted by Act No. 10460, Mar. 9, 2011>*

Article 32 (Reward)

A person who reports or informs on a person who receives the employment subsidy referred to in Article 30 in a false or any other fraudulent way to a local employment and labor office, the Korea Employment Agency for the Disabled under Article 43 or an investigation agency shall be entitled to receive a reward, as prescribed by the Presidential Decree. *<Amended by Act No. 9791, Oct. 9, 2009 and Act No. 10339, Jun. 4, 2010>*

Article 33 (Payment of Contributory Charges Concerning Employment of Disabled Persons)

(1) An employer (excluding any employer who ordinarily employs 50 or more but less than 100 workers) employing disabled persons less than the mandatory employment ratio shall pay contributory charges (hereinafter referred to as "contributory charges") to the Minister of Employment and Labor every year, as prescribed by the Presidential Decree. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) The amount of contributory charges shall be an annual aggregate obtained by subtracting the number of disabled persons employed ordinarily each month from the total number of disabled persons to be employed by the employer according to the mandatory employment ratio and then multiplying the resulting number by the basic amount of contributory charges under paragraph (3). *<Amended by Act No. 9791, Oct. 9, 2009>*

(3) The basic amount of contributory charges shall be determined and announced by the Minister of Employment and

Labor at a level equal to or higher than 60/100 of the monthly minimum wage under the Minimum Wage Act on the basis of the average amount of expenses described in each of the following subparagraphs, which is required every month to employ disabled persons, after deliberation by the Employment Policy Council, and it may be raised by up to one half depending on the employment ratio of disabled persons (the ratio of the total number of disabled persons employed to the total number of workers ordinarily employed each month): Provided that if there is a month when no disabled person is ordinarily employed, the basic amount of contributory charges for that month shall be equal to the amount of the minimum wage converted on a monthly basis pursuant to the Minimum Wage Act. *<Amended by Act No. 9791, Oct. 9, 2009; Act No. 10339, Jun. 4, 2010; and Act No. 10460, Mar. 9, 2011>*

1. Expenses necessary for the installation or repair of facilities or equipment required for employing disabled persons;
2. Expenses necessary for taking measures for the adequate employment management of disabled persons; and
3. Other expenses specially required for employing disabled persons.

(4) The Minister of Employment and Labor may reduce or exempt contributory charges for employers who provide production equipment, raw materials, technology, etc., to vocational rehabilitation facilities or standard workplaces for disabled persons under the Act on Welfare of Persons with Disabilities and the Industrial Accident Compensation Insurance Act or any other workplace for self-reliance of disabled persons designated by the Minister of Employment and Labor and are exclusively responsible for the production management and product sales thereof or employers who award contracts to vocational rehabilitation facilities and workplaces for self-reliance of disabled persons and receive products delivered therefrom. *<Amended by Act No. 10339, Jun. 4, 2010>*

(5) An employer shall write and declare the matters prescribed by the Presidential Decree, which are necessary for calculating contributory charges, and pay contributory charges for the relevant year to the Minister of Employment and Labor no later than January 31st of the following year (within 60 days from the day when the relevant business is discontinued or closed, if the business is discontinued or closed in the middle of the year). *<Amended by Act No. 9791, Oct. 9, 2009; Act No. 10339, Jun. 4, 2010; and Act No. 10969, Jul. 25, 2011>*

(6) If an employer fails to declare or pay contributory charges within the period set under paragraph (5), the Minister of Employment and Labor may investigate it and collect the contributory charges. *<Amended by Act No. 9791, Oct. 9, 2009 and Act No. 10339, Jun. 4, 2010>*

(7) When the Minister of Employment and Labor deems that the amount of contributory charges paid by an employer differs from the amount actually owed, or is based on a false declaration, he/she shall investigate such fact and collect additionally or refund the difference. *<Amended by Act No. 10339, Jun. 4, 2010>*

(8) Contributory charges may be paid in installments as prescribed by the Presidential Decree. In such cases, if the amount of contributory charges that is allowed to be paid in installments is paid in full within the payment deadline referred to in paragraph (5), an amount prescribed by the Presidential Decree and not exceeding 5/100 of the amount of contributory charges may be deducted.

(9) Necessary matters concerning the criteria for the contract under paragraph (4), and other requisites, standards, etc. for the reduction or exemption of contributory charges shall be determined by the Minister of Employment and Labor. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 34 (Appropriation and Refund of Overpayment or Erroneous Payment of Contributory Charges, etc.)

When the Minister of Employment and Labor intends to refund contributory charges or other charges under this Act or fees associated with the disposition on default paid erroneously by an employer or has to pay an employment subsidy to an employer under Article 30, he/she may appropriate them first for the contributory charges required to be paid and other charges under this Act, following the order prescribed by the Presidential Decree, and then refund or pay the balance thereof to the relevant employer. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 35 (Collection of Additional Charges and Arrears)

(1) The Minister of Employment and Labor shall, if he/she collects contributory charges pursuant to Article 33 (6) and (7), collect as additional charges an amount equivalent to 10/100 of the contributory charges that the employer is required to pay. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) The Minister of Employment and Labor shall, if a person obligated to pay contributory charges under Article 33 fails to

pay the contributory charges within the payment deadline, collect arrears on a monthly basis, as prescribed by the Presidential Decree, for the overdue period not exceeding 36 months, taking account of the overdue interest rate, etc. of banks under Article 2 of the Banking Act. *<Amended by Act No. 10303, May 17, 2010 and Act No. 10339, Jun. 4, 2010>*

(3) The additional charges or arrears under paragraphs (1) and (2) shall not be collected in cases prescribed by the Presidential Decree, such as where the amount is negligible or the collection is deemed inadequate.

