

ENFORCEMENT DECREE OF THE EMPLOYMENT INSURANCE ACT

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Presidential Decree No. 21015, Sep. 18, 2008
Presidential Decree No. 21152, Dec. 3, 2008
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Presidential Decree No. 24333, Jan. 25, 2013
Presidential Decree No. 24514, Apr. 22, 2013
Presidential Decree No. 24682, Aug. 6, 2013
Presidential Decree No. 24852, Nov. 20, 2013
Presidential Decree No. 25022, Dec. 24, 2013
Presidential Decree No. 25388, jun. 17, 2014
Presidential Decree No. 25645, Sep. 30, 2014
Presidential Decree No. 25840, Dec. 9, 2014
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Presidential Decree No. 26368, jun. 30, 2015
Presidential Decree No. 26496, Aug. 19, 2015
Presidential Decree No. 26690, Dec. 4, 2015
Presidential Decree No. 26844, Dec. 31, 2015
Presidential Decree No. 27352, Jul. 19, 2016
Presidential Decree No. 27445, Aug. 12, 2016
Presidential Decree No. 27549, Oct. 18, 2016
Presidential Decree No. 27556, Oct. 25, 2016
Presidential Decree No. 27751, Dec. 30, 2016
Presidential Decree No. 27738, Dec. 30, 2016
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Presidential Decree No. 27960, Mar. 27, 2017
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Presidential Decree No. 28256, Aug. 29, 2017
Presidential Decree No. 28469, Dec. 12, 2017
Presidential Decree No. 28504, Dec. 26, 2017
Presidential Decree No. 29026, Jul. 3, 2018
Presidential Decree No. 29208, Oct. 2, 2018
Presidential Decree No. 29454, Dec. 31, 2018
Presidential Decree No. 29547, Feb. 12, 2019
Presidential Decree No. 29913, jun. 25, 2019
Presidential Decree No. 29950, Jul. 2, 2019
Presidential Decree No. 30083, Sep. 17, 2019
Presidential Decree No. 30256, Dec. 24, 2019
Presidential Decree No. 30296, Dec. 31, 2019
Presidential Decree No. 30509, Mar. 3, 2020

Presidential Decree No. 30593, Mar. 31, 2020
Presidential Decree No. 30643, Apr. 28, 2020
Presidential Decree No. 30773, Jun. 9, 2020
Presidential Decree No. 30980, Aug. 27, 2020
Presidential Decree No. 31078, Sep. 29, 2020
Presidential Decree No. 31120, Oct. 28, 2020
Presidential Decree No. 31176, Nov. 24, 2020
Presidential Decree No. 31239, Dec. 8, 2020
Presidential Decree No. 31324, Dec. 29, 2020
Presidential Decree No. 31748, Jun. 8, 2021

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters delegated by the Employment Insurance Act and those necessary for the enforcement thereof.

Article 1-2 (Money and Valuables Excluded from Remuneration)

"Money and valuables prescribed by Presidential Decree" in the main clause of subparagraph 5 of Article 2 of the Employment Insurance Act (hereinafter referred to as the "Act") means non-taxable wage and salary income prescribed in subparagraph 3 of Article 12 of the Income Tax Act. <Amended on Jun. 8, 2021>

[Previous Article 1-2 moved to Article 1-3 <Dec. 31, 2010>]

Article 1-3 (Composition of Employment Insurance Committee)

(1) Persons who represent employees and employers referred to in Article 7 (4) 1 and 2 of the Act shall be commissioned by the Minister of Employment and Labor from among those recommended by a national labor union and a nation-wide employers' association, respectively. <Amended on Jul. 12, 2010; Dec. 31, 2010>

(2) Persons who represent the public interest prescribed in Article 7 (4) 3 of the Act shall be commissioned by the Minister of Employment and Labor from among those with sufficient knowledge and experience in employment insurance and the overall field of employment and labor. <Amended on Jul. 12, 2010>

(3) Persons who represent the Government prescribed in Article 7 (4) 4 of the Act shall be appointed by the Minister of Employment and Labor from among the public officials belonging to the Senior Executive

Service in the central administrative agency related with employment insurance. <Amended on Jul. 12, 2010>

[Moved from Article 1-2; previous Article 1-3 moved to Article 1-4 <Dec. 31, 2010>]

Article 1-4 (Term of Office of Members)

(1) The term of office of commissioned members specified in Article 7 (4) 1 through 3 of the Act shall be two years: Provided, That the term of office of supplementary members shall be the remainder of their predecessors' term of office. <Amended on Dec. 31, 2015>

(2) Where the member commissioned pursuant to Article 1-3 (1) and (2) falls under any of the following, the Minister of Employment and Labor may dismiss the relevant member: <Newly Inserted on Dec. 31, 2015>

1. Where he or she is unable to perform duties due to physical or mental disorder;
2. Where there is a misdeed relevant to his or her duties;
3. Where he or she is deemed inappropriate to be a member due to neglect of duties, injury to dignity, or other causes;
4. Where the member expresses his or her intention that it is difficult to perform his or her duties.

[Moved from Article 1-3; previous Article 1-4 moved to Article 1-5 <Dec. 31, 2010>]

Article 1-5 (Duties of Chairperson)

(1) The Chairperson of the Employment Insurance Committee prescribed in Article 7 of the Act (hereinafter referred to as the "Committee") shall represent the Committee and exercise general supervision over the affairs of the Committee.

(2) Where the Chairperson is unable to perform his or her duties due to any unavoidable cause, a member designated in advance by the Chairperson shall act on behalf of the Chairperson.

[Moved from Article 1-4; previous Article 1-5 moved to Article 1-6 <Dec. 31, 2010>]

Article 1-6 (Meetings)

(1) The Chairperson shall convene and preside over meetings of the Committee.

(2) A majority of the members of the Committee shall constitute a quorum, and any decision thereof shall require the concurring vote of a majority of those present.

[Moved from Article 1-5; previous Article 1-6 moved to Article 1-7 <Dec. 31, 2010>]

Article 1-7 (Specialized Committees)

(1) The Specialized Committee for Employment Insurance Operation and the Specialized Committee for Employment Insurance Assessment (hereinafter referred to as the "Specialized Committees") shall be established under Article 7 (5) of the Act.

(2) Each Specialized Committee shall be comprised of not more than 15 members, including one Chairperson.

(3) The Chairperson of the Committee shall appoint or commission the Chairperson of a Specialized Committee, from among members of the Committee, and appoint or commission members of a Specialized Committee from any of the following persons:

1. Persons with knowledge and experience in social insurance, such as employment insurance, who are recommended by the labor unions at a national level or employers' associations at a national level;
2. Persons with sufficient knowledge and experience in social insurance, such as employment insurance;
3. Public officials in Grade III or Grade IV in the central administrative agency related to employment insurance.

(4) The Chairpersons of the Specialized Committees shall file reports to the Committee concerning the results of review and coordination of matters deliberated upon by the Specialized Committees, pursuant to Article 7 (5) of the Act.

(5) Articles 1-4 through 1-6 shall apply mutatis mutandis to the Specialized Committees. In such cases, "Article 7 (4) 1 through 3 of the Act" shall be deemed "Article 1-7 (3) 1 and 2"; "the Minister of Employment and Labor" shall be deemed "the Chairperson of the Committee"; and "Article 1-3 (1) and (2)" shall be deemed "Article 1-7 (3) 1 and 2." *<Amended on Dec. 31, 2010; Dec. 31, 2015>*

[Moved from Article 1-6; previous Article 1-7 moved to Article 1-8 *<Dec. 31, 2010>*]

Article 1-8 (Members in Charge of Surveys and Research)

(1) In order to conduct surveys and research on specialized matters concerning employment insurance, the committee may have not more than 5 members in charge of surveys and research.

(2) Surveys and research members shall be commissioned by the Chairperson of the Committee from those with sufficient knowledge and experience in employment insurance.

[Moved from Article 1-7; previous Article 1-8 moved to Article 1-9 *<Dec. 31, 2010>*]

Article 1-9 (Requests for Cooperation)

Where deemed necessary for deliberation of agenda items, the Committee or the Specialized Committees (hereinafter referred to as the "Committee, etc.") may hear opinions by requesting relevant administrative agencies or organizations to submit documents or having related persons, such as relevant public officials or specialists, make attendance to state their opinions.

[Moved from Article 1-8; previous Article 1-9 moved to Article 1-10 *<Dec. 31, 2010>*]

Article 1-10 (Administrative Secretary)

The Committee, etc. shall each have one secretary, who shall be appointed by the Chairperson of the Committee from among public officials of the Ministry of Employment and Labor. *<Amended on Jul. 12, 2010>*

[Moved from Article 1-9; previous Article 1-10 moved to Article 1-11 <Dec. 31, 2010>]

Article 1-11 (Allowances of Members)

Allowances and travel expenses may be reimbursed within the budget for members who appear at meetings of the Committee, etc. or submit review comments on the agenda items: Provided, That no allowances and travel expenses shall be reimbursed for members who are public officials directly related to the relevant affairs.

[Moved from Article 1-10; previous Article 1-11 moved to Article 1-12 <Dec. 31, 2010>]

Article 1-12 (Detailed Rules of Operation)

Matters necessary for the operation of the Committee, etc., except as provided in this Decree, shall be determined by the Chairperson of the Committee, subject to the resolution by the Committee.

[Moved from Article 1-11 <Dec. 31, 2010>]

Article 2 (Scope of Application)

(1) "Types of employing units prescribed by Presidential Decree" in the proviso of Article 8 (1) of the Act means any of the following projects: <Amended on Sep. 18, 2008; Mar. 12, 2009; Jun. 30, 2015; Jun. 8, 2021>

1. An agricultural business, a forestry business, and a fishery business run by any person, other than a juristic person, with a regular workforce of not more than four employees;

2. Any of the following projects: Provided, That any project performed by any person who falls under the subparagraphs of Article 15 (2) of the Act shall be excluded herefrom:

(a) A project for which the total construction costs as defined in Article 2 (1) 2 of the Enforcement Decree of the Act on the Collection of Insurance Premiums for Employment Insurance and Industrial Accident Compensation Insurance (hereafter in this Article referred to as the "Enforcement Decree of the Act on Employment and Industrial Accident Premium Collection") do not exceed 20 million won;

(b) A project for construction of a building with a total floor area of not more than 100 square meters or substantial repair of a building with a total floor area of not more than 200 square meters;

3. Employment activity of households and other unclassified self-consumption and self-production.

(2) The scope of business falling under any of the subparagraphs of paragraph (1) shall be as prescribed in the standard classification of industries as publicly notified by the Commissioner of the Statistics Korea pursuant to Article 22 of the Statistics Act (hereinafter referred to as the "Korean Standard Industrial Classification Table"), except as otherwise provided in the Act or this Decree.

(3) Where a construction project the total construction costs of which were estimated to be less than 20 million won becomes a project worth at least 20 million won because of a change in its design (including cases where there is an actual change in its design) or where the construction project becomes subject to the blanket application pursuant to Article 8 (1) or (2) of the Act on the Collection of Insurance Premiums for Employment Insurance and Industrial Accident Compensation Insurance (hereinafter referred to as the

"Act on Employment and Industrial Accident Premium Collection"), all provisions of the Act shall become applicable to such project on the date such event occurs. <Amended on Jun. 8, 2021>

Article 3 (Employees Exempt from Application)

(1) "Person whose contractual working hours are shorter than the minimum number of hours prescribed by Presidential Decree" in Article 10 (1) 2 of the Act means a person whose contractual monthly working hours are less than 60 hours (including a person whose contractual weekly working hours are less than 15 hours): Provided, That this shall not apply to a person who works for at least three consecutive months and a daily hire employee defined in subparagraph 6 of Article 2 of the Act (hereinafter referred to as "daily hire employee"). <Amended on Jul. 3, 2018; Jun. 25, 2019; Jun. 8, 2021>

(2) "Person prescribed by Presidential Decree" in Article 10 (1) 5 of the Act means an employee of a special post office defined in the Special Post Offices Act. <Amended on Jun. 25, 2019; Jun. 8, 2021>

Article 3-2 (Purchase of Insurance by Public Officials in Extraordinary Civil Service or Fixed-Term Position)

(1) The head of an administrative agency (hereinafter referred to as "competent agency") who appoints any public official in extraordinary civil service or in a fixed-term position (hereinafter referred to as "public official eligible for employment insurance") shall confirm without delay whether the public official seeks to be insured pursuant to the proviso of Article 10 (1) 3 of the Act when the public official is first appointed to the relevant competent agency. <Amended on Sep. 15, 2011; Nov. 20, 2013; Jun. 25, 2019>

(2) The head of a competent agency shall file an application for purchase of employment insurance with the Minister of Employment and Labor on behalf of a public official eligible for employment insurance after confirming whether the public official seeks to be insured pursuant to paragraph (1) within three months from the date of appointment: Provided, That the relevant public official may directly apply for purchase during the same period if such public official intends to do so; in such cases, the head of the competent employment security office shall notify the head of the competent agency of such application for purchase. <Amended on Sep. 15, 2011; Oct. 18, 2016>

(3) Where any application for purchase is filed pursuant to paragraph (1) or (2), the public official eligible for employment insurance is deemed to have been insured on the day immediately following the date of application. In such cases, if the insured public official is appointed to another extraordinary civil service or fixed-term position following the change of his or her official status, the public official shall maintain his or her insured status, even if he or she has not applied for additional purchase, separately. <Amended on Nov. 20, 2013>

(4) Where an insured public official intends to withdraw from the employment insurance policy, the public official shall apply for withdrawal to the Minister of Employment and Labor. In such cases, the insured public official is deemed to lose his or her insured status on the day immediately following the date of application for withdrawal. <Amended on Oct. 18, 2016>

(5) Any person who continues to serve as a public official in an extraordinary service or in a fixed-term position shall not be reinsured and covered by employment insurance after withdrawal from employment insurance under paragraph (4): Provided, That where a public official who withdrew from insurance is reinsured pursuant to the Act and this Decree after the person has resigned from the position of a public official eligible for employment insurance (including cases where he or she has been appointed as a public official, other than a public official in extraordinary service or in a fixed-term position), if the qualifying days in covered employment is calculated under Article 40 (1) 1 of the Act, the number of days in covered employment for which remuneration is paid under Article 41 (1) of the Act, among the previous insured period in service as a public official eligible for employment insurance, shall be summed up, and if an insured period is calculated under Article 50 of the Act, the previous insured period prior to withdrawal shall be counted towards the insured period for calculation prescribed by that Article. <Amended on Sep. 15, 2011>

(6) An insurance premium rate for a public official who has been insured shall be a premium rate of unemployment benefit prescribed in Article 12 (1) 2 of the Enforcement Decree of the Act on Employment and Industrial Accident Premium Collection, and borne equally by the competent agency and the insured public official. <Amended on Mar. 31, 2020; Jun. 8, 2021>

(7) Procedures for subscription to and withdrawal from insurance referred to in paragraphs (1) through (4) shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Jul. 12, 2010>

Article 3-3 (Application to Foreign Workers)

The scope of application of the Act to foreign workers under Article 10-2 (2) of the Act shall be classified as follows:

1. Any of the following foreign workers: Applying all provisions of the Act:
 - (a) A person who holds the status of stay for intra-company transfer (D-7), corporate investment (D-8), or trade/management (D-9) (excluding where the laws of a foreigner's home country, which are relevant to premiums and benefits of insurance equivalent to the employment insurance under the Act, are not applicable to nationals of the Republic of Korea) among the status of stay granted to foreigners prescribed in Article 12 of the Enforcement Decree of the Immigration Act;
 - (b) A person who holds the status of permanent residence (F-5) among the status of stay granted to foreigners prescribed in Article 12-2 of the Enforcement Decree of the Immigration Act;
 - (c) A person who falls under any of the subparagraphs of Article 23 (2) of the Enforcement Decree of the Immigration Act;
2. Any of the following foreign workers: Applying all provisions of the Act where a person has applied for the purchase of insurance as prescribed by Ordinance of the Ministry of Employment and Labor:
 - (a) A person who holds the status of stay as an overseas Korean (F-4) among the status of stay granted to foreigners prescribed in Article 12 of the Enforcement Decree of the Immigration Act;

(b) A person who holds the status of stay with which he or she is permitted to work as an employee prescribed in Article 23 (1) of the Enforcement Decree of the Immigration Act (excluding foreign workers to whom the Act on the Employment of Foreign Workers shall apply).

Article 4 (Agents)

(1) A business owner may appoint an agent to delegate him or her the power to carry out the matters set forth in the Act and this Decree on behalf of the business owner.

(2) A business owner shall, after appointing or dismissing his or her agent, report such fact to the Minister of Employment and Labor, as prescribed by Ordinance of the Ministry of Employment and Labor.

<Amended on Jul. 12, 2010>

Article 5 (Management of Employment Insurance Statistics)

(1) The Minister of Employment and Labor shall systematically control and manage the employment insurance statistics created through surveys and research prescribed in Article 11 of the Act and the management of the employment insurance (hereafter in this Article referred to as "employment insurance statistics"). *<Amended on Jul. 12, 2010>*

(2) The Minister of Employment and Labor may hire experts on employment insurance statistics in order to systematically control and manage employment insurance statistics. *<Amended on Jul. 12, 2010>*

(3) Necessary matters concerning the qualification for, service and remuneration of experts on employment insurance statistics shall be prescribed by the Minister of Employment and Labor. *<Amended on Jul. 12, 2010>*

Article 6 (Execution of Projects on Behalf of Minister of Employment and Labor)

(1) The Minister of Employment and Labor may authorize the following institutions or organizations to carry out a project for research on the labor market or a project for surveys and research required for supporting business affairs related to employment insurance (hereinafter referred to as "insurance") on his or her behalf pursuant to Article 11 (2) of the Act: *<Amended on Dec. 30, 2009; Jul. 12, 2010; Jan. 25, 2013>*

1. Insurance-related, government-funded research institutes established pursuant to Article 8 of the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes;

2. The Korea Employment Information Service established pursuant to Article 18 of the Framework Act on Employment Policy;

3. Schools (including affiliated research institutes) established under Article 2 of the Higher Education Act;

4. Other private research institutes that can conduct surveys and research on the labor market, vocation, vocational education and training, and business affairs related to insurance.

(2) When he or she authorizes an institution to carry out business affairs on his or her behalf pursuant to paragraph (1), the Minister of Employment and Labor may subsidize the expenses incurred in conducting

surveys, research, management, and operation in relation to the business affairs with the Employment Insurance Fund (hereinafter referred to as the "Fund"). *<Amended on Jul. 12, 2010>*

Article 6-2 (Assessment Institutions for Insurance Programs)

(1) "Institutions prescribed by Presidential Decree" in Article 11-2 (2) of the Act means institutions designated by the Minister of Employment and Labor (hereafter in this Article referred to as "assessment institution") from among those falling under each of the following: *<Amended on Jul. 12, 2010; Dec. 31, 2010>*

1. Government-funded research institutes under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes;
2. Public institutions designated and publicly notified under Articles 4 through 6 of the Act on the Management of Public Institutions;
3. Schools falling under subparagraphs 1 through 6 of Article 2 of the Higher Education Act (including their affiliated research institutions);
4. Private research institutes.

(2) The Minister of Employment and Labor may subsidize the expenses incurred by assessment institutions in the performance of duties, within the budget. *<Amended on Jul. 12, 2010>*

(3) The assessment institutions may request proxy institutions or entrusted institutions prescribed in Articles 6 (1), 57 (1), and 145 (2) through (6) to submit data necessary to perform assessment. *<Amended on Mar. 31, 2020>*

(4) Necessary matters concerning specific work, designated period, etc. of an assessment institution shall be determined and publicly announced by the Minister of Employment and Labor. *<Amended on Jul. 12, 2010>*

CHAPTER II MANAGEMENT OF THE INSURED

Article 7 (Reporting of Acquisition or Loss of Insured Status)

(1) Each business owner or subcontractor who is obligated to file a report on matters concerning the acquisition or loss of insured status of an employee employed to engage in the business with the Minister of Employment and Labor pursuant to Article 15 of the Act shall file such report by no later than the fifteenth day of the month immediately following the month during which such event occurs (without delay, if the relevant employee demands that he or she file such report earlier than the above-stated deadline). In such cases, a report on the acquisition or loss of insured status shall be deemed to have been filed where the relevant business owner or subcontractor has filed, with the Minister of Employment and Labor, a report on confirmation of details of employment, including the number of days for which a daily hire employee employed during the pertinent month had provided service and the wages paid to such employee by no later than the fifteenth day of the month immediately following the month during which

such event occurs. <Amended on Jul. 27, 2020; Aug. 27, 2020>

(2) Each business owner who has filed a report on the commencement or termination of his or her business pursuant to Article 11 (3) of the Act on Employment and Industrial Accident Premium Collection shall file a report on the acquisition or loss of insured status with the Minister of Employment and Labor within the deadline prescribed in paragraph (1). <Amended on Jul. 12, 2010; Jun. 8, 2021>

(3) Deleted. <Aug. 27, 2020>

(4) Deleted. <Aug. 27, 2020>

Article 8 (Reporting of Insured Status by Employee)

Each employee who files a report on the acquisition or loss of insured status and other matters as set forth in Article 15 (3) of the Act shall submit a document proving the employment relationship exists, such as employment contract.

Article 9 (Reporting of Transfer of the Insured)

A business owner shall, when he or she transfers an insured from one employing unit to another, file a report thereon with the Minister of Employment and Labor within 14 days of the date of such transfer.

<Amended on Jul. 12, 2010>

Article 10 (Reporting Change of Name and Other Details of the Insured)

(1) A business owner shall, when an insured has his or her name or resident registration number changed or corrected, file a report thereon with the Minister of Employment and Labor within 14 days of the date of such change or correction. <Amended on Jul. 12, 2010; Jan. 13, 2012>

(2) Where the recipient prescribed in the latter part of Article 113-2 (1) of the Act has his or her status changed from the recipient who is a person eligible for livelihood benefits under Article 8 (2) of the National Basic Living Security Act (hereafter in this Article referred to as "recipient who is a person eligible for livelihood benefits") to another type of recipient, or from another type of recipient to a recipient who is a person eligible for livelihood benefits, the guarantee institutions or the entrusting institutions referred to in the latter part of Article 113-2 (1) of the Act shall report such change to the Minister of Employment and Labor within 14 days of the date of such change. <Newly Inserted on Jan. 13, 2012; Jun. 27, 2017>

Article 11 (Request for and Notice of Confirmation)

(1) If he or she intends to confirm the acquisition or loss of his or her insured status pursuant to Article 17 (1) of the Act, any current or former insured shall request such confirmation from the Minister of Employment and Labor. <Amended on Jul. 12, 2010; Jun. 8, 2021>

(2) The Minister of Employment and Labor shall, pursuant to Article 17 (3) of the Act, give notice of the results of such confirmation of the acquisition or loss of insured status to the person who has requested

such confirmation and to the business owner or subcontractor who currently employs, or previously employed, the requesting person. *<Amended on Jul. 12, 2010>*

CHAPTER III EMPLOYMENT SECURITY AND VOCATIONAL SKILLS DEVELOPMENT PROGRAMS

Article 12 (Scope of Enterprises Eligible for Priority Support)

(1) "Enterprises that meet the standards prescribed by Presidential Decree" in Article 19 (2) of the Act means any enterprise whose number of regular workforce meets the standard listed in attached Table 1 provided separately for each industry (hereinafter referred to as "enterprise eligible for priority support"): *<Amended on Mar. 12, 2009; Oct. 29, 2012>*

1. Deleted; *<Oct. 29, 2012>*
2. Deleted; *<Oct. 29, 2012>*
3. Deleted; *<Oct. 29, 2012>*
4. Deleted; *<Oct. 29, 2012>*
5. Deleted. *<Oct. 29, 2012>*

(2) Notwithstanding paragraph (1), an enterprise that does not fall under paragraph (1) but meets the standards referred to in Article 2 (1) or (3) of the Framework Act on Small and Medium Enterprises shall be deemed an enterprise eligible for priority support. *<Amended on Oct. 29, 2012>*

(3) Where an enterprise eligible for priority support prescribed in paragraph (1) loses its eligibility for priority support due to expansion in its size or other grounds, the enterprise shall be construed as an enterprise eligible for priority support for five years from the year immediately following the year in which such cause arises. *<Newly Inserted on Dec. 31, 2010; Jan. 25, 2013>*

(4) Notwithstanding paragraphs (1) through (3), a company that belongs to the conglomerates designated as those subject to the restrictions on mutual investments pursuant to Article 14 (1) of the Monopoly Regulation and Fair Trade Act shall not be construed as an enterprise eligible for priority support for the insurance year immediately following the insurance year during which the designation was made, and thereafter. *<Amended on Dec. 31, 2010; Dec. 30, 2016>*

(5) The criteria for determining whether an enterprise is eligible for priority support pursuant to paragraph (1) shall be as follows: *<Amended on Mar. 12, 2009; Dec. 31, 2010; Jan. 13, 2012; Oct. 29, 2012; Aug. 11, 2016>*

1. The number of regular workforce shall be the number calculated by dividing the aggregate number of employees working for all the projects carried out by a business owner as of the end of each month of the preceding year (if a construction business is involved, the number of its daily hire employees shall be subtracted therefrom) by the number of months in operation in the preceding year, and the number of regular workforce for projects concerning management of collective housing prescribed in the Multi-Family Housing Management Act shall be the number of employees calculated separately for each project. In such cases, when calculating the number of regular workforce, any part-time employee

whose contractual monthly working hours are at least 60 hours shall be counted as 0.5, and any part-time employee whose contractual monthly working hours are less than 60 hours shall be excluded from the calculation;

2. Where a business owner runs business in at least two different industries, the classification shall be made based on the industry in which he or she has the greater number of regular workforce, while the classification shall be made based on the total amount of wages or the amount of sales in the aforementioned order where the number of regular workforce for each industry is the same.

(6) Notwithstanding paragraph (5), it shall be determined as of the date of formation of an insurance contract as to whether a business owner for whom the insurance relations are established during an insurance year is qualified as an enterprise eligible for priority support. *<Amended on Dec. 31, 2010>*

Article 13 Deleted. *<Sep. 15, 2011>*

Article 14 Deleted. *<Dec. 31, 2010>*

Article 15 Deleted. *<Dec. 31, 2010>*

Article 16 Deleted. *<Dec. 31, 2010>*

Article 17 (Subsidization for Job Creation)

(1) The Minister of Employment and Labor may partially subsidize wages for any of the following business owners pursuant to Article 20 of the Act: Provided, That, in the case of subparagraph 1, he or she may reimburse employees whose working hours have been reduced for a portion of his or her lost wages and some of expenses required for installing facilities, and in the case of subparagraph 2, some of expenses for installing facilities: *<Amended on Sep. 15, 2011; Dec. 24, 2013; Aug. 19, 2015; Dec. 4, 2015; Dec. 30, 2016; Dec. 26, 2017; Dec. 31, 2019>*

1. Where the number of employees increases due to recruitment of unemployed persons by reducing working hours, restructuring work shifts, and providing periodic educational training or sabbatical leave, etc. (hereinafter referred to as "job sharing");
2. Where there is an increase in the number of employees due to the improvement of employment conditions by installing and operating the facilities determined by the Minister of Employment and Labor and recruiting unemployed persons;
3. Where unemployed persons are newly hired on an hourly basis without fixing the term of a labor contract by dividing duties, restructuring a labor system, or developing part-time duties, etc.;
4. Where an enterprise falling under the types of business with good prospects for growth, the types of business in which imbalance between labor supply and demand exists, or the types of business that require employment subsidies including enterprises that have moved operations back to the Republic of

Korea and region-specific industries, following deliberations and decisions by the Committee, hires the unemployed;

5. Where an enterprise eligible for priority support falling under the types of business deliberated and resolved by the Committee hires those with professional qualifications prescribed by the Minister of Employment and Labor (hereinafter referred to as "professional human resources");

6. Where a business owner hires an unemployed youth between 15 and 34 years of age through an introduction of a wage peak system under Article 28, a wage reduction system under Article 28-2., or any other changes in its wage system;

7. Where the Minister of Employment and Labor newly hires an aged or middle-aged person pursuant to subparagraph 1 or 2 of Article 2 of the Act on Prohibition of Age Discrimination in Employment and Elderly Employment Promotion for a job deemed suitable for such aged or middle-aged person.

(2) In cases of providing subsidies pursuant to paragraph (1), the Minister of Employment and Labor shall determine necessary matters, such as conditions of assistance, scope of eligible business owners, level of assistance, period of assistance, method of application for and payment of subsidies, and other matters necessary for assistance.

Article 18 (Details of Assistance for Employment Adjustment, etc.)

(1) A business owner who takes measures for employment security of employees shall be eligible for subsidies and incentives under Article 21 (1) and (2) of the Act.

(2) A business owner eligible for the priority support as prescribed in Article 21 (3) of the Act shall be any of the following business owners: *<Amended on Dec. 30, 2009>*

1. A business owner who engages in the type of business designated as one of the types of business for which assistance for employment adjustment, etc. is required pursuant to Article 29 (1) 1 of the Enforcement Decree of the Framework Act on Employment Policy (hereafter in this Article referred to as "designated type of business");

2. A business owner who engages in manufacturing, repair, and other works under a contract with a business owner, as prescribed in subparagraph 1 for a project that falls under a designated type of business and at least 1/2 of whose sales are related to the designated type of business;

3. A business owner who engages in business within an area designated as an area for which assistance for employment adjustment is required pursuant to Article 29 (1) 2 or 3 of the Enforcement Decree of the Framework Act on Employment Policy (hereinafter referred to as "designated area").

(3) Where a business owner falling under any subparagraph of paragraph (2) takes employee retention measures, or grants assistance for change of occupation, the Minister of Employment and Labor may prescribe different requirements for and the amount of assistance applicable to such business owner, after deliberation by the Employment Policy Deliberative Council under the Framework Act on Employment Policy (hereinafter referred to as the "Employment Policy Council"), notwithstanding Articles 19, 20, 20-2, 21, 21-2 through 21-4, and 22. *<Amended on Sep. 18, 2008; Dec. 30, 2009; Jul. 12, 2010; Mar. 31, 2020>*

Article 19 (Eligibility for Subsidies for Employee Retention)

(1) The Minister of Employment and Labor shall, pursuant to Article 21 (1) of the Act, grant subsidies to retain employees (hereinafter referred to as "subsidies for employee retention") to a business owner, where the business owner who finds it unavoidable to make adjustments in employment takes any of the following measures (hereinafter referred to as "employee retention measures") for the insured recruited to engage in the business operated by him or her and have been insured for more than 90 days (excluding daily hire employees, persons notified of dismissal in advance under Article 26 of the Labor Standards Act, and those scheduled to retire upon the business owner's recommendation due to worsening management conditions; hereafter in this Chapter the same shall apply) and where he or she does not sever the employment relationship with the insured through employment adjustment during the implementation period of the employee retention measures and one month thereafter: *<Amended on Apr. 30, 2008; Mar. 12, 2009; May 28, 2009; Jul. 12, 2010; Dec. 31, 2010; Apr. 22, 2013; Dec. 24, 2013; Dec. 26, 2017; Dec. 29, 2020>*

1. Where the business owner reduces working hours in excess of 20/100 of the total working hours per calendar month of all insured by adjusting working hours, restructuring work shifts (referring to dividing employees into groups and having them work in shift; hereinafter the same shall apply), suspending business, or taking other measures, and pays money and valuables in order to compensate for lost wages due to reduced work hours. In such cases, necessary matters concerning the method of calculating the working hours, including the total working hours of all of the insured, etc., shall be prescribed by Ordinance of the Ministry of Employment and Labor;

2. Where money and valuables are paid to compensate for lost wages during the period of leave of absence granted for at least one month.

(2) Where a business owner newly employs an employee while taking the employee retention measures, as prescribed in paragraph (1), or implements employee retention measures in the same month for three consecutive years notwithstanding paragraph (1), no subsidies for employee retention shall be paid for the relevant month, except in cases deemed unavoidable by the head of the competent employment security office. *<Amended on Apr. 22, 2013; Dec. 24, 2013>*

(3) Notwithstanding paragraph (1), where a business owner for whom employment adjustment has become unavoidable pursuant to Article 21 (1) of the Act falls under any of the following cases, the Minister of Employment and Labor may set the period for acquiring insured status of the insured subject to employee retention measures differently based on the period determined and publicly notified by the Minister of Employment and Labor: *<Newly Inserted on Dec. 29, 2020>*

1. Where the business owner falls under any subparagraph of Article 18 (2);

2. Where employment conditions have worsened rapidly due to a disaster, etc. under subparagraph 1 of Article 3 of the Framework Act on the Management of Disasters and Safety.

(4) Notwithstanding paragraph (1), where a temporary work agency or a business owner to whom a contract is awarded (hereafter in this paragraph referred to as "contracted business owner") falls under any

of the following, the Minister of Employment and Labor shall provide the temporary work agency or the contracted business owner with subsidies for employee retention after calculating the number of reduced working hours or the period of leave of absence for the insured working at the places of business of the user company or the relevant business owner awarding the contract: <Newly Inserted on Dec. 29, 2020>

1. Where a temporary work agency prescribed in the Act on the Protection of Temporary Agency Workers takes employee retention measures targeting temporary agency workers in the workplace of the user company at which employee retention measures are being implemented and does not sever the employment relationship with the relevant insured through employment adjustment during the implementation period of the measures and for one month thereafter;
2. Where the contracted business owner takes employee retention measures targeting the insured in the workplace of the business owner awarding a contract, and does not sever the employment relationship with the relevant insured during the implementation period of the measures and for one month thereafter.

Article 20 (Preparation of and Reporting on Plans for Employee Retention Measures)

(1) A business owner who intends to receive subsidies for employee retention prescribed in Article 19 shall prepare plans for employee retention employees for each calendar month in compliance with the following requirements, as prescribed by Ordinance of the Ministry of Employment and Labor, and report it to the Minister of Employment and Labor by the day before the date of a scheduled implementation of such measures, and where he or she modifies matters prescribed by Ordinance of the Ministry of Employment and Labor in the reported plan, such as the scheduled implementation date, the persons subject to such measures, and money and valuables to be paid while such measures are taken, he or she shall report such modifications to the Minister of Employment and Labor by the day before the scheduled modification date: <Amended on Mar. 12, 2009; May 28, 2009; Feb. 8, 2010; Jul. 12, 2010; Dec. 31, 2010; Apr. 22, 2013; Dec. 24, 2013>

1. The business owner shall consult with the representative of employees recruited to engage in the business in preparing or modifying employee retention measures: Provided, That cases where detailed plans for employee retention measures to be modified are not unfavorable to employees, such as reduction of period during which employee retention measures are taken or reduction in the number of people eligible to remain employed in order to restore employment conditions back to the level seen before business deterioration, shall be excluded herefrom;
 2. The business owner shall prepare a document that describes the detailed implementation plans for retaining employees for the previous month (excluding the month to which the first date of implementation of the employee retention measures belongs) and related evidentiary documents.
- (2) Notwithstanding paragraph (1), a business owner may report by the following deadlines from the date of implementation or change of the employment retention measures where there exists any other unavoidable cause prescribed in any of the following subparagraphs: <Amended on Dec. 29, 2020>

1. In any of the following cases: 30 days:

(a) Where an owner of a business located in an area declared as a special disaster area pursuant to Article 60 of the Framework Act on the Management of Disasters and Safety takes employee retention measures due to said special disaster;

(b) Where an order is issued for suspension of classes, a disposition of temporary closure of kindergartens, or of schools under Article 31 of the Early Childhood Education Act, Article 64 of the Elementary and Secondary Education Act, or Article 61 of the Higher Education Act;

(c) Where a measure under Article 49 (1) 2 of the Infectious Disease Control and Prevention Act is taken;

2. Any of the following cases, other than those under subparagraph 1: 3 days:

(a) Where consultation between labor and management on whether to formulate and implement a plan for employee retention measures is delayed due to the absence of representative of labor or of management, etc.;

(b) Where a business that supplies or is supplied with at least 50 percent of products or raw materials unexpectedly reduces or closes its operations;

(c) Where there is an act of God or any other unavoidable cause recognized by the Minister of Employment and Labor.

(3) Deleted. <Dec. 24, 2013>

(4) Deleted. <Feb. 8, 2010>

(5) Deleted. <Apr. 22, 2013>

Article 20-2 (Restrictions on Granting of Subsidies in Cases of Violation of Plans for Retaining Employees)

Where a business owner implements employee retention measures deviated from the plan or revised plan for such measures reported pursuant to Article 20 (1), the Minister of Employment and Labor may not pay the whole or part of the subsidies for employee retention for the month during which such violation occurs, as prescribed by Ordinance of the Ministry of Employment and Labor.

Article 21 (Amount of Subsidies for Employee Retention)

(1) The amount of subsidies for employee retention shall be each of the following amounts: Provided, That when the Minister of Employment and Labor deems it necessary for employment security due to worsening unemployment, such as a rapid increase in the unemployment rate, the amount shall be equivalent to the rate determined and publicly notified by the Minister of Employment and Labor of at least $\frac{3}{4}$ and not more than $\frac{9}{10}$ [$\frac{2}{3}$ for an enterprise other than those eligible for priority support (hereinafter referred to as “large enterprise”)] of the money and valuables provided by the business owner to compensate for the lost wage of the insured for a period of up to one year prescribed and publicly notified by the Minister of Employment and Labor: <Amended on Dec. 31, 2014; Dec. 26, 2017; Apr. 28,

2020>

1. Where the working hours reduced due to the adjustment of working hours, the restructuring of work shifts, suspension of business, leave of absence, etc. are less than 50/100 of working hours per calendar month: An amount equivalent to $\frac{2}{3}$ ($\frac{1}{2}$ for a large enterprise) of the money and valuables provided by the business owner to compensate for the lost wages of the insured whose working hours are reduced or who take a leave of absence;

2. Where the working hours reduced due to the adjustment of working hours, the restructuring of work shifts, suspension of business, layoff, etc. are at least 50/100 of working hours per calendar month: An amount equivalent to $\frac{2}{3}$ of the money and valuables provided by the business owner to compensate for the lost wages of the insured whose working hours are reduced or who are laid off.

(2) Subsidies for retaining employees prescribed in paragraph (1) shall be granted for each measure taken to retain employees only until the number of days during which such measure is taken (the day on which two or more measures are taken simultaneously for retaining employees shall be counted as one day) reaches 180 days during the period of the pertinent insurance year. <Amended on Dec. 24, 2013; Dec. 26, 2017>

(3) Notwithstanding paragraph (2), subsidies for employee retention for the insurance year of 2020 shall be granted until the sum of the implementation periods of employment retention measures reaches 240 days. <Newly Inserted by Oct. 20, 2020>

(4) Deleted. <Dec. 24, 2013>

(5) Subsidies for employee retention granted pursuant to paragraph (1) shall not exceed the amount determined and publicly notified by the Minister of Employment and Labor per employee subject to each measure for retaining employees taken. <Amended on Jul. 12, 2010; Jan. 13, 2012>

Article 21-2 (Reduced Level of Wages in Cases of Business Suspension)

"Level prescribed by Presidential Decree" in the latter part of Article 21 (1) of the Act means the amount less than 50/100 of the average wage (including cases where no wage is paid).

