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

ENFORCEMENT DECREE OF THE ACT ON THE TRIPARTITE COMMISSION FOR ECONOMIC AND SOCIAL DEVELOPMENT

Presidential Decree No.16519, Aug. 6, 1999

Amended by Presidential Decree No. 20027, Apr. 26, 2007
Presidential Decree No. 20681, Feb. 29, 2008
Presidential Decree No. 22269, Jul. 12, 2010
Presidential Decree No. 24447, Mar. 23, 2013
Presidential Decree No. 24852, Nov. 20, 2013

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters delegated by the Act on the Tripartite Commission for Economic and Social Development and the particulars necessary for its implementation.
<Amended by Presidential Decree No. 20027, Apr. 26, 2007>

Article 2 (Recommendation and Consecutive Elimination of Candidates for Members Representing Public Interests)

(1) The chairperson (hereinafter referred to as "the chairperson") of the Tripartite Commission for Economic and Social Development (hereinafter referred to as "the Commission") under Article 3 of the Act on the Tripartite Commission for Economic and Social Development (hereinafter referred to as "the Act"), nationwide workers' organization and nationwide employers' organization shall each recommend as many people as are to be appointed as members representing public interests in the Commission pursuant to Article 4 (4) of the Act.

(2) If the nationwide workers' organization and nationwide employers' organization eliminate one by one the candidates recommended under paragraph (1) pursuant to Article 4 (4) of the Act, they shall do so until there remain 150/100 (Any fraction less than one shall be regarded as one person.) of the number of members to be appointed.

(3) If two or more nationwide workers' organizations and nationwide employers' organizations recommend or eliminate one by one candidates for members representing public interests pursuant to paragraph (1) and (2), the workers' organizations and employers' organizations shall do so after mutual

consultation between them.

<This Article Wholly Amended by Presidential Decree No. 20027, Apr. 26, 2007>

Article 3 (Proposal and Tabling of Motion)

(1) A member of the Commission may propose a motion to be tabled before the Commission.

(2) The chairperson of the Commission shall table a proposed motion before the Commission after review and coordination by the standing committee under Article 8 of the Act: Provided that the chairperson may table a proposed motion before the Commission by virtue of his/her authority if there is an inevitable reason. *<Amended by Presidential Decree No. 20027, Apr. 26, 2007>*

Article 4 (Meetings of Commission)

(1) If the chairperson intends to convene a meeting pursuant to Article 7 (2) of the Act, he/she shall inform, in writing, each member of the Commission of the agenda, date and time, and place of the meeting at least three days before the meeting: Provided that this may not apply if there is an inevitable reason.

(2) The chairperson may, if deemed necessary, hold a meeting closed to the public after the Commission's decision.

Article 5 (Composition of Standing Committee)

(1) The standing committee shall be composed of the chairperson of the standing committee and members specified in the following subparagraphs. *<Amended by Presidential Decree No. 20027, Apr. 26, 2007; Presidential Decree No. 20681, Feb. 29, 2008; and Presidential Decree No. 22269, Jul. 12, 2010>*

1. Five persons recommended by nationwide workers' organizations;
2. Five persons recommended by nationwide employers' organizations;
3. Vice Minister of Strategy and Finance and the Vice Minister of Employment and Labor; and
4. Not more than four other related experts representing public interests.

(2) The chairperson may, if necessary for consultation on matters prescribed by Article 3 (2) of the Act, appoint not more than three members of the standing committee from among the Vice Minister of Strategy and Finance, the Vice Minister of Trade, Industry and Energy, etc. *<Amended by Presidential Decree*

No. 20027, Apr. 26, 2007; Presidential Decree No. 20681, Feb. 29, 2008; and Presidential Decree No. 24447, Mar. 23, 2013>

(3) Article 2 shall apply mutatis mutandis to the recommendation of the public interest members of the standing committee and the procedure for and method of eliminating candidates one by one under the proviso to Article 8 (3) of the Act. In such cases, "Article 4 (4) of the Act" in Article 2 shall be read as "proviso to Article 8 (3) of the Act", "Commission" as "standing committee", and "members" as "members of the standing committee." *<Newly Inserted by Presidential Decree No. 20027, Apr. 26, 2007>*