Article 36 (Notification)

The Minister of Employment and Labor shall, if intending to collect under Article 33 (6) and (7), notify in writing the obligor of the relevant amount and the term of payment, as prescribed by the Ordinance of the Ministry of Employment and Labor. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 37 (Urging of Payment and Disposition on Default)

(1) If a person who owes contributory charges and/or any other charge under this Act fails to pay them, the Minister of Employment and Labor shall urge the person to make that payment within the time period set by the Minister. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) The Minister of Employment and Labor shall, if he/she urges a payment under paragraph (1), do so in writing. In such cases, the payment period of ten days or more shall be given. *<Amended by Act No. 10339, Jun. 4, 2010>*

(3) If a person who has been urged under paragraph (1) fails to pay contributory charges or any other charge under this Act within the specified time limit, the Minister of Employment and Labor may collect them according to the example of the disposition on default of national taxes. *<Amended by Act No. 10339, Jun. 4, 2010>*

(4) In the event that a public sale of any property that is seized according to the example of the disposition on default under paragraph (3) requires expert knowledge or it is deemed inappropriate to execute such public sale directly due to special circumstances, the Minister of Employment and Labor may ask the Korea Asset Management Corporation established under the Act on the Efficient Disposal of Non-Performing Assets, etc. of Financial Companies and the Establishment of the Korea Asset Management Corporation (hereinafter referred to as "Corporation") to execute it vicariously as prescribed by the Presidential Decree. In

such cases, the public sale of such property shall be deemed to be executed by the Minister of Employment and Labor. *<Amended by Act No. 10339, Jun. 4, 2010>*

(5) The Minister of Employment and Labor may, if the Corporation execute a public sale vicariously in accordance with paragraph (4), pay fees to the Corporation, as prescribed by the Ordinance of the Ministry of Employment and Labor. *<Amended by Act No. 10339, Jun. 4, 2010>*

(6) If the Corporation executes a public sale vicariously under paragraph (4), the officers and employees of the Corporation shall be deemed public officials in the application of Articles 129 through 132 of the Criminal Act.

Article 38 (Priority of Collections)

Contributory charges and other charges under this Act (hereinafter referred to as "contributory charges, etc." in this Article) shall be collected in precedence to other claims excluding national and local taxes: Provided that if assets for which the fact that the creation of a leasehold right, pledge, mortgage or security interest under the Act on Security over Movable Property, Claims, etc., was registered or recorded before the deadline for payment of contributory charges, etc., is proved are sold, and contributory charges, etc., are collected from the sales proceeds, this shall not apply with regard to claims secured by the leasehold right, pledge, mortgage or security interest under the Act on Security over Movable Property, Claims, etc.

<This Article Wholly Amended by Act No. 11570, Dec. 18, 2012>

Article 39 (Service of Documents)

With regard to the service of documents concerning the collection of contributory charges or other charges under this Act, the provisions of Articles 8 through 12 of the Framework Act on National Taxes shall apply mutatis mutandis.

Article 40 (Extinctive Prescription)

If the rights to collect contributory charges or other charges under this Act, to receive the refund thereof, and to receive the employment subsidy are not exercised for three years, their extinctive prescription shall be completed.

Article 41 (Interruption of Prescription)

(1) The extinctive prescription under Article 40 shall be

interrupted for any of the following reasons:

1. Claim for the employment subsidy under Article 30;
2. Order issued to refund the employment subsidy subject to the collection under Article 31 (1);
3. Claim for the refund of the contributory charges under Article 33 (7);
4. Notification of the payment under Article 36;
5. Urging of the payment under Article 37;
6. Claim for the delivery to be made in accordance with the procedures for the disposition on default under 37; and
7. Other reasons for an interruption of extinctive prescription prescribed by the Civil Act.

(2) The extinctive prescription interrupted under paragraph (1) shall begin to run anew after the expiration of any of the following periods: Provided that the resumption of the extinctive prescription interrupted under subparagraph 7 of paragraph (1) shall be governed by the Civil Act.:

1. Deadline for the payment to be made in accordance with a return order;
2. Period during which a claim for the refund of the contributory charges is pending;
3. Deadline for the payment notified under Article 36;
4. Deadline for the payment urged; and
5. Period during which a request for delivery is pending.

Article 42 (Disposal of Deficits)

The Minister of Employment and Labor may, if a defaulter has any of the following reasons, write off any deficit of the disposition involving contributory charges or other charges under this Act: *<Amended by Act No. 10339, Jun. 4, 2010>*

1. Where the proceedings for the disposition on default is concluded and the amount to be allocated to the delinquent amount is less than the relevant delinquent amount;
2. Where the extinctive prescription is completed under Article 40; and
3. Where there is no possibility of collection, as prescribed by the Presidential Decree.

