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S. KOREA ENACTS PROTECTIONS AGAINST WORKPLACE BULLYING AND HARASSMENT

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Amendments to two South Korean [laws \(Korean\)](#) aimed at improving employee protections against workplace bullying and harassment will take effect on 16 Jul 2019. The revised Labour Standards Act and the Industrial Accident Compensation Insurance Act define workplace harassment for the first time but don't include penalties or sanctions against companies or individual perpetrators for acts of harassment. Guidelines explaining employers' obligations will be published soon.

HIGHLIGHTS OF PROTECTIONS

Highlights of the changes include the following:

- Workplace harassment is defined as "an act of an employer (or business owner) or employee (or worker) that causes physical or mental suffering or worsens the working environment of another employee/worker by taking advantage of his/her status or relationship within the workplace beyond the appropriate scope of work."
- Any employee can report harassment, and employers must investigate harassment claims without delay.
- Where harassment is proven, the employer must implement appropriate remedial measures in consultation with the victim (for example, disciplining and reassigning the harasser to a different location and providing paid leave for the victim). The employer should not take any action against the victim's will.
- Employees who report harassment will be protected from any retaliatory action. Employers who breach this duty and retaliate against employees could be fined up to KRW 30 million or face imprisonment of up to three years.
- Employee illness resulting from work-related mental stress (including workplace harassment and abuse of workers) is included in the list of occupational diseases in the Accident Compensation Insurance Act.
- Companies employing at least 10 workers will have to set out the measures taken to address bullying in the Rules of Employment and report them to the local labor authority. Employers breaching this requirement could face fines of up to KRW 5 million.

RELATED RESOURCES

- [Announcement](#) (Korean) (Korean Government, 28 Dec 2018)

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