Article 21-3 (Requirements for Granting Subsidies to the Insured in Cases of Business Suspension)

(1) When a business owner suspends business or grants employees a leave of absence (hereinafter referred to as "business suspension, etc.") instead of making employment adjustment in spite of causes making it unavoidable to make such adjustment prescribed by Ordinance of the Ministry of Employment and Labor pursuant to the latter part of Article 21 (1) of the Act, if such business suspension, etc. falls under any of the following, the Minister of Employment and Labor may grant subsidies to the relevant insured: <Amended on Jun. 9, 2020; Sep. 29, 2020; Dec. 29, 2020>

1. Where a business owner suspends business for at least 30 days for the number of the insured under classification made in each of the following circumstances and does not pay business suspension allowances after obtaining approval of the Labor Relations Commission pursuant to Article 46 (2) of the

Labor Standards Act, or pays business suspension allowances equivalent to the amount less than 50/100 of the average wage:

- (a) Where the total number of the insured is not more than 19: At least 50/100 of the total number of the insured;
- (b) Where the total number of the insured is at least 20 and not more than 99: At least 10 insured;
- (c) Where the total number of the insured is at least 100 and not more than 999: At least 10/100 of the total number of the insured;
- (d) Where the total number of the insured is at least 1,000: At least 100 insured;

2. Where a business owner grants the insured a leave of absence classified as follows for at least 30 days after implementing the employee retention measures under Article 19 (1) 1 or the employee retention measures under subparagraph 2 of that paragraph targeting at least 20/100 of the number of the insured for at least three months within one year before the commencement of the period of leave of absence, and does not pay money and valuables to them during that period by mutual consent with the representative of the employees (referring to the labor union if there exists a labor union consisting of more than one-half of the total number of employees, and the person who represents more than one-half of the total number of employees if such labor union does not exist; hereafter in this paragraph the same shall apply):

- (a) Where the total number of the insured is not more than 99: At least 10 insured;
- (b) Where the total number of the insured is at least 100 and not more than 999: At least 10/100 of the total number of the insured;
- (c) Where the total number of the insured is at least 1,000: At least 100 insured;

3. Where a business owner comes to satisfy the following requirements (limited to an owner of a business with less than 10 insured) after implementing and maintaining the employee retention measures prescribed in Article 19 (1) 1 or the ones prescribed in subparagraph 2 of that paragraph targeting at least 20/100 of the insured for at least three months, cases where the business owner grants the insured working in his or her workplace a leave of absence for at least 30 days and does not pay them money or valuables such as allowances for a leave of absence during that period, in accordance with an agreement with the representative of employees:

- (a) Where employment conditions have worsened rapidly due to a disaster, etc. under subparagraph 1 of Article 3 of the Framework Act on the Management of Disasters and Safety;
- (b) Where the subsidy for employee retention is received for 180 days under Article 21 (2) during the period of the relevant insurance year.

(2) The amount of the subsidies prescribed in paragraph (1) shall be determined by the Minister of Employment and Labor within the range of 50/100 of the average wage of the relevant insured, taking into account the wages or allowances paid by the business owner to the said insured. In such cases, the amount of subsidies shall not exceed the amount determined and publicly announced by the Minister of Employment and Labor per insured eligible for subsidies for such reasons as business suspension, etc.

(3) The subsidies prescribed in paragraph (2) shall be paid for maximum 180 days during the period of the relevant business suspension, etc.

(4) Where the Minister of Employment and Labor provides the insured with subsidies pursuant to paragraph (1), the business owner shall prepare a plan for retaining employees that includes necessary measures for the development and improvement of vocational skills of the recipient and submit the plan to the Minister of Employment and Labor.

(5) Where emergency measures are necessary for job security as disasters prescribed in subparagraph 1 of Article 3 of the Framework Act on the Management of Disasters and Safety took a heavy toll on the economy, resulting in soaring unemployment, subsidies may be paid to the insured who fail to meet the eligibility requirements for subsidies under paragraph (1) 2 until June 30, 2021 following deliberation by the Employment Policy Council with the requirements for and the level of subsidization determined by public notice. In such cases, a period of subsidization by public notice shall not exceed six months, and may be extended by up to six months where necessary. *<Newly Inserted on Jun. 9, 2020>*

(6) Necessary matters concerning the methods and procedures of applying for subsidies and the methods of payment of subsidies for the insured following business suspension, etc., other than the matters prescribed in paragraphs (1) through (5), shall be determined and publicly notified by the Minister of Employment and Labor. *<Amended on Jun. 9, 2020>*

Article 21-4 (Support for Measures for Development and Improvement of Vocational Skills)

(1) The Minister of Employment and Labor may provide a business owner with support necessary for taking measures for development, improvement, etc. of vocational skills of the insured as part of employee retention measures prescribed in Article 21-3 (4).

(2) Necessary matters concerning the process of applying for support, the method of providing support, etc. shall be prescribed by the Minister of Employment and Labor.

Article 22 (Re-Employment Assistance for Person whose Employment Is Severed)

Where a business owner facing employment adjustment pursuant to Article 21 (1) of the Act directly establishes facilities necessary for supporting swift re-employment of any of the following persons, independently or collaboratively, or entrusts an outside institution equipped with such facilities with services necessary for such re-employment, the Minister of Employment and Labor shall, pursuant to Article 21 (1) of the Act, subsidize some of the expenses incurred by the business owner, as determined by the Minister of Employment and Labor: *<Amended on Jun. 8, 2021>*

1. The insured who have been employed by the relevant business but whose employment will be severed due to employment adjustment, retirement age, or expiration of the term of employment contract;
2. Persons who had been insured and employed by the relevant business but whose employment was severed due to employment adjustment, reaching of retirement age, or expiration of the term of

employment contract.

Article 22-2 (Support for Agreement between Management and Labor for Employee Retention)

(1) Where a business owner facing an inevitable employment adjustment under Article 21 (1) of the Act decides to retain the insured employed to be engaged in the relevant business through conclusion of a collective agreement, changes in rules of employment or in employment contract, or other mutual agreement, the Minister of Employment and Labor may provide necessary expenses to the business owner within the budget.

(2) Where the relevant insured meet the insured' eligibility requirements for subsidies under Article 21-3, the Minister of Employment and Labor shall not provide support under paragraph (1) to the business owner employing the insured.

(3) Necessary matters concerning the methods and procedures for selecting persons eligible for support, the methods and procedures for support under paragraph (1) shall be determined and publicly notified by the Financial Services Commission.

Article 23 Deleted. <Sep. 18, 2008>

Article 24 (Subsidies for Promotion of Local Employment)

(1) The Minister of Employment and Labor shall grant subsidies for promotion of local employment to a business owner who relocates his or her business to a designated area, establishes a new business or expands an existing business in a designated area as set forth in Article 22 of the Act and who meets all the following requirements: <Amended on Dec. 30, 2009; Jul. 12, 2010; Dec. 31, 2010; Jun. 8, 2021>

1. During the period of support for employment adjustment, etc. (hereafter in this Article referred to as "designated period") as publicly notified pursuant to Article 29 (2) of the Enforcement Decree of the Framework Act on Employment Policy, a local employment plan concerning relocation, establishment, or expansion of business, and employment of employees resulting therefrom shall be prepared and reported to the Minister of Employment and Labor;
2. The business owner shall implement the local employment plan reported to the Minister of Employment and Labor pursuant to subparagraph 1;
3. The operation of the business relocated, newly established, or expanded shall commence within one year and six months from the date the plan for local employment is submitted;
4. The business owner shall employ persons who have resided in the designated area or any other designated area for at least three months as of the date the operation of the business relocated, newly established, or expanded commences (hereafter in this Article referred to as "date of commencement of operation") as the insured for the relevant business;
5. The business shall be deemed necessary by the Employment Policy Council;

6. The business owner shall keep a record of the current status of implementation of the local employment plan and the current status of wages paid to the insured employed while implementing the plan.

(2) Upon the commencement of operation prescribed in paragraph (1) 3, a business owner who intends to receive subsidies for promotion of local employment shall report such fact to the Minister of Employment and Labor. *<Amended on Jul. 12, 2010>*

(3) The amount of subsidies for promotion of local employment shall be equivalent to 1/2 (or 1/3 for a large enterprise) of the wages paid to the insured employed under paragraph (1) 4, and shall not exceed the amount publicly notified by the Minister of Employment and Labor as set forth in Article 21 (5). *<Amended on Dec. 31, 2010; Jan. 13, 2012>*

(4) Subsidies for promotion of local employment shall be paid for up to one year from the date of commencement of operation. *<Amended on Dec. 31, 2010>*

(5) Where the number of the insured employed pursuant to paragraph (1) 4 during a designated period exceeds 200 persons, subsidies for promotion of local employment shall be granted only for 30/100 out of the number of persons in excess thereof.

(6) No subsidies for promotion of local employment shall be paid under any of the following cases: *<Newly Inserted on Dec. 31, 2010; Dec. 24, 2013; Dec. 30, 2016; Aug. 27, 2020>*

1. Where the employment period of the insured who are employed pursuant to paragraph (1) 4 is less than six months;
2. Where a business owner has severed the employment of his or her employees through employment adjustment during the period between three months before the date of commencement of operation and one year after the date of commencement of operation;
3. Where the business owner who has employed a job seeker as an insured as set forth in paragraph (1) 4 is found to be the same business owner as at the time the employment of the insured was most recently severed (limited to severance from employment within one year before the employment of the relevant insured; hereafter in subparagraph 4 the same shall apply): Provided, That this shall exclude cases where the business owner has given priority to the relevant employee in employment pursuant to Article 25 (1) of the Labor Standards Act;
4. Where the business owner who has employed a job seeker as an insured under paragraph (1) 4 is related to the business in which the relevant employee had been engaged at the time his or her employment was most recently severed, such as cases where the business owner has merged his or her business with, or has acquired, that of the other business owner as at the time the employment of the relevant employee was most recently severed;
- 4-2. Where the business owner delayed payment of wages, etc. and his or her name is disclosed pursuant to Article 43-2 of the Labor Standards Act;
5. In any case prescribed by Ordinance of the Ministry of Employment and Labor, including the case where a business owner pays wages below the minimum wage rate under the Minimum Wage Act.

(7) Deleted. <Dec. 24, 2013>

(8) Matters necessary for application for and payment of subsidies for promotion of local employment shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Jul. 12, 2010; Dec. 31, 2010>

Article 25 (Subsidies for Extension of Employment of Seniors)

(1) The Minister of Employment and Labor shall, pursuant to Article 23 of the Act, grant subsidies for extension of employment of seniors to a business owner who runs business that meets any of the following requirements: Provided, That this shall not apply to any business owner who has a regular workforce of at least 300 employees: <Amended on Dec. 31, 2008; Jul. 12, 2010; Dec. 31, 2010; Jan. 25, 2013; Dec. 24, 2013; Dec. 31, 2019>

1. Deleted; <Dec. 31, 2010>

2. The retirement age shall be abolished or the existing retirement age shall be increased by one year or more to at least 60: Provided, That where the retirement age at the relevant place of business is abolished and a new retirement age is established or the previous retirement age is lowered within three years before the abolishment or extension of the retirement age, subsidies for extension of employment of the elderly shall not be granted;

3. Deleted. <Jun. 8, 2021>

(2) Deleted. <Dec. 31, 2010>

(3) Deleted. <Dec. 31, 2010>

(4) The amount of subsidies for extended employment of seniors for which a business owner who meets the requirements prescribed in paragraph (1) 2 is eligible shall be calculated by multiplying the amount publicly notified each year by the Minister of Employment and Labor, considering the wage increase rate, labor market conditions, and other factors, by the number of employees (excluding persons to whom subsidies for the wage peak system under Article 28 are paid) who have been employed by the business owner continuously for at least 18 months and who is allowed to continue his or her services due to the abolishment or extension of the retirement age after he or she reaches the retirement age that was previously set, and such subsidies shall be granted for the period classified under each of the following subparagraphs: <Amended on Jul. 12, 2010; Dec. 31, 2010; Jan. 13, 2012; Jan. 25, 2013; Dec. 24, 2013>

1. Where the retirement age is abolished: One year from the day (referring to the day when the age of 58 is reached if the previous retirement age is lower than the age of 58) immediately following the date when one year has passed from the date when the previous retirement age of an employee, whose retirement age is abolished, is reached;

2. Where the retirement age is extended: The period prescribed in each of the following calculated from the day immediately following the date when the previous retirement age of an employee, whose retirement age is extended, is reached:

(a) Where the retirement age is extended by at least one year but not more than three years: One year;

(b) Where the retirement age is extended by at least three years: Two years.

(5) Deleted. <Jun. 8, 2021>

(6) Matters necessary to apply for and pay the subsidies for extended employment of seniors shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Jul. 12, 2010; Dec. 31, 2010>

Article 25-2 (Subsidies for Employment of Seniors Aged at least 60 Years)

(1) The Minister of Employment and Labor shall, pursuant to Article 23 of the Act, grant subsidies for employment of seniors aged at least 60 years to the owner of business that meets all of the following requirements: <Amended on Dec. 31, 2014>

1. That the relevant place of business does not impose a retirement age;

2. That the ratio of the monthly average number of employees aged at least 60 years who have been employed for at least one year as of the last day of each month to the monthly average number of employees employed for the corresponding business on a quarterly basis shall not be less than the ratio determined and publicly notified by the Minister of Employment and Labor for each business type;

3. That the business owner receives subsidies for the promotion of employment of seniors under Article 18 of the Addenda to the Enforcement Decree of the Employment Insurance Act (Presidential Decree No. 22603) at least once as of the date of application for subsidies for the employment of seniors aged at least 60 years, and he or she shall not be subject to the period when the payment of the aforementioned subsidies is restricted.

(2) Notwithstanding paragraph (1), where a business owner falls under any of the following, the subsidies for the employment of seniors aged at least 60 years (hereinafter referred to as "subsidies for employment of seniors aged at least 60 years") shall not be paid: <Amended on Dec. 30, 2016>

1. Where a business owner severs the employment relationship with employees aged at least 55 years for employment adjustments during the period between three months before applying for subsidies for employment of seniors aged at least 60 years and six months thereafter;

2. Where the name of a business owner is listed and announced pursuant to Article 43-2 of the Labor Standards Act because the business owner delayed in paying wages, etc.

(3) The amount of subsidies for the employment of seniors aged at least 60 years shall be calculated by multiplying the amount publicly notified by the Minister of Employment and Labor in consideration of labor market conditions by the number of seniors aged at least 60 years or older who have been employed in excess of the ratio publicly notified by the Minister of Employment and Labor pursuant to paragraph (1) 2: Provided, That the total amount of subsidies which a business owner is eligible to receive on a quarterly basis shall not exceed the amount calculated by multiplying the amount publicly notified by the Minister of Employment and Labor pursuant to the main clause by the number equivalent to 20/100 (10/100 for a large enterprise) of the number of persons employed by the relevant business.

(4) When calculating the number of employees to provide subsidies for employment of seniors aged at least 60 years, any of the following persons shall be excluded herefrom: <Amended on Dec. 26, 2017; Jun. 25, 2019>

1. Daily hire employees;
 2. Persons who fall under Article 10 (1) 2 through 5 of the Act and foreign workers who do not fall under Article 10-2 of the Act;
 3. Employees aged at least 60 years who are eligible for subsidies for employee retention pursuant to Article 29 of the Framework Act on Employment Policy.
- (5) Necessary matters for an application for and provision of subsidies for employment of seniors aged at least 60 years shall be prescribed by Ordinance of the Ministry of Employment and Labor.

Article 26 (Incentives for Employment Promotion)

(1) The Minister of Employment and Labor shall grant incentives for promotion of employment to a business owner who hires any of the following unemployed persons, as an insured if the person has registered himself or herself as a job seeker with employment security offices or any of the institutions specified by Ordinance of the Ministry of Employment and Labor, pursuant to Article 23 of the Act, to promote employment of persons with disabilities, female heads of household, etc. who have particular difficulty finding jobs under ordinary labor market conditions (hereafter in this Article referred to as "employment security office"): <Amended on Jan. 13, 2012; Jan. 25, 2013; Dec. 30, 2016; Jul. 2, 2019; Jun. 9, 2020; Jun. 8, 2021>

1. A person who has completed the employment assistance program, as notified by the Minister of Employment and Labor, designed for those having particular difficulty finding jobs under ordinary labor market conditions;
2. A person with a severe disability prescribed in subparagraph 2 of Article 2 of the Act on the Employment Promotion and Vocational Rehabilitation of Persons with Disabilities who is in a state of unemployment for at least one month;
3. A person in a state of unemployment for at least one month who, as a person prescribed by Ordinance of the Ministry of Employment and Labor, among unemployed women responsible for supporting their family members, is eligible for employment assistance prescribed in the former part of Article 11 (2) of Enforcement Decree of the National Basic Living Security Act or entitled to protection prescribed in Articles 5 and 5-2 of the Single-Parent Family Support Act;
4. A person in a state of unemployment for at least one month who has difficulty participating in the employment assistance program prescribed in subparagraph 1 because the person resides in an island (excluding the main island of Jeju Special Self-Governing Province and islands connected to land by breakwaters or bridges, etc.);
5. A person recognized by the Minister of Employment and Labor as needing measures for promotion of employment due to worsening employment conditions and soaring unemployment, among the

unemployed who fail to meet the requirements prescribed in subparagraphs 1 through 4.

(2) The incentives for promotion of employment prescribed in paragraph (1) (hereinafter referred to as “incentives for employment promotion”) shall be paid where a business owner employs a person as an insured for at least six months, according to the following classifications: *<Amended on Dec. 30, 2016; Jul. 3, 2018>*

1. Where the employment period is at least six months but less than 12 months: Amount equivalent to six months;

2. Where the employment period is at least 12 months: Amount equivalent to 12 months: Provided, That where the employment period of an insured determined and publicly notified by the Minister of Employment and Labor is at least 18 months, the following relevant amounts shall be paid:

(a) Where the employment period is at least 18 months but less than 24 months: Amount equivalent to 18 months;

(b) Where the employment period is at least 24 months: Amount equivalent to 24 months.

(3) The incentives for employment promotion shall not be paid in any of the following cases: *<Amended on Jan. 13, 2012; Jan. 25, 2013; Dec. 30, 2016; Dec. 31, 2018; Mar. 31, 2020>*

1. Where a short-term contract employee is employed in cases prescribed by Ordinance of the Ministry of Employment and Labor;

2. Deleted; *<Jan. 25, 2013>*

3. Where a large enterprise employs an unemployed person aged 29 years or younger who is prescribed by the Minister of Employment and Labor;

4. Where a business owner severs the employment relationship with an employee (excluding employees employed after a person eligible for incentives for employment promotion is employed) for employment adjustment during the period between three months before employing a person eligible for the incentives for employment promotion and one year from the employment of the relevant person (in cases where a person eligible for incentives for employment promotion is employed for less than one year, referring to the period until the termination of the relevant employment relationship);

5. Where a business owner who employs a person eligible for the incentives for employment promotion is found to be the same business owner as at the time the employment relationship of the relevant employee was severed (limited to cases where the employment relationship was severed within one year before the relevant business owner employs the relevant employee; hereafter in subparagraph 6 the same shall apply): Provided, That this shall not apply in any of the following cases:

(a) Where a business owner gives the relevant employee priority in employment pursuant to Article 25 (1) of the Labor Standards Act;

(b) Where a business owner re-employs an employee whom he or she employed as a daily hire employee by entering into a contract without a fixed term of employment;

6. Where a business owner who employs a person eligible for incentives for employment promotion has a business relationship with the business from which the employment relationship of the relevant

employee is severed, such as merger or acquisition, and is prescribed by Ordinance of the Ministry of Employment and Labor;

7. Where the name of a business owner is listed and announced pursuant to Article 43-2 of the Labor Standard Act because the business owner delayed the payment of wages, etc.;

8. Where a business owner who fails to fulfill the obligation to employ persons with disabilities pursuant to Article 28 of the Act on the Employment Promotion and Vocational Rehabilitation of Persons with Disabilities newly employs persons with disabilities under subparagraph 1 of Article 2 of that Act (excluding persons with severe disabilities under subparagraph 2 of that Article) before such obligation is performed.

(4) The amount of incentives for employment promotion shall be calculated by multiplying the amount publicly notified each year by the Minister of Employment and Labor, considering the wage increase rate, labor market conditions, and other factors, by the number of the insured; and shall not exceed 80/100 of the wages borne by the business owner during the period of payment of such incentives. *<Amended on Dec. 30, 2016>*

(5) The number of the insured eligible for incentives for employment promotion shall not exceed 30/100 (the decimal point shall be dropped in calculation) of the number of the insured of the relevant business as of the last day of the immediately preceding insurance year. *<Amended on Dec. 30, 2016; Jun. 9, 2020>*

(6) Notwithstanding paragraph (5), the number of the insured eligible for incentives for employment promotion shall not exceed the number of the insured classified as follows in any of the following cases: *<Amended on Jan. 13, 2012; Dec. 30, 2016; Jun. 9, 2020>*

1. Where the number of the newly employed, insured under paragraph (1) is at least 30: 30 persons;
2. Where the number of the insured as of the end of the immediately preceding insurance year for the pertinent business is at least one but less than 10: Three persons;
3. Where no insured exists as of the end of the immediately preceding insurance year for the pertinent business: 30/100 of the number of the insured as of the date the insurance relation is established for the year in which an employee is newly hired (three persons where the number of the insured is at least one but less than 10; and 30 persons where 30/100 of the number of the insured exceeds 30 persons).

(7) Necessary matters for an application for and payment of incentives for employment promotion shall be prescribed by Ordinance of the Ministry of Employment and Labor. *<Amended on Jan. 13, 2012; Dec. 30, 2016>*

(8) Where emergency measures are necessary for job security as disasters prescribed in subparagraph 1 of Article 3 of the Framework Act on the Management of Disasters and Safety took a heavy toll on the economy, resulting in soaring unemployment, the Minister of Employment and Labor may determine a period of employment of up to one year, grounds for exclusion from payment of incentives for employment promotion, the maximum amount of incentives, and the limit on the number of the eligible insured differently by public notice following deliberation by the Employment Policy Council to expand support for business owners under paragraph (1), notwithstanding the provisions of paragraphs (2) through

(7) (in cases falling under paragraph (3), limited to the main clause of subparagraphs 1, 4, and 4, with the exception of its items, and subparagraph 6). <Newly Inserted on Jun. 9, 2020>

Article 27 Deleted. <Sep. 18, 2008>

Article 28 (Subsidies for Wage Peak System)

(1) The Minister of Employment and Labor shall grant subsidies for the wage peak system to employees to whom the wage peak system shall apply in any of the following cases, as prescribed in Article 23 of the Act, (hereafter in this Article referred to as "wage peak system"): Provided, That in cases falling under subparagraph 2, he or she shall grant subsidies for the wage peak system to both the employees and the business owner: <Amended on Dec. 31, 2010; Jan. 25, 2013; Dec. 24, 2013; Dec. 31, 2014; Jun. 8, 2021>

1. Where the business owner implements a system under which an employee has his or her wage reduced based on his or her age, period of continuous employment or wage after he or she reaches the age of 55, with the consent of the representative of employees, in return for extension of the retirement age to at least 60 or to at least 56 but not more than 60;

2. Where the business owner reduces working hours while implementing the system prescribed in subparagraph 1 or conducting hiring (hereafter in this Article and Article 28-4 referred to as "reemployment") within three months after mandatory retirement under subparagraph 4 and reducing the contractual weekly working hours to at least 15 hours but not more than 30 hours;

3. Deleted; <Dec. 24, 2013>

4. Where a business owner who set the retirement age at 55 or older decides to re-employ (excluding cases where the period of the re-employment is less than one year) a person, who has reached retirement age, and to reduce his or her wage compared to the amount he or she received before the previous retirement.

(2) The subsidies for the wage peak system determined under paragraph (1) shall be paid to persons who have been employed continuously for at least 18 months by the relevant business owner and that sees his or her peak wage compared to his or her wage for the pertinent year (referring to the wage of the year that immediately precedes the year when the date of the first reduction of wage following implementation of the wage peak system belongs; hereafter in this Article the same shall apply) reduced by at least the ratio classified as prescribed in each of the following (excluding the person whose wage for the pertinent year reaches or exceeds the amount publicly notified by the Minister of Employment and Labor): <Amended on Jul. 12, 2010; Dec. 31, 2010; Jan. 13, 2012; Jan. 25, 2013; Dec. 24, 2013; Dec. 4, 2015; Jun. 8, 2021>

1. In the case of paragraph (1) 1: The ratio classified according to the extended retirement age as follows: Provided, That it shall be 10/100 for any business that has a regular workforce of less than 300 employees:

(a) Up to one year from the date of application of the wage peak system: 10/100;

(b) For a period of up to two years but no shorter than one year from the date of application of the wage peak system: 15/100;

(c) For a period exceeding two years after the date of application of the wage peak system: 20/100;

2. In the case of paragraph (1) 2: 30/100;

3. In the case of paragraph (1) 4: 20/100: Provided, That it shall be 10/100 for any business that has a regular workforce of less than 300 employees.

(3) Subsidies for the wage peak system prescribed in paragraph (1) shall be an amount publicly notified by the Minister of Employment and Labor, considering the difference between the peak wage and the pertinent year's wage of the pertinent individual employee, the wage increase rate, an increase in the labor cost of the business owner due to the reduction of contractual working hours prescribed in paragraph (1) 2, etc. <Amended on Jul. 12, 2010; Dec. 31, 2010; Dec. 31, 2014>

(4) Subsidies for the wage peak system prescribed in paragraph (1) shall be paid for five years from the date the wage peak system enters into force: Provided, That when the employment period is less than five years, the subsidies shall be paid for the employment period, and when re-employment is made pursuant to paragraph (1) 4 after the enforcement of the wage peak system prescribed in paragraph (1) 1, the maximum period of payment shall be five years in total. <Amended on Dec. 24, 2013>

(5) Matters necessary to calculate, to apply for and to pay the subsidies for the wage peak system prescribed in paragraph (1) shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Dec. 31, 2010>

Article 28-2 (Subsidies for Reduction of Wages in Business or Place of Business Having Set Retirement Age at 60 or More)

(1) Where a business or place of business which has set the retirement age at 60 or more implements the system of reducing wages after the age of 55, the Minister of Employment and Labor shall, pursuant to Article 23 of the Act, grant subsidies beginning with the date the system of reducing the wages of the relevant employees who saw their wages reduced enters into effect and ending on December 31, 2018: Provided, That where the employment period of the relevant employees ends before December 31, 2018, the subsidies shall be paid during the relevant employment period.

(2) The subsidies determined under paragraph (1) shall be paid to persons who have been employed continuously for at least 18 months by the relevant business owner and gotten their peak wages (referring to the wages of the year that immediately precedes the year when the date of the first reduction of wages following implementation of the system pursuant to paragraph (1) belongs; hereafter in this Article the same shall apply) reduced by at least 10 percent compared to their wages for the pertinent year (excluding persons whose wages for the pertinent year reach or exceed the amount publicly notified by the Minister of Employment and Labor).

(3) The amount of subsidies prescribed in paragraph (1) shall be determined and publicly notified by the Minister of Employment and Labor according to the standards prescribed by Ordinance of Minister of

Employment and Labor in consideration of the difference between the peak wage and the pertinent year's wage of the pertinent individual employee, the wage increase rate, etc.

(4) Matters necessary to apply for and to pay the subsidies etc. referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Employment and Labor.

Article 28-3 Deleted. <Dec. 31, 2019>

Article 28-4 (Incentive for Continued Employment of Seniors)

(1) Where a business owner extends or abolishes retirement age or continues to employ or reemploy an employee who reaches retirement age without any change in the retirement age, the Minister of Employment and Labor may subsidize part of the expenses incurred in doing so.

(2) Eligible recipients of, requirements for, the level and period of such support under paragraph (1), the methods and procedures for application for subsidy, and other necessary matters shall be determined and publicly notified by the Minister of Employment and Labor.

Article 29 (Incentives for Employment Security during Period of Childbirth and Child Care)

(1) The Minister of Employment and Labor shall pay incentives for employment security during the period of childbirth and child care to any of the following business owners, pursuant to Article 23 of the Act: Provided, That such incentives shall not be paid to a business owner whose name is disclosed pursuant to Article 43-2 of the Labor Standards Act due to a delay in payment of wages, etc.: <Amended on Jan. 13, 2012; Jul. 10, 2012; Jan. 25, 2013; Dec. 24, 2013; Jun. 17, 2014; Sep. 30, 2014; Jun. 30, 2015; Dec. 30, 2016; Jul. 3, 2018; Dec. 31, 2018; Dec. 31, 2019; Mar. 31, 2020>

1. Deleted; <Dec. 31, 2018>

2. A business owner who grants an insured employee a child care leave prescribed in Article 19 of the Equal Employment Opportunity and Work-Family Balance Assistance Act or shortens the working hours of an insured employee prescribed in Article 19-2 of that Act (hereinafter referred to as "child care leave, etc.") for at least 30 days [excluding the period overlapping with the period of a maternity leave prescribed in Article 74 (1) of the Labor Standards Act (hereinafter referred to as "maternity leave")];

3. A business owner meeting all of the following requirements, who grants or allows an insured employee a maternity leave, a miscarriage or stillbirth leave prescribed in Article 74 (3) of the Labor Standards Act (hereinafter referred to as "miscarriage or stillbirth leave") or a child care leave, etc. for at least 30 days and employs a substitute employee:

(a) Any of the following cleaning products:

(b) Deleted; <Mar. 31, 2020>

(c) The business owner shall not sever the employment relationship with any employee (excluding employees employed after substitute employees are newly employed) for employment adjustment during the period from three months before employing a new employee as a substitute to one year

thereafter (where the employment period of the relevant substitute employee is less than one year, referring to the period until the termination of the relevant employment relationship).

(2) Deleted. <Dec. 31, 2018>

(3) Incentives for employment security during the period of childbirth and child care prescribed in paragraph (1) 2 shall be calculated by multiplying the amount publicly notified each year by the Minister of Employment and Labor based on the size of business, considering the business owner's burden of labor costs due to child care leaves, etc. (excluding the period of child care leave of employees in institutions referred to in subparagraph 1 (a) through (c) of Article 2 of the Act on the Prevention of Corruption and the Establishment and Management of the Anti-Corruption and Civil Rights Commission and public institutions designated and publicly notified pursuant to Articles 4 through 6 of the Act on the Management of Public Institutions; hereafter in this Article the same shall apply) by the number of months of the child care leave, etc. the relevant employee has taken. <Amended on Jan. 13, 2012; Jan. 25, 2013; Jan. 30, 2015; Jun. 30, 2016; Mar. 30, 2020>

(4) Incentives for employment security during the period of childbirth and child care prescribed in paragraph (1) 3 (hereinafter referred to as "subsidies for substitute employees"; hereafter in this Article the same shall apply) shall be calculated by multiplying the amount publicly notified by the Minister of Employment and Labor based on the size of business, considering the business owner's burden of labor costs due to employment of substitute employees, by the number of months for which a substitute employee has been employed during the period for which the relevant employee has taken a maternity leave, a miscarriage or stillbirth leave, or a child care leave, etc. (including the two-month period for transfer of duties before taking a maternity leave, a miscarriage or stillbirth leave, or a child care leave, etc.), but where the State or a local government has paid subsidies or incentives, etc. to business owners for the employment of the relevant substitute employees under this Decree or other statutes, the relevant subsidies or incentives shall be excluded from the subsidies for substitute employees. In such cases, the subsidies for substitute employees shall not exceed the amount of wage paid by business owners to the relevant substitute employees. <Amended on Jul. 10, 2012; Jan. 25, 2013; Dec. 24, 2013; Jun. 30, 2015; Dec. 30, 2016; Dec. 31, 2018>

(5) The incentives for employment security during the period of childbirth and child care referred to in paragraph (1) shall be provided according to the following classification: <Newly Inserted on Mar. 31, 2020>

1. In cases falling under paragraph (1) 2: The amount equivalent to 50/100 of the incentives for employment security during the period of childbirth and child care under paragraph (3) shall be paid after the business owner satisfies the requirements referred to in paragraph (1) 2, and the remaining amount shall be aggregated and paid in lump sum after the relevant business owner continues to hire the employee who took maternity leave as an insured for at least six months after lapse of the prescribed period;

2. In cases falling under paragraph 1 (3): The amounts classified as follow shall be paid where the business owner satisfies the requirements referred to in paragraph (1) 3 and the remaining amount shall

be aggregated and paid in lump sum where the relevant business owner continues to hire the employee who took a maternity leave, a miscarriage or stillbirth leave, or a child care leave as an insured for at least one month (including cases where the business owner is unable to hire the employee for at least one month for his or her personal reasons) after lapse of the prescribed period:

(6) Matters necessary for an application for and payment of incentives for employment security during the period of childbirth and child care prescribed in paragraph (1) shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Jan. 25, 2013; Dec. 30, 2016; Mar. 31, 2020>

Article 30 Deleted. <Dec. 31, 2010>

Article 31 Deleted. <Dec. 31, 2010>

Article 32 Deleted. <Dec. 24, 2013>

Article 32-2 Deleted. <Feb. 8, 2010>

Article 33 (Subsidization for Examination of Management of Employment)

(1) The Minister of Employment and Labor may, pursuant to Article 25 (1) 1 of the Act, provide a business owner or a labor-management organization that undergoes an examination by a specialized institution in relation to changes in its wage system or re-designing of duties in order to stabilize and promote the employment of the current or former insured, and other persons who are willing to have a job (hereinafter referred to as "insured, etc.") with subsidies to cover all or some of the expenses incurred in such examination within the budget. <Amended on Jul. 12, 2010; Dec. 26, 2017; Jun. 8, 2021>

(2) Matters concerning the selection of persons eligible for subsidization prescribed in paragraph (1) and the standards of the subsidies, and other matters necessary for the subsidization shall be prescribed by the Minister of Employment and Labor. <Amended on Jul. 12, 2010>

Article 34 Deleted. <Dec. 31, 2010>

Article 35 (Employment Security and Employment Promotion)

"Other programs prescribed by Presidential Decree" in Article 25 (1) 3 of the Act means the following programs: <Amended on Mar. 12, 2009; May 28, 2009; Feb. 8, 2010; Dec. 31, 2010; Dec. 31, 2014; Dec. 4, 2015; Jul. 19, 2016; Jun. 27, 2017; Dec. 24, 2019; Dec. 31, 2019; Mar. 31, 2020; Jun. 9, 2020>

1. Programs for education and public relations on employment security and employment promotion of the insured, etc.;
2. Programs for supporting employment, including job placement, employment and career advice, support for hiring the insured, etc. and support for the long-term employment of the insured, etc., and

programs for supporting career changes in order to secure the employment security of the insured, etc. and promote employment thereof;

3. Programs for improving the employment conditions of the insured, etc., who are seniors, women, or the disabled;
4. Programs for supporting the employment security, etc. of construction workers, etc.;
5. Programs for supporting the employment security, etc. of any of the following persons:
 - (a) Fixed-term employees prescribed in subparagraph 1 of Article 2 of the Act on the Protection, etc. of Fixed-Term and Part-Time Employees (hereinafter referred to as “fixed-term employee”);
 - (b) Temporary agency workers defined in subparagraph 5 of Article 2 of the Act on the Protection of Temporary Agency Workers;
 - (c) Safety officers prescribed in Article 17 of the Occupational Safety and Health Act;
 - (d) Health officers prescribed in Article 18 of the Occupational Safety and Health Act;
 - (e) Part-time employees prescribed in Article 2 (1) 9 of the Labor Standards Act;
 - (f) Persons who offer their labor similarly to employees referred to in Article 2 (1) 1 of the Labor Standards Act, regardless of the form of their contracts, but to whom the Labor Standards Act, etc. does not apply, and who do not use any other person for another person's business and directly provide labor necessary for the operation of business, and who live on the money they receive in return for the provision of their labor;
6. Programs for supporting the conversion into part-time employment prescribed in Article 2 (1) 9 of the Labor Standards Act;
7. Work-family balance assistance programs through the improvement of employment conditions such as changing work patterns of the insured, etc.;
8. Credit business for expenses required of business owners to compensate for wages of the insured under employee retention measures (limited to the period determined and publicly notified by the Minister of Employment and Labor).

Article 35-2 (Support for Programs for Education and Programs for Public Relations)

- (1) The Minister of Employment and Labor may, pursuant to Article 25 of the Act, partially assist within the budget the person who intends to conduct programs for education and programs for public relations under subparagraph 1 of Article 35 with expenses necessary for conducting such programs.
- (2) The Minister of Employment and Labor shall, if intending to give assistance pursuant to paragraph (1), publish in advance the kinds and contents of programs eligible for assistance, the content and extent of assistance, methods for application for assistance, and other related matters.

Article 36 (Support to Project for Assisting Employment)

- (1) The Minister of Employment and Labor may, pursuant to Article 25 of the Act and subparagraph 2 of Article 35 of this Decree, provide any of the following persons with subsidies for expenses incurred for a

project carried out by him or her for providing employment support services within the budget: <Amended on Jul. 12, 2010>

1. A person who provides job placement services free of charge as prescribed in Article 18 of the Employment Security Act and a person who provides premium job placement services under Article 19 of the said Act;
 2. A person who engages in the business of providing job information, as prescribed in Article 23 of the Employment Security Act;
 3. Any person, other than those stated above, who is deemed capable of engaging in the business of providing employment support services by the Minister of Employment and Labor.
- (2) The Minister of Employment and Labor shall, when he or she provides the subsidies as prescribed in paragraph (1), publicly announce, in advance, the type and details of the projects eligible for the subsidies, the scope of the eligible insured, etc., the details and standards of the subsidies, and the method of application. <Amended on Mar. 12, 2009; Jul. 12, 2010>

Article 37 (Support for Improving Employment Circumstances for Seniors)

- (1) The Minister of Employment and Labor may, pursuant to Article 25 of the Act and subparagraph 3 of Article 35 of this Decree, grant subsidies or loans to cover part of the expenses to a business owner who intends to install or improve facilities or equipment necessary for stabilizing and facilitating employment of the insured, etc. who are seniors, women, or the disabled, within the budget. <Amended on Jul. 12, 2010>
- (2) Necessary matters concerning the selection of persons eligible for the subsidies or loans prescribed in paragraph (1) and the requirements therefor, and other matters necessary to provide such subsidies or loans shall be prescribed by the Minister of Employment and Labor. <Amended on Jul. 12, 2010>

Article 37-2 (Support for Employment Security of Fixed-Term Employees)

- (1) The Minister of Employment and Labor may, pursuant to Article 25 of the Act, grant subsidies to cover part of necessary expenses to a business owner who intends to carry out programs specified in subparagraphs 2 and 5 through 7 of Article 35, within the budget. <Amended on Dec. 4, 2015; Jun. 27, 2017>
- (2) The selection of persons eligible for subsidies under paragraph (1) and the requirements therefor, and other matters necessary for subsidies, shall be prescribed by the Minister of Employment and Labor.

Article 37-3 (Loan to Enterprises Eligible for Priority Support for Expenses for Retaining Employees)

- (1) The Minister of Employment and Labor may lend money to the business owners of enterprises eligible for priority support taking employee retention measures under Article 25 of the Act and subparagraph 8 of Article 35 of this Decree to cover expenses to compensate for wages of the insured within the budget.
- (2) The Minister of Employment and Labor shall decide whether to lend money after undergoing procedures for verifying whether the loan seekers under paragraph (1) are eligible for loans.

(3) Other than matters prescribed in paragraphs (1) and (2), details necessary for operating loan programs such as revocation of a decision to make loans and repayment of loan amounts shall be prescribed and publicly notified by the Minister of Employment and Labor.