(4) The chairperson may dismiss the members of the standing committee who were appointed upon the recommendation of workers' or employers' organizations, if requested by the workers' or employers' organizations. *<Amended by Presidential Decree No. 20027, Apr. 26, 2007>*

Article 6 (Support for Commission's Activities)

The standing committee shall conduct the following duties and report the results to the Commission:

1. Review and coordination of motions to be tabled before the Commission;
2. Handling of matters delegated by the Commission;
3. Monitoring of the implementation of the decisions made by the Commission;
4. Matters concerning gathering of public opinion under Article 14 of the Act;
5. Matters concerning requests for surveys and research under Article 15 of the Act

Article 7 (Meetings of Standing Committee)

(1) A meeting of the standing committee shall be convened in each of the following cases.

1. Where the chairperson calls for a meeting;
2. Where one third or more of the members of the standing committee call for a meeting; and
3. Other cases where the chairperson of the standing committee deems it necessary.

(2) When the Standing Committee Chairperson is unable to carry out his/her duties due to unavoidable circumstances, a Standing Committee member designated by the Chairperson shall carry out the duties. When the Standing Committee Chairperson is unable to appoint due to his/her vacancy, etc., a

Standing Committee member shall carry out the duties according to seniority. *<Amended by Presidential Decree No. 20027, Apr. 26, 2007>*

(3) Article 4 shall apply mutatis mutandis to the standing committee. In such cases, "chairperson" and "Commission" shall be read as "chairperson of the standing committee" and "standing committee", respectively.

Article 8 Deleted. *<Presidential Decree No. 20027, Apr. 26, 2007>*

Article 9 Deleted. *<Presidential Decree No. 20027, Apr. 26, 2007>*

Article 10 (Composition of Committee by Agenda and Industry)

(1) A committee by agenda and industry under Article 10 (1) of the Act shall be composed of 20 members or less including one chairperson.

(2) The chairperson of the committee by agenda and industry (hereinafter referred to as "chairperson of the committee by agenda and industry") shall be appointed by the chairperson from among persons who have plenty of knowledge and experience in labor, economic and social affairs, and the members of the committee by agenda and industry shall be appointed by the chairperson from among persons falling under any of the following subparagraphs. In such cases, the number of members appointed from among persons falling under subparagraph 1 and the number of members appointed from among persons falling under subparagraph 2 shall be equal:

1. Persons recommended by nationwide workers' organizations;
2. Persons recommended by nationwide employers' organizations;
3. Public officials recommended by the heads of related administrative agencies;
4. Related experts representing public interests; and
5. Other persons deemed necessary by the chairperson with regard to the agenda

(3) The public interest members of the committee by agenda and industry shall be appointed by the chairperson from among candidates left after they are eliminated one by one by nationwide workers' organizations and nationwide employers' organizations from among those who have plenty of knowledge and experience in labor, economic and social affairs and are recommended by the chairperson, nationwide workers'

organizations and nationwide employers' organizations.

(4) Article 2 shall apply mutatis mutandis to the recommendation of the public interest members of the committee by agenda and industry and the procedure for and method of eliminating candidates one by one under paragraph (3). In such cases, "Article 4 (4) of the Act" in Article 2 shall be read as "Article 10 (3)", "Commission" as "committee by agenda and industry", and "members" as "members of the committee by agenda and industry."

(5) The committee by agenda and industry may, if deemed necessary, set up a subcommittee under it.

<This Article Wholly Amended by Presidential Decree No. 20027, Apr. 26, 2007>

Article 11 (Meetings of Committee by Agenda and Industry)

(1) The chairperson of the committee by agenda and industry shall convene and chair the meetings of the committee by agenda and industry.

(2) A meeting of the committee by agenda and industry shall be held with the attendance of a majority of all members and take a decision with the approval of two-thirds or more of the members present.

