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South Korea

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South Korea

South Korea is a country in East Asia. It is a major power in the region and has a strong economy. The country is known for its technology and manufacturing industries. It is a member of the Organisation for Economic Co-operation and Development (OECD) and the World Trade Organization (WTO).

South Korea has a population of approximately 50 million people. The capital is Seoul. The country is a constitutional democracy and has a multi-party system. It is a member of the United Nations and the Organisation for Economic Co-operation and Development (OECD).

South Korea has a rich cultural heritage and is known for its traditional arts and crafts. It is also known for its modern culture and entertainment industry. The country has a high level of education and a strong emphasis on research and development.

South Korea is a member of the Organisation for Economic Co-operation and Development (OECD) and the World Trade Organization (WTO). It is also a member of the Asia-Pacific Economic Cooperation (APEC) forum. The country has a strong relationship with the United States and other major powers in the region.

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Economic Development and Workers in South Korea

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Introduction

While many ^{observers} analysts praise South Korea as a success example, ~~promoting~~ ^{recommended} its economic strategy as a model for the third world, there are others within and out of Korea who claim the opposite. Nevertheless, the South Korean experience does ^{provide} ~~provide~~ important lessons, ~~both positive and negative~~, to those concerned with creating ~~democratic and sustainable~~ development.

Such lessons are ~~always useful~~, but especially ^{easy} ~~so~~ now, with global trends being interpreted by many people to indicate that there are no workable alternatives to the free-market capitalist approach to development.

South Korea has several distinguished characteristics compared to the other East Asian NICs. First, while all the East Asian NICs have achieved rapid economic growth over the last three decades, South Korea has done far better than the others in establishing a diversified industrial base under national control. Second, because

later to be connected

South Korea's industrialization was achieved while having to contend with the largest rural sector and international debt of the four, ins experience appears to be the most relevant for other third world countries. Finally, South Korea is often the country which other countries most often seek to emulate.

South Korea's economic growth and industrial transformation was largely the result of highly centralized and effective state planning and direction of economic activity. In fact, the state in South Korea had, from 1961 to 1979, as much control over credit allocation, investment, and trade decisions as did some Eastern European states, for example Hungary. Thus South Korea's economic experience provides us with another excellent opportunity to....

At the same time, South Korea's economic success was to a considerable extent the result of unique historical developments triggered primarily by Japanese and United States imperialism. For example, Japanese and then U.S. policies laid the groundwork for the emergence of a dominating state in South Korea. Thus, when a strong leader, Park Chung Hee, seized power in a 1961 military coup, he was able to quickly create new institutions which allowed him to successfully plan and direct economic activity. As part of this process, a small group of family-owned conglomerates, called chaebol, were promoted to mobilize the country's resources for the purpose of exporting manufactures to the advanced capitalist world, especially the United States.

This history of support from the two leading nations of the world, both political and economic, casts strong doubt on the claim... The South Korean government has long argued the necessity of a dictatorship to raise the country out of poverty. Many Western experts have supported this notion, arguing that it was a trade-off supported by the population itself.

It would be the South Korean people who provide answers to these questions. Actually, there is strong, widespread political activity opposed to the present system, and it is rooted in similar activity throughout this century. Many Korean industrial workers and peasants had become highly politicized during the period of Japanese occupation from 1910 to 1945. With the surrender of Japan at the end of World War II, these working people formed the nucleus of a well-developed popular movement which sought to create a new unified Korean based on socialist principles. The most significant base of support for the newly declared Korean People's Republic was an organization of workers who directly controlled and managed almost all the country's industrial enterprises.

This movement was crushed in southern Korea by U.S.-led repression in the period before the establishment of a separate, pro-capitalist South Korea.

In spite of South Korea's economic success, the government and its growth strategy continue to enjoy little support among most industrial workers, farmers, and students. In fact, the very

dynamics of growth have slowly worked to rebuild a working-class-led opposition movement that is now beginning to reclaim its early radical history and vision. This vision is not tied to the creation of a liberal-reformed capitalism, but rather to a radically different socialist-oriented political economy where political and economic power would be held by working people and expressed through new structures of planning and production.

This movement has yet to create a well-developed political formation to represent its interests or concretize its vision. But progress is evident in the coalitions of environmentalists, women, farmers, religious activists, students, urban poor, cultural groups, and workers pursuing this task.

The structural, and thus serious, nature of South Korea's current economic problems is now recognized by many within the South Korean government and business community. Recently, Ministry of Trade and Industry reported that the entire export machine is breaking down.

Although aware that South Korea's leading export industries are suffering from structural weakness, the state still remains committed to an economy driven by chaebol production for export. Its short-term strategy for renewed growth has thus largely been directed toward forcing chaebol investment into productive core business activities; lowering the value of the South Korean won; reducing imports; and driving down wages.