Article 38 (Support for Facilities for Employment Promotion)

(1) "Other facilities for promotion of employment prescribed by Presidential Decree" referred to in Article 26 of the Act means the following facilities: *<Am ended by Dec. 30, 2009; Jul. 12, 2010; Mar. 31, 2020>*

1. Necessary facilities installed and operated by a local government to promote the employment of underprivileged groups in the job market pursuant to Article 11 (4) of the Framework Act on Employment Policy;
2. Facilities operated for supporting employment by schools designated by the Minister of Employment and Labor among schools prescribed in subparagraphs 1, 2, and 4 of Article 2 of the Higher Education Act;
3. Schools designated by the Minister of Employment and Labor from among special-purpose high schools and specialized high schools prescribed in Articles 90 and 91 of the Enforcement Decree of the Elementary and Secondary Education Act;
4. Talent banks of the aged prescribed in Article 11 of the Act on Prohibition of Age Discrimination in Employment and Elderly Employment Promotion;
5. Other facilities designed to stabilize and promote the employment of the insured, etc. and to secure human resources for business owners, as prescribed by Ordinance of the Ministry of Employment and Labor.

(2) The Minister of Employment and Labor may, pursuant to Article 26 of the Act, grant subsidies to cover expenses incurred in installing and operating a facility for the promotion of employment by a person who installs and operates such facility. *<Amended on Dec. 30, 2009; Jul. 12, 2010>*

(3) Matters necessary for subsidization of facilities for promotion of employment referred to in paragraph (1) shall be prescribed by the Minister of Employment and Labor. *<Amended on Jul. 12, 2010>*

(4) The Minister of Employment and Labor may, pursuant to Article 26 of the Act, grant subsidies to cover expenses incurred in operating a child care center installed and operated, independently or collaboratively, by a business owner, as prescribed by Ordinance of the Ministry of Employment and Labor. In such cases, a higher level of subsidy may be granted to the business owners of enterprises eligible for priority support (including their association that consists of at least 50/100 of the enterprises eligible for priority support, and only referring to the cases where the number of children of the insured belonging to the enterprises eligible for priority support (limited to the insured guardians defined in subparagraph 4 of Article 2 of the Child Care Act), among the infants looked after at a workplace child care center established and operated by the relevant business owner, is at least 50/100 of the total number of the infants taken care of, based on the last day of every month; hereafter in this Article the same shall apply). *<Amended on Jul. 12, 2010; Dec. 8, 2011; Dec. 24, 2013; Dec. 4, 2015; Dec. 26, 2017; Dec. 29, 2020>*

(5) The Minister of Employment and Labor may, pursuant to Article 26 of the Act, grant subsidies or loans to cover some of the expenses incurred in installing child care centers by a business owner or an employers' association that intends to install and operate such facility independently or collaboratively, as determined by the Minister of Employment and Labor. In such cases, higher levels of loans or subsidies may be granted to the business owners of enterprises eligible for priority support, the business owners who intend to install child care centers for disabled children or infants, or their association. <Amended on Feb. 8, 2010; Jul. 12, 2010; Dec. 8, 2011; Dec. 24, 2013>

Article 39 (Special Cases concerning Projects subject to Blanket Application)

The individual projects that become subject to blanket application, as prescribed in Article 8 of the Act on Employment and Industrial Accident Premium Collection shall be deemed a single project for purposes of applying Articles 17, 19, 24, 25, 25-2, 26, and 29. <Amended on Sep. 18, 2008; Dec. 31, 2010; Sep. 15, 2011; Mar. 31, 2020; Jun. 8, 2021>

Article 40 (Adjustment of Subsidies)

(1) Where a business owner who meets the requirements for granting subsidies for retaining employees prescribed in Article 19 has satisfied the eligibility requirements for expenses prescribed in Article 17, expenses prescribed in Article 22-2 (1), incentives for employment promotion prescribed in Article 26, incentives for continued employment of seniors prescribed in Article 28-4 during the implementation period of the employee retention measures, the business owner shall be granted subsidies for retaining employees prescribed in Article 19 except the subsidies or incentives. <Amended on Sep. 18, 2008; Feb. 8, 2010; Dec. 31, 2010; Sep. 15, 2011; Dec. 30, 2016; Mar. 31, 2020; Jun. 9, 2020; Jun. 8, 2021>

(2) Where a business owner becomes simultaneously eligible for at least two of the following subsidies or incentives for the same employee, only one of them shall be granted to the business owner at his or her request: Provided, That where a business owner becomes simultaneously eligible for both a subsidy to be provided when the business requiring employment assistance pursuant to Article 17 (1) 4 additionally hires unemployed youths within an age range determined by the Minister of Employment and Labor (hereafter in this Article referred to as "youth") and a subsidy to be provided to support the long-term employment of youths employed by a small or medium enterprise pursuant to subparagraph 2 of Article 35, both of them may be granted to the business owner: <Amended on Dec. 4, 2015; Dec. 30, 2016; Dec. 12, 2017; Oct. 2, 2018; Dec. 31, 2018; Dec. 31, 2019; Mar. 31, 2020>

1. A subsidy prescribed in Article 17 (1) 3 through 7;
2. A subsidy for promotion of local employment prescribed in Article 24;
3. A subsidy for extending employment of seniors prescribed in Article 25;
4. A subsidy for employment of seniors aged at least 60 years prescribed in Article 25-2;
5. An incentive for employment promotion prescribed in Article 26;

6. An incentive for continued employment of seniors under Article 28-4;
 7. An incentive for employment security during the period of childbirth and child care prescribed in Article 29 (1) 3;
 8. A subsidy to be provided to business owners prescribed in subparagraphs 1 through 7 of Article 35;
 9. A subsidy for operating expenses of workplace child care centers prescribed in Article 38 (4).
- (3) If a business owner concurrently meets the requirements for granting subsidies to cover expenses prescribed in Article 17 (1) 1 and 2, only one of those subsidies shall be granted upon request by the business owner. <Amended on Sep. 18, 2008; Dec. 31, 2010; Sep. 15, 2011>
- (4) If a business owner who receives any of the subsidies prescribed in paragraph (3) meets the requirements for receiving any of the subsidies or incentives under paragraph (2) during the period for which the business owner receives the relevant subsidies, the amount calculated by multiplying the amount of the corresponding subsidies or incentives among those prescribed in paragraph (2) by the rate determined and publicly notified by the Minister of Employment and Labor shall be granted upon request by the business owner. <Amended on Jul. 12, 2010; Dec. 31, 2010; Dec. 30, 2016>
- (5) Where a business owner eligible for incentives for the promotion of employment of seniors pursuant to Article 18 of the Addenda to the Enforcement Decree of the Employment Insurance Act (Presidential Decree No. 22603) also satisfies the requirements for receiving subsidies for employment of seniors aged at least 60 years prescribed in Article 25-2, only one of those incentives or subsidies shall be granted upon request by the business owner. <Newly Inserted on Jan. 13, 2012>
- (6) If an employee simultaneously meets the requirements for at least two types of subsidies under Articles 28 or 28-2, only one of those subsidies shall be granted upon choice of the relevant employee. <Amended on Dec. 4, 2015; Dec. 31, 2019>

Article 40-2 (Restrictions on Subsidization)

"Cases prescribed by Presidential Decree" in Article 26-2 of the Act means where a business owner falls under any of the following by newly employing employees or by taking employee retention measures:

1. Where a business owner receives subsidies and other financial assistance pursuant to the North Korean Refugees Protection and Settlement Support Act;
2. Where a business owner receives subsidies and other financial assistance pursuant to the Industrial Accident Compensation Insurance Act;
3. Where a business owner receives subsidies and other financial assistance pursuant to the Act on the Employment Promotion and Vocational Rehabilitation of Persons with Disabilities;
4. Other cases where a business owner receives financial assistance from the State or local governments.

Article 41 (Subsidization for business owners of Vocational Skills Development Training)

(1) "Vocational skills development training prescribed by Presidential Decree" in Article 27 (1) of the Act means vocational skills development training courses recognized under Article 24 (1) of the Act on the

Development of Vocational Skills of Workers, which refer to any of the following training courses or courses of work in parallel with vocational training recognized under Article 15 (2) of the Act on Support for Work in Parallel With Vocational Training in the Industrial Field: <Amended on Jul. 12, 2010; Dec. 31, 2010; Jan. 13, 2012; Dec. 30, 2016; Mar. 31, 2020; Aug. 27, 2020; Jun. 8, 2021>

1. A training course for vocational skills development conducted for the insured [excluding the insured defined in subparagraph 1 (b) of Article 2 of the Act (hereinafter referred to as "insured self-employed person")];
 2. A training course for vocational skills development offered for persons who are not the insured, but employed by the relevant business owner;
 3. A training course for vocational skills development offered for persons that are considered to be employed by the relevant business or any business relating to such business;
 4. A training course for vocational skills development offered for persons who have registered themselves with an employment security office for finding a job;
 5. A training course for vocational skills development offered for the insured (excluding insured self-employed persons) employed by the relevant business during paid leave (which shall not be annual paid leave prescribed in Article 60 of the Labor Standards Act, but which means leave paid with the wage equal to, or greater than the ordinary wage prescribed in Article 6 of the Enforcement Decree of the Labor Standards Act (hereinafter referred to as "ordinary wage") for the period of leave granted in compliance with any of the following requirements:
 - (a) A business owner of an enterprise eligible for priority support or a business owner who has a regular workforce of less than 150 employees (hereafter in this subparagraph referred to as "business owner of an enterprise eligible for priority support, etc.") shall grant paid leave of at least 5 consecutive days to his or her employees to enable them to attend the training course for at least 20 hours;
 - (b) Any business owner of an enterprise eligible for priority support, etc. shall continuously grant paid leave of at least 30 days to the relevant employees to have them attend the training course for at least 120 hours and employ substitute employees;
 - (c) Deleted; <Jun. 8, 2021>
 - (d) Any business owner other than a business owner of an enterprise eligible for priority support, etc. shall continuously grant paid leave of at least 60 days to employees who have been employed for one year or longer to have them attend the training course for at least 180 hours;
 - (e) Deleted; <Jun. 8, 2021>
 - (f) A business owner shall grant paid leave to employees who are engaged in production or any related work, as publicly notified by the Minister of Employment and Labor, in order to encourage them to improve the skills and techniques to have them attend the training course for at least 20 hours.
- (2) Subsidies for vocational skills development training under paragraph (1) shall be any of the following amounts: <Amended on Aug. 27, 2020>

1. A subsidy for vocational skills development training prescribed in any subparagraph of paragraph (1): An amount obtained by multiplying training expenses (limited to expenses that satisfy the standards publicly notified by the Minister of Employment and Labor) by a rate publicly notified by the Minister of Employment and Labor in consideration of the size of the business, etc.: Provided, That a subsidy for the following vocational skills development training shall be the amount prescribed in the main clause plus the amounts classified as follows.:

(a) Vocational skills development training prescribed in paragraph (1) 3 and 4: Training allowances determined and publicly notified by the Minister of Employment and Labor;

(b) Vocational skills development training prescribed in paragraph (1) 5: Of the wages paid during a period of paid leave and the wages paid to substitute employees under paragraph (1) 5 (b), an amount determined and publicly notified by the Minister of Employment and Labor;

2. A subsidy for work in parallel with vocational training recognized under Article 15 (2) of the Act on Support for Work in Parallel With Vocational Training in the Industrial Field: An amount obtained by multiplying training expenses publicly notified by the Minister of Employment and Labor by a rate publicly notified by the Minister of Employment and Labor in consideration of the type of training, occupational type, business size, etc. plus prices for boarding and lodging and training incentives.

(3) "Person prescribed by Presidential Decree" in Article 27 (2) 6 of the Act means a person falling under any of the following subparagraphs: *<Amended on Jun. 27, 2017>*

1. Employees engaged in any production or production-related job who are publicly notified by the Minister of Employment and Labor to encourage them to improve their skills and techniques;

2. Employees determined and publicly notified by the Minister of Employment and Labor, to whom a shift work system is newly applied after a business owner newly adopts such shift work system under which the employees are divided into groups to work on a shift basis in order to realize job creation under Article 20 of the Act or after a business owner increases the number of existing employees' groups to a shift work system is applied (limited to the cases of operating not more than four groups);

3. Employees employed on the condition of receiving vocational skills development training and evaluation.

(4) Where the Minister of Employment and Labor intends to preferentially assist a business owner who conducts vocational skills development training for employees falling under any subparagraphs of Article 27 (2) of the Act with expenses necessary for such training, he or she shall determine and publicly announce the level of such assistance in consideration of training expenses, wages paid to persons eligible to receive training and substitute employees during a period of their training, and other expenses necessary for such training. *<Newly Inserted on Jun. 27, 2017>*

(5) With respect to vocational skills development training, the extent of assisting training expenses training allowances, the maximum amount of assistance, the procedures for applying for assistance and other matters necessary for assistance shall be prescribed by Ordinance of the Ministry of Employment and Labor. *<Amended on Jul. 12, 2010; Jun. 27, 2017>*

Article 42 (Upper Limits of subsidies)

(1) The total annual amount of training expenses to be subsidized to a business owner under Article 28 of the Act shall be an amount equivalent to 100/100 (or 240/100 for an enterprise eligible for priority support) of either of the insurance premium for the programs for employment security and vocational training among the employment insurance premium a business owner shall pay for the pertinent year, as prescribed in Articles 13 (1) 1 and 16-3 of the Act on Employment and Industrial Accident Premium Collection, or of the insurance premium for the programs for employment security and vocational training among the estimate-based insurance premium for employment insurance a business owner shall pay for the pertinent year, as prescribed in Articles 13 (1) 1 and 17 (1) of the Act on Employment and Industrial Accident Premium Collection: Provided, That the maximum amount of the total expenses that can be subsidized to a business owner who falls under Article 18 (2) may be adjusted to 130/100 (or 300/100 for an enterprise eligible for priority support) of either of the insurance premium for the programs for employment security and vocational training among the employment insurance premium for the pertinent year the business owner shall pay for the pertinent year, or of the insurance premium for the programs for the employment security and vocational training among the estimate-based insurance premium for employment insurance the business owner shall pay for the pertinent year. *<Amended on Dec. 31, 2010; Jul. 19, 2016; Jun. 8, 2021>*

(2) Where a business owner provides training courses recognized pursuant to Article 24 of the Act on the Development of Vocational Skills of Workers to employees employed by other business owners, the business owner may receive the subsidies up to 80/100 of either of the insurance premium for the programs for employment security and vocational training among the employment insurance premium the business owner shall pay for the pertinent year, or of the insurance premium for the programs for employment security and vocational training among the estimate-based insurance premium for employment insurance the business owner shall pay for the pertinent year in addition to the subsidies under paragraph (1). *<Amended on Dec. 31, 2010; Jul. 19, 2016>*

(3) Notwithstanding paragraphs (1) and (2), the minimum amount of subsidized expenses prescribed by the Minister of Employment and Labor shall be the amount of subsidies, where the amount of the subsidies is less than the minimum amount of subsidized expenses prescribed by the Minister of Employment and Labor, considering the size and type of business. *<Amended on Jul. 12, 2010>*

(4) Any of the following subsidies shall not be included in the upper limit of subsidies for vocational skills development training for which the relevant business owner is eligible pursuant to paragraphs (1) through (3): *<Amended on Dec. 24, 2013; Jul. 19, 2016; Jul. 3, 2018; Sep. 29, 2020; Jun. 8, 2021>*

1. Subsidies for vocational skills development training prescribed in Article 41 (1) 1 to be provided for the training under Article 3 (1) 1 of the Enforcement Decree of the Act on the Development of Vocational Skills of Workers;

2. Subsidies for vocational skills development training prescribed in Article 41 (1) 3 and 4;
3. Any of the following subsidies among the subsidies for vocational skills development training prescribed in Article 41 (1) 5 (a) and (b):

- (a) An aggregate of the wages paid during paid leave and the amount corresponding to part of the wages paid to substitute employees, which is subsidized pursuant to Article 41 (2);
- (b) Expenses for vocational skills development training publicly notified by the Minister of Employment and Labor in consideration of the fields, period, etc. of vocational skills development training.

(5) Notwithstanding paragraphs (2) through (4), a business owner for whom assistance for vocational skills development programs is restricted pursuant to Article 35 (4) of the Act shall not be governed by paragraphs (2) through (4) for three years from the insurance year to which the end date of the period of restriction on subsidies or loans pursuant to Article 55 (2) of the Act on the Development of Vocational Skills of Workers belongs. <Newly Inserted on Jun. 30, 2015; Aug. 27, 2020>

Article 43 (Subsidization for Development of Employees' Vocational Skills)

(1) Where any of the following insured, etc. receives vocational skills development training, as prescribed in subparagraph 1 of Article 2 of the Act on the Development of Vocational Skills of Workers (hereinafter referred to as "vocational skills development training"), the Minister of Employment and Labor may, pursuant to Article 29 (1) of the Act, fully or partially subsidize expenses incurred, as prescribed by Ordinance of the Ministry of Employment and Labor: <Amended on Mar. 12, 2009; Jul. 12, 2010; Dec. 31, 2010; Sep. 15, 2011; Jan. 13, 2012; Dec. 24, 2013; Jun. 30, 2015; Jun. 27, 2017; Jun. 25, 2019>

- 1. An insured, etc. employed by an enterprise eligible for priority support;
- 2. An insured, etc. falling under any subparagraph of Article 27 (2) of the Act;
- 3. An insured self-employed person, etc.;
- 4. An insured, etc. scheduled to be severed from employment within 180 days from the date an application for employment training is filed with the director of an employment security office;
- 5. An insured, etc. currently on leave of absence for at least 90 days without pay for management reasons;
- 6. An insured, etc. aged at least 45 who is employed by a large enterprise and whose income is less than the amount determined and publicly notified by the Minister of Employment and Labor;
- 7. An insured, etc. who does not receive vocational skills development training conducted by an employer under Article 27 of the Act for at least three years;
- 8. An insured, etc. under child care leave under Article 19 of the Equal Employment Opportunity and Work-Family Balance Assistance Act.

(2) Expenses required for the vocational skills development training prescribed in paragraph (1) may be paid to the insured, etc. who receive such training or the institutions that conduct such training: Provided, That when an insured, etc. pay a training fee by a credit card prescribed in subparagraph 3 of Article 2 of

the Specialized Credit Finance Business Act (hereinafter referred to as "credit card") and the credit card company that issued the credit card pays the amount of the training fee to the training institution, as determined by the Minister of Employment and Labor, the Minister of Employment and Labor may pay the training fee to the credit card company on behalf of the insured, etc. who receive such training. <Newly Inserted on Dec. 24, 2013; Jun. 27, 2017; Jun. 8, 2021>

(3) Necessary matters concerning the scope of training courses for which training expenses may be subsidized pursuant to paragraph (1) and the procedure for the subsidization shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Apr. 30, 2008; Jul. 12, 2010>

Article 44 Deleted. <Sep. 15, 2011>

Article 45 (Granting Loans to Cover Skill Development Expenses)

(1) Where an insured (insured self-employed persons shall be limited to those for whom 180 days have passed in aggregate since purchase of insurance as at the date of an announcement of credit business for the relevant year) is admitted to or enrolled in any of the following schools and facilities on his or her own account pursuant to Article 29 (1), the Minister of Employment and Labor may fully or partially grant a loan for the relevant school expenses within the budget: <Amended on Jun. 5, 2008; Mar. 12, 2009; Jul. 12, 2010; Aug. 25, 2010; Jan. 13, 2012; Jun. 8, 2021>

1. Polytechnic colleges under the Act on the Development of Vocational Skills of Workers;
2. A lifelong education facility in the form of a distance learning college whose graduates shall be recognized as having an academic background and degree equivalent to that of graduates from a junior college, university, or college prescribed in Article 33 (3) of the Lifelong Education Act;
3. A school under Article 2 of the Higher Education Act.

(2) The Minister of Employment and Labor may fully or partially grant a loan to an insured who receives vocational skills development training within the budget: Provided, That this shall not apply to any of the following courses: <Amended on Jul. 12, 2010>

1. Activities of exchanging information, such as seminars and symposiums, or general culture courses on current affairs or general knowledge;
2. Courses provided as a hobby, pastime, or sports;
3. Other courses deemed inappropriate by the Minister of Employment and Labor as vocational skills development training courses.

(3) The scope of the persons eligible for loans to help cover tuition fees incurred in a foreign language course as part of vocational skills development training under paragraph (2) shall be determined by the Minister of Employment and Labor. <Amended on Jul. 12, 2010; Jun. 8, 2021>

(4) The interest rate on loans prescribed in paragraphs (1) through (3), the term of such loans, and other conditions of the loans shall be prescribed by the Minister of Employment and Labor, subject to prior consultation with the Minister of Economy and Finance. <Amended on Feb. 29, 2008; Jul. 12, 2010>

(5) Matters concerning the selection of the persons eligible for loans prescribed in paragraphs (1) through (3), the procedure for granting loans, and other matters necessary for granting such loans shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Jul. 12, 2010>

Article 46 (Subsidization of Expenses for Development of Abilities)

(1) The Minister of Employment and Labor may, pursuant to Article 29 (1) of the Act, pay all or some of the school expenses, within the budget, on behalf of the insured of enterprises eligible for priority support (excluding insured self-employed persons), who are admitted to or enrolled in a school or facility falling under any subparagraph of Article 45 (1) and who demonstrates excellent academic performance.

<Amended on Jul. 12, 2010; Jan. 13, 2012; Jun. 8, 2021>

(2) Necessary matters concerning the selection of persons eligible for subsidization under paragraph (1), the amount and methods of such subsidization shall be prescribed by the Minister of Employment and Labor. <Amended on Jul. 12, 2010>

Article 47 (Assistance in Employment Training)

(1) The Minister of Employment and Labor may provide vocational training courses for the unemployed that are deemed necessary for starting a business or finding jobs, as prescribed in Article 29 (2) of the Act:

<Amended on Jul. 12, 2010; Sep. 15, 2011; Dec. 24, 2013>

1. Deleted; <Dec. 24, 2013>

2. Deleted; <Dec. 24, 2013>

3. Deleted; <Dec. 24, 2013>

4. Deleted. <Dec. 24, 2013>

(2) The expenses incurred in connection with the training courses for employment under paragraph (1) may be paid to persons who attend such training courses or the institutions that provide such training courses: Provided, That where a person who receives training has paid training fees with credit cards, as determined by the Minister of Employment and Labor, and a credit card company that issued the credit card has paid the training fee to the training institution, the Minister of Employment and Labor may pay the training fee to the relevant credit card business company on behalf of the trainee. <Amended on Dec. 3, 2008; Jul. 12, 2010; Jun. 8, 2021>

(3) Where an unemployed person who attends an employment training course prescribed in paragraph (1) is not eligible for job-seeking benefits prescribed in Article 43 (1) of the Act, the Minister of Employment and Labor may pay him or her the training allowance. <Amended on Jul. 12, 2010; Sep. 15, 2011; Dec. 24, 2013>

(4) The Minister of Employment and Labor may extend a loan to fully or partially cover training expenses to a person who was formerly insured, but am now unemployed and who attends the employment training course prescribed in paragraph (1). <Amended on Jul. 12, 2010; Sep. 15, 2011; Dec. 24, 2013; Jun. 8, 2021>

(5) Matters concerning the selection of persons eligible for loans prescribed in paragraph (4), procedures for extending such loans, the number of such loans extended, and other necessary matters for extension of such loans shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Jul. 12, 2010>

(6) The institutions offering training courses for employment prescribed in paragraph (1) and other matters necessary for the implementation of employment training courses shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Jul. 12, 2010; Sep. 15, 2011>

Article 47-2 (Loan for Living Expenses during Vocational Skills Development Training)

(1) "Low-income insured persons, etc. prescribed by Presidential Decree" in Article 29 (3) of the Act means those who meet the selection standards determined and publicly notified by the Minister of Employment and Labor in consideration of the income level and the history of loans, among the following persons: <Amended on Jun. 9, 2020>

1. An insured under subparagraph 1 (a) of Article 2 of the Act who is on leave without receiving money and valuables including leave benefits;
2. An insured self-employed person;
3. An insured, etc. falling under any subparagraph of Article 27 (2) of the Act;
4. A person formerly insured while being unemployed (excluding those who are receiving unemployment benefits under Chapter IV of the Act) when he or she applied for loans to cover living expenses under Article 29 (3) of the Act;
5. An insured, etc. who falls under subparagraph 5 (f) of Article 35;
6. Other insured, etc. deemed to need loans to cover living expenses by the Minister of Employment and Labor.

(2) The living expenses prescribed in Article 29 (3) of the Act may be loaned within the budget.

(3) The Minister of Employment and Labor shall determine whether to extend loans for living expenses incurred in the execution of vocational skills development training to an applicant who receives such training by verifying whether the applicant meets the eligibility for loans prescribed in paragraph (1).

<Amended on Jul. 12, 2010>

(4) Matters concerning application for loans prescribed in paragraph (3), procedures for determining whether to extend loans, loan cancellation, the amount of loan and methods for repayment, etc. and other necessary matters concerning the operation of a loan mechanism shall be determined and publicly notified by the Minister of Employment and Labor. <Amended on Jul. 12, 2010>

Article 48 (Loans for Expenses Incurred by Vocational Skills Development Training Facilities)

(1) Pursuant to Article 30 of the Act, the Minister of Employment and Labor may grant a loan, within the budget, to a business owner, an employers' association, or an employee' association, which has conducted or intends to conduct vocational skills development training, a juristic person established with permission

from the Minister of Employment and Labor to offer vocational skills development training pursuant to Article 32 of the Act on the Development of Vocational Skills of Workers, and a person who installs and operates a designated vocation training facility prescribed in subparagraph 3 (b) of Article 2 of that Act to defray the expenses incurred in installing vocational skills development training facilities and purchasing equipment for such facilities. *<Amended on Jul. 12, 2010; Jun. 8, 2021>*

(2) The interest rates on loans prescribed in paragraph (1), the term of such loans, and other conditions of the loans shall be prescribed by the Minister of Employment and Labor, subject to prior consultation with the Minister of Economy and Finance. In such cases, a different interest rate may be set for the business owner of an enterprise eligible for priority support, an employers' association of such enterprises, and a business owner or an employers' association that has implemented or intends to implement a vocational skills development program under Article 52 (1) 6. *<Amended on Feb. 29, 2008; Jul. 12, 2010>*

(3) Necessary matters concerning loan limits to cover expenses prescribed in paragraph (1) and the procedure for the extension of such loans shall be prescribed by Ordinance of the Ministry of Employment and Labor. *<Amended on Jul. 12, 2010>*

Article 49 (Subsidization of Vocational Skills Development Training Facilities)

(1) Pursuant to Article 30 of the Act, the Minister of Employment and Labor may subsidize part of the expenses incurred in installing a facility or purchasing equipment, within the budget, where a business owner, employers' association, or federation of such organizations, independently or collaboratively, installs a facility for vocational skills development training or purchases equipment for such facility in order to conduct training in any of the occupations publicly notified by the Minister of Employment and Labor, including the governmental organizations and strategic industries under Article 15 of the Act on the Development of Vocational Skills of Workers, or where a public organization that has installed a public vocational training facility pursuant to subparagraph 3 (a) of Article 2 of the Act on the Development of Vocational Skills of Workers improves or repairs an antiquated facility or purchases equipment. In such cases, a business owner who runs an enterprise eligible for priority support, an employers' association of such enterprises, or a business owner or an employers' association that carries out vocational skills development programs prescribed in Article 52 (1) 6 may be granted preferential treatment. *<Amended on Jul. 12, 2010; Mar. 31, 2020>*

(2) Necessary matters concerning limits on and procedures for the subsidization prescribed in paragraph (1) shall be prescribed by Ordinance of the Ministry of Employment and Labor. *<Amended on Jul. 12, 2010>*

Article 50 Deleted. *<Apr. 30, 2008>*

Article 51 (Subsidization of Qualification Testing Programs)

(1) Pursuant to Article 31 (1) 2 of the Act, the Minister of Employment and Labor may fully or partially grant subsidies to cover expenses incurred in either of the following programs to a person who provides

such program: *<Amended on Sep. 18, 2008; Jul. 12, 2010>*

1. A qualification test program conducted by a business owner in order to improve skills of employees;
2. A program conducted by a testing institution for national technical qualifications prescribed in the National Technical Qualifications Act for convenience of the insured in acquiring qualifications.

(2) A qualification test program prescribed in paragraph (1) 1 shall meet each of the following requirements: *<Amended on Jul. 12, 2010>*

1. The qualification test program shall be conducted by the relevant business owner, independently or collaboratively, for the employees employed by the relevant business or any business relating to such business;
2. The tested qualification shall be directly related to knowledge and skills required for the relevant business;
3. A rule shall be established and implemented to preferentially treat employees who acquire the relevant qualifications in promotion or rise in rank, or in pay;
4. No expense, including any testing fee, shall be charged in connection with the testing program to the employees who wish to acquire the relevant qualification;
5. No qualification test program shall be conducted for profit;
6. The program shall meet the requirements prescribed by Ordinance of the Ministry of Employment and Labor.

(3) Necessary matters concerning application for subsidization of the expenses prescribed in paragraph (1) and the method of subsidization shall be prescribed by Ordinance of the Ministry of Employment and Labor. *<Amended on Jul. 12, 2010>*

Article 52 (Promotion of Vocational Skills Development)

(1) "Programs prescribed by Presidential Decree" in Article 31 (1) 3 of the Act means the following projects: *<Amended on Mar. 12, 2009; Feb. 8, 2010; Jul. 12, 2010; Aug. 25, 2010; Jan. 13, 2012; Mar. 31, 2020>*

1. Projects concerning surveys and research on vocational skills development programs;
2. Projects concerning education and public relations for vocational skills development programs;
3. Projects concerning the development, compilation, and distribution of medium for vocational skills development training;
4. Vocational skills development projects conducted collaboratively by an employers' association, employees' association, or federation of such organizations;
5. Projects concerning support for the accreditation system for good enterprises in the development of human resources;
6. Vocational skills development projects conducted by a business owner, an employers' association, or a school prescribed in Article 2 of the Higher Education Act after entering into an agreement with two or more business owners who conduct vocational skills development training for their employees;

7. Projects concerning education and training conducted for nurturing and developing skills of the trainers for vocational skills development prescribed in Articles 36 and 37 of the Act on the Development of Vocational Skills of Workers and the staff in charge of the development of human resources prescribed in Article 19 (1) 7 of the Enforcement Decree of that Act;
8. Workplace skill development projects conducted pursuant to Article 12 of the Act on the Development of Vocational Skills of Workers;
9. Educational and training projects conducted in accordance with an educational or training curriculum of a polytechnic college, as prescribed in Article 40 of the Act on the Development of Vocational Skills of Workers;
10. Vocational skills development training conducted in order to improve the performance of essential duties of a business owner or employees of an enterprise eligible for priority support (which shall be limited to exceptional training programs determined by the Minister of Employment and Labor);
11. Vocational skills development projects conducted in order for employees of enterprises eligible for priority support to have extended opportunities to obtain knowledge on their jobs or promote the systemization of their learning so that the knowledge on duties within such enterprises can be accumulated and shared easily;
12. Vocational skills development projects conducted to improve the skills of business owners or staff in charge of the development of human resources in enterprises eligible for priority support for developing human resources;
13. Systematic support projects for on-site training for enterprises eligible for priority support;
14. Deleted; <Dec. 31, 2010>
15. Other projects designed to promote vocational skills development.

(2) Where the vocational skills development projects prescribed in paragraph (1) 6 are executed, the Minister of Employment and Labor shall directly grant to the implementers of the relevant vocational skills development projects the aggregated amount the ratio of which is determined and publicly notified by the Minister of Employment and Labor (hereafter in this paragraph referred to as "individual amount") out of the maximum amount of the subsidies for annual training expenses for vocational skills development which each of the business owners who entered into agreement is entitled to receive pursuant to Article 42 (1) through (3). In such cases, such amount shall be deemed to have been subsidized for each of the business owners who entered into agreement, within the limit of subsidized expenses pursuant to Article 42 (1) through (3). <Newly Inserted on Jan. 13, 2012>

(3) Necessary matters concerning application for the subsidization of expenses prescribed in paragraph (1) and the method of such subsidization shall be prescribed by the Minister of Employment and Labor. <Amended on Jul. 12, 2010; Jan. 13, 2012>

Article 53 (Implementation of Entrusted Training Programs for Development of Occupational Abilities)

(1) When the Minister of Employment and Labor intends to entrust the execution of vocational skills development training programs pursuant to Article 31 (2) of the Act, he or she shall establish annual plans to implement the training vocational skills development programs which he or she intends to entrust.

<Amended on Jul. 12, 2010>

(2) The programs for vocational skills development training prescribed in paragraph (1) shall be construed as vocational skills development training for occupations relating to the national infrastructure and strategic industries pursuant to Article 15 of the Act on the Development of Vocational Skills of Workers (hereinafter referred to as "training for occupations relating to the national infrastructure and strategic industries"). *<Amended on Dec. 31, 2010>*

(3) Training for occupations relating to the national infrastructure and strategic industries shall be conducted by facilities or institutions entrusted pursuant to each subparagraph of Article 12 of the Enforcement Decree of the Act on the Development of Vocational Skills of Workers. *<Amended on Dec. 31, 2010>*

(4) Matters necessary for the performance of training for occupations relating to the national infrastructure and strategic industries, such as trainees, training procedures, training expenses and allowances, etc. of the training for occupations relating to the national infrastructure and strategic industries shall be prescribed by Ordinance of the Ministry of Employment and Labor. *<Amended on Jul. 12, 2010; Dec. 31, 2010>*

Article 54 (Subsidization of Vocational Skills Development of Construction Workers)

(1) Where a business owner of a construction business or employers' association conducts vocational skills development training in order to develop and improve vocational skills of construction workers who are not employed at a specific place of business, as determined and publicly notified by the Minister of Employment and Labor, the Minister of Employment and Labor may, pursuant to Article 32 of the Act, partially subsidize expenses incurred therein, and may also subsidize expenses incurred in training, where a training allowance is paid to such construction workers during the training period. *<Amended on Jul. 12, 2010; Jun. 8, 2021>*

(2) As to the subsidization of the training expenses for vocational skills development prescribed in paragraph (1), Article 41 (2) shall apply mutatis mutandis.

Article 55 (Support for Local Governments and Others)

(1) "Non-profit corporation or organization prescribed by Presidential Decree" in Article 34 of the Act means a non-profit juristic corporation established pursuant to Acts or established with permission or authorization from the State or a local government or a non-profit organization registered pursuant to the Assistance for Non-Profit, Non-Governmental Organizations Act.

(2) Where a local government or a non-profit juristic person or organization, as prescribed in paragraph (1) carries out a project for employment security and promotion of employment of the insured in its area and the vocational skills development, the Minister of Employment and Labor may, pursuant to Article 34 of

the Act, subsidize all or part of the expenses of such project within the budget. <Amended on Jul. 12, 2010>

(3) The Minister of Employment and Labor shall, when he or she intends to subsidize expenses pursuant to paragraph (2), issue a prior public announcement of the type and details of the eligible projects, the requirement, details, and standards of such subsidization, and the methods of application for such subsidization. <Amended on Jul. 12, 2010>

Article 56 (Restrictions on Granting of Subsidies on Account of Improper Acts)

(1) Where a person has received, or intends to receive, any of the subsidies or incentives specified in Articles 17, 19, 21-3, 21-4, 22, 22-2, 24, 25, 25-2, 26, 28, 28-2, 28-4, 29, 33, 35, 35-2, 36, 37, 37-2, 38, and 55 by fraud or other improper means, the Minister of Employment and Labor shall not grant, pursuant to Article 35 (1) of the Act, the unpaid amount of the subsidies or incentives that the person intends to receive, and shall also order such person to return the subsidies or incentives that have already been paid to him or her by fraud or other improper means. <Amended on Dec. 31, 2010; Sep. 15, 2011; Dec. 24, 2013; Dec. 31, 2014; Jul. 19, 2016; Dec. 30, 2016; Dec. 31, 2019; Mar. 31, 2020; Jun. 9, 2020>

(2) With respect to a person that has received, or intends to receive, any of the subsidies or incentives specified in paragraph (1) by fraud or other improper means as referred to in Article 35 (1) of the Act, the Minister of Employment and Labor shall impose restrictions on the payment of subsidies or incentives during the period specified in attached Table 2 in relation to any subsidy or incentive that falls under any of the subsidies or incentives specified in paragraph (1) that are to be newly granted, within one year from the date the Minister has issued an order to return or restricted the payment thereof under paragraph (1): Provided, That the period of the aforementioned payment restriction may be reduced up to one third of the said period of payment restriction, considering the extent of such impropriety, motivation, results, etc. <Amended on Feb. 8, 2010; Jul. 12, 2010; Dec. 31, 2010; Oct. 29, 2012; Dec. 30, 2016>

(3) A person who receives an order to return under paragraph (1) (including an order for an additional payment under Article 35 (2) of the Act; hereafter in this Article the same shall apply) shall pay the notified amount within 30 days from the date a notice thereof is issued to him or her. In such cases, such payment shall be made in lump sum, but it may be paid in installments, as determined by the Minister of Employment and Labor, where the amount of payment exceeds 10 million won. <Amended on Feb. 8, 2010; Jul. 12, 2010; Dec. 31, 2010>

(4) Where a person who was ordered to return subsidies under paragraphs (1) and (3), or Article 56 of the Act on the Development of Vocational Skills of Workers (limited to orders to return the amount subsidized or loaned in the form of a fund) fails to meet such obligation of payment within the given period, no subsidies or incentives specified in the Act or training expenses for vocational skills development specified in the Act on the Development of Vocational Skills of Workers shall be paid to him or her from the date such period ends until the date said obligation is fulfilled. <Amended on Feb. 8, 2010; Aug. 25, 2010; Dec. 31, 2010; Dec. 30, 2016; Jun. 8, 2021>

Article 57 (Vicarious Execution of Business Affairs)

(1) "Any person prescribed by Presidential Decree" referred to in Article 36 of the Act means the following: <Amended on Aug. 25, 2010>

1. The Human Resources Development Service of Korea prescribed in the Human Resources Development Service of Korea Act (hereinafter referred to as the "Human Resources Development Service of Korea");
2. Polytechnic colleges under the Act on the Development of Vocational Skills of Workers;
3. Workplace skills development organizations prescribed in Article 23 of the Act on the Development of Vocational Skills of Workers.

(2) When the Minister of Employment and Labor commissions a person to carry out any of his or her business affairs on his or her behalf pursuant to Article 36 of the Act, he or she shall subsidize the expenses incurred in carrying out such affairs through the fund. <Amended on Jul. 12, 2010>

CHAPTER IV UNEMPLOYMENT BENEFITS

Article 58 (Decision and Notice of Payment of Unemployment Benefits)

The head of an employment security office shall, after deciding whether to pay unemployment benefits, give notice of the decision in writing to the applicant: Provided, That a notice of a decision to pay unemployment benefits may be substituted by the issuance of a certificate of eligibility for benefits prescribed in Article 62 stating the fact of such decision, and where the applicant agrees, such notice may be delivered through information and communications networks. <Amended on Dec. 30, 2016; Jun. 8, 2021>

Article 58-2 (Unemployment Benefit Receipt Accounts)

(1) "Unavoidable reasons prescribed by Presidential Decree" in the proviso of Article 37-2 (1) of the Act means all of the following: <Amended on Jun. 8, 2021>

1. That an eligible recipient falls under subparagraph 8 of Article 65 and resides in an area with no available financial institutions;
2. That it is impracticable to pay unemployment benefits to the eligible recipient through a financial institution for the reason prescribed in subparagraph 1 within 14 days after the date of filing an application for unemployment benefits.

(2) If it is impracticable to transfer unemployment benefits to a designated account opened in the name of the eligible recipient under the main clause of Article 37-2 (1) of the Act (hereinafter referred to as "unemployment benefit receipt account") due to any failure in the information and communication system or for the reason prescribed in paragraph (1) under the proviso of Article 37-2 (1) of the Act, the head of the employment security office may pay the amount of the unemployment benefits in cash directly to the eligible recipient.

