

SPECIAL ACT ON THE PROMOTION OF YOUTH EMPLOYMENT

Act No. 9797, Oct. 9, 2009
Amended by Act No. 9795, Oct. 9, 2009
Act No. 10339, jun. 4, 2010
Act No. 11792, May 22, 2013
Act No. 14501, Dec. 27, 2016
Act No. 16195, Dec. 31, 2018
Act No. 17866, Jan. 5, 2021

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to support unemployed youth with vocational skills development training, etc. in and outside the country, thereby promoting youth employment and contributing to the continued economic growth and social stability.

Article 2 (Definitions)

The terms used in this Act are defined as follows:

1. The term "youth" means a person who desires to be employed and who has attained the age specified by Presidential Decree;
2. The term "small and medium enterprise" means a small and medium enterprise defined in Article 2 of the Framework Act on Small and Medium Enterprises.

Article 3 (Responsibilities of the State and Local Governments)

(1) The State and local governments shall establish and implement measures including forecasts for the supply and demand of human resources, fact-finding surveys on unemployed youth, vocational guidance, job placement services, and vocational skills development training, and shall endeavor to create social and economic environments to promote the employment of unemployed youth.

(2) Enterprises, public institutions under the Act on the Management of Public Institutions, and local public enterprises under the Local Public Enterprises Act (hereinafter referred to as "enterprises, etc.")

shall actively cooperate with the State and local governments in such measures to promote youth employment.

(3) Schools at any level under the Elementary and Secondary Education Act and the Higher Education Act (hereinafter referred to as "universities and colleges, etc.") shall endeavor to provide educational programs, vocational guidance, and work experience opportunities necessary to nurture human resources required in industrial fields.

Article 4 (Establishment of Special Committee on Promotion of Youth Employment)

(1) A Special Committee on Promotion of Youth Employment (hereinafter referred to as the "Special Committee") shall be established within the Ministry of Employment and Labor in order to conduct deliberations and evaluations on the major subject matters regarding the promotion of youth employment.

<Amended on Jun. 4, 2010>

(2) The Special Committee shall deliberate on the following matters:

1. Matters regarding the establishment and implementation of measures under Article 3 (1);
2. Matters regarding cooperation among industry, academia and the Government for the promotion of youth employment;
3. Matters regarding the employment records of unemployed youth by public institutions and local public enterprises under Article 5 (1);
4. Other matters necessary for the promotion of employment of unemployed youth.

(3) Matters necessary for the establishment and operation of the Special Committee shall be prescribed by Presidential Decree.

CHAPTER II INCREASE OF EMPLOYMENT AND VOCATIONAL GUIDANCE FOR UNEMPLOYED YOUTH

Article 5 (Obligation of Public Institutions to Employ Unemployed Youth)

(1) The heads of public institutions under the Act on the Management of Public Institutions and local public enterprises under the Local Public Enterprises Act prescribed by Presidential Decree shall employ unemployed youth for at least 3/100 of its full number of employees each year: Provided, That this shall not apply where there are unavoidable grounds prescribed by Presidential Decree such as restructuring.

<Amended on May 22, 2013>

(2) The Minister of Employment and Labor may request public institutions and local public enterprises, falling short of the employment records of unemployed youth based on the results of evaluation of the matters prescribed in Article 4 (2) 3 by the Special Committee, to increase the employment of unemployed youth. *<Amended on Jun. 4, 2010>*

(3) The Government shall guide the heads of public institutions and local public enterprises that have employed unemployed youth under paragraph (1) to take measures to reduce costs and raise productivity through the rationalization of business management, and may provide them with support, such as tax reduction or exemption, or payment of subsidies, as prescribed by tax laws, by taking employment records of unemployed youth into consideration.