This scheme, however, has been only marginally successful in achieving its short-term goals. The chaebol have generally resisted state attempts to reduce their speculative and other non-productive activities. While the government has forced down the value of the won, imports nevertheless continue to grow faster than exports. The state's only real short-term success has been to lower the rate of increase in nominal wages, from over 25 percent in 1989 to approximately 10 percent in 1991. This, however, required a major anti-labor offensive on the part of the state.

For example, in March 1989 and then again in April 1990, over ten thousand riot police were ordered into action in a combined land, sea, and air operation to break strikes against Hyundai Heavy Industries in Ulsan. For 1992, the state announced that it would impose restrictions on those firms with more than 300 workers that raise wages above 5 percent. These restrictions include a loss of access to industrial estates and state property. While temporarily forcing workers to accept lower wages, such actions have also accelerated the organization and politicization of the South Korean working class. In fact, as we will see in the next chapter, the dynamics of South Korean growth have worked to create an increasingly powerful mass-based social movement of farmers, women, the urban poor, students, environmentalists, and workers, thereby significantly threatening the ability of the state to continue to use repression to stimulate growth.

I. Workers' Situation

1. Historical Background

One cannot understand the uncompromising streak of the today's Korean working class without referring to the circumstances of its growth. The transformation of the work force in any society is accompanied by great social and cultural dislocation and alienation. In Korea these stresses were exacerbated by the speed of the process. While the urban working class was born in the period of Japanese colonialism in the first half of this century, its growth was concentrated in a brief twenty-year period from the mid-1960s to the mid-1980s. As a percentage of the total labor force, farm labor declined from 65 percent in the early 1960s to 38 percent in the early 1980s and to below 18 percent by 1990. The working class's industrial core shot up from 10 percent in 1965 to 23 percent in 1983 and to 27.3 percent in 1990, while workers in the services rose from 31 percent to 54.4. Indeed, the speed of social transformation in SK can be paralleled in few other countries.

The swiftness of its growth, however, was but one of several factors that conditioned the formation of militant tradition of labour movement today. Central to the emergence of a strong popular resistance was an economic strategy and its state apparatus which only aimed at the most efficient usage of human work.

In the savage competition demanded by the 'free' market system of the 'free' side of the world, Korea's rulers have made every effort at keeping labour cheap and working hours long. From the early 1960s until 1987, the wages of Korean workers were consistently lower than those of workers in Singapore, Hong Kong, and Taiwan. At the beginning of 1987, before aggressive unionism brought about the big wage gains of the past three years, the hourly pay of Korean manufacturing workers was 11 percent of United States' workers, 14 percent of Japan's, and 80 percent of Hong Kong's. According to the International Labour Office, Korean workers worked the longest hours an average of 51-54 hours per week until a few years ago.

If there is any secret in the Korean model, it is this shrewd efficiency of mobilizing effective labour. Combined with these factors, minimal investment on workers' welfare contributed still further for the efficiency, thus resulting world highest rate of industrial accidents and deaths.

The centrality of cheap labor in global competition led both domestic and foreign export manufacturers to a preference for women workers in the early years of the industrialization process. The target group were unmarried women aged sixteen to twenty-five with at least a middle-school education. Women thus became the fastest growing section of the labor force, both in industry and the services. Indeed, so prominent are gender-based differences in pay and treatment that it can be said that at the top in Korea is the new, male labor aristocracy of the firms with more capital and technology and that at the bottom are the factory girls whose low wages and long working hours support the international competitiveness of

labor-intensive industries.

The slogan "growth first, distribution later"... Moreover, in the social organization of work, patriarchal authority was used as a means of discipline, with few female workers promoted to supervisory positions. The control of women workers, in fact, extended beyond the factory.

The combination of low wages and long working hours for women has undoubtedly contributed to two phenomena. One is that Korea's percentage of women under twenty-five who are unmarried is the highest in the world. The other is a low population growth rate of 1.4 percent per year.

o Militarism and Management - Struggle for Human Recognition

Making the strategy of export-oriented development work meant systematically preventing working class organization and defusing incipient class consciousness. Defenses were created at both the enterprise and state levels.

At the enterprise level, Korea's business class evolved a particularly repressive management culture - an extremely hierarchical and centralized system of decision making and discipline that bordered on the the militaristic. Koreans, in fact, refer to the chaebol as military companies, and, indeed, workers in many Korean construction companies are expected to obey orders and work with the same discipline as soldiers in the army construction and engineering commands. .. direct influence from the military culture... the militaristic management style was perhaps an even more fundamental reason for the uprising than wages: although workers do want higher wages, money is not their top grievance. Above all, they hate the way bosses order them around. They want their human dignity reaffirmed, both in the factory and in the society.