(3) The head of an employment security office shall give notice to an applicant who applied for recognition of eligibility for benefits, as prescribed in Article 61 of the fact that he or she can receive the relevant unemployment benefits through the unemployment benefit receipt account at his or her own choice.

Article 58-3 (Amount of Unemployment Benefits Unseizable)

“Amount prescribed by Presidential Decree” in Article 38 (2) of the Act means the full amount transferred to the unemployment benefit receipt account pursuant to Article 37-2 (1) of the Act. <Amended on Dec. 26, 2017>

Article 59 (Preparation of Benefit Ledger)

(1) The head of an employment security office shall, when paying unemployment benefits, prepare a benefit ledger for each recipient to whom unemployment benefits are paid.

(2) The head of an employment security office shall, upon receipt of a request from a person who has any relation with the insurance, allow him or her to inspect the benefit ledger, and shall issue a certificate thereof, if deemed necessary.

Article 60 (Grounds for Extension of Standard Period)

“Other grounds prescribed by Presidential Decree” in Article 40 (2) 1 of the Act means the following: Provided, That the acceptance of money and valuables prescribed by the Minister of Employment and Labor pursuant to the proviso to subparagraph 5 of Article 2 of the Act shall be excluded herefrom:

<Amended on Jul. 12, 2010; Sep. 17, 2019>

1. Business suspension of a place of business;
2. Leave related to pregnancy, childbirth, or child care;
3. Other grounds determined and publicly notified by the Minister of Employment and Labor as a leave of absence or any other similar situation.

Article 60-2 (Calculation of Number of Qualifying Days in Covered Employment)

(1) The number of qualifying days in covered employment for an insured employee falling under Article 41 (3) of the Act shall be deemed to meet the requirements for the number of qualifying days in covered employment under Article 40 (1) 1 of the Act if it satisfies the following calculation formula.

$1 \times \text{the number of qualifying days in covered employment as an employee (calculated on a daily basis)} \div 180 \text{ days} + \text{the number of qualifying days in covered employment as an artist under Article 77-2 (1) of the Act (calculated on a monthly basis)} \div 9 \text{ months} + \text{the number of qualifying days in covered employment as a worker under Article 77-6 (1) of the Act (calculated on a monthly basis)} \div 12 \text{ months}$

(2) Where an insured employee falling under Article 41 (3) of the Act falls under the following cases, the calculation formula under paragraph (1) shall be established pursuant to the relevant subparagraphs:

1. Where the insured employee is insured as an employee, an artist under Article 77-2 (1) of the Act, and as a worker under Article 77-6 (1) of the Act simultaneously during the base period prescribed in Article 40 (2) of the Act: To be included only in the number of qualifying days in covered employment as an employee;
2. Where the insured employee is insured both as an artist under Article 77-2 (1) of the Act and as a worker under Article 77-6 (1) of the Act during the base period under Article 40 (2) of the Act: To be included only in the number of qualifying days in covered employment favorable to the insured employee during the qualifying days in covered employment as an artist or worker.

Article 61 (Application for Job and Application for Recognition of Eligibility for Benefits)

(1) A person who intends to file a report on his or her unemployment status pursuant to Article 42 of the Act shall file an application for a job prescribed in Article 9 of the Employment Security Act via the electronic network. *<Amended on Sep. 15, 2011; Jun. 8, 2021>*

(2) A person who filed an application for a job pursuant to paragraph (1) shall file an application for recognition of eligibility for benefits with the head of an employment security office having jurisdiction over his or her place of residence, and he or she may do so with the head of a relevant employment security office in any of the following cases: *<Newly Inserted on Sep. 15, 2011; Jan. 13, 2012>*

1. Where he or she intends to do so with the head of an employment security office having jurisdiction over the area in which the applicant wishes to find a job;
2. Where he or she intends to do so with the head of an employment security office having jurisdiction over the place of business in which the applicant worked before severance of his or her employment;
3. Where he or she intends to do so with the head of an employment security office having jurisdiction over the area nearby in which transportation is deemed more convenient than that of an employment security office having jurisdiction over his or her place of residence.

(3) Where there is a certificate of severance issued by the business owner under Article 42 (3) of the Act, a person who intends to file a report on his or her unemployment status pursuant to paragraph (1) shall submit the certificate to the head of a competent employment security office of his or her domicile. *<Amended on Sep. 15, 2011; Aug. 27, 2020; Dec. 29, 2020; Jun. 8, 2021>*

(4) The head of the employment security office (hereinafter referred to as an "employment security office having jurisdiction over the place of application") shall, upon receipt of an application for recognition of eligibility for benefits pursuant to paragraph (2), designate the date the person is required to appear in the employment security office to obtain recognition of his or her unemployment status pursuant to Article 44 (2) of the Act (hereinafter referred to as "unemployment recognition date") and shall give notice of such date to the reporting person. *<Amended on Sep. 15, 2011>*

Article 62 (Recognition of Eligibility for Benefits)

- (1) Where an applicant who has filed an application for recognition of eligibility for benefits is recognized as eligible for the job-seeking benefits, as prescribed in Article 43 (1) of the Act, the head of an employment security office shall, upon receipt of the application for recognition of eligibility for benefits pursuant to Article 61, issue a certificate of eligibility for benefits of insurance (hereinafter referred to as "certificate of eligibility") at the initial date of recognition of unemployment. <Amended on Jun. 8, 2021>
- (2) If a person who has filed an application for recognition of eligibility for benefits is not recognized as eligible for job-seeking benefits prescribed in Article 43 (1) of the Act, the head of an employment security office shall give notice of such fact to the applicant. <Amended on Jun. 8, 2021>
- (3) An eligible recipient shall, if the certificate of eligibility issued to him or her pursuant to paragraph (1) is worn out or lost, file an application for re-issuance thereof with the head of the competent employment security office in his or her place of application. <Amended on Sep. 15, 2011>
- (4) An eligible recipient shall, when his or her name, resident registration number, address, or abode changes or is corrected, report such change to the head of the competent employment security office in his or her place of application. In such cases, the head of the competent employment security office shall modify the relevant information contained in the certificate of eligibility and return it. <Amended on Sep. 15, 2011>
- (5) A person who is issued a certificate of eligibility pursuant to paragraph (1) may request the head of the employment security office that recognizes his or her eligibility for benefits to issue the statement of recognition of eligibility for benefits, which serves as a basis for recognition of eligibility for benefits. <Amended on Jun. 8, 2021>

Article 63 (Recognition of Unemployment Status)

- (1) If an eligible recipient desires to have his or her unemployment status recognized pursuant to Article 44 (2) of the Act, he or she shall make an appearance before the competent employment security office in his or her place of application on the date of unemployment recognition to fill out an application form for recognition of unemployment with the details of his or her re-employment activities from the day immediately following the previous date of unemployment recognition until the relevant unemployment recognition date and submit it, along with the certificate of eligibility. <Amended on Sep. 15, 2011>
- (2) The head of an employment security office shall, if he or she recognizes unemployment pursuant to paragraph (1), return the certificate of eligibility stating such fact.
- (3) Standards for the recognition of re-employment activities referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Jul. 12, 2010>

Article 64 (Exceptional Grounds for Recognition of Unemployment)

"Grounds prescribed by Presidential Decree" in Article 44 (2) 2 of the Act means any of the following:
<Amended on Jun. 8, 2021>

1. Where an act of God occurs;
2. Where the rate calculated by dividing the number of applicants for recognition of eligibility for monthly job-seeking benefits by the number of the insured as of the end of each month (hereinafter referred to as "rate of application for eligibility") exceeds 1/100 for two consecutive months;
3. Where a decision has been made to pay special extended benefits provided in Article 53 of the Act.

Article 65 (Special Exception to Recognition of Unemployment Status)

"Other eligible recipients prescribed by Presidential Decree" in Article 44 (2) 3 of the Act means any of the following persons: *<Amended on Jul. 12, 2010; Dec. 31, 2010; Sep. 15, 2011; Jan. 25, 2013; Dec. 24, 2013; Dec. 30, 2016; Jul. 2, 2019; Jun. 8, 2021>*

1. A person who is unable to appear at the employment security office having jurisdiction over the place of application on the unemployment recognition date due to employment, an interview with a potential employer or any other unavoidable cause; and has appeared at the employment security office to file an application for change of the unemployment recognition date by no later than the day immediately before the unemployment recognition date;
2. A person who was unable to appear at the employment security office having jurisdiction over the place of application on the unemployment recognition date or the date immediately before the unemployment recognition date due to employment, an interview with a potential employer or any other unavoidable cause; and has appeared at the employment security office to file an application for change of the unemployment recognition date within 14 days after such cause ceases to exist;
3. A person who was unable to appear at the competent employment security office on the unemployment recognition date or the date immediately before the unemployment recognition date due to employment for a period of at least seven consecutive days; and has filed an application for recognition of unemployment via mail, facsimile, the information communication network, etc. within two months from the date he or she had been employed, along with a document that proves the date of employment: Provided, That when the acquisition of the insured status is reported under Article 15 of the Act as at the date of filing the application for unemployment recognition, a document that proves the date of employment may be omitted;
4. A person who was unable to appear at the employment security office on the unemployment recognition date due to such person's mistake; and has appeared at the competent employment security office to file an application for change of the unemployment recognition date within 14 days from the unemployment recognition date (which shall be allowed only once during the duration of unemployment benefits for the relevant eligible recipient prescribed in Article 48 of the Act);
5. A person whose unemployment recognition date is deemed by the head of the competent employment security office to be changed for any of the following reasons:
 - (a) Where the duration of unemployment benefits prescribed in Article 48 of the Act ends;

- (b) Where the unemployment recognition date falls on a holiday of government offices prescribed in the Regulations on Holidays of Government Offices;
 - (c) Where any other extenuating circumstance exists;
6. A person in whose case the disposition concerning unemployment benefits is cancelled or altered by review, further review or lawsuit prescribed in Article 87 (1) of the Act or at the discretion of the head of the competent employment security office;
 7. A person whose employment has been finally confirmed within 30 days from the unemployment recognition date;
 8. A person who resides in islands (excluding the main island of Jeju Special Self-Governing Province and islands that are connected to land by breakwaters or bridges, etc.) and files an application for special exception to the recognition of unemployment;
 9. A person deemed by the head of an employment security office to be able to report whether such person conducts re-employment activities and earns any income therefrom directly via the information and communications network.

Article 66 (Recognition of Unemployment with Certificates)

- (1) If an eligible recipient intends to have his or her unemployment status recognized pursuant to Article 44 (3) 1, 2, or 4 of the Act, he or she shall appear at the competent employment security office in his or her place of application within 14 days after the relevant ground ceases to exist and shall file an application for the recognition of unemployment, along with the certificate of eligibility and a certificate stating the reason he or she was unable to appear. *<Amended on Sep. 15, 2011>*
- (2) Necessary matters concerning information to be entered into the certificate prescribed in paragraph (1) and the issuers of such certificate shall be prescribed by Ordinance of the Ministry of Employment and Labor. *<Amended on Jul. 12, 2010>*
- (3) If an eligible recipient intends to have his or her unemployment status recognized pursuant to Article 44 (3) 3 of the Act, he or she shall file an application for the recognition of unemployment with the head of a competent employment security office, along with the certificate of eligibility and a certificate issued by an institution conducting vocational training in person or through his or her agent.

Article 67 (Measures for Promoting Employment of Eligible Recipient)

"Steps to facilitate reemployment of eligible recipients, such as assistance in reemployment planning and job placement, as prescribed by Presidential Decree" in the former part of Article 44 (4) of the Act means the following measures necessary for promoting employment of eligible recipients:

1. Assistance in reemployment planning;
2. Guidance and education on the insurance, including unemployment benefits;
3. In-depth counseling and guidance on matters that shall be prepared in advance for reemployment, including occupational aptitude tests and furnishing occupational information;

4. Guidance on how to engage in re-employment activities, including tips for searching and utilizing job information, such as job offers and training, how to write a resume and have an interview;
5. Providing information on jobs, offering jobs, having interviews in company, and providing opportunities to participate in employment-related events;
6. Measures necessary for promoting re-employment, including counseling on whether any training is required, providing information on proper training courses, and giving instructions on training.

Article 68 (Maximum Amount of Daily Basic Wage for Benefits)

(1) The daily wage which constitutes the basis for the calculation of job-seeking benefits, as prescribed in Article 45 (5) of the Act shall be 110,000 won if such wage exceeds 110,000 won. <Amended on Dec. 31, 2014; Mar. 27, 2017; Dec. 26, 2017; Dec. 31, 2018; Sep. 17, 2019>

(2) Where adjustment of the amount determined under paragraph (1) is deemed necessary due to the inflation rate, business fluctuations and the rate of wage inflation, the Minister of Employment and Labor shall consider changing such amount after the amount is applied. <Amended on Jul. 12, 2010>

Article 69 (Reporting on Employment)

(1) Where an eligible recipient has been employed pursuant to Article 47 (1) of the Act, the recipient shall state the fact in an application for recognition of unemployment filed on the first unemployment recognition date after the recipient was employed. <Amended on Jun. 25, 2019>

(2) Deleted. <Jun. 25, 2019>

Article 70 (Reasons for Extension of Benefit Period)

"Other reasons prescribed by Presidential Decree" in Article 48 (2) of the Act means the following:
<Amended on Jul. 12, 2010; Sep. 15, 2011>

1. Illness or injury of an eligible recipient (excluding illness or injury for which sickness benefits are paid pursuant to Article 63 of the Act);
2. Illness or injury of the eligible recipient's spouse;
3. Illness or injury of a lineal ascendant or descendant of the eligible recipient or his or her spouse;
4. Change of an eligible recipient's dwelling for cohabitation purposes following his or her spouse's receipt of an order to work abroad;
5. Obligatory military service prescribed in the Military Service Act;
6. Detention on account of an alleged crime or execution of a sentence (excluding persons ineligible for benefits pursuant to subparagraph 1 (a) of Article 58 of the Act);
7. Grounds that correspond to the provisions of subparagraphs 1 through 6, as specified by Ordinance of the Ministry of Employment and Labor.

Article 71 (Reporting on Postponement of Benefit Period)

(1) A person who intends to report the fact that he or she is unable to obtain a job pursuant to Article 48 (2) of the Act shall file an application for the postponement of the benefit period to the head of a competent employment security office in his or her place of application within the benefit period in person or through his or her agent, along with the certificate of eligibility (applicable only where he or she holds a certificate of eligibility): Provided, That if an act of God occurs, he or she performs his or her military service as prescribed in the Military Service Act, or any other ground exists beyond his or her control, the report shall be submitted within 30 days from the date such ground ceases to exist. <Amended on Sep. 15, 2011; Jan. 13, 2012; Jun. 8, 2021>

(2) Notwithstanding paragraph (1), the report under Article 48 (2) of the Act shall be deemed to be filed on the date of the initial medical treatment where a person receives the medical care benefits pursuant to Article 40 of the Industrial Accident Compensation Insurance Act. <Amended on Jun. 25, 2008>

(3) If the head of an employment security office recognizes that the report submitted under paragraph (1) falls under any ground for the postponement of the benefit period, he or she shall deliver a notice of such postponement of the benefit period to the reporting person, describe the details as required in the certificate of eligibility, and return it to the person. <Amended on Jan. 13, 2012>

(4) If the ground for the postponement of the benefit period ceases to exist or there is any change in such contents as prescribed by Ordinance of the Ministry of Employment and Labor among the contents described in the application for the postponement of the benefit period, the person shall, upon receipt of a notice of the postponement of the benefit period as prescribed in paragraph (3), report such fact forthwith to the head of the competent employment security office in his or her place of application, and shall submit the notice of the postponement of the benefit period and the certificate of eligibility to him or her. <Amended on Jul. 12, 2010; Sep. 15, 2011; Jan. 13, 2012; Jun. 8, 2021>

(5) The head of the competent employment security office shall, upon receipt of a report under paragraph (4), describe the relevant facts in the notice of postponement of the benefit period and the certificate of eligibility and return it to the reporting person. <Amended on Jan. 13, 2012>

Article 72 (Payment of Training Extension Benefits)

"Period prescribed by Presidential Decree" in the latter part of Article 51 (2) of the Act means two years.

Article 73 (Payment of Individually Extended Benefits)

(1) "Person prescribed by Presidential Decree" in Article 52 (1) of the Act means an eligible recipient who meets all of the following requirements: <Amended on Feb. 8, 2010; Jul. 12, 2010; Jun. 8, 2021>

1. A person who has applied for jobs referred by the head of the competent employment security office (including cases where a person participates in an in-depth consultation or group consultation conducted by the head of the employment security office) on three or more occasions from the date he or she reported his or her unemployment status under Article 42 (1) of the Act until the payment of job-

seeking benefits ends, but fails to obtain a job, and who has family members falling under any of the following to support:

- (a) Person aged less than 18 years or more than 65 years old;
- (b) Person with a disability prescribed in the Act on the Employment Promotion and Vocational Rehabilitation of Persons with Disabilities;
- (c) Patient who is required to receive medical treatment for one month or longer;
- (d) Spouse who has no income;
- (e) A person currently pursuing his or her studies, who is determined and publicly announced by the Minister of Employment and Labor;

2. Deleted; <Feb. 8, 2010>

3. A person whose daily basic wage used as a basis for computation of benefits and aggregate assets owned by him or her and his or her spouse do not meet the standards determined and publicly notified by the Minister of Employment and Labor, respectively.

(2) The maximum number of days of payment of individually extended benefits shall be 60 days as specified in Article 52 (2) of the Act, and the period of such payment may be less than 60 days according to the standards determined by the Minister of Employment and Labor, considering repeated receipt of unemployment benefits within a given period of time. <Amended on Dec. 31, 2010>

(3) An eligible recipient who intends to receive individually extended benefits under Article 52 of the Act shall file an application for individually extended benefits with the head of the competent employment security office in his or her place of application by no later than the end of the days eligible for job-seeking benefits, along with his or her certificate of eligibility. <Amended on Sep. 15, 2011>

(4) Matters necessary for the payment of individually extended benefits referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Jul. 12, 2010>

Article 74 (Payment of Specially Extended Benefits)

"Circumstances prescribed by Presidential Decree" in the main clause of Article 53 (1) of the Act means any of the following circumstances: Provided, That in the case of subparagraphs 1 through 3, the foregoing shall not apply where such trend is expected to continue: <Amended on Mar. 12, 2009; Jun. 8, 2021>

- 1. Where the rate calculated by dividing the number of persons who received job-seeking benefits each month (excluding the number of persons who received the training extension benefits, the individually extended benefits, or the specially extended benefits under Article 51 through 53 of the Act) by the number of the insured as of the end of the month exceeds 3/100 for three consecutive months;
- 2. The rate of applications filed for benefits each month exceeds 1/100 for three consecutive months;
- 3. Where the monthly unemployment rate exceeds 6/100 for three consecutive months;
- 4. Where the Deliberative Council on Employment Policy passes a resolution approving payment of specially extended benefits prescribed in Article 53 of the Act due to a rapid deterioration in the

employment situation following a rapid rise, etc. in unemployment.

Article 74-2 (Procedures for Subsidization of National Pension Premiums)

- (1) Where the National Pension Service under Article 24 of the National Pension Act additionally include the period during which a job seeker's allowance is received in the period of participation in National Pension Scheme pursuant to Article 19-2 (1) of that Act, it shall calculate the amount subsidized by the Fund pursuant to Article 55-2 (1) of the Act and the latter part of Article 19-2 (3) of the National Pension Act (referring to the amount calculated by multiplying the pension premiums under the former part of that paragraph by a percentage to be borne by the Fund under Article 25-5 (2) of the Enforcement Decree of that Act) and notify the Minister of Employment and Labor of such amount. *<Amended on Jun. 8, 2021>*
- (2) Where the Minister of Employment and Labor receives the notification under paragraph (1), he or she shall pay the relevant amount to the National Pension Service.
- (3) The Minister of Employment and Labor may request the National Pension Service to submit data necessary for verifying whether the amount paid pursuant to paragraph (2) was used appropriately. In such cases, the National Pension Service shall comply therewith, unless in extenuating circumstances.

Article 75 (Procedure for Payment of Job-Seeking Benefits)

- (1) Each eligible recipient shall designate a financial institution and account (referring to an unemployment benefit receipt account if he or she intends to receive job-seeking benefits through his or her unemployment benefit receipt account under the main clause of Article 37-2 (1) of the Act; hereafter in this Article the same shall apply) through which he or she intends to receive job-seeking benefits and shall report them to the competent employment security office in his or her place of application on the date of initial unemployment recognition he or she makes an appearance at the office. The foregoing shall also apply to any intended modifications of the reported financial institution or account. *<Amended on Sep. 15, 2011; Apr. 20, 2015>*
- (2) Job-seeking benefits shall be paid by depositing them into the account of the eligible recipient's designated financial institution.

Article 76 (Claim for Unpaid Job-Seeking Benefits)

- (1) A person who intends to claim the payment of the job-seeking benefits not paid under Article 57 (1) of the Act (hereinafter referred to as "claimant for benefits payable") shall file a written claim for unemployment benefits payable with the head of the competent employment security office having jurisdiction over the place of application of the deceased eligible recipient. *<Amended on Sep. 15, 2011; Jun. 8, 2021>*
- (2) A claimant for unemployment benefits payable who intends to have the unemployment status of the deceased eligible recipient recognized under Article 57 (2) of the Act shall make an appearance at the competent employment security office having jurisdiction over the place of application of the deceased

eligible recipient to file a written claim for unemployment benefits payable and to have the unemployment status of the eligible recipient recognized. <Amended on Sep. 15, 2011; Jun. 8, 2021>

(3) When a claimant for unemployment benefits payable submits a written claim for unemployment benefits payable pursuant to paragraph (1), he or she shall submit a report or document necessary for the deceased eligible recipient to receive job-seeking benefits. <Amended on Jun. 8, 2021>

Article 77 (Application Mutatis Mutandis)

Article 78 Deleted. <Jun. 30, 2015>

Article 79 (Procedure for Suspension of Payment of Job-Seeking Benefits)

(1) The head of an employment security office shall give prior notice to any of the following persons that the payment of job-seeking benefits may be suspended, as prescribed by Ordinance of the Ministry of Employment and Labor: <Amended on Jul. 12, 2010; Jun. 8, 2021>

1. An eligible recipient who refuses to accept a job offered by the head of an employment security office pursuant to Article 60 (1) of the Act;
2. An eligible recipient who refuses to receive vocational skills development training etc., instructed by the head of an employment security office pursuant to Article 60 (1) of the Act;
3. An eligible recipient who refuses to comply with the steps taken by the head of an employment security office to facilitate re-employment pursuant to Article 60 (2) of the Act.

(2) Notwithstanding the notice given pursuant to paragraph (1), the head of any employment security office shall suspend the payment of job-seeking benefits where an eligible recipient rejects a job offered or vocational skills development training required pursuant to Article 60 (1) or (2) of the Act on two or more occasions.

(3) The head of an employment security office shall, when he or she suspends the payment of job-seeking benefits pursuant to paragraph (2), inform the eligible recipient of the grounds for and period of the suspension of payment by no later than the day immediately preceding the next unemployment recognition date, and the eligible recipient shall not be deemed unemployed during such period of suspension of payment.

Article 80 (Improper Acts for which Restriction on Payment of Job-Seeking Benefits Is Relaxed)

"Grounds prescribed by Presidential Decree" in the proviso of Article 61 (2) of the Act means any of the following: <Amended on Dec. 8, 2020>

1. Where the eligible recipient fails to report a fact that he or she has provided his or her labor during a period for which he or she intends to have his or her unemployment status recognized (hereinafter referred to as "period subject to recognition of unemployment") or makes any untrue statements in filing an application for recognition of unemployment;

2. Where the eligible recipient makes any untrue statements on his or her re-employment activities during the period subject to recognition of unemployment in filing an application for recognition of unemployment.

Article 80-2 (Denial of Job-Seeking Benefits based on New Benefits Eligibility)

(4) A period during which job-seeking benefits are not paid based on new benefits eligibility under Article 61 (5) of the Act shall be classified as follows:

1. Job-seeking benefits were not paid on three occasions: One year;
2. Job-seeking benefits were not paid on four occasions: Two years;
3. Job-seeking benefits were not paid on at least five occasions: Three years.

Article 81 (Return of Job-Seeking Benefits)

(1) When the head of an employment security office has taken any of the following measures, he or she shall, without delay, inform the relevant eligible recipient or former eligible recipients (including the business owner under Article 62 (3) of the Act) of such measures: *<Amended on Aug. 27, 2020>*

1. Denial of job-seeking benefits under Article 61 of the Act;
2. Order to return job-seeking benefits under Article 62 (1), (3), and (4) of the Act;
3. Additional collection under Article 62 (2) and (3) of the Act;
4. Appropriation for an amount to be returned or additional amount to be collected under Article 62 (5) of the Act.

(2) A person against whom the measures under paragraph (1) 2 and 3 were taken shall pay the relevant amount within 30 days from the receipt of notification under paragraph (1): Provided, That where an amount he or she is liable to pay exceeds the amount prescribed by the Minister of Employment and Labor, the person may, upon his or her application, make payment in installment. *<Amended by Jul. 12, 2010; Aug. 27, 2020>*

(3) Where a person liable to pay an amount to be returned or additional amount to be collected under Article 62 (1) and (2) of the Act has yet to receive job-seeking benefits under Article 44 of the Act, the head of an employment security office shall appropriate an amount equivalent to 1/10 of the relevant job-seeking benefits for the relevant amount to be returned or additional amount to be collected under Article 62 (5) of the Act: Provided, That where a person liable to pay the relevant amount to be returned or additional amount to be collected agrees in writing to appropriate an amount greater than that prescribed in the main clause, said amount may be appropriated. *<Newly Inserted on Aug. 27, 2020>*

(4) Where a person liable to pay an amount to be returned under Article 62 (4) of the Act has yet to receive job-seeking benefits under Article 44 of the Act and where he or she agrees in writing to appropriate all or part of the relevant job-seeking benefits for the amount to be returned under Article 62 (5) of the Act, the head of an employment security office may appropriate the agreed amount for the payment of the amount to be returned. *<Newly Inserted on Aug. 27, 2020>*

(5) The procedures and deadline for the payment in installments prescribed in the proviso to paragraph (2) shall be prescribed by the Minister of Employment and Labor. <Amended on Jul. 12, 2010; Aug. 27, 2020>

Article 82 (Claims for Payment of Sickness Benefits and Exceptions to Payment)

(1) An eligible recipient that intends to claim sickness benefits, as prescribed in Article 63 (1) of the Act, shall file a written claim for the sickness benefits with the head of the competent employment security office in his or her place of application in person or through his or her agent within 14 days from the day the cause or event that prevents him or her from obtaining a job ceases to exist (or 30 days from the end of the benefit period, where the benefit period prescribed in Article 48 of the Act ends during the period in which he or she is unable to obtain a job), along with the certificate of eligibility and a certificate of his or her illness, injury, or childbirth: Provided, That if an act of God occurs or if any other unavoidable circumstances exist, the application shall be filed within seven days from the date such cause or event ceases to exist. <Amended on Sep. 15, 2011>

(2) "Compensation or benefits prescribed by Presidential Decree" in Article 63 (4) of the Act means the following compensation and benefits:

1. Compensation for non-duty prescribed in Article 3 (2) 2 of the State Compensation Act;
2. Compensation pursuant to Article 8 of the Act on Honorable Treatment of and Support for Persons Who Died or Was Injured for Public Good.

Article 83 (Application Mutatis Mutandis)

@Articles 69, 75 through 80, 80-2, and 81 shall apply mutatis mutandis to sickness benefits. In such cases, "application for recognition of unemployment" in Article 69 shall be construed as "application for sickness benefits;" and "job-seeking benefits" in Articles 75 through 80, 80-2, and 81 as "sickness benefits." <Amended on Dec. 8, 2020>

Article 84 (Standards for Payment of Early Re-Employment Allowances)

(1) "Standards prescribed by Presidential Decree" in Article 64 (1) of the Act means any of the following circumstances under which an eligible recipient falls, where the eligible recipient is reemployed before 1/2 of the days of benefits payable prescribed in Article 50 of the Act passes as at the day preceding the date of reemployment after the waiting period prescribed in Article 49 of the Act has elapsed: <Amended on Feb. 8, 2010; Jul. 12, 2010; Dec. 24, 2013>

1. Where an eligible recipient has been employed for at least twelve consecutive months: Provided, That this shall exclude cases where the eligible recipient is reemployed by a business owner prescribed by Ordinance of the Ministry of Employment and Labor, who most recently severed the employment of the eligible recipient or is related to such business owner, or where the eligible recipient is employed by a business owner who promised employment prior to the date of filing a report on unemployment prescribed in Article 42 of the Act;

2. Where an eligible recipient has engaged in his or her own business for at least twelve consecutive months. In such cases, the foregoing shall apply only where the eligible recipient is recognized as unemployed by filing a report on his or her activities made in preparation for engaging in such business during the duration of benefits as re-employment activities, as prescribed in Article 44 (2) of the Act.
- (2) "Period prescribed by Presidential Decree" in Article 64 (2) of the Act means two years.

Article 85 (Amount of Early Re-Employment Allowance)

- (1) The amount of early re-employment allowances prescribed in Article 64 (3) of the Act shall be calculated by multiplying the amount of his or her daily job-seeking benefits by 1/2 of the number of days when benefits remain outstanding.
- (2) Deleted. <Dec. 24, 2013>

Article 86 (Claim for Early Re-Employment Allowances)

- (1) An eligible recipient who intends to receive the early re-employment allowances prescribed in Article 64 of the Act shall file a written claim for early re-employment allowances with the head of the competent employment security office falls under the jurisdiction in his or her place of application, along with the documents specified by Ordinance of the Ministry of Employment and Labor. <Amended on Jul. 12, 2010; Sep. 15, 2011; Jan. 13, 2012>
- (2) The written claims for early re-employment allowances prescribed in paragraph (1) shall be filed 12 months after the date an eligible recipient finds a stable job or starts his or her own business for profit under Article 64 (1) of the Act. <Amended on Feb. 8, 2010; Dec. 24, 2013>
- (3) Article 75 shall apply mutatis mutandis to the procedures for the payment of the early re-employment allowances.

Article 87 (Incentives for Activities for Promoting Re-Employment)

- (1) Where an employee of an employment security office takes any of the measures referred to in Article 67 to provide a stable job to a recipient so that the recipient is re-employed before the end of the days of benefits payable, the Minister of Employment and Labor may grant the incentives for activities for promoting re-employment within the budget after evaluating such performance pursuant to Article 64 (5) of the Act. <Amended on Jul. 12, 2010>
- (2) Necessary matters concerning the evaluation of performance for granting the incentives for activities for promoting re-employment prescribed in paragraph (1), the selection of persons eligible for the grant, and the method for paying and amount of the grant shall be prescribed by the Minister of Employment and Labor. <Amended on Jul. 12, 2010>

Article 88 (Allowances for Vocational Skills Development)

(1) Vocational skill development allowances prescribed in Article 65 (3) of the Act shall be paid for the days for which an eligible recipient has received vocational training, etc., as instructed by the head of an employment security office and for which the eligible recipient shall be eligible for job-seeking benefits.

(2) The amount of vocational skill development allowances prescribed in paragraph (1) shall be determined and publicly notified by the Minister of Employment and Labor, considering expenses incurred in receiving vocational skills development, including travel expenses and meals. *<Amended on Jul. 12, 2010>*

(3) Vocational skill development allowances shall be paid on the day set for the payment of job-seeking benefits to the relevant eligible recipient. In such cases, Article 75 shall apply mutatis mutandis to the procedure for the payment of vocational skill development allowances.

(4) The procedure for claiming vocational skill development allowances shall be prescribed by Ordinance of the Ministry of Employment and Labor. *<Amended on Jul. 12, 2010>*

Article 89 (Long-Distance Job Search Allowances)

(1) A long-distance job search allowances prescribed in Article 66 (1) of the Act shall be paid where an eligible recipient meets all the following requirements: *<Amended on Jul. 12, 2010>*

1. The business owner of the place of business to which the eligible recipient visits for job-seeking activities does not pay allowances incurred in connection with job-seeking activities or pays less than such long-distance job search allowances;

2. The distance from the eligible recipient's domicile to the place of business to which he or she visits for job-seeking activities is equivalent to or exceeds the distance specified by Ordinance of the Ministry of Employment and Labor. In such cases, the distance shall be calculated according to the ordinary distance from the domicile to the place of business, but the distance of a waterway shall be regarded twice as far as the actual distance.

(2) The procedure for claiming long-distance job search allowances shall be prescribed by Ordinance of the Ministry of Employment and Labor. In such cases, Article 75 shall apply mutatis mutandis to the procedure for payment of long-distance job search allowances. *<Amended on Jul. 12, 2010>*

Article 90 (Relocation Allowances)

(1) Relocation allowances prescribed in Article 67 (1) of the Act shall be payable to an eligible recipient who meets all the following requirements: *<Amended on Jul. 12, 2010; Sep. 15, 2011>*

1. The eligible recipient obtains a job or attends an occupational training course and the head of a competent employment security office in his or her place of application confirms that it is necessary for the eligible recipient to relocate pursuant to the criteria prescribed by the Minister of Employment and Labor;

2. The business owner who employs the eligible recipient fails to pay relocation expenses or pays less than relocation allowances;

3. The term of the employment contract shall not be less than one year, if required to move for employment.

(2) The procedure for claiming relocation allowances shall be prescribed by Ordinance of the Ministry of Employment and Labor. In such cases, Article 75 shall apply mutatis mutandis to the procedure for payment of relocation allowances. <Amended on Jul. 12, 2010>

Article 91 (Improper Acts for Which Restrictions on Payment of Allowances for Promotion of Employment Is Relaxed)

"Grounds prescribed by Presidential Decree, such as filing a false report or failing to file a report pursuant to Article 47 (1)" in the main clause of Article 68 (2) of the Act means any of the following cases: <Amended on Jun. 8, 2021>

Article 92 (Application Mutatis Mutandis)

@Articles 76 (1) and (3) and 81 shall apply mutatis mutandis to the allowance for promotion of employment prescribed in Articles 64 through 67 of the Act. In such cases, "job-seeking benefits" shall be construed as "employment promotion allowances"; "eligible recipient" as "person qualifying for employment promotion allowances"; and "amount of job-seeking benefits" as "amount of the allowance for promotion of employment." <Amended on Jun. 8, 2021>

Article 93 (Entrustment of Administrative Affairs)

The head of an employment security office may, at the request of an eligible recipient, entrust the head of another employment security office with the administrative affairs concerning the unemployment benefits payable to the eligible recipient, if deemed necessary.

Article 93-2 (Application Mutatis Mutandis)

@Articles 58, 58-2, 58-3, 59, 61 (excluding paragraph (3)), 62 through 67, 69 through 71, 75 through 77, 79 through 83, and 88 through 92 shall apply mutatis mutandis to the unemployment benefits for insured self-employed persons. <Amended on Jun. 8, 2021>

CHAPTER V CHILD CARE LEAVE BENEFITS AND SIMILAR BENEFITS

Article 94 (Grounds for Extension of Period Allowed for Application for Child Care Leave Benefits)

"Grounds prescribed by Presidential Decree" in the proviso of Article 70 (2) of the Act means any of the following: <Amended on Jan. 13, 2012>

1. An act of God;

2. Illness or injury of the recipient or his or her spouse;
3. Illness or injury of an ascendant or a descendant of the recipient or his or her spouse;
4. Obligatory military service prescribed in the Military Service Act;
5. Detention on account of an alleged crime or execution of a sentence.

Article 95 (Amount of Child Care Leave Benefits)

(1) The monthly amount of child care leave benefits under Article 70 (1) shall be calculated according to the following classification: *<Amended on Aug. 29, 2017; Dec. 31, 2018>*

1. For three months from the first day of a child care leave: An amount equivalent to 80/100 of the ordinary monthly wage as of the first day of the child care leave: Provided That where such amount exceeds 1.5 million won, it shall be adjusted to 1.5 million won; and where such amount is less than 700,000 won, it shall be adjusted to 700,000 won;
2. Until the last day of a child care leave from the start day of the fourth month: An amount equivalent to 50/100 of the ordinary monthly wage as of the first day of the child care leave: Provided That where such amount exceeds 1.2 million won, it shall be adjusted to 1.2 million won, and where such amount is less than 700,000 won, it shall be adjusted to 700,000 won.

(2) In cases of the divided use of a child care leave pursuant to Article 19-4 (1) of the Equal Employment Opportunity and Work-Family Balance Assistance Act, the total period of each child care leave shall be deemed the period for child care leave benefits under paragraph (1). *<Amended on Aug. 29, 2017; Mar. 31, 2020>*

(3) Where the period for child care leave benefits is less than one month, the amount of such benefits shall be the amount obtained by multiplying the amount calculated on a pro rata daily basis (hereinafter referred to as “prorated daily amount”) of the monthly wages under any of subparagraphs of paragraph (1) by the number of days of the child care leave in the relevant month. *<Amended on Aug. 29, 2017>*

(4) The amount equivalent to 75/100 of the child care leave benefits under paragraphs (1) and (3) (referring to any of the following amounts in cases falling under any of the following subparagraphs) shall be paid every month and the residual amount thereof shall be paid in lump sum to an employee who returns to the workplace after the child care leave and continues to work for at least six months: Provided, That even where the employee fails to work continuously for at least six months for good reason as prescribed by Ordinance of the Ministry of Employment and Labor under subparagraph 2 (c) of Article 58 of the Act, the remaining amount shall be paid: *<Amended on Jun. 30, 2015; Jun. 27, 2017; Aug. 29, 2017; Mar. 31, 2020>*

1. Where child care leave benefits are paid pursuant to paragraph (1) and the amount equivalent to 75/100 of the child care leave benefits is less than the minimum payment under each subparagraph of paragraph (1): The minimum payment under each subparagraph of paragraph (1);
2. Where child care leave benefits are paid pursuant to paragraph (3) and the amount equivalent to 75/100 of the child care leave benefits is less than the prorated daily amount of the minimum payment

under each subparagraph of paragraph (1): The prorated daily amount of the minimum payment under each subparagraph of paragraph (1).

Article 95-2 (Special Cases concerning Child Care Leave Benefits)

Notwithstanding Article 95, where parents take turns using a child care leave for the same child, the child care leave benefits for the first three months payable to the insured who subsequently takes a child care leave shall amount to his or her ordinary monthly wage. In such cases, the maximum amount per month shall be 2.5 million won: <Amended on Dec. 4, 2015; Dec. 30, 2016; Jul. 3, 2018; Dec. 31, 2018>

1. Deleted; <Jul. 3, 2018>

2. Deleted. <Jul. 3, 2018>

(2) Notwithstanding paragraph (1), where parents' periods of child care leave for the same child overlap, Article 95 shall apply to child care leave benefits for that period. <Newly Inserted on Dec. 31, 2019>

(3) Notwithstanding Article 95 (1), where a mother or father who is insured under subparagraph 1 of Article 4 of the Single-Parent Family Support Act takes a child care leave, child care leave benefits shall be determined as follows: <Newly Inserted on Mar. 31, 2020>

1. From the date of commencement of child care leave until three months: An amount of his or her ordinary monthly wage based as of the date of commencement of child care leave. In such cases, the maximum amount per month shall be 2.5 million won;

2. From the fourth month of childcare leave until the sixth month: An amount equivalent to 80/100 of his or her ordinary monthly wage as of the date of commencement of child leave. In such cases, the maximum amount per month shall be 1.5 million won;

3. From the seventh month of childcare leave until expiration thereof: An amount equivalent to 50/100 of his or her ordinary monthly wage as of the date of commencement of child care leave. In such cases, the maximum amount per month shall be 1.2 million won.

