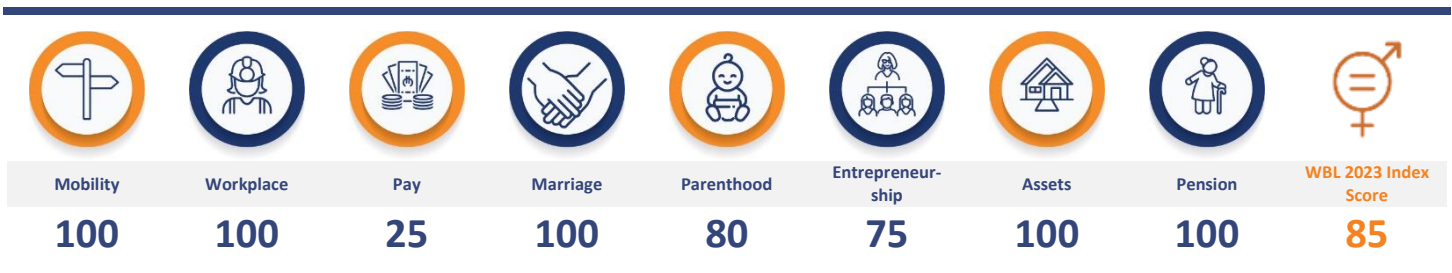


Korea, Rep.

Women, Business and the Law 2023 (WBL2023) presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across 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, **The Republic of Korea scores 85 out of 100**. The overall score for The Republic of Korea is lower than the regional average observed across OECD high-income economies (95.3). Within the OECD high-income region, there are 14 economies that score 100 out of 100.

The Republic of Korea - Scores for *Women, Business and the Law 2023*



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 woman's pension, The Republic of Korea 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 starting and running a business, The Republic of Korea could consider reforms to improve legal equality for women.

For example, one of the lowest scores for The Republic of Korea is on the indicator measuring laws affecting women's pay (the WBL2023 Pay indicator). To improve on the Pay indicator, The Republic of Korea 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 an industrial job in the same way as men.

Recent Reforms

No reforms were observed during the past year (October 2nd, 2021 – October 1st, 2022).



Further data details for The Republic of Korea are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/korea-rep/2023>



| | QUESTION | ANSWER | LEGAL BASIS |
|------------------|--|--------|--|
| Mobility | Can a woman choose where to live in the same way as a man? | Yes | Civil Act, Arts. 18 and 826(2) |
| | Can a woman travel outside her home in the same way as a man? | Yes | Civil Act, Arts. 3 and 826(1) |
| | Can a woman apply for a passport in the same way as a man? | Yes | Passport Act, Arts. 7-9; Passport application form |
| | Can a woman travel outside the country in the same way as a man? | Yes | Civil Act, Arts. 3 and 826(1) |
| Workplace | Can a woman get a job in the same way as a man? | Yes | Civil Act, 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); Framework Act on Gender Equality; National Human Rights Commission of Korea Act, Art. 2(3)(d) |
| | 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 a woman work at night in the same way as a man? | Yes | No restrictions could be located |
| | Can a woman work in a job deemed dangerous in the same way as a man? | No | Labor Standards Act, Art. 65(2) |
| | Can a woman work in an industrial job in the same way as a man? | No | Labor Standards Act, Art. 72; Enforcement Decree of the Labor Standards Act, Art. 40 |
| Marriage | Is the law free of legal provisions that require a married woman to obey her husband? | Yes | Civil Act, 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 on Special Cases Concerning the Punishment, etc. of Crimes of Domestic Violence (Act No. 17499); Act on Prevention of Domestic Violence and Protection of Victims (Act No. 17473) |
| | Can a woman obtain a judgment of divorce in the same way as a man? | Yes | Civil Act, Art. 834 and 840 |
| | 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; Employment Insurance Act, Arts. 75 and 76 |
| | Is paid leave available to fathers? | Yes | Equal Employment Opportunity and Work-Family Balance Assistance Act, Art. 18-2 |
| | Is there paid parental leave? | Yes | Equal Employment Opportunity and Work-Family Balance Assistance Act, Art. 19; Employment Insurance Act, Art. 70 |
| | Is dismissal of pregnant workers prohibited? | Yes | Labor Standards Act, Art. 23(2) |
| Entrepreneurship | 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, Arts. 3 and 826(1) |
| | Can a woman register a business in the same way as a man? | Yes | VAT Act, Art. 8; Business registration procedure |
| | Can a woman open a bank account in the same way as a man? | Yes | Civil Act, Arts. 3 and 826(1) |
| Assets | Do men and women have equal ownership rights to immovable property? | Yes | Civil Act, Arts. 830 and 831 |
| | Do sons and daughters have equal rights to inherit assets from their parents? | Yes | Civil Act, Arts. 1000 and 1009(1) |
| | Do female and male surviving spouses have equal rights to inherit assets? | Yes | Civil Act, Art. 1003 |
| | Does the law grant spouses equal administrative authority over assets during marriage? | Yes | Civil Act, Arts. 830 and 831 |
| | Does the law provide for the valuation of nonmonetary contributions? | Yes | Civil Act, Art. 839-2 |
| Pension | Is the age at which men and women can retire with full pension benefits the same? | Yes | National Pension Act of 31 December 2011, Art. 61 |
| | Is the age at which men and women can retire with partial pension benefits the same? | Yes | National Pension Act of 31 December 2011, Arts. 61 and 63(2) |
| | Is the mandatory retirement age for men and women the same? | Yes | No applicable provisions could be located |
| | Are periods of absence due to childcare accounted for in pension benefits? | Yes | National Pension Act of 31 December 2011, Art. 19 |