CHAPTER IV

Korea Employment Agency for the Disabled

Article 43 (Establishment of Korea Employment Agency for the Disabled)

(1) The Korea Employment Agency for the Disabled (hereinafter referred to as "Agency") shall be established for the purposes of helping disabled persons to become self-reliant through working life and providing professional assistance to employers in employment of disabled persons. <Amended by Act No. 9791, Oct. 9, 2009>

(2) The Agency shall carry out the following services: <Amended by Act No. 10339, Jun. 4, 2010>

1. Collection, analysis and provision of information on the employment promotion and vocational rehabilitation of disabled persons, and surveys and research thereon;
2. Vocational guidance, such as job counseling, job aptitude tests, evaluation of vocational skills, etc., for disabled person;
3. Vocational adaptation training, vocational skills development training, job placement and post-employment adaptation guidance, for disabled persons;
4. Fostering and training of specialized personnel, such as counselors for working life of disabled persons;
5. Provision of assistance to employers in improving the employment environment for disabled persons and fulfilling the obligation to employ them;
6. Provision of guidance and support to employers and related agencies on technical matters concerning vocational rehabilitation and employment management;
7. Operations of vocational adaptation training facilities, vocational skills development training facilities and standard workplaces for disabled persons;
8. Creation and management of computer networks for job placement between job placement agencies for the employment promotion of disabled persons, and related services, such as publicity, education, skills contests of disabled persons, etc.;
9. Coordination of and support for work between public and private institutions relating to the employment promotion and vocational rehabilitation of disabled persons;
10. International cooperation for the employment of disabled persons;

11. Other services necessary for the employment promotion and vocational rehabilitation of disabled persons, and services delegated by the Minister of Employment and Labor or the head of a central administrative agency; and
12. Services incidental to the services described in subparagraphs 1 through 11.
 - (3) In order to efficiently carry out the services under paragraph (2), the Agency may entrust, with approval from the Minister of Employment and Labor, part of its services to a corporation or an organization. *<Amended by Act No 10339, Jun. 4, 2010>*
<Title of This Article Amended by Act No 9791, Oct. 9, 2009>

Article 44 (Juridical Personality)

The Agency shall be a juristic person.

Article 45 (Offices)

- (1) The location of the principal office of the Agency shall be determined by the articles of incorporation.
- (2) The Agency may, if deemed necessary, establish branch offices after obtaining approval from the Minister of Employment and Labor. *<Amended by Act No 10339, Jun. 4, 2010>*

Article 46 (Registration of Establishment)

- (1) The Agency shall be constituted upon registration at the location of its principal office.
- (2) The registration of establishment under paragraph (1), the establishment and transfer of branch offices and other necessary matters relating to registration shall be prescribed by the Presidential Decree.

Article 47 (Articles of Incorporation)

- (1) The following matters shall be stated in the Agency's articles of incorporation: *<Amended by Act No 9791, Oct. 9, 2009>*
 1. Purpose;
 2. Title;
 3. The principal and branch offices, and the establishment and operation of affiliated organizations under Article 55;
 4. Businesses and execution thereof;
 5. Assets and accounting;
 6. Officers and employees;
 7. Operation of the board of directors;
 8. Alterations to the articles of incorporation;

9. Method of public notification;
10. Establishment, revision and abolition of internal regulations;
and
11. Dissolution.

(2) The articles of incorporation of the Agency shall be subject to authorization of the Minister of Employment and Labor. The same shall apply to the amendment thereof.
<Amended by Act No. 10339, Jun. 4, 2010>

Article 48 (Appointment and Dismissal of Officers)

(1) The Agency shall have ten or more but not more than fifteen directors including one president, and appoint one auditor.

(2) Three directors including the president shall be permanent.
<Amended by Act No. 9791, Oct. 9, 2009>

(3) The appointment and dismissal of the officers shall be subject to Article 26 of the Act on the Management of Public Institutions, and one third of permanent directors and non-permanent directors shall be appointed from among disabled persons.
<Amended by Act No. 9791, Oct. 9, 2009>

(4) Deleted. <Act No. 9791, Oct. 9, 2009>

(5) Deleted. <Act No. 9791, Oct. 9, 2009>

Article 49 (Term of Office for Officers)

The term of office for the president shall be three years, and that of office for the directors and auditor shall be two years and renewable on a yearly basis. <Amended by Act No. 9791, Oct. 9, 2009>

Article 50 (Duties of Officers)

(1) The president shall represent the Agency, and preside over the Agency's business.

(2) If the president is unable to perform his/her duties for inevitable reasons, one of the permanent directors shall act on behalf of him/her under the terms of the articles of incorporation, and if no permanent director exists or is able to act on behalf of the president, an officer determined in accordance with the articles of incorporation shall act on his/her behalf. <Amended by Act No. 9791, Oct. 9, 2009>

(3) The directors shall participate in deliberating and making decisions on agenda items brought forward to the board of directors, and the permanent directors shall carry out the affairs of the Agency under the terms of the articles of incorporation.

<Newly Inserted by Act No. 9791, Oct. 9, 2009>

(4) The auditor shall inspect the business of the Agency, and audit its accounting in accordance with the accounting standards prescribed in Article 32 (5) of the Act on the Management of Public Institutions and submit his/her opinions to the board of directors. *<Amended by Act No. 9791, Oct. 9, 2009>*

Article 51 (Disqualification of Officers)

No person who fall under any of the following subparagraphs shall be qualified for an officer: *<Amended by Act No. 9791, Oct. 9, 2009>*

1. A person who falls under the reasons for disqualification under Article 33 of the State Public Officials Act; and
2. A person who falls under Article 34 (1) 2 of the Act on the Management of Public Institutions

Article 52 (Restriction on Concurrent Offices of Officers and Employees)

(1) The permanent officers and employees of the Agency shall not be engaged in any business, other than their duties, to make profits.

(2) If a permanent officer obtains permission from the person authorized to appoint and propose the officer and if an employee obtains permission from the president, he/she may concurrently carry on another business not for profit.

<This Article Wholly Amended by Act No. 9791, Oct. 9, 2009>

Article 53 (Board of Directors)

(1) The Agency shall have a board of directors to deliberate and decide on the matters prescribed in each subparagraph of Article 17 (1) of the Act on the Management of Public Institutions.

(2) The board of directors shall be composed of directors including the president.

(3) The president shall chair the board of directors.

(4) A meeting of the board of directors shall be convened at the request of the president or at least one third of all directors and a decision shall be made with the approval of a majority of all directors.