(3) The chairperson of the committee by agenda and industry may, if deemed necessary, request a working-level person of a related administrative agency to attend its meeting and state his/her opinions.

(4) Article 4 and Article 7 (1) and (2) shall apply mutatis mutandis to the calling of meetings of committee by agenda and industry, etc. In such cases, " chairperson" in Article 4 shall be read as "chairperson of the committee by agenda and industry", "Article 7 (2) of the Act" as "Article 7 (1)", "Commission" as "committee by agenda and industry" and "members" as "members of the committee by agenda and industry" respectively, and "standing committee" in Article 7 shall be read as "committee by agenda and industry", "members of the standing committee" as "members of the committee by agenda and industry" and "chairperson of the standing committee" as " chairperson of the committee by agenda and industry."

<This Article Wholly Amended by Presidential Decree No. 20027, Apr. 26, 2007>

Article 12 (Organization and Operation of Secretariat)

(1) Deleted. *<Presidential Decree No. 20027, Apr. 26, 2007>*

(2) The secretary general under Article 11 (2) of the Act shall conduct the business of the secretariat upon the orders of the chairperson, and direct and supervise the staff of the secretariate. *<Amended by Presidential Decree No. 20027, Apr. 26, 2007>*

(3) The Commission may, if necessary for conducting its business, employ related experts as fixed-term public officials for the secretariat of the Commission. *<Amended by Presidential Decree No. 24852, Nov. 20, 2013>*

(4) Other matters concerning the organization and operation of the secretariat shall be prescribed by the detailed rules for operation of the Commission.

Article 13 (Number, Qualifications, etc., of Expert Advisors)

(1) The number of expert advisors in the Commission shall be 15 or less in accordance with Article 12 of the Act. *<Amended by Presidential Decree No. 20027, Apr. 26, 2007>*

(2) The expert advisors shall be appointed by the chairperson from among persons with abundant knowledge and experience in the fields of labor, industrial, economic and social policies, such as those who majored and earned a doctorate degree in the said fields, etc.

(3) The expert advisors shall perform the following duties in relation to professional surveys and research on the work of the Commission:

1. Review of an agenda of the Commission;
2. Review of measures to implement the matters decided by the Commission;
3. Collection of materials relating to the work of the Commission;
4. Other matters requested by the Commission.

Article 14 (Allowances, etc.)

Wages, allowances, travel expenses and other necessary expenses may be paid within the limits of the budget to the chairperson, the chairperson of the standing committee, the chairperson of the committee by agenda and industry, the members of the Commission, the standing committee and the committee by agenda and industry, the secretary general, the staff of the secretariat, expert advisors and other related experts. *<Amended by Presidential Decree No. 20027, Apr. 26, 2007>*

Article 15 (Publication on Implementation Status of Decisions)

In order to ensure that pursuant to Article 18 of the Act, the government, workers' organizations and employers' organizations implement in good faith the matters decided by the Commission, the chairperson may check out quarterly whether such matters are implemented, and, if necessary, publicize the results.

Article 16 (Composition and Functions of Regional Tripartite Consultation Body)

(1) A regional tripartite consultation body established under Article 19 (1) of the Act shall be composed of 30 or less members including one chairperson. *<Amended by Presidential Decree No. 20027, Apr. 26, 2007>*

(2) The chairperson of a regional tripartite consultation body shall be the head of the competent local government, and the members of a regional tripartite consultation body shall be appointed by the head of the competent local government from among persons falling under any of the following subparagraphs. In such cases, the number of members representing workers and the number of members representing employers shall be equal: *<Amended by Presidential Decree No. 20027, Apr. 26, 2007 and Presidential Decree No. 22269, Jul. 12, 2010>*

1. Persons representing workers;
2. Persons representing employers;
3. Persons representing public interests;
4. Persons representing the relevant local government; and
5. Persons representing the relevant local employment and labor office.

