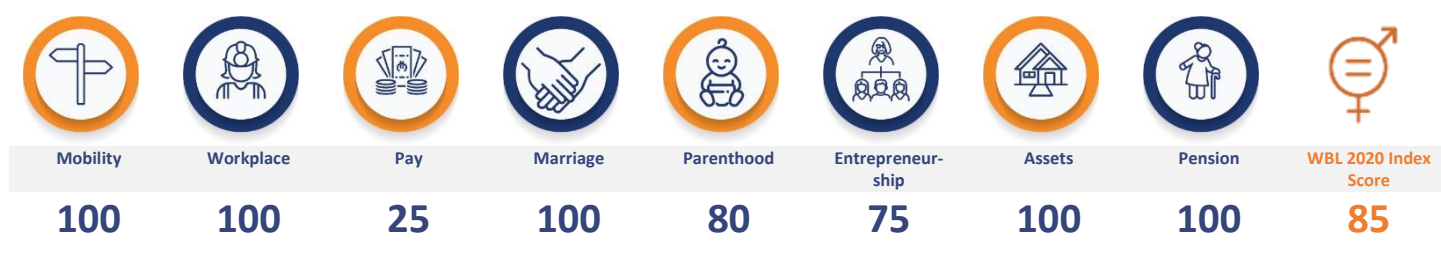


Korea, Rep.

Women, Business and the Law 2020 presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Seoul). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Korea, Rep. scores 85 out of 100**. The overall score for Korea, Rep. is lower than the regional average observed across High income (OECD) countries (94.7).

Korea, Rep. - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints related to marriage, gender differences in property and inheritance, and laws affecting the size of a women's pension, Korea, Rep. gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's pay, laws affecting women's work after having children, and constraints on women's starting and running a business, Korea, Rep. could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Korea, Rep. is on the indicator related to laws affecting women's pay (the WBL2020 Pay Indicator). To improve on the Pay Indicator, Korea, Rep. may wish to consider mandating equal remuneration for work of equal value, allowing women to work in jobs deemed dangerous in the same way as men, and allowing women to work in all the same industries as men.

Recent Reforms (2018-2019)

No reforms impacting the WBL2020 indicators have been observed during the past two years.



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Civil Act of 1958, Arts. 18 and 826(2)
	Can a woman travel outside her home in the same way as a man?	Yes	Civil Act of 1958, Arts. 3 and 826(1)
	Can a woman apply for a passport in the same way as a man?	Yes	Passport Act, Arts. 7 and 8; Passport application form
	Can a woman travel outside the country in the same way as a man?	Yes	Civil Act of 1958, Arts. 3 and 826(1)
Workplace	Can a woman get a job in the same way as a man?	Yes	Civil Act of 1958, Arts. 3 and 826(1)
	Does the law prohibit discrimination in employment based on gender?	Yes	Labor Standards Act, Arts. 6 and 114; Equal Employment Opportunity and Work-Family Balance Assistance Act, Arts. 7-11
	Is there legislation on sexual harassment in employment?	Yes	Act on Equal Employment and Support for Work-Family Reconciliation, Art. 2(2) and Ch.2 (Sec. II); The Framework Act on Women's Development, Sec. 3(4)
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Act on Equal Employment and Support for Work-Family Reconciliation, Arts. 37(2) and 39(1-2) <i>Civil:</i> The National Human Rights Commission Act, Secs. 30(1) and 42(4)
Pay	Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	No	Jobs deemed hazardous: Labor Standards Act, Art. 65(2) Jobs deemed arduous: No restrictions could be located Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	No	Mining: Labor Standards Act, Art. 72 Construction: No restrictions could be located Factories: No restrictions could be located Agriculture: No restrictions could be located Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	Civil Act of 1958, Arts. 3 and 826(1)
	Can a woman be head of household in the same way as a man?	Yes	No restrictions could be located
	Is there legislation specifically addressing domestic violence?	Yes	Act 5436; Act 8367
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
Parenthood	Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Standards Act, Art. 74; Equal Employment Opportunity And Work-Family Balance Assistance Act, Art. 18
	Does the government pay 100% of maternity leave benefits?	No	Labor Standards Act, Art. 74; Equal Employment Opportunity And Work-Family Balance Assistance Act, Art. 18
	Is there paid paternity leave?	Yes	Act on Equal Employment Opportunity And Work-Family Balance Assistance Act, Art. 18(2)
	Is there paid parental leave?	Yes	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Labor Standards Act, Art. 23(2)
Entrepren.	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	Can a woman sign a contract in the same way as a man?	Yes	Civil Act of 1958, Arts. 3 and 826(1)
	Can a woman register a business in the same way as a man?	Yes	VAT Act of 2013; Business registration procedure
	Can a woman open a bank account in the same way as man?	Yes	Civil Act of 1958, Arts. 3 and 826(1)
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Civil Act of 1958, Arts. 830 and 831
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Act of 1958, Arts. 1000 and 1009(1)
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Civil Act of 1958, Arts. 1003 and 1009
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Civil Act of 1958, Arts. 830 and 831
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Civil Act of 1958, Art. 839-2
Pension	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: National Pension Act of 31 December 1986, Art. 61 Men: National Pension Act of 31 December 1986, Art. 61
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: National Pension Act of 31 December 1986, Arts. 61(2) and 63(2) Men: National Pension Act of 31 December 1986, Arts. 61(2) and 63(2)
	Are the mandatory retirement ages for men and women equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are periods of absence due to child care accounted for in pension benefits?	Yes	National Pension Act of 31 December 1986, Art. 19.