(5) The auditor may attend a meeting of the board of directors and state his/her opinions.

<This Article Wholly Amended by Act No. 9791, Oct. 9, 2009>

Article 54 (Appointment and Dismissal of Employees)

The president shall appoint and dismiss the employees of

the Agency under the conditions determined by the articles of incorporation. In such cases, he shall consider employing disabled persons.

Article 55 (Affiliated Organizations)

(1) The Agency may set up affiliated organizations required for effectively performing the services under Article 43 (2), with approval from the Minister of Employment and Labor. *<Amended by Act No 10339, Jun. 4, 2010>*

(2) The president of the Agency shall control and supervise its affiliated organizations.

(3) Matters necessary for the establishment, operations, etc. of affiliated organizations shall be determined by the articles of incorporation of the Agency.

Article 56 (Free Lease of State Property, etc.)

The State may, if necessary for the establishment and management of the Agency, lease any property and commodities owned by the State to the Agency free of charge pursuant to the State Properties Act and the Commodity Management Act.

Article 57 (Borrowing of Funds)

The Agency may, if necessary for conducting services under Article 43 (2), borrow funds (including loans from international organizations, foreign governments or foreigners) with approval from the Minister of Employment and Labor. *<Amended by Act No 10339, Jun. 4, 2010>*

Article 58 (Accounting of Agency)

(1) The business year of the Agency shall coincide with the fiscal year of the government.

(2) The Agency shall establish its accounting rules, and obtain approval from the Minister of Employment and Labor for them. *<Amended by Act No 10339, Jun. 4, 2010>*

Article 58-2 (Revenues of Agency)

The revenues of the Agency are as follows:

1. Contributions or donations from the government or persons other than the government;
2. Contributions from the Employment Promotion and Vocational Rehabilitation Fund for Disabled Persons under Article 68;
3. Loans under Article 57; and
4. Other revenues of the Agency.

<This Article Newly Inserted by Act No. 10969, Jul. 25, 2011>

Article 59 Deleted. <Act No. 9791, Oct. 9, 2009>

Article 60 (Formulation, etc. of Budget)

(1) Every fiscal year the president shall formulate a draft budget for the following fiscal year in accordance with the business objectives established under Article 46 of the Act on the Management of Public Institutions and the business guidelines notified under Article 50 of the same Act, and determine the budget after discussion by the board of directors and approval from the Minister of Employment and Labor no later than the beginning of the following fiscal year. The same shall apply in the case of modifying the budget. <Amended by Act No. 10339, Jun. 4, 2010>

(2) Once determining a budget pursuant to paragraph (1), the Agency shall establish an operating plan according to the budget for the fiscal year after discussion by the board of directors, and submit the operating plan to the Minister of Employment and Labor within two months after the determination of the budget. The same shall apply in the case of changing the operating plan due to modifications to the budget. <Amended by Act No. 10339, Jun. 4, 2010>

<This Article Wholly Amended by Act No. 9791, Oct. 9, 2009>

Article 61 (Submission of Settlement of Accounts)

The Agency shall prepare the settlement of accounts of revenue and expenditure each business year, undergo an audit by a certified public accountant selected in accordance with the rules of the Board of Audit and Inspection or an accounting corporation established under Article 23 of the Certified Public Accountant Act and submit the results to the Minister of Employment and Labor within two months after end of each fiscal year. <Amended by Act No. 10339, Jun. 4, 2010>

<This Article Wholly Amended by Act No. 9791, Oct. 9, 2009>

Article 62 (Disposal of Surplus Cash)

The Agency may, if any surplus earnings accrue as a result of settlement of accounts at the end of each business year, replenish the losses brought forward, and carry over the balance for the use in the following year.

Article 63 (Collection of Fees)

The Agency may receive fees and other actual expenses for

the services under Article 43 (2).

Article 64 (Investments, etc.)

(1) Where necessary for efficiently implementing the services, the Agency may invest in or contribute to the services under Article 43 (2) 7 and 11.

(2) The Agency may establish a management organization after obtaining permission from the Minister of Employment and Labor for the management and operation of the facilities established for the purpose of leasing places of business under Article 17. In such cases, the management organization shall be a juristic person. *<Amended by Act No. 10339, Jun. 4, 2010>*

(3) The Agency shall direct and supervise the duties of the management organization established under paragraph (2).

(4) Matters necessary for the investment and contribution and the establishment of a management organization under paragraphs (1) and (2) shall be prescribed by the Presidential Decree.

Article 65 (Guidance and Supervision over Business)

(1) The Minister of Employment and Labor shall guide and supervise the Agency's business. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) The Minister of Employment and Labor may have the Agency report on necessary matters concerning its business, accounts and property, or take other necessary measures. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 65-2 (Prohibition of Secret Divulgence)

A person who serves or used to serve as an officer or employee of the Agency shall not divulge and illegally use confidential information that he/she acquired while performing his/her duties.

