

Overview	Legal Change	Action required
<p>Reduction of the Working Week from 68 to 52 Hours.</p>	<p>Rules reducing the working week from 68 to 52 hours were introduced in 2018 for larger companies employing 300 or more people.</p> <p>Due to Covid, the application of the 52 week rule was delayed for mid-sized companies (employing between 50 and 299 people) throughout 2020.</p> <p>Despite requests from employers, its application to mid-sized businesses has not been delayed further.</p> <p>Therefore with effect from January 1st, 2021 the 52 hour week applies to mid-sized businesses.</p> <p>For companies employing between 5 and 49 employees the rules will apply from July 1st 2021 although some flexibility may be available for companies employing between 5 and 29 people.</p>	<p>If this applies to your business make sure HR knows and are applying the rules.</p>
<p>Firmwide application</p>	<p>The 52 week rule applies to every member of the business, including senior management.</p> <p>There must be company wide recognition on the need to follow the new rules.</p>	<p>The company should ensure it has appropriate policies and guidelines in place to establish clear business wide working hour standards.</p>
<p>Alternative Working Hours Systems</p>	<p>There may be exemptions/flexibility for certain businesses subject to a written agreement with a labour union or (if no union) an employee representing a majority of the workforce. The business sectors are:-</p> <p>Businesses with sales employees : employees working outside the office (not Covid related) where the employees' hours cannot be easily tracked – this may not work where employee hours can be tracked electronically.</p> <p>Businesses with employees conducting research : businesses with employees engaged on research, design, development and analysis of new products or technology may consider adopting a discretionary working hours system by entering a written agreement with the duly elected employee representative.</p> <p>Businesses with shift work : if the change places employees at a disadvantage it may be possible to design a policy that is more flexible.</p> <p>Businesses with office workers : for office workers there may be flexibility to allow employees to decide when to start and finish work so that employees can allocate the appropriate working hours depending on individual workload.</p>	<p>If these alternative systems may apply to your business and flexibility is needed then HR must become familiar with the rules and the processes specific to your circumstances.</p> <p>Take care to ensure the rules are applied and communicated correctly.</p>

KOREA : UPDATE : Working Hours : February 2021

Penalties for Breach	Employers who fail to comply could be subject to penalties of up to two years in prison or a fine of up to KRW20million (approx. USD18,000)	
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This is a high level general update only. Legal advice should be obtained on specific circumstances.