Article 96 (Reporting on Employment during Period for Child Care Leave Benefit)

An insured shall state his or her severance or employment in an application for child care leave benefits first filed after the day his or her employment is severed or he or she is employed pursuant to Article 70 (3) of the Act. <Amended on Jun. 25, 2019>

Article 97 (Application Mutatis Mutandis)

@Article 81 shall apply mutatis mutandis to the restriction on the payment of child care leave benefits paid or the order to return such benefits pursuant to Article 70 (1) of the Act. In such cases, "job-seeking benefits" shall be construed as "child care leave benefits".

Article 98 (Reduction of Child Care Leave Benefits)

Where an insured has received money and valuables for reasons of child care leave from the relevant business owner during a child care leave prescribed in Article 19 of the Equal Employment Opportunity and Work-Family Balance Assistance Act and an amount calculated by aggregating the money and valuables received on a monthly basis during the child care leave and an amount equivalent to 75/100 of the child care leave benefits under Article 95 (1) and (3) (where the amount is less than the minimum payment under each subparagraph of Article 95 (1), referring to the relevant amount under each subparagraph of Article 95 (4)) exceeds the insured's ordinary monthly wage as of the start day of the child care leave, the Minister of Employment and Labor shall, pursuant to Article 73 (3) of the Act, pay an amount calculated by subtracting the excessive amount from the amount equivalent to 75/100 of the child care leave benefits under Article 95 (1) and (3) (where the amount is less than the minimum payment under each subparagraph of Article 95 (1), referring to the amount under each subparagraph of Article 95 (4)). <Amended on Apr. 30, 2008; Jul. 12, 2010; Dec. 31, 2010; Jun. 30, 2015; Oct. 2, 2018; Jun. 25, 2019>

Article 99 (Entrustment of Administrative Affairs related to Child Care Leave Benefits)

The head of an employment security office may, at the request of an insured entrust the head of another employment security office with processing the administrative affairs for the child care leave benefits payable to him or her , if deemed necessary.

Article 100 (Reasons for Extension of Period Allowed for Application for Maternity Leave Benefits, etc.)

@Article 94 shall apply mutatis mutandis to reasons for the extension of the period allowed for application for maternity leave benefits or miscarriage or stillbirth benefits or paternity leave benefits (hereinafter referred to as "maternity leave benefits, etc.") prescribed in the proviso to subparagraph 2 of Article 75 of the Act. <Amended on Jul. 10, 2012; Dec. 30, 2016; Sep. 17, 2019>

Article 101 (Maximum and Minimum Amounts of Maternity Leave Benefits)

The maximum and minimum amount of maternity leave benefits, etc. payable to an insured pursuant to Article 76 (2) of the Act shall be as follows: <Amended on Apr. 30, 2008; Jul. 10, 2012; Jun. 17, 2014; Dec. 30, 2016; Sep. 17, 2019>

1. Maximum amount: The amount publicly notified by the Minister of Employment and Labor every year, taking into account the following matters:
 - (a) Average ordinary wages of recipients of maternity leave benefits, etc.;
 - (b) The inflation rate;
 - (c) The minimum wage under the Minimum Wage Act;
 - (d) Other matters deemed necessary by the Minister of Employment and Labor;
2. Minimum amount: The amount equivalent to the ordinary wage for the period eligible for maternity leave benefits, etc. calculated by applying the hourly minimum wage as the hourly ordinary wage,

where the employee's hourly ordinary wage is less than the minimum wage per hour under the Minimum Wage Act applicable as at the time when the period the maternity leave, miscarriage, or stillbirth leave or paternity leave under Article 18-2 of the Equal Employment Opportunity and Work-Family Balance Assistance Act (hereinafter referred to as "paternity leave") commences (hereinafter referred to as "minimum hourly wage").

Article 102 (Application Mutatis Mutandis)

Article 103 (Application Mutatis Mutandis)

@Article 81 shall apply mutatis mutandis to restrictions on the payment of maternity leave benefits, etc. and orders to return such benefits paid pursuant to Article 75 of the Act. In such cases, "job-seeking benefits" shall be construed as "maternity leave benefits, etc." *<Amended on Jul. 10, 2012>*

Article 104 (Reduction of Maternity Leave Benefits)

Where an insured has received money and valuables, as prescribed in Article 73 (3) of the Act applied mutatis mutandis under Article 77 of the Act, that amount to the ordinary wage from the relevant business owner during the period of maternity leave, miscarriage, or stillbirth leave or paternity leave and where the aggregates of the money and valuables accepted from the business owner and the maternity leave benefits, etc. paid under Article 75 of the Act exceeds the ordinary wage as of the first day of the leave, the Minister of Employment and Labor shall pay the amount calculated by subtracting the excess amount from the maternity leave benefits, etc.: Provided, That this shall not apply where the insured had a raise in her ordinary wage during her leave period and thus the business owner paid the difference between the increased ordinary wage and the maternity leave benefits, etc. *<Amended on Jul. 12, 2010; Jul. 10, 2012; Sep. 17, 2019>*

Article 104-2 (Benefits for Reduced Working Hours during Child Care Period)

(1) Article 94 shall apply mutatis mutandis to the ground for extension of the period of application for the benefits for reduced working hours during the infant care period pursuant to the proviso to Article 73-2 (2) of the Act. In such cases, "child care leave benefits" shall be deemed "benefits for reduced working hours during the period of child care".

(2) The amount of benefits for reduced working hours during the period of child care prescribed in Article 73-2 (3) of the Act shall be determined in accordance with the following formula: Provided, That where the period eligible for the benefits for reduced working hours during the period of child care is less than one month, such benefits shall be calculated by multiplying the amount computed by dividing the amount obtained according to the following formula by the number of days in the relevant month, by the number of days when the reduced working hours during child care period are applied: *<Amended on Sep. 30, 2014; Dec. 26, 2017; Sep. 17, 2019>*

(First five working hours reduced per week) An amount equivalent to the ordinary monthly wage calculated in accordance with the Labor Standards Act based on the date of commencement of reduced working hours during infant care period (a maximum of two million won and a minimum of 500,000 won) × 5 / contractual working hours before reduction

(Remaining working hours reduced) An amount equivalent to 80/100 of the ordinary monthly wage calculated in accordance with the Labor Standards Act based on the date of commencement of reduced working hours during infant care period (a maximum of 1.5 million won and a minimum of 500,000 won) × contractual working hours before reduction ? contractual working hours after reduction ? 5 / contractual working hours before reduction

[Previous Article 104-2 moved to Article 104-5 <Sep. 15, 2011>]

Article 104-3 (Application Mutatis Mutandis)

(1) Article 81 shall apply mutatis mutandis to the restriction on the payment of the benefits for reduced working hours during the period of infant care, the order to return, etc. under Article 73-2 (1) of the Act. In such cases, "job-seeking benefits" shall be construed as "benefits for reduced working hours during the period of infant care".

(2) Article 96 shall apply mutatis mutandis to the report on employment, etc. during the period of reduction in working hours during the period of infant care. In such cases, "child care leave benefits" shall be construed as "benefits for reduced working hours during the period of infant care".

Article 104-4 (Curtailement of Wages for Reduced Working Hours during Infant Care Period)

Where an amount calculated by aggregating the money and valuables an insured has received on a monthly basis from the relevant business owner (referring to wages, and money and valuables received due to reduction in working hours during the infant care period) while working hours have been reduced during the infant care period under Article 19-2 of the Equal Employment Opportunity and Work-Family Balance Assistance Act and the benefits for reduced working hours during the infant care period under Article 73-2 of the Act exceeds the following relevant ordinary wages, the Minister of Employment and Labor shall, pursuant to Article 74 (2) of the Act, pay an amount calculated by subtracting the excess amount from the amount of benefits for reduced working hours during the infant care period: <Amended on Oct. 2, 2018>

1. Where the ordinary wage has not been raised while working hours have been reduced during the infant care period: Ordinary monthly wage based on the month immediately preceding the month to which the commencement date of reduction in working hours during the infant care period belongs;
2. Where the ordinary wage has been raised while working hours have been reduced during the infant care period: The following relevant ordinary wages:

(a) Until the day before the ordinary wage has been raised: The ordinary monthly wage based on the month immediately preceding the month to which the commencement date of reduction in working

hours during the infant care period belongs;

(b) On or after the date the ordinary wage has been raised: The ordinary monthly wage based on the date the ordinary wage is raised.

CHAPTER V-2 SPECIAL CASES CONCERNING EMPLOYMENT INSURANCE FOR INSURED ARTISTS

Article 104-5 (Scope of Insured Artists)

(1) "Persons prescribed by Presidential Decree" in Article 77 (2) 1 of the Act means any of the following persons:

1. An artist defined in subparagraph 2 of Article 2 of the Artist Welfare Act;
2. A person who falls under any subparagraph of Article 2 (1) of the Enforcement Decree of the Artist Welfare Act but fails to obtain certification for his or her artistic activities, or who engages in, or intends to engage in, creative activities, performance, or technical support activities, etc. in the field of culture and art.

(2) "Income standards prescribed by Presidential Decree" in the main clause of Article 77-2 (2) 2 of the Act means the following standards:

1. The monthly average income (referring to the amount calculated on a monthly basis by dividing the amount to be paid to the artist under a contract related to culture and arts services by the contract period; hereinafter the same shall apply) under a contract related to culture and arts services prescribed in Article 4-4 of the Artist Welfare Act (hereinafter referred to as "contract related to culture and arts services") entered into by and between an artist under Article 77-2 (1) of the Act (hereinafter referred to "artist") and a business owner shall be at least 500,000 won;
2. Where an artist who fails to meet the income standards under subparagraph 1 has concluded at least two contracts related to culture and arts services, and the sum of monthly average income derived from those contracts for the same period shall be at least 500,000 won.

(3) Where an artist intends to aggregate the monthly average income derived from of at least two contracts related to culture and arts services pursuant to paragraph (2) 2, he or she shall apply for aggregating the monthly average income under those contracts to the Minister of Employment and Labor by the 15th day of the month following the month in which the date the sum of monthly average income under the contracts reaches at least 500,000 won.

(4) Upon receipt of an application for aggregation under paragraph (3), the Minister of Employment and Labor shall verify whether the relevant artist meets the income standards under paragraph (2) 2 and notify the relevant business owner (limited to cases where he or she meets the income standards) and the artist of the results of his or her verification. In such cases, the relevant business owner shall be deemed to have reported the artist's acquisition of insured status pursuant to Article 104-6 (1) when the artist applies for

aggregation pursuant to paragraph (3).

[Previous Article 104-5 moved to Article 104-11 <Dec. 8, 2020>]

Article 104-6 (Reporting on Insured Status of Artists)

(1) A business owner who has entered into a contract related to culture and arts services with an artist shall report matters relating to the acquisition and loss of insured status of the artist related to the business to the Minister of Employment and Labor by the 15th day of the month following the month in which the date such reason occurs falls (without delay, where the artist demands that the business owner file such report before the above-stated deadline) pursuant to Article 15 of the Act which is applied mutatis mutandis in Article 77-5 (1) of the Act.

(2) Notwithstanding paragraph (1), a report on the acquisition or loss of insured status shall be deemed to have been filed where the relevant business owner who has entered into a contract related to culture and arts services with a short-term artist (hereinafter referred to as "short-term artist") under the proviso of Article 77-2 (2) 2 of the Act has filed, with the Minister of Employment and Labor, a report on confirmation of details of labor, including the number of days during which culture and arts service is provided and the contact amount, by no later than the 15th day of the month following the month in which the date such reason occurs falls.

(3) Where an artist files a report on matters relating to the acquisition and loss of insured status pursuant to Article 15 (3) of the Act which is applied mutatis mutandis in Article 77-5 (1) of the Act, he or she shall submit documents proving the contractual relations related to culture and arts services, such as the contract related to culture and arts services.

(4) "Project prescribed by Presidential Decree" in Article 77-2 (3), with the exception of the subparagraphs, of the Act means a project related to culture and arts services, the order for which is placed by the State, a local government, or a public institution under the Act on the Management of Public Institutions (where a public institution which placed an order for such project is excluded from public institutions during the contract period for the relevant culture and arts services, including the public institution until said contract expires or is terminated).

(5) Pursuant to Article 77-2 (3) of the Act, a person placing an order or a primary contractor shall report on matters relating to the acquisition and loss of insured status of an artist employed by the primary contractor or a subcontractor as follows:

1. Where multiple contracts have been awarded for a single project, resulting in multiple primary contractors: The person placing an order and the subcontractor shall report matters relating to the acquisition and loss of insured status of the artist employed by the primary contractors and the subcontractor;
2. Where a single project is divided into several tiers of contracts, resulting in multiple subcontractors: The original contractor shall report matters relating to the acquisition and loss of insured status of the artist employed by the subcontractor.

(6) "Relevant data, information ... prescribed by Presidential Decree" in Article 77-2 (4) of the Act means the following data and information:

1. A subcontract concluded by and between the primary contractor and the subcontractor or between subcontractors;
2. A contract related to culture and arts services;
3. A list of artists employed.

(7) Where an artist has entered into an employment contract, contract related to culture and arts services, or labor contract under Article 77-6 (1) of the Act for at least two covered employing units pursuant to Article 77-2 (5) of the Act, he or she shall acquire insured status, as classified as follows: <Amended on Jun. 8, 2021>

1. Where the artist has entered into at least two contracts related to culture and arts services simultaneously, he or she shall acquire insured status from all employing units;
2. Where the artist has entered into a contract related to culture and arts services and an employment contract or a labor contract prescribed in Article 77-6 (1) of the Act simultaneously, he or she shall acquire insured status from all employing units;
3. Where the artist has entered into a contract related to culture and arts services and at least two employment contracts simultaneously, subparagraphs 1 and 2 shall apply, but Article 18 of the Act shall apply to the limitation on double insurance by employees.

Article 104-7 (Reporting on Changes Related to Insured Artists and Request for Confirmation)

@Articles 10 (1) and 11 shall apply mutatis mutandis to reporting on the change and correction of the name and resident registration number of an insured artist, and requests for, and notice of confirmation, of his or her acquisition or loss of insured status. In such cases, "business owner or subcontractor who currently employs, or previously employed" in Article 11 (2) shall be construed as "business owner or a person placing an order, or a primary contractor who currently employs or previous employed."

Article 104-8 (Eligibility Requirements for Job-Seeking Benefits of Insured Artists)

(1) "Decrease in income as prescribed by Presidential Decree" in the proviso of Article 77-3 (1) 3 of the Act means any of the following decreases in income: <Amended on Jun. 8, 2021>

1. Where income derived from a contract related to culture and arts services (hereinafter referred to as "final contract"; hereafter in this paragraph the same shall apply) during three months immediately preceding the month in which date of leaving falls has decreased by at least 20/100 from income derived from the final contract during the same period of the preceding year (where no final contract exists, referring to income accruing from other contracts related to culture and arts services valid for the same period of the preceding year);
2. Where all of the following income decreases:

(a) The monthly average amount of income generated from a final contract during the three months immediately preceding the month in which the date of leaving one's job falls (referring to the monthly average amount of income generated from other contracts related to culture and arts services (limited to those whose contract period exceeds one month) valid in the year immediately preceding the year in which the date of leaving falls, if no final contract exists in the year immediately preceding the year in which the date falls. The amount is less than "average monthly amount in the preceding year" in item (b);

(b) The monthly income derived from the final contract during the 12 months immediately preceding the month in which the date of leaving falls shall be smaller than 20/100 of the monthly average income for the preceding year for at least five months.

(2) Where an artist has engaged in at least two of three jobs, which are employee, artist, and worker (referring to the worker under Article 77-6 (1) of the Act) during 24 months prior to the date of leaving, his or her qualifying days in covered employment under Article 77-3 (2) of the Act shall be deemed to meet the requirements for the number of qualifying days in covered employment under paragraph (1) 1 of that Article, in accordance with the following formula: *<Amended on Jun. 8, 2021>*

1 ? the number of qualifying days in covered employment as an artist (calculated on a monthly basis) ÷ 9 months the number of qualifying days in covered employment as an employee (calculated on a daily basis) ÷ 180 days + the number of qualifying days in covered employment as a worker under Article 77-6 (1) of the Act (calculated on a monthly basis) ÷ 12 months

(3) Where an artist under paragraph (2) falls under the following, the formula under paragraph (2) shall be established as follows: *<Newly Inserted on Jun. 8, 2021>*

1. Where the artist is simultaneously insured as an employee, artist, and worker under Article 77-6 (1) of the Act during the base period under Article 40 (2) 1 of the Act which is applied mutatis mutandis under Article 77-5 (2) of the Act: To be included only in the number of qualifying days in covered employment as an artist;

2. Where the artist is simultaneously insured as an employee and a worker under Article 77-6 (1) of the Act during the base period under Article 40 (2) 1 of the Act which is applied mutatis mutandis under Article 77-5 (2) of the Act: To be included only in the number of qualifying days in covered employment favorable to the insured artist during the qualifying days in covered employment as an employee or worker.

(4) "Amount prescribed by Presidential Decree" in Article 77-3 (5) of the Act means 66,000 won. *<Amended on Jun. 8, 2021>*

(5) "Period prescribed by Presidential Decree" in the proviso of Article 77-3 (6) of the Act means four weeks. *<Amended on Jun. 8, 2021>*

(6) The insured period of a short-term artist under the proviso of Article 77-3 (7) of the Act shall be calculated in accordance with the following classification: *<Amended on Jun. 8, 2021>*

1. Where the number of days during which labor is provided in the relevant month is at least 11 days:
To be calculated as one month;
 2. Where the number of days during which labor is provided in the relevant month does not exceed 10 days: The amount shall be calculated by dividing the aggregate of the number of days during which labor is provided each month by 22.
- (7) Where income accrues during the period subject to recognition of unemployment, due to employment, etc. job-seeking benefits shall be paid after deducting the relevant amount according to Article 77-8 (8) of the Act and the following classification: *<Amended on Jun. 8, 2021>*
1. Where an insured artist is deemed to have obtained employment, etc. as he or she falls under any of the following: Sum of the amount calculated by multiplying the relevant number of working days, number of days during which labor is provided, or number of business days by the daily amount of job-seeking benefits corresponding thereto:
 - (a) Where he or she provides labor for specified contractual working hours of at least 60 hours per month or 15 hours per week;
 - (b) Where he or she continuously provides labor for at least three months;
 - (c) Where he or she provides labor as a daily hire employee, a short-term artist, or as a short-term worker under the proviso of Article 77-6 (2) 2 of the Act;
 - (d) Where he or she enters into a new contract related to culture and arts services (referring to a contract whose monthly average income is at least 500,000 won) or a labor contract under Article 77-6 (1) of the Act (referring to a contract whose monthly remuneration under Article 104-11 (2) 1 is at least 800,000 won) and provides labor;
 - (e) Where it is deemed difficult for him or her to work for other business on a regular basis as he or she engages in family business, such as commercial and agricultural work (including unpaid housekeeper) or participates in business activities of other persons;
 - (f) Where he or she is registered as a business entity under the Income Tax Act, the Value-Added Tax Act, or the Corporate Tax Act: Provided, That this shall not apply to cases where it is proved that no actual business has been conducted, such as report filed on business suspension, and cases where no employee has been hired during the operation of the real estate leasing business and the business has no rental office;
 - (g) Other cases where he or she is deemed to obtain employment based on social norms;
 2. In cases other than those falling under subparagraph 1, where the average daily income accrued during the period subject to recognition of unemployment exceeds the amount publicly notified by the Minister of Employment and Labor: Sum of the daily average income accrued during the period subject to recognition of unemployment, minus the amount publicly notified by the Minister of Employment and Labor.
- (8) The following subparagraphs shall apply mutatis mutandis to job-seeking benefits for an insured artist:
<Amended on Jun. 8, 2021>

1. Articles 58, 58-2, 58-3, 59, 60, 61 through 63, 64 (excluding subparagraph 3), 65 through 67, 69 through 71, 75, 76, 79, 80, 80-2, 81, and 82 shall apply to an application for a job, recognition of eligibility for benefits, reporting on employment, payment, etc. of job-seeking benefits;
2. Articles 69, 75 through 80, 80-2, and 81 with respect to sickness benefits. In such cases, "application for recognition of unemployment" in Article 69 shall be construed as "application for sickness benefits;" and "job-seeking benefits" in Articles 75 through 80, 80-2, and 81 as "sickness benefits";
3. Article 75 with respect to the procedure for the payment of job-seeking benefits to a claimant for benefits payable. In such cases, the "competent employment security office having jurisdiction over the place of application" shall be construed as "competent employment security office having jurisdiction over the place of application of the deceased eligible recipient," and "eligible recipient" as "claimant for benefits payable."

Article 104-9 (Requirements for Payment of Maternity Benefits to Insured Artists)

(1) The Minister of Employment and Labor shall, pursuant to Article 77-4 (2) of the Act, pay maternity benefits, etc. (hereinafter referred to as "maternity benefits, etc.") where an insured artist meets all of the following requirements: *<Amended on Jun. 8, 2021>*

1. The number of qualifying days in covered employment as an insured artist before the date of childbirth, miscarriage, or stillbirth shall be at least three months in total;
2. No labor shall be provided during the period of payment of maternity benefits, etc.: Provided, That where the amount of income derived from labor or the one from self-employment during the payment period is less than the amount determined and publicly notified by the Minister of Employment and Labor, labor shall be deemed not provided;
3. The insured artist shall apply for maternity benefits, etc. within 12 months from the date of childbirth, miscarriage, or stillbirth; Provided, That if the person fails to file an application by said period due to any of the following reasons, he or she shall file said application within 30 days from the date such reason ceases to exist:
 - (a) Act of God;
 - (b) Injury or disease suffered by the person himself or herself, his or her spouse, or lineal ascendants or descendants of such person or his or her spouse;
 - (c) Detention on account of a crime or execution of a sentence.

(2) The periods of payment of maternity benefits, etc. shall be classified as follows: *<Amended on Jun. 8, 2021>*

1. Where the insured artist gives birth: The period shall be 90 consecutive days including days before and after childbirth (120 days in cases of pregnancy of two or more children at a time) and shall be at least 45 days (60 days in cases of pregnancy of two or more children at a time) after childbirth;
2. Where the insured artist suffers miscarriage or stillbirth: The following periods:

- (a) Where the pregnancy period is not less than 11 weeks: Five days from the date of miscarriage or stillbirth;
- (b) Where the pregnancy period is at least 12 weeks but not more than 15 weeks: 10 days from the date of miscarriage or stillbirth;
- (c) Where the pregnancy period is at least 16 weeks but not more than 21 weeks: 30 days from the date of miscarriage or stillbirth;
- (d) Where the pregnancy period is at least 22 weeks but not more than 27 weeks: 60 days from the date of miscarriage or stillbirth;
- (e) Where the pregnancy period is at least 28 weeks: 90 days from the date of miscarriage or stillbirth.

(3) Maternity benefits, etc. shall be the amount calculated for the periods classified in the subparagraphs of paragraph (2) based on the amount equivalent to the monthly average remuneration for one year retrospectively from the date of childbirth, miscarriage, or stillbirth, and the maximum and minimum amounts thereof shall be determined and publicly notified by the Minister of Employment and Labor in consideration of the following matters:

- 1. Maximum and minimum amounts of maternity leave benefits, etc. prescribed in Article 101;
- 2. Levels of monthly average remuneration for the insured artist;
- 3. Inflation rate;
- 4. Other matters deemed necessary by the Minister of Employment and Labor.

(4) Where an insured artist receives the following amounts due to childbirth, miscarriage, or stillbirth, he or she shall be paid maternity benefits, etc. except the amount paid out to him or her, notwithstanding paragraph (3): *<Amended on Jun. 8, 2021>*

- 1. Maternity leave benefits, etc. received as an employee under Article 75 of the Act;
- 2. Money and valuables received as an employee from the relevant business owner pursuant to Article 73 (3) of the Act which is applied apply mutatis mutandis under Article 77 of the Act during the period of payment of maternity leave benefits, etc. under Article 76 of the Act;
- 3. Money and valuables including maternity benefits, etc. received from the relevant business owner as a worker under Article 77-6 (1) of the Act during the period of payment of maternity benefits, etc. pursuant to Article 77-9 (1) of the Act;
- 4. Money and valuables received as an artist from the relevant business owner during the period of payment of maternity benefits, etc., under paragraph (2).

(5) Article 81 shall apply mutatis mutandis to orders to return maternity benefits, etc. paid under paragraph (1), amount to be collected and to be returned, and appropriation for an amount to be returned or additional amount to be collected. In such cases, "job-seeking benefits" shall be construed as "maternity benefits, etc." *<Newly Inserted on Jun. 8, 2021>*

Article 104-10 (Review of Job-Seeking Benefits and Maternity Benefits for Artists)

The provisions classified as follows shall apply mutatis mutandis to the review of job-seeking benefits, maternity benefits, etc. for artists, the Board of Review and further review: <Amended on Jun. 8, 2021>

1. Articles 121 through 129 with respect to review;
2. The following provisions with respect to the Board of Review and further review:
 - (a) Articles 123, 124, and 126 through 128 with respect to applications for challenge filed by members of the Board of Review and revision of request for further review. In such cases "examiner" in Article 123 shall be construed as "member of the Board of Review"; "Minister of Employment and Labor" as "chairperson of the Board of Review"; "applicant for review" in Articles 124 and 128 as "applicant for further review"; "examiner" in Articles 124, 126, and 128 as "chairperson of the Board of Review"; and "request for review" in Articles 126 through 128 as "request for further review";
 - (b) Articles 130 through 141 shall apply to matters relating to the members and operation of the Board of Review and other matters.

CHAPTER V-3 SPECIAL CASES CONCERNING EMPLOYMENT INSURANCE FOR INSURED WORKERS

Article 104-11 (Scope of Insured Workers)

(1) "Person ... who is engaged in the types of work prescribed by Presidential Decree" in Article 77-6 (1) of the Act shall be any of the following persons:

1. Any of the following persons who solicits insurance:
 - (a) An insurance solicitor registered under Article 84 (1) of the Insurance Business Act;
 - (b) A person who engages in soliciting postal insurance policies under the Postal Savings and Insurance Act, as a full-time job;
2. A person who visits the homes of children or students, etc. registered as members, in person and teaches them., such as a home-visit instructor of a private teaching institute and an instructor using educational teaching tools according to the sub-classification of the standard classification of occupations publicly notified by the Commissioner of the Statistics Korea pursuant to Article 22 of the Statistics Act (hereinafter referred to as the "Korean Standard Classification of Occupations");
3. A person sub-categorized as a door-to-door courier under the Korean Standard Classification of Occupations and who engages in collection or delivery in courier services (referring to service delivering parcels after collecting and transporting them);
4. A loan solicitor defined in the proviso of Article 3 (1) of the Act on Registration of Credit Business and Protection of Finance Users;
5. A credit card solicitor under Article 14-2 (1) 2 of the Specialized Credit Finance Business Act (only applicable to those who engage in such business on a full-time basis);

6. A door-to-door salesperson defined in subparagraph 2 of Article 2 of the Act on Door-to-Door Sales or a door-to-door salesperson under sponsorship defined in subparagraph 8 of that Article who regularly conducts door-to-door sales: Provided, That this shall not apply to a door-to-door salesperson or door-to-door salesperson under sponsorship who engages in such work for self-consumption and a person who falls under both subparagraph 2 and 7;
 7. A door-to-door inspector of products rented which is sub-categorized under the Korean Standard Classification of Occupations;
 8. A person who mainly performs delivery services for the sale of home appliances and verifies the working conditions through the installation, trial operation, etc. thereof;
 9. An instructor in charge of after-school classes operated by a school under Article 2 of the Elementary and Secondary Education Act;
 10. A person who directly operates construction machinery registered pursuant to Article 3 (1) of the Construction Machinery Management Act;
 11. A truck owner-operator defined in subparagraph 11 of Article 2 of the Truck Transport Business Act, who falls under any of the following:
 - (a) A person who transports exported and imported containers or cement, to which safe trucking freight rates under Article 5-4 (2) of the Trucking Transport Business Act apply, using a special motor vehicle under Article 3 (1) 4 of the Motor Vehicle Management Act;
 - (b) A person who transports steel materials to which safe trucking costs under Article 4-7 (1) of the Enforcement Decree of the Trucking Transport Business Act apply, using a towed motor vehicle defined in the main clause of subparagraph 1 of Article 2 of the Motor Vehicle Management Act or a general truck under Article 3 of that Act;
 - (c) A person who transports dangerous substances under Article 29 (1) of the Framework Act on Logistics Policies using a general-purpose freight motor vehicle or special-purpose freight motor vehicle under Article 3 of the Motor Vehicle Management Act.
- (2) "Income standards prescribed by Presidential Decree" in the main clause of Article 77-6 (2) 2 of the Act means the following standards:
1. The monthly remuneration accrued under a contract (hereinafter referred to as "labor contract") entered into by and between a worker under Article 77-6 (1) of the Act and a business owner (if the relevant business owner enters into a new labor contract, referring to the amount of remuneration reported under Article 19-7 (3) 2-2 of the Enforcement Decree of the Act on Employment and Industrial Accident Premium Collection, and the amount of remuneration the business owner pays to the worker each month once the reporting is filed; hereinafter the same shall apply) shall be at least 800,000 won;
 2. Where a worker who fails to meet the income standards under subparagraph 1 has entered into at least two labor contracts, the aggregate of monthly remuneration of which for the same period (limited to where he or she wishes to consolidate those contracts) shall be at least 800,000 won.

(3) Where a worker wishes to aggregate the amounts of monthly remuneration accrued from at least two labor contracts as prescribed in paragraph (2) 2, he or she shall file an application for aggregation with the Minister of Employment and Labor by the 15th day of the month following the month in which the date the sum of monthly remuneration under those contracts reaches at least 800,00 won falls.

(4) Where the Minister of Employment and Labor receives an application for aggregation pursuant to paragraph (3), he or she shall verify whether the relevant worker meets the income standards under paragraph (2) 2, and notify the relevant business owner (limited to where the worker meets the income standards) and the worker of the results of the verification. In such cases, the relevant business owner shall be deemed to have reported the acquisition of insured status of the worker pursuant to Article 104-12 (1) when the worker has applied for aggregation in accordance with paragraph (3).

[Previous Article 104-11 moved to Article 104-17 <Jun. 8, 2021>]

Article 104-12 (Reporting on Insured Status of Workers)

(1) A business owner who has entered into a labor contract with a worker shall report to the Minister of Employment and Labor matters relating to the acquisition and loss of his or her insured status related to the business pursuant to Article 15 of the Act which is applied mutatis mutandis pursuant to Article 77-10 (1) of the Act by the 15th day of the month following the month in which the date such cause occurs falls (without delay, if the worker demands that the business owner file such report before the above-stated deadline).

(2) Notwithstanding paragraph (1), where a business owner who has entered into a labor contract with a short-term worker under the proviso of Article 77-6 (2) 2 of the Act (hereinafter referred to as "short-term worker") submits a report confirming details of labor, including the number of days during which labor is provided during the contract period, amount of money received in return for labor, etc. to the Minister of Employment and Labor by the 15th day of the month following the month in which the date the relevant cause occurs falls, the matters relating to the relevant short-term worker's acquisition and loss of insured status shall be deemed to be filed.

(3) Where a worker reports matters relating to the acquisition or loss of insured status pursuant to Article 15 (3) of the Act which is applied mutatis mutandis under Article 77-10 (1) of the Act, he or she shall submit a labor contract and other documents evidencing the labor relationship.

(4) Where a worker enters into an employment contract, a contract related to culture and arts services, or a labor contract for at least two covered business pursuant to Article 77-6 (3) of the Act, he or she shall acquire insured status according to the following classifications:

1. Where at least two labor contracts are concluded simultaneously, insured status shall be acquired from all business;
2. Where a labor contract and an employment contract or a contract related to culture and arts services are concluded simultaneously, insured status shall be acquired from all business;

3. Where a labor contract and at least two employment contracts are concluded simultaneously, subparagraphs 1 and 2 shall apply, but Article 18 of the Act shall apply to the limitation on double insurance as an employee.

Article 104-13 (Reporting on Change Related to Insured Workers and Requests for Confirmation)

@Articles 10 (1) and 11 shall apply mutatis mutandis to reporting on the change and correction of the name and resident registration number of an insured worker, and to requests for and notice of confirmation of the acquisition or loss of insured status.

Article 104-14 (Insured Workers' Eligibility Requirements for Job-Seeking Benefits)

(1) "Decrease in income prescribed by Presidential Decree" in the proviso of Article 77-8 (1) 3 of the Act means any of the following cases:

1. The income accrued from the labor contract in force at the time of leaving (hereinafter referred to as "final contract"; hereafter in this paragraph the same shall apply) during three months immediately preceding the month in which the date of leaving falls has decreased at least 30/100 from the income accrued from the final contract during the same period of the preceding year (where there is no final contract, referring to the income accrued from another labor contract in force during the same period of the preceding year);

2. Where all of the following income decreases occur:

(a) The monthly average amount of remuneration accrued from the final contract during three months immediately preceding the month in which the date of leaving falls is smaller than the monthly average amount of remuneration accrued from the final contract [*where there is no final contract, referring to the monthly average amount of remuneration accrued from another labor contract in force during the preceding year (limited to those with a contract period of at least one month); hereafter in item (b) referred to as "monthly average amount in the preceding year"*] during the preceding year in which the date of leaving falls;

(b) The amount of monthly remuneration accrued from the final contract during the 12 months immediately preceding the month in which the date of leaving falls shall be less than at least 30/100 of the monthly average amount in the preceding year for at least five months.

(2) Where a worker has engaged in at least two of three jobs, which are employee, artist, and worker for 24 months prior to the date of leaving, his or her qualifying days in covered employment under Article 77-8 (2) of the Act shall be deemed to meet the requirements for the number of qualifying days in covered employment under paragraph (1) 1 of that Article, if the following formula are met.

(3) Where a worker under paragraph (2) falls under the following, the calculation formula under paragraph (2) shall be employed:

1. Where the worker is simultaneously insured as an employee, artist, and worker during the base period under Article 40 (2) 1 of the Act, which is applied mutatis mutandis under Article 77-10 (2) of the Act:

To be included only in the number of qualifying days in covered employment as a worker;

2. Where the worker is simultaneously insured as a worker and artist during the base period under Article 40 (2) 1 of the Act which is applied mutatis mutandis under Article 77-10 (2) of the Act: To be included only in the number of qualifying days in covered employment favorable to the insured worker during the qualifying days in covered employment as an employee or artist.

(4) "Amount prescribed by Presidential Decree" in Article 77-8 (5) of the Act means 66,000 won.

(5) "Period prescribed by Presidential Decree" in the proviso of Article 77-8 (6) of the Act means the following periods:

1. Where a decrease in income under paragraph (1) 1 or 2 occurs by at least 30/100 but less than 50/100: Four weeks;

2. Where a decrease in income under paragraph (1) 1 or 2 occurs by at least 50/100: Two weeks.

(6) The insured period of a short-term worker under the proviso of Article 77-8 (7) of the Act shall be calculated according to the following classification:

1. Where the number of days during which labor is provided in the relevant month is at least 11 days: To be counted as one month;

2. Where the number of days during which labor is provided in the relevant month does not exceed 10 days: The period shall be calculated by dividing the sum of the numbers of days during which labor is provided each month by 22.

(7) Where income accrues during the period subject to recognition of unemployment, due to employment, etc. job-seeking benefits shall be paid after deducting the relevant amount according to Article 77-8 (8) of the Act and the following classification:

1. Where an insured worker is deemed to have obtained employment, etc. as he or she falls under the items of Article 104-8 (7) 1: An aggregate amount calculated by multiplying the number of working days, the number of days during which labor is provided, or the number of business days by the daily job-seeking benefits corresponding thereto;

2. In cases other than those falling under subparagraph 1, where the average daily income accrued during the period subject to recognition of unemployment exceeds the amount publicly notified by the Minister of Employment and Labor: Sum of the average daily income accrued during the relevant period subject to recognition of unemployment minus the amount calculated according to the public notice of the Minister of Employment and Labor.

(8) The following regulations shall apply mutatis mutandis to insured workers' job-seeking benefits:

1. Articles 58, 58-2, 58-3, 59, 60, 61 through 63, 64 (excluding subparagraph 3), 65 through 67, 69 through 71, 75, 76, 79, 80, 80-2, 81, and 82 with regard to an application for a job, recognition of eligibility for benefits, reporting on employment, benefit period, and payment of job-seeking benefits;

2. Articles 69, 75 through 80, 80-2, and 81 with respect to sickness benefits. In such cases, "application for recognition of unemployment" in Article 69 shall be construed as "written claim for sickness benefits;" and "job-seeking benefits" in Articles 75 through 80, 80-2, and 81 as "sickness benefits;"

3. Article 75 with respect to the procedure for the payment of job-seeking benefits to a claimant for benefits payable. In such cases, the "competent employment security office having jurisdiction over the place of application" shall be construed as "competent employment security office having jurisdiction over the application of application of the deceased eligible recipient," and "eligible recipient" as "claimant for benefits payable."

Article 104-15 (Requirements for Payment of Maternity Benefits to Insured Workers)

(1) Pursuant to Article 77-9 (2) of the Act, the Minister of Employment and Labor shall pay maternity benefits, etc., to an insured worker, if he or she meets all of the following requirements:

1. The number of qualifying days in covered employee as an insured worker prior to the date of childbirth, miscarriage, or stillbirth shall be at least three months in total;
2. Labor shall not be provided during the period of payment of maternity benefits, etc. under paragraph (2): Provided, That where the amount of income accrued from labor or self-employment during the payment period is less than the amount determined and publicly notified by the Minister of Employment and Labor, labor shall be deemed not to be provided;
3. The insured worker shall apply for maternity benefits, etc. within 12 months from the date of childbirth, miscarriage, or stillbirth: Provided, That if he or she is unable to file an application by the deadline due to any of the following reasons, he or she shall file an application within 30 days from the date such grounds cease to exist:
 - (a) Act of God;
 - (b) Injury or disease suffered by the recipient, his or her spouse, or lineal ascendants or descendants of the recipient or his or her spouse;
 - (c) Detention on account of a crime or execution of a sentence.

(2) Article 104-9 (2) shall apply to the period of payment of maternity benefits, etc. In such cases, "insured artist" shall be construed as "insured worker:"

$1 \div \frac{\text{the number of qualifying days in covered employment as a worker (calculated on a monthly basis)}}{12 \text{ months}} + \frac{\text{the number of qualifying days in covered employment as an employee (calculated on a daily basis)}}{180 \text{ days}} + \frac{\text{the number of qualifying days in covered employment as an artist (calculated on a monthly basis)}}{9 \text{ months}}$

(3) Maternity benefits, etc. shall be the amount calculated for the period classified in the subparagraphs of Article 104-9 (2) based on the amount equivalent to the monthly average remuneration for one year retrospectively from the date of childbirth, miscarriage, or stillbirth, and the maximum and minimum amounts of such benefits shall be determined and publicly notified by the Minister of Employment and Labor in consideration of the following matters:

1. Maximum and minimum amounts of maternity leave benefits, etc. prescribed in Article 101 of the Act;

2. Level of monthly average remuneration for an insured worker;
3. Inflation rate;
4. Other matters deemed necessary for calculating maternity benefits, etc. by the Minister of Employment and Labor.