(3) A regional tripartite consultation body prescribed in paragraph (1) shall consult the following matters. *<Amended by Presidential Decree No. 20027, Apr. 26, 2007>*

1. Matters concerning tripartite cooperation measures in the region;
2. Matters concerning unemployment and employment measures in the region; and
3. Other matters concerning the regional economy and the development of the regional industrial relations.

(4) Necessary matters concerning the composition and operation of the subcommittees, secretariat, etc., of a regional tripartite consultation body shall be prescribed by the ordinance of the

relevant local government in a way to suit the circumstances of the relevant region. *<Amended by Presidential Decree No. 20027, Apr. 26, 2007>*

Article 16-2 (Support for Regional Tripartite Consultation Body)

The Commission may provide the following support with regard to regional tripartite consultation bodies pursuant to Article 19 (2):

1. Establishment of a regional tripartite consultation body;
2. Operation of a regional tripartite consultation body for regional tripartite cooperation; and
3. Other matters deemed necessary by the chairperson for the promotion of a regional tripartite consultation body

<This Article Newly Inserted by Presidential Decree No. 20027, Apr. 26, 2007>

Article 17 (Detailed Rules for Operation)

Necessary matters concerning the operation of the Commission, other than matters provided for in this Decree, shall be determined by the chairperson after decision by the Commission.

Addenda *<Presidential Decree No. 16519, Aug. 6, 1999>*

(1) (Date of Enforcement)

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

(2) (Abortion of Other Laws)

The regulations on the Tripartite Commission shall be abolished.

Addendum *<Presidential Decree No. 20027, Apr. 26, 2004>*

This Act shall enter into force on Apr. 27, 2007.

Addenda *<Presidential Decree No. 20681, Feb. 29, 2008>*

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. *<Proviso omitted>*

Articles 2 through 4 Omitted.

Articles 5 (Revision of Other Decrees)

(1) Parts of the Enforcement Decree of the Act on the Tripartite Commission for Economic and Social Development shall be revised as follows:

"Vice Minister of Finance and Economy" in Article 5 (1) 3 shall be changed to "Vice Minister of Strategy and Finance", and "Vice Minister of Commerce, Industry and Energy and the Vice Minister of Planning and Budget" in paragraph (2) of the same Article shall be changed to "Vice Minister of Strategy and Finance and the Vice Minister of Knowledge Economy."

(2) through (20) Omitted.

Addenda *<Presidential Decree No. 22269, Jul. 12, 2010>*

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. <Proviso omitted>

Article 2 (Revision of Other Decrees)

(1) through (11) Omitted.

(12) Parts of the Enforcement Decree of the Act on the Tripartite Commission for Economic and Social Development shall be revised as follows:

"Vice Minister of Labor" in Article 5 (1) 3 shall be changed to "Vice Minister of Employment and Labor".

"Local labor office" in Article 16 (2) 5 shall be changed to "local employment and labor office".

(13) through (136) Omitted.

Addenda *<Presidential Decree No. 24447, Mar. 23, 2013; Revision of the Enforcement Regulations on the Organization of the Ministry of Employment and Labor and Its Affiliated Organizations>*

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 (Revision of Other Decrees)

(1) Omitted.

(2) Parts of the Enforcement Decree of the Act on the Tripartite Commission for Economic and Social Development

shall be revised as follows:

"Vice Minister of Knowledge Economy" in Article 5 (2) shall be changed to "Vice Minister of Trade, Industry and Energy".

(3) through (11) Omitted.

Addenda *<Presidential Decree No. 24852, Nov. 20, 2013; Revision of the Decree on the Appointment of Public Officials>*

Article 1 (Enforcement Date)

This Act shall enter into force on December 12, 2013.

Articles 2 through 7 Omitted.

Article 8 (Revision of Other Decrees)

(1) and (2) Omitted.

(3) Parts of the Enforcement Decree of the Act on the Tripartite Commission for Economic and Social Development shall be revised as follows:

"Contract public officials" in Article 12 (3) shall be changed to "fixed-term public officials".

(4) through (50) Omitted.

Article 9 Omitted.