<This Article Newly Inserted by Act No. 8817, Dec. 27, 2007>

Article 66 (Prohibition of Use of Similar Title)

No one other than the Agency shall use the title of "Korea Employment Agency for the Disabled" or any title similar to it. *<Amended by Act No. 9791, Oct. 9, 2009>*

Article 67 (Application Mutatis Mutandis of Civil Act)

The provisions of the Civil Act concerning juridical foundations shall apply mutatis mutandis to the Agency, except as otherwise provided in this Act and the Act on the Management of Public Institutions. *<Amended by Act No. 9791, Oct. 9, 2009>*

CHAPTER V

Employment Promotion and Vocational Rehabilitation Fund for Disabled Persons

Article 68 (Establishment of Employment Promotion and Vocational Rehabilitation Fund for Disabled Persons)

The Minister of Employment and Labor shall establish the Employment Promotion and Vocational Rehabilitation Fund for Disabled Persons (hereinafter referred as the "Fund") in order to carry out the business for the employment promotion and vocational rehabilitation of disabled persons, such as running the Agency and granting employment subsidies. *<Amended by Act No 10339, Jun. 4, 2010>*

Article 69 (Financial Resources of Fund)

(1) The Fund shall be created with the following financial resources:

1. Contributions or donations from the government or any nongovernmental entity;
2. Contributory charges, additional charges and arrears under Articles 33 and 35;
3. Earnings accrued from the operation of the Fund, and other revenues of the Agency;
4. Loans borrowed under Article 57; and
5. Loans borrowed under Article 70.

(2) The government shall appropriate the contributions under paragraph (1) 1 for its estimated budget of expenditures each fiscal year.

Article 70 (Borrowings)

In the event that the Fund is or is expected to be short of money for disbursement, it may borrow a loan from a financial institution, another fund, or any other financial source on its own account.

Article 71 (Use of Fund)

The Fund shall be used for the payment of expenses specified in each of the following subparagraphs: *<Amended by Act No 10969, Jul. 25, 2011>*

1. Contributions made to the Agency;

2. Employment subsidies under Article 30;
3. Expenses required for surveys and research on policies for the employment promotion and vocational rehabilitation of disabled persons;
4. Loans and subsidies for the expenses required for the installation and repair of facilities and equipment for the vocational guidance, vocational adaptation training, vocational skills development training, job placement or employment of disabled persons;
5. Loans and subsidies for the expenses, apparatus, etc. of employers who employ or intend to employ disabled persons;
6. Loans and subsidies for the expenses required by employers who establish and operate or intend to establish and operate a standard workplace for disabled persons;
7. Loans and subsidies for the expenses required by persons who carry out vocational guidance, job placement and post-employment adaptation guidance;
8. Training expenses and allowances for persons who carry out vocational adaptation training and vocational skills development training for disabled persons, and for the relevant disabled persons;
9. Loans to self-employed disabled persons for starting up business and leasing a place of business, and loans, etc., to disabled workers for the stabilization of working life;
10. Expenses required for placing counsellors for working life of disabled persons to assist employers in the employment management of disabled workers;
11. Repayment of the loans borrowed under Article 70 and interest thereon;
12. Subsidization of the difference in interest on loans that disabled persons, employers, etc., borrow from financial institutions under this Act;
13. Rewards under Article 32; and
14. Other expenses required for the business prescribed by the Presidential Decree for the employment promotion and vocational rehabilitation of disabled persons, and expenses incidental to the implementation of the business set forth in subparagraphs 1 through 10.

Article 72 (Operation and Management of Fund)

- (1) The Fund shall be operated and managed by the Minister

of Employment and Labor. *<Amended by Act No 10339, Jun. 4, 2010>*

(2) The fiscal year of the Fund shall coincide with the government's fiscal year.

(3) The Fund shall be managed to make its profits reach or exceed the level prescribed by the Presidential Decree, and the Fund shall be operated by any of the following methods: *<Amended by Act No. 10303, May 17, 2010>*

1. Deposits in banks or postal service agencies under the Banking Act or other Acts;
2. Purchase of bonds issued by the State or local governments;
3. Purchase of bonds whose payment is guaranteed by banks under the Banking Act or other Acts, or by any other person prescribed by the Presidential Decree;
4. Deposits in the Public Fund Management Fund under the Public Fund Management Fund Act; and
5. Other methods prescribed by the Presidential Decree.

Article 73 (Accounting Agency of Fund)

(1) The Minister of Employment and Labor shall appoint the fund revenue collection officer, the fund financial officer, the fund disbursing officer and the fund accounting officer to carry out business affairs pertaining to the revenues and expenditures of the Fund, from among public officials under his/her control. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) If the Minister of Employment and Labor entrusts the Agency with his/her duties under Article 82, he/she shall appoint a director in charge of fund revenues and a director in charge of actions incurring fund expenditures from among the permanent directors of the Agency, and a fund disbursing employee and a fund accounting employee from among employees of the Agency, respectively. In such cases, the director in charge of fund revenues shall perform the duties of the fund revenue collection officer, the director in charge of actions incurring fund expenditures shall perform the duties of the fund financial officer, the fund disbursing employee shall perform the duties of the fund disbursing officer, and the fund accounting employee shall perform the duties of the fund accounting officer, respectively.

<Amended by Act No. 9791, Oct. 9, 2009 and Act No. 10339, Jun. 4, 2010>

Article 74 (Creation of Fund Account)

The Minister of Employment and Labor shall have the Fund disbursing officer open the Fund's account in the Bank of Korea. *<Amended by Act No. 10339, Jun. 4, 2010>*

CHAPTER VI

Supplementary Provisions

Article 75 (Counsellors, etc. for Working Life of Disabled Persons)

(1) The Minister of Employment and Labor shall train specialized personnel, such as counsellors for working life of disabled persons, who are in charge of the employment promotion and vocational rehabilitation of disabled persons, including vocational guidance, vocational adaptation training, vocational skills development training, and post-employment adaptation guidance for disabled persons. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) Employers employing disabled workers in the number not less than that prescribed by the Presidential Decree shall employ counsellors for working life of disabled persons under paragraph (1).