(4) Notwithstanding paragraph (3), where an insured worker is paid the following amounts due to childbirth, miscarriage, or stillbirth pursuant to the proviso of Article 77-9 (1) of the Act, he or she shall receive maternity benefits, etc. for the same reason except the amount already paid:

1. Maternity leave benefits, etc. received as an employee under Article 75 of the Act;
2. Money and valuables received from the relevant business owner as an employee under Article 73 (3) of the Act, which is applied mutatis mutandis under Article 77 of the Act, during the period of payment of maternity leave benefits, etc. under Article 76 of the Act;
3. Maternity benefits, etc. received as an artist pursuant to Article 77-4 (1) of the Act;
4. Money and valuables received from the relevant business owner as an artist during the period of payment of maternity benefits, etc., under Article 104-9 (2);
5. Money and valuables received from the relevant business owner as a worker during the period of payment of maternity benefits, etc., under paragraph (2).

(5) Article 81 shall apply mutatis mutandis to orders to return maternity benefits, etc., paid under subparagraph 1, additional collection, and appropriation for an amount to be returned or additional amount to be collected. In such cases, "job-seeking benefits" shall be construed as "maternity benefits, etc."

Article 104-16 (Confirmation of Workers' Insured Status and Review)

The following provisions shall apply to the confirmation of workers' insured status, review of job-seeking benefits and maternity benefits, the Board of Review, and further Review:

1. Articles 121 through 129 with respect to review;
2. The following provisions with respect to the Board of Review and further review:
 - (a) Articles 123, 124, and 126 through 128 with respect to applications for challenge filed by members of the Board of Review and revision of application for further review. In such cases, "examiner" in Article 123 shall be construed as "member of the Board of Review"; "Minister of Employment and Labor" as "chairperson of the Board of Review"; "applicant for review" in Articles 124 and 128 as "applicant for further review"; "examiner" in Articles 126 and 128 as "chairperson of the Board of Review"; and "request for review" in Articles 126 through 128 as "request for further review."
 - (b) Articles 130 through 141 shall apply to the members and operation of the Board of Review and other matters.

CHAPTER VI EMPLOYMENT INSURANCE FUND

Article 104-17 (Special Members in Charge of Fund Management and Operation)

(1) The Minister of Employment and Labor may hire special members in charge of asset management in order to manage and operate the Fund in a systematic and stable manner under Article 79 of the Act. <Amended on Jul. 12, 2010>

(2) Matters concerning qualifications of special members in charge of asset management, their services, remuneration, etc. shall be determined by the Minister of Employment and Labor. <Amended on Jul. 12, 2010>

[Moved from Article 104-11 <Jun. 8, 2021>]

Article 105 (Management Business of Funds)

(1) "Other means of investment prescribed by Presidential Decree" in Article 79 (3) 5 of the Act means purchasing securities prescribed in Article 4 of the Financial Investment Services and Capital Markets Act. <Amended on Jul. 29, 2008>

(2) "Level prescribed by Presidential Decree" in Article 79 (4) of the Act means the rate of return prescribed by the Minister of Employment and Labor, considering the interest rate for a one-year term deposit (referring to the interest rate applied by national banks among the banks established under the Banking Act) or the forecast inflation rate. <Amended on Jul. 12, 2010; Nov. 15, 2010>

Article 106 (Fund Accounting)

Fund accounting shall be carried out, as prescribed in Article 11 of the National Accounting Act. <Amended on Sep. 15, 2011>

Article 107 (Use of Fund)

(1) "Expenses prescribed by Presidential Decree" in Article 80 (1) 7 of the Act means the following expenses: <Amended on Jun. 8, 2021>

1. Expenses incurred in the management and operation of the insurance service;
2. Expenses incurred in the management and operation of the Fund;
3. Grants to agencies for vicarious execution of administrative affairs of insurance business prescribed in Article 33 of the Act on Employment and Industrial Accident Premium Collection;
4. Payment of fees for the entrustment of projects or business affairs prescribed in the Act and the Act on Employment and Industrial Accident Premium Collection.

(2) With regard to contributions prescribed in Article 80 (1) 6 of the Act, where an eligible recipient of contribution to be paid on a monthly basis applies for the amount of contribution to be expended the following month, the requested amount shall be reviewed by the Minister of Employment and Labor, and reasonable amount shall be paid to the person. <Amended on Jul. 12, 2010>

- (3) A recipient (hereafter in this Article referred to as "contributee") of contributions prescribed in Article 80 (1) 6 of the Act shall open separate accounts to manage the contribution, and any interest income accrued from the account shall be returned to the Minister of Employment and Labor: Provided, That a contributee may, where the contributee has obtained approval from the Minister of Employment and Labor, use the contributions in business the contributee performs by proxy or is entrusted to perform (hereafter in this Article referred to as "business for purpose of contributions"). *<Amended on Jul. 12, 2010>*
- (4) Contributions which remain without being used for business for purpose of contributions within an insurance year shall be returned to the Minister of Employment and Labor unless otherwise provided in other statutes: Provided, That where a contributee has obtained approval from the Minister of Employment and Labor, he or she may carry forward such contribution to the following year to be used for business for purpose of contributions. *<Amended on Jul. 12, 2010>*
- (5) Where a contributee has used contributions for any purpose other than the intended purpose of contribution, the Minister of Employment and Labor may request the contributee to return the corresponding amount. *<Amended on Jul. 12, 2010>*
- (6) A contributee shall report to the Minister of Employment and Labor the results of execution of contributions for the quarter by the 10th of the month following each quarter. *<Amended on Jul. 12, 2010>*

Article 108 (Entrustment of Disbursement of Fund)

The Minister of Employment and Labor may entrust any of the following institutions or a post office with the affairs relating to the payment of subsidies or incentives from the Fund, the payment of training expenses and training allowances, and the payment of unemployment benefits: *<Amended on Jul. 12, 2010; Nov. 15, 2010; Jan. 6, 2012; Oct. 25, 2016>*

1. A bank granted a license prescribed in Article 8 of the Banking Act;
2. Nonghyup Bank under the Agricultural Cooperatives Act;
3. Suhyup Bank under the Fisheries Cooperatives Act;
4. A mutual savings bank established under the Mutual Savings Banks Act;
5. A community credit cooperative under the Community Credit Cooperatives Act;
- 6-2. A credit union established under the Credit Unions Act.

Article 109 (Fund Operation Plan)

The fund operation plan prescribed in Article 81 (1) of the Act shall contain the following:

1. Revenue and expenditure of the Fund;
2. Business plan, the plan for acts incurring expenditure, and the financial operating plan for the pertinent year;
3. Disposition of carryover from the previous year;
4. Reserves;

5. Other matters necessary for the operation of the Fund.

Article 110 (Publication of Results of Fund Operation)

The Minister of Employment and Labor shall, pursuant to Article 81 (2) of the Act, publish the results of the operation of the Fund each year in one or more daily newspapers specializing in economy whose head office is in the Seoul Metropolitan City area, the Official Gazette, on the Ministry's website, or in a broadcast. <Amended on Jul. 12, 2010; Nov. 24, 2020>

Article 111 (Fund Accounting Organization)

(1) The Minister of Employment and Labor shall appoint a fund revenue collection officer, a fund treasurer, a fund disbursement officer, and a fund cashier from among public officials under his or her jurisdiction in order to assign them to carry out administrative affairs relating to the revenue and expenditure of the Fund. <Amended on Jul. 12, 2010>

(2) A fund revenue collector and fund treasurer shall be responsible for affairs relating to contracts for the management and operation of the Fund, revenue-earning activities and expenditure-incurring activities, and the collection of and determination of the fund revenue, while the fund disbursement officer and the fund cashier shall be responsible for the affairs relating to the receipt and disbursement arising from the management and operation of the Fund.

(3) The Minister of Employment and Labor shall, when he or she appoints a fund revenue collection officer, fund treasurer, fund disbursement officer, or fund cashier, inform the Chairperson of the Board of Audit and Inspection and the Governor of the Bank of Korea of his or her appointment. <Amended on Jul. 12, 2010>

Article 112 (Designation of Transaction Banks)

The fund disbursement officer shall designate the Bank of Korea (including its head office, branch offices, liaison offices, and national treasury agencies; the same shall apply hereinafter) located in the relevant jurisdiction, or the nearest Bank of Korea if the Bank of Korea is not in a certain area, as the transaction bank for the checks he or she issues.

Article 113 (Procedures for Receipt of Fund Revenues)

(1) The fund revenue collection officer shall, when he or she collects revenues from the Fund, inform the obligor to deposit it in the fund account in the Bank of Korea: Provided, That the foregoing shall not apply where a business owner makes payment in person by the payment deadline.

(2) The Bank of Korea shall, upon receipt of revenues from the Fund, issue a receipt to the payer, and shall dispatch a notice of receipt to the fund revenue collection officer forthwith.

(3) The Bank of Korea shall accumulate the revenue received from the Fund pursuant to paragraph (2) into the fund account opened at the head office of the Bank of Korea in accordance with the procedure for

handling the national treasury.

Article 114 (Procedures for Disbursement of Fund)

(1) When the fund treasurer performs an act of incurring expenditure, he or she shall forward the documents concerning such act of incurring the expenditure to the fund disbursement officer.

(2) When the fund disbursement officer performs an act of incurring expenditure and disburses an amount from the Fund, he or she shall, as determined by the creditor or by statutes, instruct the Bank of Korea to disburse it in a way that transfers it to the deposit account that the person carries out the entrusted administrative affairs related to the payment of the national treasury has in a financial institution.

(3) The fund treasurer may carry over the amount that he or she could not disburse during the pertinent fiscal year due to any unavoidable cause or event after performing an act of incurring expenditure to disburse it during the following year.

Article 115 (Prohibition on Handling Cash)

Neither the disbursement officer nor the fund cashier may retain, disburse, or receive any amount in cash: Provided, That the foregoing shall not apply to the cases under Articles 22 (4) and 24 of the Management of the National Funds Act.

Article 116 (Allocating Maximum Amount of Expenditure Incurring Activities of Fund)

(1) The Minister of Employment and Labor shall allocate the maximum amount of an act of incurring expenditure for each quarter to each fund treasurer within the scope of a plan for an act of incurring expenditure for each quarter prescribed in subparagraph 2 of Article 109. *<Amended on Jul. 12, 2010>*

(2) The Minister of Employment and Labor shall, within the scope of a monthly financial operation plan prescribed in subparagraph 2 of Article 109, allocate funds to each fund disbursement officer in accordance with the detailed monthly financial operating plan prepared pursuant to Article 49 (2) of the Enforcement Decree of the Management of the National Funds Act. *<Amended on Jul. 12, 2010; Sep. 15, 2011>*

Article 117 (Reporting on Current Status of Fund Operation)

(1) A fund revenue collection officer shall prepare and submit a report on fund amount collected, a fund treasurer shall do so on the amount accrued by an act of incurring expenditure of the Fund, and a fund disbursement officer shall do so on the amount of expenditure of the Fund as of the end of each month to the Minister of Employment and Labor on or before the 20th day of the following month. *<Amended on Jul. 12, 2010>*

(2) Matters concerning filing necessary reports necessary for the operation and management of the Fund, in addition to reporting under paragraph (1), shall be determined by the Minister of Employment and Labor. *<Amended on Jul. 12, 2010>*

Article 118 (Reporting on Settlement of Accounts of Fund)

The Minister of Employment and Labor shall prepare the following documents in relation to the settlement of the Fund for each fiscal year, and shall forward it to the Minister of Economy and Finance on or before the end of February of the following fiscal year, subject to prior review by the Committee: <Amended on Feb. 29, 2008; Jul. 12, 2010; Sep. 15, 2011>

1. Documents concerning the overview and analysis of the settlement of accounts of the Fund;
2. Financial statements including the statement of financial position, statement of operations and changes in net position, and the statement of changes in net assets;
3. Spreadsheet for comparing the Fund operation plan and the actual Fund performance;
4. Statements of revenue and expenditure;
5. Other documents necessary for clearly explaining the details of the account settlement.

Article 119 (Receipt and Disbursement of Reserves)

Matters necessary for the receipt and disbursement of reserves and surplus of the Fund referred to in Article 84 of the Act shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Jul. 12, 2010>

Article 120 (Application Mutatis Mutandis of the National Finance Act and the Management of the National Funds Act)

Except as provided in in the Act and this Decree, the National Finance Act and the Management of the National Funds Act shall apply to the operation and management of the Fund. <Amended on Jun. 8, 2021>

CHAPTER VII REQUESTS FOR REVIEW AND FURTHER REVIEW

Article 121 (Qualification of Examiners)

An employment insurance examiner prescribed in Article 89 of the Act (hereinafter referred to as "examiner") shall be appointed from among any of the following public officials under the control of the Ministry of Employment and Labor: <Amended on Jul. 12, 2010; Jun. 8, 2021>

1. A public official of Grade V or higher in general service or a public official in general service belonging to the Senior Executive Service among public officials under the control of the Ministry of Employment and Labor, who has engaged in services relating to requests for review or further review of insurance for one year or longer;
2. A public official of Grade V or higher in general service or a member in general service of the Senior Executive Service among public officials under the control of the Ministry of Employment and Labor, who has engaged in the insurance service for two years or longer;

3. Any other person recognized by the Minister of Employment and Labor as qualified as those prescribed in subparagraph 1 or 2.

Article 122 (Assignment and Duties of Examiners)

- (1) An examiner shall be assigned to the Ministry of Employment and Labor. *<Amended on Jul. 12, 2010>*
- (2) An examiner shall be responsible for work relating to review designated by the Minister of Employment and Labor and case studies of request for review. *<Amended on Jul. 12, 2010>*

Article 123 (Method of Applications for Challenge)

- (1) The application for challenge against an examiner prescribed in Article 89 (4) of the Act shall be filed in writing, specifically stating the grounds for the challenge.
- (2) The Minister of Employment and Labor shall, upon receipt of an application for challenge filed as prescribed in paragraph (1), make a decision on the application within 15 days and shall give notice of his or her decision to the applicant. *<Amended on Jul. 12, 2010>*

Article 124 (Reporting on Succession to Status of Petitioner)

A person who succeeds to the status of an applicant for review, as prescribed in Article 89 (5) of the Act shall report such fact to the competent examiner in writing, along with a document proving such succession.

Article 125 (Methods of Requests for Review)

- (1) The document requesting review prescribed in Article 91 of the Act shall contain the following information:
 1. Name and address of the petitioner;
 2. Name of the disposition agency as the respondent;
 3. Details of the disposition subject to the request for review;
 4. Date on which the disposition is known to the petitioner;
 5. Whether there has been a notice concerning the request for review in relation to the disposition agency as the respondent and the contents of such notice, if any;
 6. Purport of and reasons for the request for review;
 7. Date of the request for review.
- (2) Where a request for review is made by the representative applicant appointed by petitioners or an agent, the name and address of the representative applicant or the agent shall be described in addition to the details prescribed in paragraph (1), and the qualifications for the appointed representative applicant or the agent shall be vindicated in writing. *<Amended on Dec. 31, 2010>*
- (3) Each petitioner or his or her agent shall write his or her name and affix his or her seal on the document prescribed in paragraph (1).

Article 126 (Rectification of Request for Review)

(1) An order to submit a revise request for review prescribed in the main clause of Article 92 (2) of the Act shall be issued in a document containing the following matters:

1. Matters that shall be revised;
2. Reasons why the revision is required;
3. Deadline for the revision;
4. Other necessary matters.

(2) An examiner shall, when he or she revises a request for review at his or her discretion pursuant to the proviso to Article 92 (2) of the Act, give notice of such correction to the relevant party.

Article 127 (Notice of Suspension of Execution of Original Disposition)

A document notifying the suspension of execution prescribed in Article 93 (2) of the Act shall state the following matters:

1. Name of the case of request review;
2. Dispositions subject to the suspension of execution and details of the suspension of execution;
3. Name and address of the applicant;
4. Name of the disposition agency as the respondent;
5. Reasons for the suspension of execution.

Article 128 (Investigation for Hearings)

(1) An application for an investigation to hold hearings on the request for review prescribed in Article 94 (1) of the Act shall be filed in a document stating the following matters:

1. Name of the case of request for review;
2. Purport of and reasons for the application;
3. Name and address of the person who is required to appear (which shall be stated only in cases prescribed in Article 94 (1) 1 of the Act);
4. Name and address of the person who owns or possesses a document or any other article required to be submitted (which shall be stated only in cases prescribed in Article 94 (1) 2 of the Act);
5. Matters for which an expert opinion is required and the grounds therefor (which shall be stated only in cases prescribed in Article 94 (1) 3 of the Act);
6. A place of business or any other place to which access is required, a business owner, an employee, or any other person involved to whom inquiries shall be made, and documents and other articles that shall be inspected (which shall be stated only in cases prescribed in Article 94 (1) 4 of the Act).

(2) When an examiner conducts an investigation into evidence pursuant to Article 94 (1) of the Act, he or she shall prepare a protocol of the investigation of evidence. In such cases, when the examiner hears an oral statement of the applicant for review or a person involved pursuant to Article 94 (1) 1 of the Act, he

or she shall prepare a protocol of oral statement and attach it to the protocol of the investigation of evidence.

(3) The protocol of investigation of evidence prescribed in paragraph (2) shall contain the following matters, and the relevant examiner shall write his or her name and affix his or her seal thereon:

1. Indication of the case;
2. Date and place of the investigation;
3. Subject matter and method of the investigation;
4. Results of the investigation.

Article 129 (Decision Letter)

The decision on a request for review prescribed in Article 96 of the Act shall be delivered in the form of a decision letter that shall contain the following matters and on which the relevant examiner shall affix his or her signature or seal: *<Amended on Sep. 15, 2011>*

1. Case number and name;
2. Name and address of the petitioner;
3. Name of the disposition agency as the respondent;
4. Main text;
5. Purport of the petition;
6. Grounds;
7. Date of the decision.

Article 130 (Commissioning and Appointment of Members of Board of Review)

(1) Members representing employees among members of the Employment Insurance Board of Review prescribed in Article 99 (1) of the Act (hereinafter referred to as the "Board of Review") shall be commissioned by the President upon the recommendation of the Minister of Employment and Labor among candidates recommended by a general federation of labor unions, while the members representing employers shall also be commissioned by the President upon the recommendation of the Minister of Employment and Labor among candidates recommended by a nation-wide association of employers. *<Amended on Jul. 12, 2010; Jun. 8, 2021>*

(2) Members of the Board of Review, except a member representing employees, a member representing employers, and ex officio members, shall be commissioned by the President upon recommendation of the Minister of Employment and Labor among any of the following persons: Provided, That standing members shall be appointed by the President upon recommendation of the Minister of Employment and Labor, from among persons who fall under subparagraph 3 or 4: *<Amended on Jul. 12, 2010; Jun. 8, 2021>*

1. A person who holds the qualification as a judge, public prosecutor, or attorney-at-law;
2. A person who held or holds an adjunct professorship or a higher position in a college or university prescribed in the Higher Education Act;

3. A person who served or serves as a Grade III or higher public official, or a member, in general service of the Senior Executive Service;
 4. A person who has engaged in labor-related affairs for 15 years or longer and who is deemed qualified by the Minister of Employment and Labor;
 5. A person who has good knowledge and experience in issues of social insurance or employment and who is deemed qualified by the Minister of Employment and Labor.
- (3) The Minister of Employment and Labor shall nominate a Grade III public official in charge of insurance affairs belonging to the Ministry of Employment and Labor or a public official in general service belonging to the Senior Executive Service as the ex officio member of the Board of Review.
<Amended on Jul. 12, 2010>

Article 131 (Term of Office of Members)

- (1) The term of office of members of the Board of Review shall be three years, but may be renewed consecutively for further terms.
- (2) In the event that a vacancy occurs in membership, a member filling the vacancy shall serve for the remaining term of his or her predecessor: Provided, That where a vacancy occurs in the position of standing members (including the Chairperson), a member filling the vacancy shall begin a new term.
- (3) Members may carry out their duties despite the expiration of their terms prescribed in paragraph (1), until their successors are appointed.

Article 132 (Treatment of Members)

Allowances and travel expenses may be reimbursed to members who attend meetings of the Board of Review, other than standing members and the ex officio member, as may be necessary, within the budget. In such cases, the travel expenses shall be reimbursed according to the regulation on travel expense of public officials.

Article 133 (Chairperson and Vice Chairperson)

- (1) The Board of Review shall have one chairperson and one vice-chairperson.
- (2) The chairperson of the Board of Review shall be appointed by the President upon recommendation of the Minister of Employment and Labor from among standing members, and the vice-chairperson shall be elected from among members. <Amended on Jul. 12, 2010>

Article 134 (Duties)

- (1) The Chairperson shall represent the Board of Review, and shall exercise overall control over the administrative affairs of the Board of Review.
- (2) The Vice-Chairperson shall assist the Chairperson, and shall act on behalf of the Chairperson when the Chairperson is unable to perform his or her duties due to unavoidable cause.

Article 135 (Meetings)

(1) Meetings of the Board of Review shall be comprised of no more than nine members, including the Chairperson or Vice-Chairperson, the ex officio member, and each member representing employees and employers designated by the Chairperson for each meeting.

(2) When the Chairperson of the Board of Review intends to call a meeting, he or she shall give a written notice of the date and venue of the meeting, and the agenda items to each member by no later than five days before the opening of the meeting: Provided, That the foregoing shall not apply in cases of an emergency.

(3) A majority of the members of the Board of Review under paragraph (1) shall constitute a quorum and any decision thereof shall require the concurring votes of at least a majority of those present at such meetings.

Article 136 (Placement of Specialists)

(1) The Minister of Employment and Labor may, pursuant to Article 99 (9) of the Act, have specialists in the Board of Review to conduct specialized survey and research necessary for further review by the Board of Review. <Amended on Apr. 30, 2008; Jul. 12, 2010; Jun. 8, 2021>

(2) Necessary matters concerning the qualification for, service of, and remuneration of specialists shall be prescribed by Ordinance of the Ministry of Employment and Labor. <Amended on Apr. 30, 2008; Jul. 12, 2010>

Article 137 (Notice)

A written notice of the date and venue of hearings prescribed in Article 101 (1) of the Act shall be given, and shall be served in person or by registered post.

Article 138 (Application for Closed Hearing)

The written application for closed hearing prescribed in the proviso to Article 101 (3) of the Act shall be filed, stating the purport of and grounds for the application.

Article 139 (Protocol of Hearings)

(1) The protocol of hearings prescribed in Article 101 (4) of the Act shall contain the following matters:

1. Case number and name;
2. Date and venue for hearing;
3. Names of members present;
4. Name of a party or his or her agent present;
5. Details of hearing;

6. Other necessary matters.
- (2) The protocol of hearing referred to in paragraph (1) shall contain the date of preparation, and the Chairperson shall affix his or her signature and seal thereon.
- (3) The written application for inspection prescribed in Article 101 (5) of the Act shall be filed.

Article 140 (Method of Requests for Further Review)

(1) The written request for further review prescribed in Article 87 of the Act shall be filed, stating the following details:

1. Name and address of the petitioner;
2. Matters referred to in Article 125 (1) 2 through 4;
3. Name of the examiner who made the decision;
4. Date on which the decision is made known to the petitioner;
5. Whether there has been a notice concerning request for further review by the examiner who made the decision and the contents of the notice;
6. Purport of and grounds for the request for further review;
7. Date of the request for further review.

(2) Where a request for further review is filed by the representative applicant appointed by applicants or an agent, the name and address of the representative applicant or the agent shall be described in addition to the descriptions specified in paragraph (1), and the qualifications for the appointed representative applicant or the agent shall be vindicated in writing. *<Amended on Dec. 31, 2010>*

(3) Each applicant or his or her agent shall write his or her name and affix his or her seal on the document prescribed in paragraph (1).

Article 141 (Written Judgments)

A written adjudication on a request for further review shall contain the following matters, and the Chairperson of the Board of Review and the members involved in the adjudication shall affix their signatures or seals thereon: *<Amended on Sep. 15, 2011>*

1. Case number and name;
2. Name and address of the applicant;
3. Name of the administrative agency that made the original disposition;
4. Name of the examiner who made the decision on the request for review;
5. Main text;
6. Purport of the petition;
7. Grounds;
8. Date of adjudication.

Article 142 (Application Mutatis Mutandis)

@Articles 123, 124, and 126 through 128 shall apply mutatis mutandis to the Board of Review and further review. In such cases, "examiner" in Article 123 shall be construed as "member of the Board of Review"; "Minister of Employment and Labor" as "chairperson of the Board of Review"; "applicant for review" in Articles 124 and 128 as "applicant for further review"; "examiner" in Articles 124, 126, and 128 as "chairperson of the Board of Review"; and "request for review" in Articles 126 through 128 as "request for further review." <Amended on Jul. 12, 2010>

CHAPTER VIII SUPPLEMENTARY PROVISIONS

Article 142-2 (Scope of Data Subject to Request for Provision)

Any of the following data or information can be requested under Article 110 (1) of the Act:

1. The following data or information regarding various kinds of pensions, insurance, and wages:
 - (a) Enrollment in the public officials pension under the Public Officials Pension Act;
 - (b) Workplace-based insured persons' report and monthly pension premiums imposed under the National Pension Act;
 - (c) Reporting on workplaces and the amount of monthly insurance contributions for the employee insured under the National Health Insurance Act;
 - (d) Enrollment in the military pension plan under the Military Pension Act;
 - (e) Employees of special post offices enrolled in pension plan under the Special Post Offices Act;
 - (f) Private school teachers and staff enrolled in pension plan under the Pension for Private School Teachers and Staff Act;
 - (g) Industrial accident insurance benefits and persons in special types of employment under the Industrial Accident Compensation Insurance Act;
 - (h) Overdue wages under the Wage Claim Guarantee Act;
2. The following data or information regarding family relations, workers, persons with disabilities, foreigners, etc.:
 - (a) Computerized information and certificates on records of family relations under the Act on Registration of Family Relations;
 - (b) Acquisition and loss of nationality and the like under the Nationality Act;
 - (c) Military service under the Military Service Act;
 - (d) Termination of employment contracts with foreign workers and other types of employment under the Act on the Employment, etc. of Foreign Workers;
 - (e) Verification of disabilities under the Act on the Employment Promotion and Vocational Rehabilitation of Persons with Disabilities;
 - (f) Reporting of place of residence in Korea by Korean national residing abroad and foreign nationality Koreans under the Act on the Immigration and Legal Status of Overseas Koreans;

- (g) Resident registration under the Resident Registration Act;
 - (h) Alien registration, entry into and departure from Korea, and reporting of dismissal or resignation, etc. of aliens under the Immigration Act;
3. The following data or information regarding real estate, automobiles, ships, aircraft, etc.:
- (a) A certified copy of construction machinery register and registration of construction machinery business under the Construction Machinery Management Act;
 - (b) A certified copy of building register under the Building Act;
 - (c) Certified copies of the parcels-register for sites and the parcels-register for forest areas under the Act on the Establishment, Management, etc. of Special Data;
 - (d) Farmland Ledgers under the Farmland Act;
 - (e) Collateral security register under the Act on Security over Movable Property, Claims;
 - (f) Certificates of registered matters for land and certificates of registered matters for buildings under the Registration of Real Estate Act;
 - (g) Certificates of Registration of Legal Entities under the Non-Contentious Case Procedure Act, the Commercial Registration Act, and the like;
 - (h) Ship registration certificates under the Ship Registry Act;
 - (i) Original ship registers under the Ship Act;
 - (j) Motor vehicle registers under the Motor Vehicle Management Act;
 - (k) Middle-standing enterprises under the Special Act on the Promotion of Growth and the Strengthening of Competitiveness of Middle-Standing Enterprises;
 - (l) Registers under the Decree on Registration of Patent Rights;
 - (m) Aircraft original register under the Aviation Safety Act;
4. Other data or information necessary for managing insured status in employment insurance:
- (a) Eligibility requirements and eligibility for self-support labor under the National Basic Living Security Act;
 - (b) Social welfare corporations and social welfare facilities and persons engaging in them under the Social Welfare Services Act;
 - (c) Social service providers and related workers under the Act on the Use of Social Services and the Management of Vouchers;
 - (d) Child care centers and child care teachers and staff under the Child Care Act.

Article 143 (Expenses for Medical Examinations)

The head of an employment security office may, when he or she orders a medical examination pursuant to Article 111 of the Act, pay the actual expenses incurred in going through such medical examination.

Article 144 Deleted. <Jan. 13, 2012>

Article 144-2 (Operation of Pilot Programs)

Pursuant to Article 114 of the Act, the Minister of Employment and Labor may conduct any program for employment security and vocational skills development as a pilot program. <Amended on Aug. 29, 2017>

Article 145 (Delegation of Authority)

(1) The Minister of Employment and Labor shall delegate his or her authority over the following affairs to the head of each employment security office, as prescribed in Article 115 of the Act: <Amended on Feb. 8, 2010; Jul. 12, 2010; Sep. 15, 2011; Dec. 8, 2011; Dec. 30, 2011; Jul. 10, 2012; Dec. 24, 2013; Dec. 31, 2014; Oct. 18, 2016; Jul. 3, 2018; Aug. 27, 2020; Dec. 8, 2020; Jun. 8, 2021>

1. Deleted; <Oct. 18, 2016>
2. Deleted; <Oct. 18, 2016>
3. Deleted; <Feb. 12, 2019>
4. Assisting job creation prescribed in Article 20 of the Act (excluding those entrusted under paragraph (4));
5. Assisting employment adjustment prescribed in Article 21 of the Act;
6. Promoting local employment prescribed in Article 22 of the Act;
7. Assisting employment of the aged, etc. prescribed in Article 23 of the Act;
8. Assisting employment security of construction workers, etc. prescribed in Article 24 of the Act;
9. Carrying out programs for vocational skills development training prescribed in Article 31 (2) of the Act;
10. Providing information on employment and establishing foundations for supporting employment prescribed in Article 33 of the Act (excluding projects for establishing a foundation for employment security and vocational skills development, those for placement of experts, and projects entrusted pursuant to paragraph (6));
11. Imposing restrictions on assistance due to improper acts prescribed in Article 35 of the Act;
12. Granting child care leave benefits and imposing restrictions thereon prescribed in Articles 70 and 73 of the Act;
13. Payment, and restriction on payment, of maternity leave benefits, etc. under Articles 75 and 77 of the Act and payment of an amount equivalent to maternity leave benefits, etc. under Article 76-2 of the Act;
- 13-2. Payment of job-seeking benefits, maternity benefits, etc., to the insured artists under Articles 77-3, 77-4, and 77-5 (2) and (3) of the Act;
- 13-3. Payment of job-seeking benefits and maternity benefits, etc. to the insured workers prescribed in Articles 77-8, 77-9, and 77-10 (2) and (3) of the Act;
14. Demanding submission of reports or related documents or requesting appearances prescribed in Article 108 of the Act (limited to cases where such demand or request is required to process entrusted

administrative affairs);

15. Having access to offices, making inquiries to the relevant person, and investigating documents prescribed in Article 109 of the Act (limited to cases where such actions are required to process entrusted administrative affairs), and issuing a prior notice of such investigations and a notice of the findings of such investigations in relation to such actions;

16. Requesting submission of materials prescribed in Article 110 of the Act (limited to cases where such request is required to process entrusted administrative affairs);

17. Paying rewards under Article 112 of the Act;

18. Imposing and collecting administrative fines under Article 118 of the Act.

19. Accepting reports on appointment and dismissal of agents prescribed in Article 4 (excluding cases where an agent conducts the affairs referred to in Article 15 of the Act on behalf of a business owner);

20. Carrying out programs for employment security and employment promotion prescribed in Article 35;

20-2. Deleted; <Dec. 31, 2014>

21. Providing support for projects for assisting employment prescribed in Article 36;

22. Granting subsidies to cover expenses incurred at a facility for promotion of employment prescribed in Article 38 (2) (limited to the facilities for promotion of employment prescribed in Article 38 (1) 2 and 3);

23. Deleted; <Jun. 30, 2015>

24. Granting subsidies for development of employees' vocational skills under Article 43;

25. Deleted; <Sep. 15, 2011>

26. Granting subsidies for employment training pursuant to Article 47.

(2) The Minister of Employment and Labor shall, pursuant to Article 115 of the Act, entrust the Korea Worker's Compensation and Welfare Service prescribed in the Industrial Accident Compensation Insurance Act (hereinafter referred to as the "Korea Worker's Compensation and Welfare Service") with his or her authority over the following affairs: <Amended on Mar. 12, 2009; May 28, 2009; Jul. 12, 2010; Dec. 31, 2010; Dec. 8, 2011; Jun. 30, 2015; Oct. 18, 2016; Dec. 30, 2016; Feb. 12, 2019; Jun. 9, 2020; Aug. 27, 2020; Dec. 8, 2020; Jun. 8, 2021>

1. Accepting reports, etc. on insured status prescribed in Article 15 of the Act;

2. Deleted; <Aug. 27, 2020>

2-2. Verifying insured status prescribed in Article 17 of the Act (including cases applied mutatis mutandis in Articles 77-5 (1) and 77-10 (1) of the Act);

2-3. Receiving reports on insured status of an insured artist under Articles 77-2 and 77-5 (1) of the Act;

2-4. Receiving reports on insured status of an insured worker under Articles 77-6 and 77-10 (1) of the Act;

3. Requesting reports or related documents and appearances prescribed in Article 108 of the Act (limited to cases where such request is required to process entrusted administrative affairs);

4. Having access to offices, making inquiries to the relevant person, and investigating into documents prescribed in Article 109 of the Act (limited to cases where such actions are required to process entrusted administrative affairs);

4-2. Deleted; <Feb. 8, 2010>

5. Requesting materials prescribed in Article 110 of the Act (limited to cases where such request is required to process entrusted administrative affairs);

5-2. Vice Minister of Gender Equality and Family;

[subparagraph 5-2 moved to subparagraph 11 <Oct. 18, 2016>]

6. Accepting an application for insurance purchase of a public official eligible for employment insurance and notifying the fact of such application pursuant to Article 3-2 (2);

7. Accepting an application for withdrawal by an insured public official pursuant to Article 3-2 (4);

8. Accepting a report on appointment or dismissal of an agent referred to in Article 4 (limited to cases where an agent acts as an agent for matters regarding Article 15);

8-2. Managing and operating loans for the work-family balance assistance programs referred to in subparagraph 7 of Article 35;

8-3. Making loans to cover expenses for retaining employees in enterprises eligible for priority support under Article 37-3;

9. Granting subsidies for the operation of a child care center under Article 38 (4);

10. Granting loans or subsidies to cover expenses for the installation of child care centers prescribed in Article 38 (5) and managing and operating such loans and subsidies;

11. Granting loans to cover expenses for vocational skills development training pursuant to Article 45;

12. Granting loans to cover living expenses during the vocational skills development training prescribed in Article 47-2 and managing and operating such loans.

(3) The Minister of Employment and Labor shall, pursuant to Article 115 of the Act, entrust the Human Resources Development Service of Korea with his or her authority over the following affairs: <Amended on Mar. 12, 2009; Jul. 12, 2010; Dec. 30, 2011; Jan. 13, 2012>

1. Supporting the vocational skills development training for business owners pursuant to Article 27 of the Act;

2. Granting subsidies to cover expenses incurred for technical skill competitions conducted by the private sector among the projects for promotion of skilled techniques prescribed in Article 31 (1) 2 of the Act;

3. Requesting reports or related documents or appearances prescribed in Article 108 of the Act (limited to cases where such request is required to process entrusted administrative affairs);

4. Having access to offices, making inquiries to the relevant person, and investigating documents prescribed in Article 109 of the Act (limited to cases where such actions are required to process entrusted administrative affairs);

5. Requesting materials prescribed in Article 110 of the Act (limited to cases where such request is required to process entrusted administrative affairs);
 6. Deleted; <Dec. 31, 2010>
 7. Granting subsidies to cover expenses of vocational skills development training prescribed in Article 46;
 8. Granting loans to cover expenses for vocational skills development training facilities, etc. prescribed in Article 48 and managing and operating such loans;
 9. Granting subsidies to cover expenses for vocational skills development training facilities, etc. prescribed in Article 49 and managing and operating such subsidies (excluding affairs relating to decision-making on whether to grant such subsidies);
 10. Deleted; <Apr. 30, 2008>
 11. Granting subsidies to cover expenses for qualification testing programs prescribed in Article 51 (1) 1;
 - 11-2. Developing, compiling and distributing training materials prescribed in Article 52 (1) 3;
 12. Supporting the system for accreditation of exemplary enterprises in the development of human resources prescribed in Article 52 (1) 5;
 13. Supporting vocational skills development programs conducted by business owners or employers' associations jointly with small and medium enterprises for employees of small and medium enterprises prescribed in Article 52 (1) 6;
 14. Implementing vocational skills development training to improve core abilities to perform duties of business owners or employees of enterprises eligible for priority support under Article 52 (1) 10;
 15. Carrying out vocational skills development programs to promote the organized learning of enterprises eligible for priority support prescribed in Article 52 (1) 11;
 16. Carrying out vocational skills development programs to improve the skills of business owners or staff in charge of the development of human resources of enterprises eligible for priority support for the development of human resources prescribed in Article 52 (1) 12;
 17. Carrying out systematic support programs for on-site training for enterprises eligible for priority support pursuant to Article 52 (1) 13;
 18. Deleted; <Dec. 31, 2010>
- (4) The Minister of Employment and Labor may, pursuant to Article 115 of the Act, entrust part of his or her authority over the subsidization of job creation programs pursuant to Article 17, subsidization of improvement programs of employment circumstances for seniors, etc. under Article 37, subsidization of expenses for employment promotion facilities prescribed in Article 38 (2) (limited to the facilities for the promotion of employment under Article 38 (1) 5), subsidization of programs collaboratively conducted by associations of business owners, associations of employees, or their federations prescribed in Article 52 (1) 4 for vocational skills development, and subsidization of local governments, etc. prescribed in Article 55 to the Korea Occupational Safety and Health Agency prescribed in the Korea Occupational Safety and

Health Agency Act, the Korea Worker's Compensation and Welfare Service, the Korea Employment Agency for the Disabled prescribed in the Act on the Employment Promotion and Vocational Rehabilitation of Persons with Disabilities (hereinafter referred to as the "Korea Employment Agency for the Disabled"), the Korea Labor Institute established pursuant to Article 8 of the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes (hereinafter referred to as the "Korea Labor Institute"), and other relevant specialized institutions or non-profit juristic person determined and publicly notified by the Minister of Employment and Labor, and the criteria for selecting institutions qualified as such entrustment shall be prescribed by Ordinance of the Ministry of Employment and Labor.

<Amended on Jan. 14, 2009; Dec. 31, 2009; Jul. 12, 2010; Dec. 31, 2010>

(5) The Minister of Employment and Labor shall, pursuant to Article 115 of the Act, entrust the agencies designated and publicly announced by the Minister of Employment and Labor, such as the Human Resources Development Service of Korea, the Korea Employment Agency for the Disabled, the Korea Labor Institute, or related specialized agencies with part of his or her duties such as the examination of management of employment and other support prescribed in Article 33. *<Amended on Sep. 18, 2008; Dec. 31, 2009; Feb. 8, 2010; Jul. 12, 2010>*

(6) The Minister of Employment and Labor shall, pursuant to Article 115 of the Act, entrust the Korea Employment Information Service established pursuant to Article 18 of the Framework Act on Employment Policy with authority over the following affairs among his or her authority over subsidization of equipment, etc. prescribed in Article 15 (6) of the Act, the provision of information on employment, and the establishment of a foundation for supporting employment prescribed in Article 33 of the Act: *<Amended on Dec. 30, 2009; Jul. 12, 2010>*

1. Collecting and analyzing information on employment and furnishing such information to employment security offices;
2. Researching, developing, and disseminating techniques for occupational guidance, including counselling on jobs and training;
3. Evaluating the provision of information on employment, occupational guidance, and job referral and providing support for such activities;
4. Operating electronic networks relating to employment insurance among the affairs relating to the establishment of the infrastructure for employment security and vocational skills development.