(4) The Minister of Employment and Labor shall publish the list of public institutions and local public enterprises failing to fulfill the obligation to employ unemployed youth under paragraph (1). *<Newly Inserted on May 22, 2013>*

(5) The Government shall reflect the employment records of unemployed youth under paragraph (1) in the evaluation of management performance under Article 48 of the Act on the Management of Public Institutions and in the evaluation of management conducted under Article 78 of the Local Public Enterprises Act. *<Newly Inserted on May 22, 2013>*

(6) The Minister of Employment and Labor shall submit to the competent Standing Committee of the National Assembly the current status of public institutions and local public enterprises that fail to fulfill the obligation to employ unemployed youth under paragraph (1) and the grounds for such failure, the results of measures taken under paragraphs (4) and (5) against public institutions and local public enterprises that fail to fulfill such obligation for the preceding year, and other matters, no later than February 28 of the following year. *<Newly Inserted on Dec. 31, 2018>*

Article 6 (Increase of Employment of Unemployed Youth in Public Sector Related to Stabilization of Citizens' Livelihood)

(1) The Government shall endeavor to increase opportunities for employment of the unemployed youth in the public sector with a large demand for human resources for stabilizing citizens' livelihood and eliminating inconvenience of citizens, such as national security, defense, public security, fire-fighting, social welfare services, and environmental conservation.

(2) The Government shall endeavor to implement job-creating projects that will lead to the expansion of the employment of unemployed youth in such social service sectors as education, health care, environment, and culture.

(3) The Government shall endeavor to expand the scale of subsidization for social service projects provided in paragraph (2), environment watchers, forest fire watchers, and other public works programs and to increase the employment of unemployed youth by adjusting the project expense per unit to a realistic level.

Article 7 (Subsidization for Employment of Unemployed Youth by Small and Medium Enterprises)

(1) In order to help small and medium enterprises to resolve managerial difficulties caused by excessive costs, such as personnel expenses, and to promote the employment of unemployed youth, the Government may partially or wholly subsidize expenses to be incurred by small and medium enterprises in employing

unemployed youth or providing vocational skills development training.

(2) Where small and medium enterprises improve their facilities and working conditions for promoting the employment of unemployed youth, the Government may partially or wholly subsidize expenses to be incurred in connection therewith.

(3) Where small and medium enterprises that currently employ foreign workers replace such foreign workers with unemployed youth or additionally employ unemployed youth, the Government may partially or wholly subsidize expenses to be incurred in connection therewith by granting subsidies or any other means.

(4) Although the Government partially or wholly subsidizes expenses to be incurred by small and medium enterprises as prescribed in paragraphs (1) through (3), it shall not intervene in the business affairs of the small and medium enterprises that could undermine independent management of such small and medium enterprises by requiring unnecessary reporting, etc. except for the purpose of checking the employment of unemployed youth.

Article 8 (Establishment of Plans for Expansion of Employment of Unemployed Youth)

The Government shall establish and publish a separate plan for the expansion or support of employment of unemployed youth pursuant to Articles 5 through 7 and implement such plan. This plan shall include plans for employment for each area of business or support measures.

Article 8-2 (Provision of Work Experience Opportunities for Youth)

(1) The Government shall endeavor to provide youth with opportunities to experience work in enterprises, etc. before they choose jobs.

(2) The Government may wholly or partially subsidize the expenses to be incurred by enterprises, etc., economic organizations, or universities and colleges, etc., when they participate in projects to provide work experience opportunities under paragraph (1).

Article 8-3 (Development, Operation and Provision of Vocational Guidance Programs)

(1) The Government may develop various vocational guidance programs which aim to help youth choose jobs suited to their aptitude and capabilities, such as career counseling and vocational aptitude tests, and may directly operate such programs through employment security offices under subparagraph 1 of Article 2-2 of the Employment Security Act or commission any private entity to operate such programs. *<Amended on Oct. 9, 2009>*

(2) The Government may support universities and colleges, etc. in operating programs under paragraph (1).

Article 8-4 (Provision of Employment Support Services to Youth Having Difficulties in Employment)

(1) The Government shall endeavor to offer youth having difficulties in employment due to lack of education, work experience and vocational skills, etc. with employment support services, such as the provision of career path designs through in-depth counseling suited to each individual, the strengthening of their motivation for employment and of their competency through work experience opportunities and vocational skills development training, and the provision of job placement services.