(3) The Minister of Employment and Labor shall, if deemed necessary, support rehabilitation institutes under Article 9 (2) upon receipt of a request for cooperation concerning specialized personnel under paragraph (1). *<Amended by Act No. 10339, Jun. 4, 2010>*

(4) Necessary matters concerning the types, training, placement, roles, qualifications, etc. of specialized personnel under paragraph (1) shall be prescribed by the Ordinance of the Ministry of Employment and Labor. *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 76 (Report, Inspection, etc.)

(1) The Minister of Employment and Labor may, if deemed necessary for the implementation of business, such as the investigation of actual status of disabled persons, the monitoring of compliance with the obligation to employ disabled persons, employment subsidies and various supports for employers, the collection of contributory charges, etc., have a competent public official enter a workplace to inquire related persons, inspect relevant documents or demand a necessary report. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) A public official entering a workplaces under paragraph (1) shall carry an identification showing his/her authority and present it to related persons. In such cases, the identification card of the public official may serve as a substitute for the said identification.

Article 77 (Supports under Tax Systems)

With respect to the contributions or donations from non-government persons under subparagraph 1 of Article 69, the employment subsidies under subparagraph 2 of Article 71, and the supports under subparagraphs 4 through 9 and 14 of the same paragraph, the taxes therefor shall be reduced or exempted as prescribed by the Restriction of Special Taxation Act.

Article 78 (Support for Expenses)

The State and local governments may support any person who conducts a project to promote the employment of disabled persons with all or part of the expenses required therefor, as prescribed by the Presidential Decree.

Article 79 (Special Case Concerning State and Local Governments)

If the head of an institution under Article 27 (6) employs a worker who is not a public official, the provisions of Articles 19-2, 21, 28, 29 and 33 through 42 shall apply to the worker. In such cases, a person falling under any of the following subparagraphs shall be excluded from the total number of workers and disabled persons: *<Amended by Act No. 10339, Jun. 4, 2010 and Act No. 11570, Dec. 18, 2012>*

1. A person who works as an apprentice under Article 26-4 of the State Public Officials Act;
2. A person who undergoes education and training (including probation) under Article 50 of the State Public Officials Act and Article 47 of the Local Public Officials Act and is due to be appointed as public official; and
3. Any other person prescribed by the Ordinance of the Ministry of Employment and Labor, who is employed as part of welfare measures, unemployment measures, etc., taken by the State and a local government.

<This Article Wholly Amended by Act No. 9791, Oct. 9, 2009>

Article 80 (Cooperation)

(1) The State agencies, local governments, rehabilitation institutes and other institutions or organizations relating to disabled persons shall cooperate in the policies executed by the Minister of

Employment and Labor for the employment promotion and vocational rehabilitation of disabled persons. *<Amended by Act No 10339, Jun. 4, 2010>*

(2) The Minister of Employment and Labor may grant necessary support to a person who carries out policies under paragraph (1) (excluding State agencies and local governments). *<Amended by Act No. 10339, Jun. 4, 2010>*

Article 81 (Request, etc., for Provision of Materials)

(1) The Minister of Employment and Labor may, if deemed necessary for the efficient operation of projects for the employment promotion and vocational rehabilitation of disabled persons, request the heads of central administrative agencies, local governments and other institutions and organizations involved in projects for the employment promotion and vocational rehabilitation of disabled persons to make available and provide relevant electronic networks or materials prescribed by the Presidential Decree with regard to necessary information on national taxes, local taxes, incomes, property, health insurance, national pension, immigration control, resident registration, family relation registration, registration of disabled persons, etc. *<Amended by Act No. 10339, Jun. 4, 2010 and Act No. 11570, Dec. 18, 2012>*

(2) The Agency, etc., to whom part of the authority of the Minister of Employment and Labor has been delegated or entrusted pursuant to Article 82 may request relevant administrative agencies, such as the Ministry of Security and Public Administration, the Ministry of Health and Welfare, the Ministry of Land, Infrastructure and Transport, the National Tax Service and local governments, or institutions, organizations, etc., involved in projects for the employment promotion and vocational rehabilitation of disabled persons to make available and provide relevant electronic networks or materials prescribed by the Presidential Decree with regard to information on national taxes, local taxes, incomes, property, health insurance, national pension, immigration control, resident registration, family relation registration, registration of disabled persons, etc., which is necessary for the imposition and collection of contributory charges, the employment promotion and vocational rehabilitation of disabled persons and the performance of other duties delegated or entrusted thereto. *<Amended by Act No 10339, Jun. 4, 2010; Act No 10969, Jul. 25, 2011; Act No 11570, Dec. 18, 2012; and Act No. 11690, Mar. 23, 2013>*

(3) The Agency, etc., to whom part of the authority of the

Minister of Employment and Labor has been delegated or entrusted pursuant to Article 82 may link with and use an information system under Article 6-2 (2) of the Social Welfare Services Act to confirm the materials under paragraphs (1) and (2). *<Newly Inserted by Act No. 11570, Dec. 18, 2012>*

(4) A person requested to make available and provide relevant electronic networks or materials pursuant to paragraphs (1) and (2) shall comply with the request unless there is any justifiable reason not to do so. *<Amended by Act No. 11570, Dec. 18, 2012>*

(5) A person who performed his/her duties using relevant electronic networks or materials pursuant to paragraphs (1) through (3) shall not use the materials received or information obtained in the course of performing his/her duties for any purpose other than those set forth in this Act, nor provide or disclose them to any other person or institution. *<Newly Inserted by Act No. 11570, Dec. 18, 2012>*

(6) The use and provision of relevant electronic networks or materials under paragraphs (1) and (2) shall be exempt from fees, usage fees, etc. *<Newly Inserted by Act No. 10969, Jul. 25, 2011 and Amended by Act No. 11570, Dec. 18, 2012>*

Article 82 (Delegation or Entrustment of Authority)

The Minister of Employment and Labor may delegate part of his/her authority under this Act to the head of a local employment and labor office, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a provincial governor or the governor of a special self-governing province or entrust such authority to the Agency. *<Amended by Act No. 9791, Oct. 9, 2009 and Act No. 10339, Jun. 4, 2010>*

Article 83 (Relations with Other Acts)

Matters not provided for in this Act shall be governed by labor-related Acts, including the Labor Standards Act, the Employment Security Act, and the Workers Vocational Skills Development Act.