(7) The Minister of Employment and Labor shall, pursuant to Article 115 of the Act, entrust the Korea Construction Working Mutual Fund prescribed in Article 9 of the Act on the Employment Improvement of Construction Workers with support for stable employment, etc. of construction workers prescribed in subparagraph 4 of Article 35. *<Newly Inserted on Feb. 8, 2010; Jul. 12, 2010>*

(8) In order to carry out the affairs entrusted under paragraphs (2) through (5), the President of the Korea Worker's Compensation and Welfare Service, the President of the Human Resource Development Service of Korea, and the President of the Korea Employment Agency for the Disabled shall each appoint a director responsible for fund revenue and a director responsible for acts incurring expenditure from the

fund among standing directors at each institution, appoint an officer in charge of fund disbursement and a fund cashier among the employees of each institution, and shall report the appointment to the Minister of Employment and Labor. In such cases, the duties for which each director or officer is responsible shall be as follows: <Amended on Dec. 31, 2009; Feb. 8, 2010; Jul. 12, 2010>

1. Director responsible for fund revenue: Duties of a fund revenue collector;
2. Director responsible for acts incurring expenditure from the Fund: Duties of a fund treasurer;
3. Officer in charge of fund expenditure: Duties of a fund expenditure officer;
4. Fund cashier: Duties of a fund accounting official.

(9) The Minister of Employment and Labor shall give notice of the appointment of a director responsible for fund revenue, a director responsible for acts incurring expenditure from the Fund, an officer in charge of fund expenditure, and a fund cashier prescribed in paragraph (8) to the Chairperson of the Board of Audit and Inspection and the Governor of the Bank of Korea. <Amended on Presidential Decree No. 22026 Feb. 8, 2010; Jul. 12, 2010>

Article 145-2 (Management of Personally Identifiable Information)

(1) Where it is unavoidable to perform the following affairs, the Minister of Employment and Labor (including any person delegated or entrusted with the authority or affairs of the Minister of Employment and Labor pursuant to Article 145) may manage data containing resident registration numbers or alien registration numbers prescribed in Article 19 of the Enforcement Decree of the Personal Information Protection Act: <Amended on Jul. 10, 2012; Jul. 19, 2016; Mar. 27, 2017; Jun. 25, 2019; Dec. 8, 2021; Jun. 8, 2021>

1. Purchase of the employment insurance for foreign workers prescribed in Article 10-2 of the Act and Article 3-3 of this Decree;
- 1-2. Purchase of or withdrawal from the employment insurance for public officials in extraordinary civil service and public officials in a fixed term position pursuant to the proviso to Article 10 (1) 3 of the Act and Article 3-2 of this Decree;
2. Reporting of the attainment, loss, etc. of insured status prescribed in Article 15 of the Act;
3. Deleted; <Aug. 27, 2020>
4. Verification of qualifications for insured status prescribed in Article 17 of the Act;
5. Assistance to a business owner who expands employment opportunities prescribed in Article 20 of the Act;
6. Assistance to a business owner who has taken measures for employment security prescribed in Article 21 of the Act;
7. Assistance to a business owner who promotes local employment prescribed in Article 22 of the Act;
8. Assistance for promotion of employment of seniors, etc. prescribed in Article 23 of the Act;
9. Assistance to and providing loans for those who conduct programs aimed at promoting employment security and job creation prescribed in Article 25 of the Act;

10. Assistance for facilities contributing to promotion of employment prescribed in Article 26 of the Act;
 11. Promoting loans for those who bear the expenses incurred in vocational skills development training to a business owner prescribed in Article 27 of the Act;
 12. Assistance for vocational skills development to the insured, etc. prescribed in Article 29 of the Act;
 13. Assistance to and extension of loans to those who bear the expenses incurred in establishing vocational skills development training facilities and purchasing equipment related thereto pursuant to Article 30 of the Act;
 14. Assistance to those who conduct programs for promotion of vocational skills development pursuant to Article 31 of the Act;
 15. An order to return a subsidy or to additionally collect such subsidy, on account of an improper act, pursuant to Article 35 of the Act;
 - 15-2. Subsidization of national pension premiums pursuant to Article 55-2 of the Act;
 16. Payment of child care leave benefits prescribed in Article 70 of the Act;
 17. Payment of the benefits for reduced working hours during the period of infant care prescribed in Article 73-2 of the Act;
 18. Payment of maternity leave benefits, etc. prescribed in Article 75 of the Act and payment of an amount equivalent to maternity leave benefits, etc. prescribed in Article 76-2 of the Act;
 19. Application in subrogation for the payment of maternity leave benefits, etc. prescribed in Article 75-2 of the Act;
 - 19-2. Reporting on insured status of an insured artist under Articles 77-2 and 77-5 (1) of the Act;
 - 19-3. Reporting on insured status of an insured worker prescribed in Articles 77-6 and 77-10 (1) of the Act;
 20. Request for the report, etc. pursuant to Article 108 of the Act;
 21. Investigations, etc. under Article 109 of the Act;
 22. Request for data prescribed in Article 110 of the Act;
 23. Reporting on improper acts and the payment of a monetary reward in return therefor prescribed in Article 112 of the Act;
 24. Reporting on the appointment or dismissal of an agent prescribed in Article 4;
 25. Reporting on the change of an insured's name and other details prescribed in Article 10.
- (2) Where unavoidable to conduct the following affairs, the head of a relevant employment security office may manage materials which include resident registration numbers or alien registration numbers under subparagraph 1 or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act:
<Amended on Aug. 27, 2020; Dec. 8, 2020; Jun. 8, 2021>
1. An order to return job-seeking benefits, etc. or to additionally collect them, on account of improper acts, pursuant to Articles 62, 74 and 77 of the Act;

2. Reporting of unemployment (including verifying a certificate of severance) under Article 42 of the Act;
3. Approval of eligibility for benefits prescribed in Article 43 of the Act;
4. Verification of unemployment, etc. prescribed in Article 44 of the Act;
5. Postponement, etc. of the benefit period prescribed in Article 48 of the Act and Article 71 of this Decree;
6. Payment of individually extended benefits prescribed in Article 52 of the Act;
7. Payment of unpaid job-seeking benefits prescribed in Article 57 of the Act;
8. Payment of sickness benefits prescribed in Article 63 of the Act;
9. Payment of the early re-employment allowance prescribed in Article 64 of the Act;
10. Payment of the long-distance job search allowance prescribed in Article 66 of the Act;
11. Affairs on the payment of the relocation allowance prescribed in Article 67 of the Act;
12. Payment of job-seeking benefits, maternity benefits, etc. under Articles 77-3, 77-4, and 77-5 (2) and (3) of the Act;
13. Payment of job-seeking benefits, maternity benefits, etc. under Articles 77-8, 77-9, and 77-10 (2) and (3) of the Act.

(3) Where unavoidable to conduct the affairs on the request for review prescribed in Article 87 (1) of the Act, an examiner may manage materials which include resident registration numbers or foreign registration numbers prescribed in subparagraph 1 or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act.

(4) Where unavoidable to conduct the following affairs, the Board of Review may manage materials which include resident registration numbers or foreign registration numbers prescribed in subparagraph 1 or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act:

1. Affairs concerning a request for further review prescribed in Article 87 (1) of the Act;
2. Affairs concerning perusal of hearing report prescribed in Article 101 (5) and (6) of the Act.

Article 145-3 Deleted. <Mar. 3, 2020>

Article 146 (Standards for Imposition of Administrative Fines)

The standards for imposing administrative fines pursuant to Article 118 (1) through (3) of the Act shall be as prescribed in attached Table 3.

ADDENDA <Presidential Decree No. 20330, Oct. 17, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 2 (2) and 85 (2) shall enter into force on October 28, 2007, the amended provisions of Articles 19 (1), 20 (3), 21 (1) and (2), 23 (1), 25, and 32 (2) on January 1, 2008, and the

amended provisions of Article 82 (2) 2 on February 4, 2008, respectively.

Article 2 (Transitional Measures concerning Enforcement Date)

Until before the amended provisions of Articles 2 (2), 82 (2) 2, and 85 (2) enter into force pursuant to the proviso to Article 1 of the Addenda, the previous provisions of Article 2 (3), 59 (2) 2, and 62 (2) 1 which correspond thereto shall apply.

Article 3 (Period of Validity)

(1) Deleted. <Feb. 8, 2010>

(2) Deleted. <Sep. 18, 2008>

Article 4 (Applicability to Incentives for Promotion of Employment of Seniors)

(1) The amended provisions of Article 25 (1) 2 and (4) shall also be applicable to the places of business that extended the retirement age before this Decree enters into force. In such cases, persons eligible for the granting of incentives for promotion of employment of seniors shall be those who continue their services as their retirement age is extended after they reach the previous retirement age after the enforcement date of this Decree.

(2) The amended provisions of Article 25 (5) shall apply to cases where the employment of a person who reaches the retirement age is not severed, or where such person is re-employed within three months, as prescribed in the amended provision of Article 25 (1) 3, after he or she had retired due to the age limit on or after this Decree enters into force.

Article 5 (Applicability to Subsidization to Business Owners for Training Expenses for Development of Occupational Abilities)

The amended provision of Article 41 (3) 1 shall be applicable where a business owner provides those falling under the said subparagraph with a new training program for the development of occupational abilities after this Decree enters into force.

Article 6 (Applicability to Subsidization of Employees Attending Training Courses)

The amended provisions of Articles 43 (1) 4 and 44 (1) shall apply to the cases where an insured employee attends a new training course for the development of occupational abilities after this Decree enters into force.

Article 7 (Applicability to Subsidization of Business Owners who Report Details of Work Using Construction Employment Insurance Cards)

The Minister of Labor may carry out a pilot project in order to provide support to the business owners who use the construction employment insurance cards prescribed in the amended provisions of the latter part of Article 32 (2) to submit a report on confirmation of details of work before January 1, 2008, and the amended provisions of Article 32 (2) shall be applicable to subsidization of business owners who participate in such pilot project even prior to January 1, 2008.

Article 8 (Transitional Measures concerning Incentives for Re-Employment)

Notwithstanding the amended provisions of Article 23 (1), incentives for the re-employment of female employees whose employment was severed due to pregnancy, childbirth, or child care but who have

already been re-employed before January 1, 2008 shall be governed by the previous provision (referring to the provision enforceable before the provisions were amended pursuant to the Enforcement Decree of the Employment Insurance Act (Presidential Decree No. 20036)).

Article 9 (Transitional Measures concerning Incentives for Promotion of Employment)

(1) Notwithstanding the amended provisions of Article 26, and subparagraph 5 of attached Table 1, the granting of incentives for the promotion of employment for those who had already been employed before October 1, 2007 shall be governed by the previous provisions.

(2) The granting of incentives for the promotion of employment for those who have been already employed since October 1, 2007 before the enforcement date of this Decree and who fall under the amended provisions of subparagraph 5 of attached Table 1 shall be governed by the amended provisions of Article 26 and subparagraph 5 of attached Table 1.

(3) Notwithstanding the amended provisions of Article 26, the criteria for the granting of incentives for the promotion of employment for any person who has already been employed before this Decree enters into force but who does not fall under the amended provisions of subparagraph 5 of attached Table 1 shall be governed by the previous provisions.

Article 10 Omitted.

Article 11 (Relationship to Other Statutes)

A citation of provisions of the previous Enforcement Decree of the Employment Insurance Act by any other statute enforceable as at the time this Decree enters into force, if any, shall be deemed to be a citation of the corresponding provisions hereof in lieu of the previous provisions, if there are such corresponding provisions herein.

ADDENDA <Presidential Decree No. 20331, Oct. 23, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on October. 28, 2007. (Proviso Omitted.)

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 20681, Feb. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 20775, Apr. 30, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 30 and 98 shall enter into force on June 22, 2008, the amended provisions of Articles 32-2 and 40 (5) on July 1, 2008, and the amended provisions of subparagraph 3 of Article 32 and Article 43 on January 1, 2009.

Article 2 (Period of Validity)

The amended provisions of Article 32-2 shall remain effective until October 31, 2011.

Article 3 (Applicability to Subsidies for Maintenance of Employment)

The amended provisions of the proviso to Article 19 (1) 4 and Article 21 (1) shall be applicable to plans for taking measures for retaining employees reported pursuant to Article 20 (2) (excluding reports on any revision thereof) on or after this Decree enters into force.

Article 4 (Applicability to Incentives for Supporting Change of Occupation)

The amended provisions of Article 22 (5) shall be applicable to plans approved by the Minister of Labor for supporting change of occupation (excluding approvals on any revision thereto) pursuant to paragraph (3) of said Article on or after the date this Decree enters into force.

Article 5 (Applicability to Incentives for Promotion of Employment)

The amended provisions of Article 26 (1) shall be applicable to cases where an unemployed person is newly employed as an insured employee on or after the date this Decree enters into force.

Article 6 (Applicability to Incentives for Continuous Employment after Pregnancy or Childbirth)

The amended provisions of the proviso to Article 29 (1) shall be applicable to contracts signed with no specific term agreed on or after the date this Decree enters into force.

Article 7 (Applicability to Incentives for Child Care Leave or Similar and for Employment of Substitute Human Resources)

The amended provisions of Article 30 shall be applicable to child care leave or similar leave that begins pursuant to Article 19 or 19-2 of the Equal Employment Opportunity and Work-Family Balance Assistance Act on or after the date this Decree enters into force.

Article 8 (Applicability to Subsidies for Management of Employment Insurance for Construction Workers)

The amended provisions of subparagraph 3 of Article 32 shall be applicable to the business owners who process the administrative affairs of insurance by electronic means within the deadline prescribed in Article 7 (1) on or after the date this Decree enters into force.

Article 9 (Applicability to Minimum Amount of Maternity Leave Benefits)

The amended provisions of subparagraph 2 of Article 101 shall be applicable to maternity, miscarriage, or stillbirth leave that commences on or after the date this Decree enters into force.

Article 10 (Transitional Measures concerning Subsidies to Employees who Attend Basic Training Course of Informatization)

Notwithstanding the amended provisions of Article 43 (2), cases where a person has already taken a basic training course of informatization as at the time this Decree enters into force shall be governed by the previous provision.

Article 11 (Transitional Measures concerning Subsidization of Testing Fees)

Notwithstanding the amended provisions of Article 50, the subsidization of testing fees to a person who has acquired a national technical qualification eligible for subsidization, as prescribed in the previous provisions of Article 50, as at the time this Decree enters into force shall be governed by such corresponding previous provisions.

ADDENDA <Presidential Decree No. 20799, Jun. 5, 2008>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 20875, Jun. 25, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2008.

Articles 2 through 15 Omitted.

ADDENDA <Presidential Decree No. 20947, Jul. 29, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on February 4, 2009. (Proviso Omitted.)

Articles 2 through 28 Omitted.

ADDENDA <Presidential Decree No. 21015, Sep. 18, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2009: Provided, That the amended provisions of Articles 3-2, 107, and 131 and the amended provisions of Article 3 (2) of the Addenda to the Enforcement Decree of the Employment Insurance Act (Presidential Decree No. 20330) shall enter into force on September 22, 2008.

Article 2 (Applicability to Construction of Building, etc. Subject to the Act)

The amended provisions of Article 2 (1) 2 (b) shall apply to works with regard to construction or substantial repair of a building to be commenced on or after the date this Decree enters into force.

Article 3 (Applicability to Subsidies to Medium or Small Enterprise for Reduction of Working Hours)

The amended provisions of Article 13 (3) shall apply to the place of business which reduces working hours pursuant to Article 13 (1) on or after the date this Decree enters into force.

Article 4 (Applicability to Incentives for Promotion of Employment)

The amended provisions of attached Table 1 shall apply to the recruitment of those entitled to incentives for promotion of employment on or after the date this Decree enters into force.

Article 5 (Transitional Measures concerning Purchase of Insurance of Public Officials in Extraordinary Civil Service and Contractual Service)

As for public officials in extraordinary civil service or contractual service as at the time this Decree enters into force, where applying the amended provisions of Article 3-2, the date of appointment shall be deemed the enforcement date of this Decree.

Article 6 (Transitional Measures concerning Subsidies to Small and Medium Enterprises for Advancement to New Types of Business)

As for any employer who has filed with the Minister of Labor his or her plan for advancement to new types of business pursuant to the previous provisions as at the time this Decree enters into force, if the employer meets the requirements for payment of subsidies to small and medium enterprises for advancement to new types of business, as prescribed in the previous provisions, such subsidies shall be paid pursuant to the previous provisions, notwithstanding the amended provisions of Article 17.

Article 7 (Transitional Measures concerning Incentives for Re-employment)

As for any employer who has re-employed those whose employment was severed due to restructuring pursuant to the previous provisions as at the time this Decree enters into force, if the employer meets the requirements for payment of incentives for re-employment pursuant to the previous provisions, such incentives shall be paid to such employer pursuant to the previous provisions, notwithstanding the amended provisions of Article 23.

Article 8 (Transitional Measures concerning Incentives for Employment of Middle-Aged Persons Completing Job Training Course)

As for any employer who has hired middle aged persons who completed job training courses pursuant to the previous provisions as at the time this Decree enters into force, if he or she meets the requirements for payment of incentives for employment of middle aged persons completing a job training course, such incentives shall be paid to such employer pursuant to the previous provisions, notwithstanding the amended provisions of Article 27.

Article 9 (Transitional Measures concerning Subsidies and Incentives for Projects subject to Blanket Application)

The previous provisions of Article 39 shall apply in determining as to whether any reason exists in projects subject to blanket application under Article 8 of the Insurance Premium Collection Act for paying subsidies or incentives prescribed in Articles 6 through 8 of the Addenda after this Decree enters into force.

Article 10 (Transitional Measures concerning Adjustment of Subsidies and Incentives)

The previous provisions of Article 40 shall apply where any reason exists for paying subsidies and incentives prescribed in the previous provisions of Articles 17, 23, and 27, and for paying subsidies and incentives, as prescribed in Articles 6 through 9 of the Addenda, after this Decree enters into force, requiring an adjustment of such subsidies and incentives.

Article 11 (Transitional Measures concerning Restrictions on Payment of Subsidies, etc.)

Where the case meets the requirements for paying subsidies and incentives prescribed in the previous provisions of Articles 17, 23 and 27 and Articles 6 through 9 of the Addenda, and reasons for restricting payment prescribed in the previous provisions of Article 56 are confirmed after this Decree enters into force, the Minister of Labor may restrict the payment thereof pursuant to the previous provisions.

ADDENDA <Presidential Decree No. 21152, Dec. 3, 2008>

Article 1 (Enforcement Date)

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

Article 2 (Applicability)

The amended provisions of Article 47 (2) shall begin to apply from the first vocational skills development training fees paid to unemployed persons, etc. after this Decree enters into force.

ADDENDA <Presidential Decree No. 21230, Dec. 31, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 22, 2009.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21263, Jan. 14, 2009>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 21348, Mar. 12, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 47-2, and 145 (2) 6 shall enter into force on April 1, 2009, and the amended provisions of Articles 1-2 through 1-11 and 6-2 shall enter into force on July 1, 2009.

Article 2 (Applicability)

The amended provisions of Articles 19 and 21 shall apply to the measure for retaining employees under a plan for measures for retaining employees which is reported on or after the date this Decree enters into force.

Article 3 (Transitional Measures)

Where vocational skills development training which an insured employee receives was entitled to the subsidization for employees attending training courses as at the time this Decree enters into force, but is excluded, afterwards, from the eligible category for the subsidization pursuant to the amended provisions of Article 43 (1) 3, the subsidization of training courses for employees attending them shall be granted as to the relevant training courses for development of occupational skills pursuant to the previous provisions.

ADDENDA <Presidential Decree No. 21510, May 28, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraph 4 of Article 35, Articles 37-2, 56 (1) 1 (limited to the part concerning Article 37-2) and 145 (2) 4-2 shall enter into force on June 1, 2009.

Article 2 (Period of Validity)

The amended provisions of Article 19 (1) 5, the main sentence of Article 20 (1) 1 and paragraph (4) of the same Article, Article 21 (1) 5, 21 (2) 3, subparagraph 4 of Article 35, 37-2, 56 (1) 1 (limited to part concerning Article 37-2) and 145 (2) 4-2 shall remain effective until December 31, 2009.

Article 3 (Transitional Measures concerning Application after Period of Validity Ends)

ADDENDA <Presidential Decree No. 21590, Jun. 30, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2009: Provided, That the amended provisions of Articles 8 and 9 shall enter into force on January 1, 2010.

Article 2 (Period of Validity, etc. Following Amendment of the Enforcement Decree of the Farmland Act)

(1) The amended provisions of subparagraph 46 of attached Table 2 of the Enforcement Decree of the Farmland Act shall remain in force until June 30, 2011.

(2) The amended provisions of subparagraph 46 of attached Table 2 of the Enforcement Decree of the Farmland Act shall begin to apply to permission for diversion of farmland (including permission for modification, and authorization or permission by which permission for diversion of farmland or permission for modification is deemed granted pursuant to other statutes or regulations; hereafter in this

paragraph, the same shall apply) applied for, or a report on diversion of farmland (including a report on modification; hereafter in this paragraph, the same shall apply) filed on or after the date this Decree enters into force, and shall also apply to permission for diversion of farmland or a report on diversion of farmland applied for or filed by June 30, 2011.

Article 3 (Applicability Following Amendment of Enforcement Decree of the Tourism Promotion Act)

The amended provisions of subparagraph 1 of Article 32 of the Enforcement Decree of the Tourism Promotion Act shall apply to any person who has obtained approval for a project plan or any person who has applied for approval for a project plan pursuant to Article 15 of the Act before this Decree enters into force.

Article 4 (Applicability, etc. Following Amendment of Enforcement Decree of the Industrial Sites and Development Act)

(1) The amended provisions of Article 40 (2) of the Enforcement Decree of the Industrial Sites and Development Act shall begin to apply to portions subject to the first sale plan formulated after this Decree enters into force.

(2) The previous provisions shall apply to the matters delegated to Municipal Ordinance under the amended provisions of Article 40 (2) of the Enforcement Decree of the Industrial Sites and Development Act until the relevant Municipal Ordinance is enacted or amended.

Article 5 (Transitional Measures under Amendment of Enforcement Decree of the Employment Insurance Act)

The amended provisions of Article 13 (1) 2 of the Enforcement Decree of the Employment Insurance Act shall begin to apply to a place of business that reduces working hours under Article 13 (1) of the Enforcement Decree of the Employment Insurance Act on or after the date this Decree enters into force.

Article 6 (Transitional Measures under Amendment of Enforcement Decree of the Act on the Management and Promotion of Real Estate Development Business)

The previous provisions shall apply to the imposition of administrative fines for offences committed before this Decree enters into force.

Article 7 (Transitional Measures under Amendment of Enforcement Decree of the New Harbor Construction Promotion Act)

The amended provisions of the latter part of Article 9 (5) of the Enforcement Decree of the New Harbor Construction Promotion Act shall apply to persons who have received an extension of the period of applying for approval of a plan to implement a new harbor construction project pursuant to the previous provisions in whose case such extended period has not yet expired as at the time this Decree enters into force; and the period for application shall be deemed extended once pursuant to the aforementioned amended provisions.

Article 8 (Transitional Measures under Amendment of Enforcement Decree of the Act on the Promotion of Saving and Recycling of Resources)

The previous provisions shall apply to the imposition of administrative fines for offences committed before this Decree enters into force.

Article 9 (Transitional Measures under Amendment of Enforcement Decree of the Sewerage Act)

(1) The first retraining referred to in the amended provisions of Article 38 (2) 2 (a) of the Enforcement Decree of the Sewerage Act shall be conducted in the year in which the fifth anniversary of the date of completing the last retraining conducted before this Decree enters into force falls.

(2) The amended provisions of Article 38 (2) 2 (b) of the Enforcement Decree of the Sewerage Act shall begin to apply to business suspension ordered on or after the date this Decree enters into force.

ADDENDUM <Presidential Decree No. 21626, Jul. 7, 2009>

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

ADDENDA <Presidential Decree No. 21928, Dec. 30, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

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

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That ... <omitted> ... the amended provisions of Article 3 (1) through (6) and (8) of the Addenda shall enter into force on January 1, 2010.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 22026, Feb. 8, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 21 (1) shall enter into force on April 1, 2010.

Article 2 (Period of Validity)

For those eligible for incentives for the promotion of new employment in attached Table 1, the amended provisions of subparagraph 5 shall remain effective until December 31, 2010, and the amended provisions of subparagraph 8 of the same Table shall remain effective until December 31, 2012.

Article 3 (Applicability to Subsidies for Transition to Shift Work System)

The amended provisions of Article 14 (1) shall apply to a person newly employed by the business owner on or after the date this Decree enters into force.

Article 4 (Applicability to Subsidies for Employee Retention)

The amended provisions of Article 21 (1) shall apply to the initial report (including reports of changes) of plans for taking measures for retaining employees, as prescribed in Article 20 (2) after the amended provisions of Article 21 (1) pursuant to the proviso to Article 1 of the Addenda enters into force.

Article 5 (Applicability to Incentives for Promotion of New Employment)

(1) The amended provisions of Article 26 (1) and attached Table 1 shall apply to cases of newly employing persons as the insured who remain unemployed after this Decree enters into force.

(2) In computing the number of newly hired employees prescribed in the amended provisions of Article 26 (4), employees newly hired after this Decree enters into force shall be first to be included herein.

Article 6 (Applicability to Subsidies for Continuous Employment of Pregnant Women and Nursing Mothers)

The amended provisions of the main sentence of Article 29 (1) shall apply to a labor contract signed on or after the date this Decree enters into force.

Article 7 (Applicability to Payment of Individually Extended Benefits)

The amended provisions of Article 73 shall apply to an eligible recipient who applies for the payment of individually extended benefits on or after the date this Decree enters into force.

Article 8 (Applicability to Early Re-Employment Allowance)

(1) The amended provisions of Article 84 (1), 85, and 86 (2) shall apply to a person who is re-employed in a stable job or voluntarily starts business for profit pursuant to Article 64 (1) of the Act on or after the date when this Decree enters into force.

(2) Notwithstanding paragraph (1), where a person who obtained eligibility before this Decree enters into force, and is re-employed during the waiting period prescribed in Article 49 of the Act after this Decree enters into force, or voluntarily starts business for profit, falls under any of the amended provisions of the subparagraphs of Article 84 (1), the amended provisions of Articles 85 and 86 (2) shall apply.

(3) Notwithstanding paragraph (1), where a person who obtained eligibility before this Decree enters into force is re-employed 30 days prior to the end of days of benefits payable prescribed in Article 50 of the Act after this Decree enters into force, or where a person who voluntarily starts his or her own business for profit falls under any of the amended provisions of the subparagraphs of Article 84 (1), the amended provisions of Articles 85 and 86 (2) shall apply.

Article 9 (Transitional Measures, etc. concerning Incentives for Promotion of New Employment)

(1) The payment of incentives for promotion of new employment for those already hired prior to January 1, 2010 shall be governed by the previous provisions, notwithstanding the amended provisions of Article 26 and subparagraph 8 of attached Table 1.

(2) The amended provisions of subparagraph 8 of attached Table 1 shall also apply to those hired before this Decree enters into force on and after January 1, 2010.

Article 10 (Transitional Measures concerning Subsidies for Continuous Employment of Construction Workers)

Subsidies for continuous employment of construction workers for business owners who meet the requirements for payment of the subsidies for continuous employment of construction workers prescribed in the previous provisions of Article 32-2 as at the time this Decree enters into force shall be governed by the previous provisions, notwithstanding the amended provisions of Article 32-2.

Article 11 (Transitional Measures concerning Restrictions on Payment of Subsidies, etc. Due to Improper Acts)

(1) In issuing orders for return, or restricting payment with regard to improper acts committed before this Decree enters into force, the previous provisions shall apply, notwithstanding the amended provisions of Article 56.

(2) In issuing orders for return, or restricting payment with regard to improper acts committed by any person who received or intends to receive subsidies for continuous employment of construction workers after this Decree enters into force as provided in Article 10 of the Addenda, the previous provisions shall apply, notwithstanding the amended provisions of Article 56.

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

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 22356, Aug. 25, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on September 1, 2010.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 22493, Nov. 15, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 18, 2010.

Articles 2 through 5 Omitted.

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2011: Provided, That the amended provisions of Article 43 (1) shall enter into force on April 1, 2011.

Article 2 (Period of Validity)

The amended provisions of Articles 19 (1) 4 and 20 (3), the latter part of Article 21 (1) 1, and Articles 21 (1) 3 and 4, 21 (2) 2, and 32 shall remain effective until December 31, 2013.

Article 3 (Applicability to Enterprises Eligible for Preferential Support)

The amended provisions of Article 12 (3) shall apply where a cause occurs that makes an enterprise eligible for preferential support lose its eligibility in the year 2010.

Article 4 (Applicability to Subsidies for Expenses for Job Creation)

The amended provisions of Article 17 shall apply to a business owner who hires employees on or after the date this Decree enters into force.

Article 5 (Applicability to Subsidies for Employee Retention)

(1) The amended provisions of Article 19 (1) shall begin to apply where a plan for taking measures for retaining employees under Article 20 (1) is reported after this Decree enters into force.

(2) The amended provisions of Article 20 (2) shall begin to apply where a plan for taking measures for retaining employees under Article 20 (1) is reported after this Decree enters into force.

(3) The amended provisions of Article 20 (5) shall begin to apply where a violation of the duty to comply with a plan for taking measures for retaining employees is confirmed after this Decree enters into force.

Article 6 (Applicability to Subsidies for Promotion of Local Employment)

The amended provisions of Article 24 shall apply to cases applicable to the local areas designated as the areas which require support measures such as employment adjustment, etc. and publicly notified by the Minister of Employment and Labor pursuant to Article 29 (1) of the Enforcement Decree of the Framework Act on Employment Policy, on and after this Decree enters into force.

Article 7 (Applicability to Subsidies for Extension of Employment of Seniors)

(1) The amended provisions of Article 25 (4) shall apply to cases of abolishing or extending a retirement age pursuant to the amended provisions of Article 25 (1) 2 after this Decree enters into force.

(2) The amended provisions of Article 25 (5) shall apply to cases where re-employment is made pursuant to the amended provisions of Article 25 (1) 3 on and after this Decree enters into force.

Article 8 (Applicability to Subsidies for Promotion of Employment)

The amended provisions of Article 26 shall apply where a business owner hires an unemployed person falling under any of the amended provisions under each subparagraph of Article 26 (1) as an insured employee after this Decree enters into force.

Article 9 (Applicability to Subsidization for Management of Employment Insurance for Construction Workers)

The amended provisions of Article 32 shall apply to a business owner who applies for the subsidies for management of employment insurance for construction workers, on or after the date this Decree enters into force.

Article 10 (Applicability to Subsidization of Employees Attending Training Courses)

The amended provisions of Article 43 (1) 1 shall apply where an insured employee takes a vocational skills development training course on or after the date this Decree enters into force.

Article 11 (Applicability to Restrictions on Grant of Subsidies, etc. Due to Improper Acts)

The amended provisions of Article 56 (2) shall apply where a cause that results in the order of return or restriction on payment occurs on or after the date this Decree enters into force.

Article 12 (Applicability to Payment of Individually Extended Benefits)

The amended provisions of Article 73 shall apply to cases of filing an application for individually extended benefits on or after the date this Decree enters into force.

Article 13 (Applicability to Reduction of Child Care Leave Benefits)

The amended provisions of Article 98 shall apply where a person begins his or her child care leave on or after the date this Decree enters into force.

Article 14 (Transitional Measures concerning Subsidies for Transition to Shift Work System)

With respect to a business owner who meets the requirements for payment of subsidies for transition to shift work system under the previous provisions of Article 14 as at the time this Decree enters into force, the payment of subsidies for transition to shift work system shall be governed by the previous provisions, notwithstanding the amended provisions of Article 14.

Article 15 (Transitional Measures concerning Subsidies for Improvement of Employment Circumstances for Small and Medium Enterprises)

With respect to a business owner who has submitted a plan in accordance with the procedures determined by the Minister of Employment and Labor pursuant to the previous provisions of Article 15 and who meets the requirements for subsidization under the previous provisions of Article 15 as at the time this Decree enters into force, the payment of subsidies shall be made pursuant to the previous provisions, notwithstanding the amended provisions of Article 15.

Article 16 (Transitional Measures concerning Incentives to Small and Medium Enterprises for Utilization of Experts)

With respect to a business owner who meets the requirements for payment of incentives to small and medium enterprises for utilization of experts under the previous provisions of Article 16 as at the time this Decree enters into force, the payment of incentives to small and medium enterprises for utilization of experts shall be made pursuant to the previous provisions, notwithstanding the amended provisions of Article 16.

Article 17 (Transitional Measures concerning Incentive for Supporting Change of Occupation)

With respect to a business owner who meets the requirements for payment of incentives for supporting change of occupation under the previous provisions of Article 22 as at the time this Decree enters into

force, the payment of incentives for supporting change of occupation shall be made pursuant to the previous provisions, notwithstanding the amended provisions of Article 22.

Article 18 (Transitional Measures concerning Subsidies for Extension of Employment of Seniors)

With respect to a business owner who has employed an senior under the previous provisions of Article 25 (1) 1 as at the time this Decree enters into force, the payment of subsidies for encouragement of employment of the elderly in relation to the senior already employed in the relevant place of business shall be made pursuant to the previous provisions, notwithstanding the amended provisions of Article 25 (1) 1.

Article 19 (Transitional Measures concerning Subsidies for Wage Peak System)

Where a business owner operates the wage peak system under the previous provisions of Article 28 as at the time this Decree enters into force, the payment of allowances that make up for the wage peak system shall be governed by the previous provisions, notwithstanding the amended provisions of Article 28.

Article 20 (Transitional Measures concerning Subsidies for Employment Security of Pregnant Women and Nursing Mothers)

(1) Where the payment of subsidies for employment security of pregnant women and nursing mothers is continuously made under the previous provisions of Article 29 as at the time this Decree enters into force, the previous provisions shall apply, notwithstanding the amended provisions of Article 29.

(2) Where incentives for child care leave, etc. and subsidies for employment of substitute employees are paid pursuant to the previous provisions of Article 30 as at the time this Decree enters into force, the previous provisions shall apply notwithstanding the amended provisions of Articles 29 and 30.

Article 21 (Transitional Measures concerning Subsidization for Premium Payable to Mutual Aid for Construction Workers Whose Employment Is Severed)

With respect to a business owner who has applied for or received the payment of subsidies for premium payable to mutual aid for construction workers whose employment was severed, among those who joined the mutual aid for construction workers whose employment was severed and paid the mutual aid premium pursuant to the previous provisions of Article 31 as at the time this Decree enters into force, the previous provisions shall apply notwithstanding the amended provisions of Article 31.

Article 22 (Transitional Measures concerning Support Projects for Encouraging Long-Term Unemployed to Start up Business)

With respect to a person who receives assistance under the previous provisions of Article 34 (1) as at the time this Decree enters into force, the previous provisions shall apply notwithstanding the amended provisions of Article 34 (1).

Article 23 (Transitional Measures concerning Support Projects for Creation of Part-Time Jobs)

With respect to a person who directly or otherwise carries out the support projects for creation of part-time jobs pursuant to the previous provisions of subparagraph 5 of Article 35 as at the time this Decree enters into force, the previous provisions shall apply notwithstanding the amended provisions of

subparagraph 5 of Article 35.

Article 24 (Transitional Measures concerning Mutual Adjustments among Subsidies, etc.)

With respect to mutual adjustments among the subsidies or incentives where a cause for granting subsidies or incentives occurs pursuant to the previous provisions of Articles 14 through 16 as at the time this Decree enters into force, the previous provisions shall apply notwithstanding the amended provisions of Article 40.

Article 25 (Transitional Measures concerning Subsidization to Business Owners for Vocational Skills Development Training)

With respect to vocational skills development training which is conducted after meeting the requirements under the previous provisions of Article 41 (1) 5 (b) as at the time this Decree enters into force, subsidies for those who bear the expenses incurred for vocational skills development training shall be granted to a business owner pursuant to the previous provisions, notwithstanding the amended provisions of Article 41 (1) 5 (c).

Article 26 (Transitional Measures concerning Restrictions on Grant of Subsidies)

In cases of falling under the grounds for the payment of subsidies or incentives pursuant to the previous provisions of Articles 14 through 16, 30 and 31, and Articles 14 through 16, 20 (2), and 21 of the Addenda as at the time this Decree enters into force, and where the reason for issuing the order to return or for the restriction of payment under the previous provisions of Article 56 is confirmed after this Decree enters into force, the order to return or the restriction of payment may be made pursuant to the previous provisions of Article 56.

Article 27 (Transitional Measures concerning Amount of Child Care Leave Benefits)

With respect to the amount of child care leave benefits for the period of child care leave before this Decree enters into force where an insured employee is on his or her child care leave as at the time this Decree enters into force, the previous provisions shall apply notwithstanding the amended provisions of Article 95.

ADDENDA <Presidential Decree No. 23139, Sep. 15, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 40-2 and 104-2 through 104-4 shall enter into force on September 22, 2011.

Article 2 (Transitional Measures concerning Subsidies for Reduced Working Hours of Small and Medium Enterprises)

With respect to a business owner who meets the requirements for the payment of subsidies for reduced working hours in small and medium enterprises pursuant to the previous provisions of Article 13 as at the time this Decree enters into force, the payment of such subsidies shall be made pursuant to the previous provisions.

Article 3 (Transitional Measures concerning Subsidies for Taking Employee's Training Courses)

With respect to a person who takes a vocational skills development training course pursuant to the previous provisions of Article 43 (1) 1 as at the time this Decree enters into force, the payment of the subsidies for taking employee's training courses shall be made pursuant to the previous provisions.

Article 4 (Transitional Measures concerning Subsidies for Taking Employee's Training Courses following Vocational Skills Development Cards)

With respect to a person who takes a vocational skills development training course pursuant to the previous provisions of Article 44 as at the time this Decree enters into force, subsidies for those who bear the expenses incurred in taking vocational skills development training courses shall be paid pursuant to the previous provisions.

Article 5 Omitted.

ADDENDA <Presidential Decree No. 23274, Nov. 1, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 15, 2011.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 23356, Dec. 8, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 8, 2011. (Proviso Omitted.)

Article 2 Omitted.

ADDENDA <Presidential Decree No. 23467, Dec. 30, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2012.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 23496, Jan. 6, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 2, 2012.

Article 2 Omitted.

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 12 shall enter into force six months after the date of its promulgation, and the amended provisions of Articles 41, 43, 93-2, and 144 shall enter into force from January 22, 2012, respectively.

Article 2 (Period of Validity)

(1) The amended provisions of the proviso to Article 21 (1) 1 with the exception of its items and the amended provisions of Article 21 (1) 1 (b) shall remain effective until December 31, 2013.

(2) The amended provisions of Articles 25-2 and 40 (5) shall remain effective until December 31, 2020: Provided, That with respect to a business owner who satisfies the requirements for payment of subsidies for employment of the elderly aged 60 years or older in the fourth quarter of the year 2020, the aforementioned amended provisions shall remain effective until the business owner receives the corresponding subsidies. <Amended on Dec. 31, 2014; Dec. 26, 2017>

Article 3 (Applicability to Subsidies for Wage Peak System)

The amended provisions of Article 28 (2) shall apply where subsidies for the wage peak system are granted for the amount of wage reduced on or after January 1, 2012.