(2) In providing employment support services under paragraph (1), the Government may render necessary support to induce participation of youth having difficulties in employment and promote their employment.

(3) The scope of youth having difficulties in employment under paragraph (1) shall be determined by Presidential Decree.

CHAPTER III VOCATIONAL SKILLS DEVELOPMENT TRAINING FOR UNEMPLOYED YOUTH

Article 9 (Basic Principles of Vocational Skills Development Training for Unemployed Youth)

Any vocational skills development training for unemployed or currently employed youth shall be provided in compliance with the following principles:

1. Practical training shall be provided by ascertaining needs of prospective trainees in advance and selecting an appropriate number of trainees;
2. The Government shall establish infrastructure to allow a choice of training institutions to prospective trainees for the vocational skills development training;
3. Rather than simple skills training being focused, training shall be provided mainly for the areas where new demands for human resources arise, such as international trade, new technology for information and communications, and environment, to upgrade the structure of employment, thereby minimizing turnover and job changes and helping to establish life-long employment relationships;
4. No one from any vulnerable working group, area, or field of business shall be discriminated against in establishing a plan for the vocational skills development training;
5. A cooperative system for the provision of vocational skills development training shall be established and implemented among the Government, enterprises, etc., and universities and colleges, etc. in which specialized high schools under the Elementary and Secondary Education Act and vocational training institutions can also participate, for the nurturing of specialized professional human resources.

Article 10 (Subsidization for Vocational Skills Development Training by Enterprises or Private Vocational Training Institutions)

Where an enterprise or private vocational training institution provides vocational skills development training for unemployed or currently employed youth, the Government may partially or wholly subsidize expenses to be incurred in connection therewith.

Article 11 (Subsidization of Joint Vocational Skills Development Training by Small and Medium Enterprises)

Where small and medium enterprises jointly establish and operate a vocational skills development training institution to develop technologies for similar areas of business, nurture specialists, or provide vocational skills development training for currently employed workers, the Government may partially or wholly subsidize expenses to be incurred in connection therewith.

Article 12 (Projects for Nurturing Global Talents and Cooperative System Therefor)

(1) In order to nurture talented youth with global experience and promote youth employment, the Government shall implement various programs for nurturing talents (hereinafter referred to as "projects for nurturing global talents"), including overseas work experiences and overseas volunteer activities. In such cases, the Government shall endeavor to prioritize the implementation of the following matters:

1. With regard to the projects for nurturing global talents, to establish computer networks for the supply and demand of human resources and employment information in affiliation with the following persons, etc.;

(a) Enterprises, etc.;

(b) Universities and colleges, etc.;

(c) Persons providing overseas fee-charging job placement services under Article 19 of the Employment Security Act;

2. To take preferential treatment to persons defined in any of the items of subparagraph 1 who have obtained excellent results in the projects for nurturing global talents;

3. To support the issuance of visas for youth who participate in the projects for nurturing global talents and to provide information on local conditions;

4. To draw up measures for the follow-up management of youth who have participated in the projects for nurturing global talents.

(2) Enterprises, etc. shall cooperate with the Government in carrying out projects under paragraph (1) by finding overseas institutions to support projects for nurturing global talents, etc.

(3) Universities and colleges, etc. shall endeavor to nurture global talents and promote youth employment by cooperating on projects to be carried out by the Government in accordance with paragraph (1) on the following matters:

1. To improve foreign-language skills of youth subject to projects for nurturing global talents and strengthen courtesy training for them;

2. To take preferential measures for participants in projects for nurturing global talents, such as accepting transfer credits.

(4) Where any person falling under any of the items of paragraph (1) 1 performs projects for nurturing global talents, the Government may partially or wholly subsidize expenses to be incurred in connection

therewith.

Article 13 (Establishment of Plans for Vocational Skills Development Training for Unemployed Youth)

The Government shall establish and implement plans for the following matters:

1. Vocational skills development training for unemployed or currently employed youth under Article 9;
2. Support for vocational skills development training under Articles 10 and 11;
3. Projects for nurturing global talents.

