

SUBJECT	LEGAL CHANGE	ACTION REQUIRED
Employment terms		
Annual Leave	<p>From May 29, 2018:</p> <p>(1) Employees will be entitled to 11 days' paid leave in the first year of employment, and 15 days in their second year.</p> <p>(2) Employees will continue to accrue holiday during childcare leave. Accrued leave can be taken on their return to work.</p>	<p>(1) Become familiar with the increased entitlements and ensure qualifying staff benefit when the time comes.</p> <p>(2) Review and revise existing employment documentation, as well as current hiring and work practices, to ensure you are compliant.</p>
Workplace behaviour		
Sexual Harassment	<p>From May 29, 2018, employers must comply with new rules when receiving a sexual harassment complaint from a staff member. The revised Gender Equality Employment and Work-Family Balance Support Act (the "GEEA") will:</p> <p>(1) require employers to investigate all harassment complaints, and take measures to protect the victim (e.g. changing the place of work, placing them on paid leave, etc.), even if the alleged harasser is a client or a customer. Non-compliance can result in a fine of up to KRW 5 million;</p> <p>(2) prohibit employers from dismissing, or causing detriment to, the victim and/or the employee who reported the incident. Breach will attract a fine of KRW 30 million (currently, KRW 20 million);</p> <p>(3) require employers to conduct annual workplace training to prevent sexual harassment. The training must be advertised to all staff, although there is no set way of doing this. Non-compliance can result in a fine of up to KRW 5 million.</p>	<p>(1) Understand the changes and consider revising internal reporting practices in time for May 29, 2018.</p> <p>(2) Start to put together a plan for general staff workplace training, and train local HR (if any) to ensure they are up to speed with the new rules.</p>
Maternity		
Fertility Treatment Leave	<p>From May 29, 2018, the GEEA will entitle employees to 3 days' leave for fertility treatment (i.e. artificial insemination and IVF). Only the first day must be paid.</p> <p>Employers will also be prohibited from taking detrimental action (e.g. dismissal or disciplinary action) against an employee on account of them taking (or seeking to take) Fertility Treatment Leave. Non-compliance can result in a fine of up to KRW 5 million.</p>	<p>Understand the changes and consider revising internal policies and procedures in time for May 29, 2018.</p>

This Update was prepared with assistance from Kim & Chang, Law Firm.

SUBJECT	LEGAL CHANGE	ACTION REQUIRED
Workplace Accidents		
Occupational Accident Compensation	<p>From May 29, 2018, workers will be eligible for workplace compensation if involved in an accident during their commute to or from work, irrespective of the method of travel. There will be no significant impact for employers, save for a small increase in premiums (0.1% , subject to change each year).</p> <p>Previously, most ‘commuting accidents’ were not covered; only accidents occurring under the direct control of business owners were included. The change is in line with the government’s recent efforts to improve workers’ rights in the country.</p>	Other than being familiar with this change, no action needs to be taken.
Disability		
Staff Training on Disabilities in the Workplace	<p>From May 29, 2018, employers must conduct staff training to eliminate disability discrimination in the workplace. Further details are not available, but are expected soon. Non-compliance can result in a fine of up to KRW 3 million.</p>	<p>(1) Consider assessing the types of training available to your business.</p> <p>(2) Understand the changes and keep abreast of any developments in this area.</p>