Article 4 (Applicability to Subsidies for Employment Security of Pregnant Women and Nursing Mothers)

(1) The amended provisions of Article 29 (1) 3 shall apply to cases of employing substitute employees on or after the date this Decree enters into force.

(2) The amended provisions of Article 29 (3) shall apply to cases of permitting child care leave, etc. on or after the date this Decree enters into force.

Article 5 (Special Cases concerning Purchase of Insurance by Public Officials in Extraordinary Civil Service or Contractual Service)

(1) Where a public official eligible to purchase insurance prescribed in Article 5 of the Addenda to the same Decree meets all the following requirements, as at the time the Enforcement Decree of the Employment Insurance Act (Presidential Decree No. 21015) (hereafter referred to as the "same Decree" in this Article) enters into force, the head of the relevant agency to which he or she belongs may file an application for purchase of employment insurance with the head of the competent employment security office of the place where such relevant agency is located within three months from the enforcement date of this Decree, notwithstanding Article 3-2 (1) and (2):

1. That the head of the relevant agency to which the public official belongs or the corresponding public official eligible to purchase insurance has never filed the application for subscription to employment insurance within the period prescribed under Article 3-2 (2) and Article 5 of the Addenda to the same Decree;

2. That the public official shall continuously serve for the relevant agency to which the public official belongs as a public official eligible to purchase insurance as at the time this Decree enters into force;
3. That the public official shall have an intention to purchase employment insurance.

(2) The provisions of Article 3-2 (3) through (7) shall also apply to cases of filing an application for subscription to employment insurance pursuant to paragraph (1).

Article 6 (Transitional Measures concerning Subsidies for Extension of Employment of Seniors)

With respect to a business owner who receives subsidies for extension of employment of the elderly as at the time this Decree enters into force, the previous provisions shall apply, notwithstanding the amended provisions of Article 25 (4) and (5).

Article 7 (Transitional Measures concerning Subsidies for Promotion of New Employment)

With respect to a person who has hired an unemployed person as an insured employee as at the time this Decree enters into force, the previous provisions shall apply, notwithstanding the amended provisions of Article 26 (1) and (4).

Article 8 (Transitional Measures concerning Assistance to Improvement of Vocational Skills of Employees)

With respect to a self-employed worker prescribed in the previous provisions of Article 144 who has subscribed to employment insurance as at the time this Decree enters into force, the previous provisions shall apply, notwithstanding the amended provisions of Article 43 (1).

Article 9 (Transitional Measures concerning Computation of Child Care Benefits)

With respect to a person who has applied for child care benefits as at the time this Decree enters into force, the previous provisions shall apply, notwithstanding the amended provisions of Article 95 (1).

ADDENDA <Presidential Decree No. 23946, Jul. 10, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 2, 2012.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 24155, Oct. 29, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 1, 2012: Provide, That ... <omitted> ... the amended provisions of Article 3 shall enter into force on January 1, 2013.

Articles 2 through 11 Omitted.

ADDENDA <Presidential Decree No. 24333, Jan. 25, 2013>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Scope of Enterprises Eligible for Preferential Support)

The amended provisions of Article 12 (3) shall also apply to cases where the period of being eligible for preferential support prescribed in the previous provisions has not terminated as at the time this Decree enters into force.

Article 3 (Applicability to Subsidies for Promotion of Employment)

The amended provisions of Article 26 shall apply to cases where a business owner employs a person that falls under any of the subparagraphs of Article 26 (1) as the insured employee after this Decree enters into force.

Article 4 (Applicability to Subsidies for Employment Security during the Period of Childbirth and Child Care)

The amended provisions of Article 29 shall apply to cases where a business owner enters into a labor contract after this Decree enters into force.

Article 5 (Transitional Measures concerning Subsidies for Extension of Employment of Seniors)

With respect to a business owner that receives subsidies for extension of employment of the elderly as at the time this Decree enters into force, the previous provisions shall apply, notwithstanding the amended provisions of Article 25.

Article 6 (Applicability to Subsidies for Wage Peak System)

With respect to the subsidies for the wage peak system, where such system is implemented as at the time this Decree enters into force, the previous provisions shall apply, notwithstanding the amended provisions of Article 28.

ADDENDA <Presidential Decree No. 24514, Apr. 22, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on April. 24, 2013.

Article 2 (Special Cases concerning Grant of Subsidies to Insured Employees Following Temporary Closure of Business, etc.)

Where an insured employee employed by a business owner that closes business temporarily, etc. prescribed in the amended provisions of Article 21-3 (1) as at the time this Decree enters into force desires to receive subsidies, he or she shall apply for subsidies pursuant to the amended provisions of 21-3 (1) within 60 days from the date this Decree enters into force.

Article 3 (Transitional Measures concerning Grant of Subsidies for Employee Retention)

Where subsidies for employee retention are granted for measures for retaining employees taken pursuant to the previous provisions of Article 19 (1) before this Decree enters into force, the previous

provisions shall apply, notwithstanding the amended provisions of Article 19.

Article 4 (Transitional Measures concerning Violation of Plan for Measures for Retaining Employees)

With respect to a business owner that has violated the observing duty of the plan for taking measures for retaining employees before this Decree enters into force, the previous provisions shall apply, notwithstanding the amended provisions of Article 20-2.

ADDENDA <Presidential Decree No. 24682, Aug. 6, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 1, 2013.

Article 2 (Transitional Measures concerning Administrative Fines)

(1) When guidelines for imposing administrative fines apply to offenses committed before this Decree enters into force, notwithstanding the amended provisions of attached Table 3, the previous provisions thereof shall apply.

(2) The imposition of administrative fines for violations committed before this Decree enters into force shall not be taken into account for the calculation of the number of violations under the amended provisions of attached Table 3.

ADDENDUM <Presidential Decree No. 24852, Nov. 20, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 12, 2013.

Articles 2 through 9 Omitted.

ADDENDA <Presidential Decree No. 25022, Dec. 24, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2014.

Article 2 (Term of Validity)

(1) The amended provisions of Article 25 shall remain effective until December 31, 2016: Provided, That the amended provisions of Article 25 shall continue to apply to the granting of subsidies to business owners who meet the eligibility requirements for subsidies for extension of employment of the elderly by December 31, 2016, even after the period of validity ends.

(2) The amended provisions of Article 28 shall remain effective until the date classified under each of the following subparagraphs: Provided, That the amended provisions of Article 28 shall continue to apply to the granting of subsidies to employees who meet the eligibility requirements for subsidies for the wage peak system by the date provided in subparagraphs 1 and 2, even after the period of validity

ends:

1. Businesses or places of business using 300 or more workers at ordinary times, public institutions under Article 4 of the Act on the Management of Public Institutions, and local government-invested public corporations under Article 49 of the Local Public Enterprises Act, and local government public corporations under Article 76 of the same Act: December 31, 2015;
2. Businesses or places of business using less than 300 workers at ordinary times, and the State and local governments: December 31, 2016.

Article 3 (Applicability to Support for Job Creation)

The amended provisions of the proviso to Article 17 (1) with the exception of the subparagraphs thereof (limited to the amended portion related to subparagraph 1 of the same paragraph) shall apply to business owners who take measures for job sharing on or after the date this Decree enters into force.

Article 4 (Applicability to Subsidies for Employment Security during the Period of Childbirth and Child Care)

The amended provisions of Article 29 (1) and (4) shall apply to cases where substitute employees are employed on or after the date this Decree enters into force.

Article 5 (Applicability to Support to Facilities for Promotion of Employment)

The amended provisions of the latter part of Article 38 (4) shall apply to cases where child care centers are installed and operated on or after the date this Decree enters into force.

Article 6 (Applicability to Limits on Subsidization of Expenses for Vocational Skills Development Training for Employers)

The amended provisions of Article 42 (4) shall apply to cases where subsidies are granted for vocational skills development training that commences on or after the date this Decree enters into force.

Article 7 (Applicability to Subsidization for Development of Employees' Vocational Skills)

The amended provisions of Article 43 (1) shall apply to insured employees who begin receiving vocational skills development training on or after the date this Decree enters into force.

Article 8 (Transitional Measures concerning Eligibility for Subsidies for Employee Retention)

With respect to the granting of subsidies for employee retention to business owners who have taken measures for retaining employees prescribed in the previous provisions of Article 19 (1) 4 before this Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of Article 19 (1) 4.

Article 9 (Transitional Measures concerning Implementation of Plan for Retaining Employees)

Any business owner who has reported plans for retaining employees on the grounds under the previous provisions of Article 19 (1) 4 before this Decree enters into force shall file a report with the Minister of Employment and Labor pursuant to the previous provisions, notwithstanding the amended provisions of Article 20 (3).

Article 10 (Transitional Measures concerning Amount, etc. of Subsidies for Employee Retention)

With respect to the amount and coverage of subsidies for employee retention granted to business owners who have taken measures for retaining employees prescribed in the previous provisions of Article 19 (1) 3 and 4 before this Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of Article 21.

Article 11 (Transitional Measures concerning Subsidies for Promotion of Local Employment)

With respect to the restriction on payment of subsidies to business owners who have met the eligibility requirements for subsidies for promotion of local employment, as prescribed in Article 24 (1), before this Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of Article 24 (6).

Article 12 (Transitional Measures, etc. concerning Subsidies for Extension of Employment of Seniors)

(1) With respect to the payment of subsidies to business owners who have met the eligibility requirements for subsidies for extension of employment of seniors, as prescribed in the previous provisions of Article 25 (1), before this Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of the proviso to Article 25 (1) with the exception of the subparagraphs thereof and of Article 25 (1) 2 and (5).

(2) The amended provisions of Article 25 (1) 3 and of the latter part of Article 25 (4) with the exception of the subparagraphs thereof shall apply to cases where subsidies for extension of employment of the elderly are granted to employees who are reemployed on or after the date this Decree enters into force.

Article 13 (Applicability to Subsidies for Wage Peak System)

With respect to the granting of subsidies for wage peak system to business owners that implement the wage peak system as at the time this Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of Article 28 (1) 1 and 4, (2) 1 and 3, and (4).

Article 14 (Transitional Measures concerning Subsidization for Management of Employment Insurance for Construction Workers)

With respect to the granting of subsidies for management of employment insurance to business owners who have met the eligibility requirements for subsidies for management of employment insurance for construction workers, as prescribed in the previous provisions of Article 32 before this Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of Article 32.

Article 15 (Transitional Measures concerning Assistance with Employment Training)

With respect to employment training assistance for the insured employees, etc. who attend the vocational skills development training courses, as prescribed in the previous provisions of Article 47 (1), as at the time this Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of Article 47 (1).

Article 16 (Transitional Measures concerning Restrictions on Granting of Subsidies, etc. Due to Improper Acts)

With respect to the restrictions on granting of subsidies regarding business owners subject to the restrictions on granting of subsidies prescribed in the previous provisions of Article 56 (1) before this

Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of Article 56 (1).

Article 17 (Transitional Measures concerning Guidelines for Payment of Early Re-Employment Allowances)

With respect to the payment of early re-employment allowances to those who have applied for recognition of eligibility for job-seeking benefits, as prescribed in Article 42 of the Act, before this Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of Article 84 (1).

Article 18 (Transitional Measures concerning Amount of Early Re-Employment Allowances)

With respect to the amount of early re-employment allowances for those who have applied for recognition of eligibility for job-seeking benefits, as prescribed in Article 42 of the Act, before this Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of Article 85 (2).

Article 19 (Transitional Measures concerning Claim for Early Re-employment Allowances)

With respect to the submission of written claims for early re-employment allowances by those who have applied for recognition of eligibility for job-seeking benefits, as prescribed in Article 42 of the Act, before this Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of Article 86 (2).

Article 20 Omitted.

ADDENDA <Presidential Decree No. 25388, Jun. 17, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2014.

Article 2 (Applicability to Granting of Subsidies for Employment Security during Period of Childbirth and Child Care)

The amended provisions of Article 29 (1) 2 shall apply to cases where subsidies for employment security during the period of childbirth and child care are granted to business owners that employ female employees who will give birth to babies after this Decree enters into force.

Article 3 (Applicability to Maximum Amount of Maternity Leave Benefits)

The amended provisions of subparagraph 1 of Article 101 shall apply to female employees who give birth to babies after this Decree enters into force.

ADDENDA <Presidential Decree No. 25645, Sep. 30, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 1, 2014.

Article 2 (Applicability to Subsidies for Employment Security during the Period of Childbirth and Child Care)

The amended provisions of Article 29 (1) 1 shall also apply where an employment contract is concluded with an employee who is on his or her child care leave or whose child care leave ends as at the time this Decree enters into force.

Article 3 (Applicability to Special Cases concerning Child Care Leave Benefits)

The amended provisions of Article 95-2 shall apply, beginning with the second insured employee who begins a child care leave for the same child after this Decree enters into force.

Article 4 (Applicability to Amount of Benefits for Reduction of Working Hours during Infant Care Period)

Notwithstanding the amended provisions of Article 104-2 (2), the previous provisions shall apply to the amount of benefits for reduction of working hours during the period of infant care, payable to an insured employee who has reduced working hours during the period of infant care before this Decree enters into force.

ADDENDA <Presidential Decree No. 25840, Dec. 9, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

ADDENDA <Presidential Decree No. 25955, Dec. 31, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Subsidies for Promotion of Employment)

The amended provisions of Article 26 (4) 4 shall apply where a business owner employs an unemployed person falling under any of the subparagraphs of Article 26 (1) as an insured employee on or after this Decree enters into force.

Article 3 (Applicability to Subsidies for Wage Peak System)

The amended provisions of the proviso to Article 28 (1) and the amended provisions of Article 28 (3) shall apply where a wage peak system is implemented under Article 28 (1) 2 on or after this Decree enters into force.

Article 4 (Applicability to Restrictions on Granting of Subsidies on Account of Improper Acts)

The restriction on payment under Article 56 (2) under the amended provisions of paragraph (1) of the same Article shall apply where there occurs a cause for issuing an order to return a subsidy or for

imposing a restriction on payment of a subsidy on or after this Decree enters into force.

Article 5 (Transitional Measures concerning Amount of Subsidies for Employee Retention)

Notwithstanding the amended provisions of Article 21 (1), the previous provisions shall apply to the amount of subsidies for employee retention under a plan for taking measures for retaining employees that is reported before this Decree enters into force.

Article 6 (Transitional Measures concerning Maximum Amount of Daily Basic Wage Used as Basis for Calculation of Benefits)

Notwithstanding the amended provisions of Article 68 (1), the previous provisions shall apply to the daily wage that constitutes the basis for calculating the job-seeking benefits of a person whose employment was severed before this Decree enters into force.

ADDENDA <Presidential Decree No. 26208, Apr. 20, 2015>

This Decree shall enter into force on April 21, 2015.

ADDENDA <Presidential Decree No. 26368, Jun. 30, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2015: Provided, That the amended provisions of Article 145 (1) 23 and paragraph (2) 4 of the same Article shall enter into force on January 1, 2016.

Article 2 (Applicability to Limitation on Assistance for Expenses of Vocational Skills Development Training)

The amended provisions of Article 42 (5) shall apply to cases where the assistance for vocational skills development program is limited pursuant to Article 35 (3) of the Act for the grounds of having received or intending to receive assistance for vocational skills development training by fraud or other improper means on or after the date this Decree enters into force.

Article 3 (Applicability to Subsidization for Development of Employees' Vocational Skills)

(1) The amended provisions of Article 43 (1) 6 shall apply to cases where an insured employee aged 45 or over as at the time this Decree enters into force receives vocational skills development training on or after the date this Decree enters into force.

(2) The amended provisions of Article 43 (1) 8 shall apply to cases where an insured employee under child care leave as at the time this Decree enters into force receives vocational skills development training on or after the date this Decree enters into force.

Article 4 (Transitional Measures concerning Support for Subsidies for Employment Security during the Period of Childbirth and Child Care)

(1) Notwithstanding the amended provisions of Article 29 (1) 2 and paragraph (3) of the same Article, the former provisions shall apply to the payment of the subsidies for employment security during the

period of childbirth and child care in cases where the relevant employee starts child care leave, etc. because a business owner granted child care leave, etc. before this Decree enters into force.

(2) Notwithstanding the amended provisions of Article 29 (1) 3 (a) and paragraph (4) of the same Article, the former provision shall apply to the payment of the subsidies for substitute employees in cases where a business owner allows an insured employee a maternity leave, a miscarriage or stillbirth leave or a child care leave, etc. and employs a substitute employee before this Decree enters into force.

Article 5 (Transitional Measures concerning Methods, Etc. Granting Child Care Leave Benefits)

Notwithstanding the amended provisions of Article 95 (3) and (4) and Article 98, the former provisions shall apply to granting child care leave benefits in cases where an insured employee starts child care leave before this Decree enters into force.

ADDENDA <Presidential Decree No. 26496, Aug. 19, 2015>

Article 1 (Enforcement Date)

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

Article 2 (Term of Validity)

The amended provisions of Article 17 (1) 6 shall be effective only until December 31, 2018: Provided, That the amended provisions of Article 17 (1) 6 shall apply even after the expiration of the effective period to the business owner who hires an unemployed youth through an introduction of wage peak system or other changes, etc. in its wage system pursuant to the amended provision of Article 17 (1) 6 until December 31, 2018.

Article 3 (Applicability to Support for Job Creation)

The amended provisions of Article 17 (1) 6 shall also apply to the business owner who hires an unemployed youth between 15 and 35 years of age through an introduction of wage peak system or other changes in its wage system after July 1, 2015.

ADDENDA <Presidential Decree No. 26690, Dec. 4, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2016: Provided, That the amended provisions of Article 17 (1) 6, Articles 28-2, 28-3, and 40 (2) and (6) shall enter into force on the date of its promulgation.

Article 2 (Applicability to Subsidies for Reducing of Wages in Business or Place of Business Having Set Retirement Age at 60 or More)

The amended provisions of Article 28-2 shall also apply to the employees whose wage decreased due to the application of the relevant system after the enforcement date under the proviso of Article 1 of the Addenda in the business or place of business where the relevant system was implemented before the enforcement date under the proviso of Article 1 of the Addenda.

Article 3 (Applicability to Assistance to Business Owners for Expenses of Vocational Skills Development Training)

The amended provisions of Article 41 (3) 5 shall also apply to employees who were employed on condition of receiving vocational skills development training and evaluation before this Decree enters into force and received vocational skills development training and evaluation after this Decree enters into force.

Article 4 (Transitional Measures concerning Supports for Expenses Incurred for Operation of Child Care Center in Enterprises Eligible for Preferential Support)

Notwithstanding the amended provision of Article 38-4, the previous provisions shall apply to the assistance for expenses incurred for operation during the period before this Decree enters into force paid to the business owners of the enterprises eligible for preferential support who established and operates child care center before this Decree enters into force.

Article 5 (Transitional Measures concerning Special Cases concerning Child Care Leave Benefits)

Notwithstanding the amended provision of Article 95-2, the previous provisions shall apply to insured employees under the second child care leave for the same children as at the time this Decree enters into force.

Article 6 (Transitional Measures concerning Standards for Imposition of Administrative Fines)

Notwithstanding the amended provisions of subparagraph 2 (a) of Attached Table 3, the previous provision shall apply to the application of the standards of imposing administrative fines against the violation before this Decree enters into force.

Article 7 Omitted.

ADDENDA <Presidential Decree No. 26844, Dec. 31, 2015>

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

ADDENDA <Presidential Decree No. 27352, Jul. 19, 2016>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 74-2 and 145-2 (1) 15-2 shall enter into force on August 1, 2016.

ADDENDA <Presidential Decree No. 27445, Aug. 11, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 12, 2016.

Articles 2 through 22 Omitted.

ADDENDA <Presidential Decree No. 27549, Oct. 18, 2016>

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

ADDENDA <Presidential Decree No. 27556, Oct. 25, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 1, 2016.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 27738, Dec. 30, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2017: Provided, That the amended provisions of subparagraph 2 of Article 95-2 shall enter into force on July 1, 2017.

Article 2 (Applicability to Restriction on Payment of Subsidies for Promotion of Local Employment, etc. to Business Owners)

The amended provisions of Articles 24 (6) 4-2, 25-2 (2) 2, and 26 (3) 7, and the proviso to Article 29 (1) shall begin to apply to the business owner whose name is disclosed pursuant to Article 43-2 of the Labor Standards Act after this Decree enters into force.

Article 3 (Applicability to Special Cases concerning Child Care Leave Benefits)

The amended provisions of subparagraph 2 of Article 95-2 shall begin to apply to cases of paying child-care leave benefits for the second or younger child born after July 1, 2017.

Article 4 (Applicability to Maximum Amount of Maternity Leave Benefits, etc.)

The amended provisions of subparagraph 1 of Article 101 shall apply to an insured employee who is on maternity leave or miscarriage or stillbirth leave as at the time this Decree enters into force, by calculating daily benefits for the period of maternity leave or miscarriage or still birth leave used after this Decree enters into force.

Article 5 (Transitional Measures concerning Payment of Incentives for Employment Promotion to Business Owners)

(1) Subsidies for employment promotion paid to business owners before this Decree enters into force shall be deemed incentives for employment promotion pursuant to the amended provisions of Article 26.

(2) Notwithstanding the amended provisions of paragraph (2), (3) 4 through 6, (4), and (5), and the main sentence of paragraph (6) of Article 26, former provisions shall apply to the requirements for, period of, and amount of payment of incentives for employment promotion to business owners who employ the

relevant unemployed persons as insured employees pursuant to the former Article 26 (1), and the number of insured employees eligible for incentives for employment promotion.

Article 6 (Transitional Measures concerning Payment of Incentives for Employment Security during the Period of Childbirth and Child Care to Business Owners)

(1) Subsidies for employment security during the period of childbirth and child care paid to business owners before this Decree enters into force shall be deemed incentives for employment security during the period of childbirth and child care pursuant to the amended provisions of Article 29.

(2) Notwithstanding the amended provisions of the main sentence of Article 29 (1) 1 and paragraph (2) of the same Article, former provisions shall apply to the requirements for and period of payment of incentives for employment security during the period of childbirth and child care to business owners who entered into a labor contract for at least one year pursuant to Article 29 (1) 1 before this Decree enters into force.

(3) Notwithstanding the amended provisions of Article 29 (1) 3 (c) and (4), former provisions shall apply to the requirements for and period of payment of incentives for employment security during the period of childbirth and child care to business owners who granted or allowed at least 30 days of maternity leave, miscarriage or stillbirth leave, or child-care leave to an employee who is an insured employee and hired a substitute employee pursuant to the main sentence of Article 29 (1) 3.

ADDENDA <Presidential Decree No. 27751, Dec. 30, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2017. (Proviso Omitted.)

Articles 2 through 12 Omitted.

ADDENDA <Presidential Decree No. 27960, Mar. 27, 2017>

This Decree shall enter into force on March 30, 2017. (Proviso Omitted.)

ADDENDA <Presidential Decree No. 27966, Mar. 27, 2017>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 1, 2017.

Article 2 (Transitional Measures concerning Maximum Amount of Daily Basic Wage Used as Basis for Calculation of Benefits)

Notwithstanding the amended provisions of Article 68 (1), former provisions shall apply to the daily wage which constitutes the basis for the calculation of job-seeking benefits for a person whose employment was severed before this Decree enters into force.

ADDENDA <Presidential Decree No. 28160, Jun. 27, 2017>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 28, 2017.

Article 2 (Applicability to Child Care Leave Benefits to Fixed-Term Employees)

The amended provisions of Article 95 (4) shall apply beginning with the first fixed-term employee whose term of labor contract expires after this Act enters into force.

ADDENDA <Presidential Decree No. 28256, Aug. 29, 2017>

Article 1 (Enforcement Date)

This Decree shall enter into force on September 1, 2017.

Article 2 (Transitional Measures concerning Child Care Leave Benefits)

Notwithstanding the amended provisions of Article 95, the former provisions shall apply to child care benefits for a period of child care leave before this Decree enters into force.

ADDENDA <Presidential Decree No. 28469, Dec. 12, 2017>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Adjustment of Subsidies, etc.)

The amended provisions of the proviso to Article 40 (2) shall also apply where the requirements for subsidies pursuant to Article 17 (1) 4 and for subsidies pursuant to subparagraph 2 of Article 35 are met before this Decree enters into force.

ADDENDA <Presidential Decree No. 28504, Dec. 26, 2017>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2018: Provided, That the amended provisions of Article 2 (2) of the Addenda to the Enforcement Decree of the Employment Insurance Act (Presidential Decree No. 23513) shall enter into force on the date of its promulgation.

Article 2 (Applicability to Subsidies for Employment of Seniors Aged 60 Years or Older)

The amended provisions of Articles 25-2 (4) shall apply beginning with payment of subsidies for employment of the elderly aged 60 years or older in the first quarter of the year 2018.

Article 3 (Applicability to Amount of Unemployment Benefits Unseizable)

The amended provisions of Article 58-3 shall apply beginning with the transfer of unemployment benefits to an unemployment benefit receipt account pursuant to Article 37-2 (1) of the Act after this Decree enters into force.

Article 4 (Transitional Measures concerning Training Subsidies Out of Subsidies for Employee Retention)

With respect to any business owner who has conducted employee retention training before this Decree enters into force, training subsidies shall be granted pursuant to the previous provisions, notwithstanding the amended provisions of Articles 19 (1) 2 and 21 (1).

Article 5 (Transitional Measures concerning Maximum Amount of Daily Basic Wage Used as Basis for Calculation of Benefits)

Notwithstanding the amended provisions of Article 68 (1), the previous provisions shall apply to the daily wage that constitutes the basis for calculating the job-seeking benefits of a person whose employment was severed before this Decree enters into force.

Article 6 (Transitional Measures concerning Benefits for Reduced Working Hours during Infant Care Period)

Benefits for working hours reduced during the period of child care before this Decree enters into force shall be determined pursuant to the previous provisions, notwithstanding the amended provisions of Article 104-2 (2).

ADDENDA <Presidential Decree No. 29026, Jul. 3, 2018>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Incentives for Employment Security during Period of Childbirth and Child Care)

The amended provisions of Article 29 (1) 3 (b) shall begin to apply from the cases in which a business owner grants or allows an insured employee a maternity leave, a miscarriage or stillbirth leave, a child care leave, etc. for at least 30 days, and employs a substitute employee after this Decree enters into force.

Article 3 (Applicability to Upper Limit of Subsidies for Vocational Skills Development Training)

The amended provisions of Article 42 (4) 3 (b) shall begin to apply from the first training course for vocational skills development under Article 41 (1) 5 (a) or (b) implemented after this Decree enters into force.

Article 4 (Applicability to Special Cases concerning Child Care Leave Benefits)

The amended provisions of Article 95-2 shall begin to apply from the child care leave benefits for the child care leave period that begins on or after July 1, 2018, payable to an insured employee who takes a child care leave after the other parent has taken a child care leave if both parents of the same child take

turns having a child care leave.

ADDENDA <Presidential Decree No. 29208, Oct. 2, 2018>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Curtailment of Wages Due to Reduction in Working Hours During Child Care Period)

Where ordinary wages have been raised for an insured employee whose working hours have been reduced during the child care period before this Decree enters into force among the insured employees whose working hours have been reduced during the child care period at the time this Decree enters into force, such ordinary wages shall be deemed raised as of the date this Decree enters into force.

ADDENDA <Presidential Decree No. 29454, Dec. 31, 2018>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2019.

Article 2 (Applicability to Calculation of Incentives for Employment Security during Period of Childbirth and Child Care)

The amended provisions of the former part of Article 29 (4) shall also apply where an insured employee has been granted or allowed a maternity leave, a miscarriage or stillbirth leave, a child care leave, etc. for at least 30 days or a substitute employee has been employed as at the time this Decree enters into force.

Article 3 (Applicability to Child Care Leave Benefits)

The amended provisions of Article 95 (1) 2 shall begin to apply to child care leave benefits of the insured who is granted a child care leave under Article 19 of the Equal Employment Opportunity and Work-Family Balance Assistance Act for the period of child care leave from January 1, 2019.

Article 4 (Applicability to Special Cases concerning Child Care Leave Benefits)

The amended provisions of the latter part of Article 95-2 shall begin to apply to child care leave benefits for the period of child care leave from January 1, 2019 payable to the insured employee who subsequently takes a child care leave, where parents take turns using a child care leave for the same child.

Article 5 (Transitional Measures concerning Payment of Incentives for Employment Security during Period of Childbirth and Child Care)

Pursuant to the previous provisions, incentives for employment security during the period of childbirth and child care shall be paid to a business owner who has met the requirements for payment of incentives for employment security during the period of childbirth and child care under the previous Article 29 (1)

1 before this Decree enters into force, notwithstanding the amended provisions of Article 29 (1) 1 and (2).

Article 6 (Transitional Measures concerning Maximum Amount of Daily Basic Wage Used as Basis for Calculation of Benefits)

Notwithstanding the amended provisions of Article 68 (1), the previous provisions shall apply to the daily wage that constitutes the basis for calculating the job-seeking benefits of a person whose employment was severed before this Decree enters into force.

ADDENDA <Presidential Decree No. 29547, Feb. 12, 2019>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Request for Verification of Insured Status)

A person who requested the verification of insured status from the head of an employment security office shall be deemed to request the verification of insured status from the Korea Worker's Compensation and Welfare Service.

ADDENDA <Presidential Decree No. 29913, Jun. 25, 2019>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 16, 2019: Provided, That the amended provisions of Articles 3 (1), 3-2 (1) and 145-2 (1) 1-2 shall enter into force on the date of its promulgation, and the amended provisions of Article 43 (1) 6 shall enter into force on July 1, 2019.

Article 2 (Applicability to Subsidization for Development of Employees' Vocational Skills)

The amended provisions of Article 43 (1) 6 shall begin to apply to vocational skills development training after the enforcement date prescribed in the proviso of Article 1 of the Addenda.

Article 3 (Transitional Measures concerning Foreign Workers)

Notwithstanding the amended provisions of Article 3 (2), the previous provisions shall apply to foreign workers to whom the Act on the Employment of Foreign Workers applies, by any of the following dates:

1. A business or workplace employing at least 30 workers at all times: December 31, 2020;
2. Business or workplaces regularly employing between 10 and less than 30 employees: December 31, 2021;
3. Business or business places regularly employing less than 10 employees: December 31, 2022.

ADDENDUM <Presidential Decree No. 29950, Jul. 2, 2019>

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

ADDENDA <Presidential Decree No. 30083, Sep. 17, 2019>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 1, 2019.

Article 2 (Applicability to Benefits for Reduced Working Hours during Child Care Period)

The amended provisions of Article 104 (2) 2 shall apply beginning with the first set of shortened working hours during child care period after this Decree enters into force.

ADDENDA <Presidential Decree No. 30256, Dec. 24, 2019>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 16, 2020. (Proviso Omitted.)

Articles 2 through 33 Omitted.

ADDENDA <Presidential Decree No. 30296, Dec. 31, 2019>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2020: Provided, That the amended provisions of Article 95-2 shall enter into force on February. 28, 2020.

Article 2 (Applicability to Incentives for Employment Security during Period of Childbirth and Child Care)

The amended provisions of Article 29 (1) 3 (a) (ii) shall also apply to cases where a pregnant employee is granted reduced working hours and where a substitute employee is being employed as at the time this Decree enters into force.

Article 3 (Transitional Measures concerning Benefits for Reduced Working Hours)

Where a business owner who implements reduced working hours before this Decree enters into force, thus falling under the previous Article 28-3 (1) applies for benefits for reduced working hours to the Minister of Employment and Labor by January 31, 2020, he or she shall be paid such benefits under the previous Article 28-3.

ADDENDUM <Presidential Decree No. 30509, Mar. 3, 2020>

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

ADDENDA <Presidential Decree No. 30593, Mar. 31, 2020>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Payment of Subsidies for Substitute Employees)

The amended provisions of Article 29 (1) 3 (b) and (5) 2 shall also apply where an insured employee is granted or allowed a maternity leave, a miscarriage or stillbirth leave, or a child care leave, etc. and where a substitute employee is employed as at the time this Decree enters into force.

Article 3 (Applicability to Payment of Child Care Leave Benefits)

The amended provisions of the proviso of Article 95 (4) shall also apply to where, among the insured whose child care leave elapsed before this Decree enters into force (including cases of divided use of a child care leave) an insured for whom less than six months have passed since his or her child care leave elapsed as at the time this Decree enters into force and who failed to work continuously for good reason before this Decree enters into force.

Article 4 (Applicability to Special Cases concerning Child Care Leave Benefits)

The amended provisions of Article 95-2 (3), under which a mother or a father prescribed in subparagraph 1 of Article 4 of the Single-Parent Family Support Act who receives child care benefits as at the time this Decree enters into force shall be eligible for such benefits, and shall apply to the portion of child care benefits paid for the period of child care leave he or she uses after this Decree enters into force.

Article 5 (Special Cases concerning Payment of Incentives for Employment Security during Period of Childbirth and Child Care)

Where a month's worth of incentives has already been paid out under the latter part of the previous Article 29 (3), the amended provisions of Article 29 (5) 1 shall not apply to that amount, and shall apply to the incentives for employment security during the period of childbirth and child care under Article 29 (3) of the Act paid to the relevant business owner after this Decree enters into force.

ADDENDA <Presidential Decree No. 30643, Apr. 28, 2020>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Amount of Subsidies for Employee Retention)

The amended provisions of the proviso to Article 21 (1), with the exception of its subparagraphs, shall, of the period of subsidies for employee retention determined and publicly notified by the Minister of Employment and Labor under the proviso to the previous Article 21 (1) with the exception of its subparagraphs, also apply to the subsidy payout ratio for a period beginning on April 1, 2020 and

ending on the day before this Decree enters into force,

ADDENDA <Presidential Decree No. 30773, Jun. 9, 2020>

Article 1 (Enforcement Date)

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

Article 2-3 (Applicability to Requirements, etc. for Granting Subsidies to Insured Employees in Cases of Business Suspension, etc.)

(1) The amended provisions of Article 21-3 (5) shall apply to a plan for retaining employees submitted by a business owner under Article 21-3 (4), and shall be applied to insured employees (only those who acquire insured status under Article 13 of the Act before March 1, 2020) who are to take leave of absence under the relevant plans for retaining employees.

(2) Where the Minister of Employment and Labor receives an application for a subsidy for insured employees under the amended provisions of Article 21-3 (5) after July 1, 2021, he or she may continue to engage in affairs necessary for paying the relevant subsidy under the same amended provisions.

Article 3 (Applicability to Persons Eligible for Incentives for Employment Promotion)

The amended provisions of Article 26 (1) 5 shall apply where a business owner employs an unemployed person as an insured person under the same amended provisions after this Decree enters into force.

Article 4 (Applicability to Limit on the Number of Insured Employees Eligible for Incentives for Employment Promotion)

The amended provisions of Article 26 (5) and (6) shall apply to incentives for employment promotion paid by the Minister of Employment and Labor, upon application by a relevant business owner, after he or she employs any of the unemployed persons prescribed in any of the subparagraphs of Article 26 (1) and fulfills the requirements under Article 26 (2) after this Decree enters into force.

Article 5 (Applicability to Eligibility Requirements, etc. for Incentives for Employment Promotion)

The amended provisions of Article 26 (8) shall only apply to incentives for employment promotion paid to a relevant business owner who employs an unemployed person falling under any subparagraph of Article 26 (1) as an insured employee during the period publicly notified in accordance with said amended provisions; and the provisions of Article 26 (1) through (7) (including Articles 3 and 4 of the Addenda) shall apply to the payment of incentives for employment promotion during the period other than that publicly notified under the amended provisions prescribed above after this Decree enters into force.

Article 6 (Applicability to Programs to Support Employment Security of Insured Employees)

The amended provisions of subparagraph 5 (f) of Article 35 shall apply where a business owner participates in selecting persons eligible for subsidies for employment security under Article 37-2 (2) after this Decree enters into force.

Article 7 (Applicability to Loan to Enterprises Eligible for Preferential Support for Expenses for Retaining Employees)

The amended provisions of Articles 35-8 and 37-3 shall apply to expenses required to compensate for wages of insured employees under measures for retaining employees taken by a business owner after this Decree enters into force.

ADDENDA <Presidential Decree No. 30980, Aug. 27, 2020>

Article 1 (Enforcement Date)

This Decree shall enter into force on August. 28, 2020.

Article 2 (Applicability to Subsidies for Course of Work in Parallel with Vocational Training for Business Owners)

The amended provisions of Article 41 (2) 2 shall also apply to courses of work in parallel with vocational training among vocational skills development training courses recognized under Article 24 of the Act on the Development of Workplace Skills of Workers before this Decree enters into force.

Article 3 (Transitional Measures concerning Subsidies for Promotion of Local Employment)

With respect to the granting of subsidies for promotion of local employment to business owners who continues to employ a job seeker as an insured employee under Article 24 (1) 4 before this Decree enters into force, the previous provisions shall prevail, notwithstanding the amended provisions of Article 24 (6) 3.

Article 4 Omitted.

ADDENDA <Presidential Decree No. 31078, Sep. 29, 2020>

Article 1 (Enforcement Date)

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

Article 2-3 (Applicability to for Granting Subsidies to the Insured in Cases of Business Suspension)

The amended provisions of Article 21-3 (1) 2 shall begin to apply to plans for employee retention measures submitted by business owners pursuant to Article 21-3 (4) after this Decree enters into force.

Article 3 (Applicability to Subsidization of Business Owners' Costs Incurred in Vocational Skills Development Training)

The amended provisions of Articles 41 (1) 5 (c) and (e) and 42 (4) 3 shall begin to apply to vocational skills development training courses that commence after this Decree enters into force.

ADDENDA <Presidential Decree No. 31120, Oct. 20, 2020>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Payment of Subsidies for Employee Retention)

The amended provisions of Article 21 (3) shall also apply to the period of implementation of employee retention measures taken by a business owner, whose period of implementation of employee retention measures before this Decree enters into force exceeds 180 days in total, after the formulation and reporting (including report on change) by him or her of plans for employee retention measures pursuant to Article 20 (1) and (2).

ADDENDA <Presidential Decree No. 31176, Nov. 24, 2020>

Article 1 (Enforcement Date)

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

Article 2 (General Applicability to Methods of Public Announcement)

This Decree shall begin to apply to public announcements, publications, disclosures, or public notice made after this Decree enters into force.

ADDENDUM <Presidential Decree No. 31239, Dec. 8, 2020>

This Decree shall enter into force on December 10, 2020.

ADDENDA <Presidential Decree No. 31324, Dec. 29, 2020>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2021.

Article 2 (Term of Validity)

The amended provisions of Article 21-3 (1) 3 shall remain effective until December 31, 2022.

Article 3 (Applicability to Calculation of Reduced Working Hours or Period of Leave of Absence for Dispatched Business Owners)

The amended provisions of Article 19 (4) shall begin to apply where a temporary work agency or a contracted business owner formulates and reports a plan for employee retention measures under the amended provisions of the subparagraphs of that paragraph after this Decree enters into force.

Article 4 (Applicability to Reporting on Plans for Employee Retention Measures)

The amended provisions of Article 20 (2) 1 shall also apply where a business owner who intends to receive subsidies for employee retention takes employee retention measures in December 2020, and if the business owner meets the requirements under the amended provisions of the items of that subparagraph, shall also apply where he or she reports a plan for employee retention measures.

ADDENDA <Presidential Decree No. 31748, Jun. 8, 2021>

Article 1 (Enforcement Date)

This Decree shall enter into force on July, 1, 2021.

Article 2 (Applicability to Insured Status of Workers)

The amended provisions of Article 104-11 (2) 2, and paragraphs (3) and (4) of that Article shall begin to apply to workers who meet the income standards under paragraph (2) 2 of that Article on or after January 1, 2022.

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