Article 84 (Penal Provisions)

A person who receives an employment subsidy in a false or any other fraudulent way as set forth in Article 31 (1) 1 shall be punished by imprisonment for not more than five years or by a fine not exceeding ten million won.

Article 84-2 (Penal Provisions)

A person who divulges or illegally uses confidential information in violation of Article 65-2 shall be punished by

imprisonment for not more than two years or by a fine not exceeding ten million won.

<This Article Newly Inserted by Act No. 8817, Dec. 27, 2007>

Article 85 (Joint Penal Provisions)

If the representative of a juristic person or, an agent, a servant or any other employee of a juristic person or an individual commits the offense prescribed in Article 84 in relation to the business of the juristic person or individual, the fine prescribed in the same Article shall be imposed on the juristic person or individual, in addition to the punishment of the offender: Provided that this shall not apply unless the juristic person or individual neglects to give considerable attention and supervision to the business concerned in order to prevent such offence.

<This Article Wholly Amended by Act No. 9791, Oct. 9, 2009>

Article 86 (Fine for Negligence)

(1) A person who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding ten million won: *<Amended by Act No. 11570, Dec. 18, 2012>*

1. A person who uses in his/her title the term 'standard workplace for disabled persons' or any other term similar thereto in violation of Article 22-4 (5);

2. A person who has any other person run a standard workplace for disabled persons using his/her name or the name of his/her business or lends the certificate in violation of Article 22-4 (6);

3. A person who violates an order issued under Article 29 (1) or (2).

(2) A person who falls under any of the following subparagraphs shall be punished by a fine for negligence of not more than two million won:

1. Where he/she fails to make a declaration under Article 33 (5), or makes a false declaration; and

2. Where he/she refuses, obstructs or evades an inspection under Article 76 (1), or fails to make a report or makes a false report.

(3) A person who falls under any of the following subparagraphs shall be punished by a fine for negligence of not more than one million won:

1. Where he/she violates Article 66;

2. Where he/she violates Article 75 (2); and

3. Where he/she refuses, obstructs or evades an inquiry under Article 76 (1), or gives a false answer.

(4) Fines for negligence under paragraphs (1) through (3) shall be imposed and collected by the Minister of Employment and Labor as prescribed by the Presidential Decree. *<Amended by Act No. 10339, Jun. 4, 2010>*

(5) Deleted. *<Act No. 9791, Oct. 9, 2009>*

(6) Deleted. *<Act No. 9791, Oct. 9, 2009>*

(7) Deleted. *<Act No. 9791, Oct. 9, 2009>*

Article 87 (Fictitious Public Official in Application of Penal Provisions)

An officer and employee of the Agency which is entrusted with the affairs under this Act pursuant to Article 82 shall be regarded as a public official in the application of Articles 129 through 132 of the Criminal Act.

Addenda *<Act No. 8852, Feb. 29, 2009; Revision of the Government Organization Act>*

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided that parts of the amended provisions of Article 31 (1) concerning the promotion of the food industry shall enter into force on June 28, 2008, and the provisions of the Acts revised under Article 6 of the Addenda and promulgated before the enforcement of this Act but whose enforcement date has yet arrived shall enter into force on their respective enforcement date.

Articles 2 through 5 Omitted.

Article 6 (Revision of Other Acts)

Parts of the Act on Employment Promotion and Vocational Rehabilitation for Disabled Persons shall be revised as follows:

“Minister of Health and Welfare” in Article 7 (1) shall be changed to “Minister for Health, Welfare and Family Affairs.”

“Coordination with Ministry of Education and Human Resources Development and Ministry of Health and Welfare” in the title of Article 8 shall be changed to “Coordination with Ministry of Education, Science and Technology and Ministry of Health, Welfare and Family Affairs.”

“Minister of Education and Human Resources Development” in Article 8 (1) shall be changed to “Minister of Education, Science and Technology.”

“Minister of Health and Welfare” in Article 8 (2), 10 (1) through (4), 11 (1) through (4), 13 (1), 19 (1), 48 (3), former part of Article 59, and former and latter part of 60 (1) and (2), (3) shall be changed to "Minister for Health, Welfare and Family Affairs.

Article 7 Omitted.

Addenda <Act No. 9791, Oct. 9, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided that the amended provisions of Article 7, Article 16 (1), Article 21 (1) 3, Article 28-2, Article 28-3, Article 30 (3) and (4), Article 32, Article 33 (2) and (3), the title of Chapter IV, Article 43, Article 66 and Article 79, and Article 7 of the Addenda shall enter into force on January 1, 2010.

Article 2 (Applicability concerning Special Case concerning Mandatory Employment Ratio of Disabled Persons in Public Institutions)

The amended provisions of Article 28-2 shall apply to the calculation of a mandatory employment ratio for a period after the enforcement of the amended provisions.

Article 3 (Applicability concerning Calculation of Number of Disabled People to Be Employed)

The amended provisions of Article 28-3 and Article 30 (3) shall apply to the calculation of the number of disabled people to be employed or amount of contributory charges for a period after the enforcement of the amended provisions.