CHAPTER IV GOVERNMENT'S ADMINISTRATIVE SUPPORT SYSTEM

Article 14 (Publication of Actual State of Employment of Unemployed Youth and Support Plans)

(1) The Government shall conduct a fact-finding survey on the employment of unemployed youth and publish the results each year.

(2) The Government shall publish the measures taken under Article 3 and plans established under Articles 8 and 13.

Article 15 Deleted. <Feb. 29, 2008>

Article 16 (Installation of Integrated Computer Networks of Human Resources)

In order to facilitate the employment of unemployed youth, the Government shall establish an integrated computer network of human resources, through which private and public sectors are linked to exchange information about the supply and demand of human resources in each sector and jobs, and shall make it possible to efficiently distribute and utilize human resources.

Article 16-2 (Nurturing of Professional Human Resources)

The Minister of Employment and Labor shall endeavor to nurture professional human resources who will take charge of business affairs for promoting the employment of unemployed youth, such as vocational guidance and support for employment. <Amended on Jun. 4, 2010>

Article 17 (Providing Persons in Military Service with Job Opportunities)

The Government may build infrastructure, such as an administrative support system, a training system, and a budget support system, as necessary to assist youth in active military service to be employed or return to their former position after being discharged from military service. In such cases, the Government may take measures necessary to assist them to return to society smoothly or to provide them with job opportunities, such as vocational training programs in military bases for three months before discharge

from military service and special leave.

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 17-2 (Entrustment of Duties)

The head of a central administrative agency may entrust part of his or her duties under this Act to public institutions, etc. as prescribed by Presidential Decree.

Article 18 (Reporting and Inspections)

(1) The Government may, if deemed necessary for facilitating the employment of unemployed youth and insuring the substantiality of vocational skills development training, require the head of any enterprise, private vocational training institution, small and medium enterprise, etc. to report on plans for vocational skills development training and the compliance status thereof under Articles 10 and 11.

(2) The Government may, if deemed necessary, assign public officials in charge to enter a place of business or any other facility to inspect the actual state of business, account books, and other items.

(3) Public officials who conduct an inspection pursuant to paragraph (2) shall carry an identification indicating their authority and present it to relevant persons.

Article 19 (Administrative Fines)

(1) The following persons shall be subject to an administrative fine not exceeding five million won:

1. A person who fails to submit a report in violation of Article 18 (1) or who submits a false report;
2. A person who rejects, interferes with, or evades an access or an inspection conducted pursuant to Article 18 (2).

(2) Administrative fines under paragraph (1) shall be imposed and collected by the Minister of Employment and Labor, as prescribed by Presidential Decree. *<Amended on Jun. 4, 2010>*

ADDENDA <Act No. 7185, Mar. 5, 2004>

(1) (Enforcement Date) This Act shall enter into force three months after the date of its promulgation.

(2) (Effective Period) This Act shall remain effective until December 31, 2023. *<Amended by Act No. 9317, Dec. 31, 2008; Act No. 11792, May 22, 2013; Act No. 16195, Dec. 31, 2018>*

ADDENDUM <Act No. 8858, Feb. 29, 2008>

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

ADDENDUM <Act No. 9317, Dec. 31, 2008>

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

ADDENDA <Act No. 9795, Oct. 9, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDUM <Act No. 9797, Oct. 9, 2009>

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

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

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 11792, May 22, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 5 shall enter into force on January 1, 2014.

Article 2 (Effective Period)

The amended provisions of Article 5 shall remain effective until December 31, 2021. <Amended by Act No. 14501, Dec. 27, 2016; Act No. 16195, Dec. 31, 2018>

ADDENDUM <Act No. 14501, Dec. 27, 2016>

This Act shall enter into force on January 1, 2017.

ADDENDUM <Act No. 16195, Dec. 31, 2018>

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

ADDENDUM <Act No. 17866, Jan. 5, 2021>

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

Last updated : 2022-11-15