Article 4 (Special Case concerning Imposition of Contributory Charges on Public Institutions)

When a public institution pays the contributory charges under Article 22 (1), additional charges arising according to the amended provisions of Article 28-2 shall be reduced by half for three years after the enforcement date of the amended provisions.

Article 5 (Transitional Measures concerning Change of Title of Korea Employment Promotion Agency for Disabled Persons)

(1) The Korea Employment Promotion Agency for Disabled Persons at the time of the enforcement of this Act shall be considered the Korea Employment Agency for the Disabled under the amended provisions of Article 43: Provided that its

articles of incorporation shall be changed with authorization of the Minister of Employment and Labor no later than December 31, 2009. <Amended by Act No. 10339, Jun. 4, 2010>

(2) The name of the Korea Employment Promotion Agency for Disabled Persons in its registry and other official records at the time of the enforcement of this Act shall be considered the name of the Korea Employment Agency for the Disabled.

Article 6 (Transitional Measures concerning Officers)

The president, directors and auditor of the Korea Employment Promotion Agency for Disabled Persons at the time of the enforcement of this Act shall be considered the president, directors and auditor of the Korea Employment Agency for the Disabled.

Article 7 (Revision of Other Acts)

Parts of the Local Tax Act shall be revised as follows:
"Korea Employment Promotion Agency for Disabled Persons"
in Article 271 (2) shall be changed to "Korea Employment Agency for the Disabled."

Article 8 (Relations with Other Acts)

If the previous Korea Employment Promotion Agency for Disabled Persons is cited in other Acts and subordinate statutes, the Korea Employment Agency for the Disabled under the amended provisions of Article 43 shall be considered to be cited.

Addenda <Act No. 9795, Oct. 9, 2009; Revision of the Employment Security Act>

Article 1 (Enforcement Date)

This Act shall enter into force three months after its promulgation.

Articles 2 through 4 Omitted.

Article 5 (Revision of Other Acts)

(1) through (3) Omitted.
(4) Parts of the Act on Employment Promotion and Vocational Rehabilitation for Disabled Persons shall be revised as follows:
"Subparagraph 1 of Article 4 of the Employment Security Act"
in Article 16 (2) shall be changed to "subparagraph 1 of Article 2-2 of the Employment Security Act".

(5) through (7) Omitted.

Article 6 Omitted.

Addendum <Act No. 10460, Mar. 9, 2011>

This Act shall enter into force on the date of its promulgation: Provided that the amended proviso to Article 27 (2) shall enter into force on January 1, 2015, and the amended proviso to Article 33 (3) shall enter into force on the following respective dates:

1. Public institutions under Article 4 of the Act on the Management of Public Institutions and employers who ordinarily employ 300 workers or more: July 1, 2011
2. Employers who ordinarily employ 200 workers or more but less than 300 workers: January 1, 2012
3. Employers who ordinarily employ 100 workers or more but less than 200 workers: January 1, 2013

Addenda <Act No. 10682, May 19, 2011> (*The Act on the Efficient Disposal of Non-Performing Assets, etc. of Financial Companies and the Establishment of the Korea Asset Management Corporation*)

Article 1 (Enforcement Date)

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

Article 2 (Revision of Other Acts)

(1) through (19) Omitted.

(20) Parts of the Act on Employment Promotion and Vocational Rehabilitation for Disabled Persons shall be revised as follows:

"the Act on the Efficient Disposal of Non-Performing Assets, etc. of Financial Institutions and the Establishment of the Korea Asset Management Corporation" in paragraph (4) of Article 37 shall be changed to "the Act on the Efficient Disposal of Non-Performing Assets, etc. of Financial Companies and the Establishment of the Korea Asset Management Corporation".

(21) through (24) Omitted.

Article 3 Omitted.

Addendum <Act No. 10969, Jul. 25, 2011>

This Act shall enter into force three months after its promulgation.

Addenda <Act No. 11240, Jan. 26, 2012; Revision of the Act on Welfare of Persons with Disabilities>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

Article 7 (Revision of Other Acts)

(1) Parts of the Act on Employment Promotion and Vocational Rehabilitation for Disabled Persons shall be revised as follows: "Welfare centers for disabled persons" in Article 9 (2) 2 shall be changed to "community rehabilitation facilities for disabled persons".

(2) and (3) Omitted.

Addenda <Act No. 11570, Dec. 18, 2012>

Article 1 (Enforcement Date)

This Act shall enter into force six months after its promulgation: Provided that the amended provisions of Article 28-2 shall enter into force on January 1, 2014.

Article 2 (Applicability concerning Collection of Undue Loans or Subsidies, etc., Restrictions on Payment, etc.)

The amended provisions of Article 23 shall apply to cases where a reason for cancellation, collection, request for correction and restriction on payment in relation to undue loans or subsidies, etc., occurs after this Act enters into force.

Addenda <Act No. 11690, Mar. 23, 2013; Revision of the Government Organization Act>

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 5 Omitted.

Article 6 (Revision of Other Acts)

(1) though (525) Omitted.

(526) Parts of the Act on Employment Promotion and Vocational Rehabilitation for Disabled Persons shall be revised as follows:

"Ministry of Education, Science and Technology" in the title of Article 8 and "Minister of Education, Science and Technology" in paragraph (1) of the same Act shall be changed to "Ministry of Education" and "Minister of Education", respectively.

"The Ministry of Public Administration and Security, the Ministry of Land, Transport and Maritime Affairs, the Ministry of Health and Welfare" in Article 81 (2) shall be changed to "Ministry of Security and Public Administration, the Ministry of Health and Welfare, the Ministry of Land, Infrastructure and Transport".

(527) through (710) Omitted.

Article 7 Omitted.