Undoubtedly, contributing to the radicalization of working class activism was the growth in inequality in both income and status. Especially, the 1970s and early 1980s saw an intensification of inequality. In the crucial twenty-year period from 1965 to 1985, the share of income going to the bottom 40 percent of the population declined from 19.3 percent to 17.7 percent, while the share going to the top 20 percent rose from 41.8 percent to 43.7 percent. The top 10 percent, the senior managers and owners of major enterprises, who have increased their share of the income. It was both the perception and the reality of the growth of a more uneven ownership of visible wealth - land, property, and financial assets - that caused the greatest ill will. Conspicuous consumption by the rich, something that was much less evident in the 1970s, began to rankle public consciousness by the late 1980s; particularly disconcerting was the importation of luxury goods such as cars and furnitures. It was an explosive phenomenon.

Workers' increasing anger at conspicuous consumption was further inflamed by the crisis in home ownership and housing that worsened

in the mid-1980s. Owning a house has steadily become a distant dream for a good many Koreans, as ownership of private landholdings has been concentrated in fewer and fewer hands. In 1989, 65.2 percent of all private landholdings nationwide were concentrated in the hands of 5 percent of the population. The crisis is most evident in Seoul, which has about 2 million squatters - out of a total population of nearly 10 million.

In the effort to systematically demobilize labor, the government constructed three lines of containment: legal, ideological, and repressive. Shaped in one comprehensive strategy towards its own workers, the Korean labour policy has remained almost unchanged until today.

- 2. Workers' Working Conditions
- 3. Workers' Living Conditions
- 4. Workers' Rights

The predominant legal instruments of state control have been the Labour Union Law and the Labor Disputes Adjustments Law, and their subsequent amendments. (Dragon 31 summarize later)

South Korean laws seriously violate freedom of expressing political views by totally prohibiting any political activities of labour unions. Article 12 of Labour Union Act prohibits a labour union from supporting a particular political party or conducting activities to help a particular person get elected in a public election, collecting political funds from its members, or appropriating the union funds to political funds. Violators are punishable with imprisonment up to five years. Political Funds Act also prohibits labour organizations from providing political funds. However, under the laws of SK enterprises, employers and their organizations are permitted to conduct political activities and to offer political funds to the political parties or politicians. They actually have considerable effects on the policies of political parties and politicians. This restriction on political freedom of workers violate the principle of equality, a legal bias against workers.

Workers' right to strike is also severely restricted: Ministry of Labour decides to begin an emergency adjustment, where the dispute relates to public interest or it is of large scale or of specific character to bring about a damage to the national economy or daily

life of the public, workers must immediately suspend any act of strike and must wait another 20 days to re-start a strike. Workers employed by the state or local government or important defence industries are punishable up to 5 years of imprisonment when they participate in strikes. Investigative agencies and courts customarily provide broader interpretation of various laws concerning workers' strikes so as to link the act of a strike causing or having caused interference with the business of the employer or public welfare. A collective refusal to work extended hours, even though guaranteed by the law, is often ruled as a crime of interfering with the business of the employer.

The National Security Law, the prime offender of human rights in SK, which prohibits formation of "anti-state organization" and "enemy-benefiting organization" is in reality used to restrict the formation of political associations which are critical of the government and organizations for labour movement. In addition, the labour related laws prohibit formation of new trade unions or federations which may have the same target membership as existing trade unions or federations.

5. Cultural Reflection

II. Workers Emerging as a New Social Force

1. General Description of Industrial Workers

Workers continue to pay a heavy price for SK's export-driven growth. Looking at working conditions, we can observe that an average of 7 workers are killed and 390 are injured each day in every kind of workplaces. According to government figures, in 1992 alone, --- workers were killed in job-related accidents and --- were maimed.

Moreover, these figures only cover those industrial accidents which are officially reported to the government. The actual number of workers killed or injured could easily be twice as high. It is not difficult to explain why SK still has the highest industrial accident rate and the highest workers death rate in the world: the government will do nothing that might raise costs of production.

Low wages remain a serious problem for most SKn workers. Government statistics reveal that in 1992, heads of urban worker households earned, on average, only about -- percent of the amount needed to meet minimum cost of living for a family of five.

2. Labour Movement before 1987

3. Labour Movement after 1987

The Korean workers of 1987 grabbed the world's attention with 3,500 strikes in the summer of that year. One cannot understand the uncompromising streak of the Korean working class without referring to the circumstances of its growth. The transformation of the work force in any society is accompanied by great social and cultural dislocation and alienation.

When labor launched its massive organizing offensive in the summer of 1987 following Chun Doo-Hwan's ouster and his successor Roh Tae-Woo's democratization decree, the movement's center of gravity had shifted from the textile and garment industries to the heavy industries dominated by such conglomerates as Hyundai and Daewoo. In contrast to the young female rural migrants in textiles and garments that formed the base of the union organizing drive in the 1970s, the most militant workers' unions in the late 1980s tended to be dominated by males, workers with an urban background and workers with higher education.

Between the summer of 1987 and late 1989 more than 7,100 labor disputes erupted throughout Korea. And the number of unions more than doubled, from 2,725 in June 1987 to 7,358 by the end of 1989. All industries were rocked by strife. Strikes hit not only domestic firms but also key foreign-invested enterprises like Motorola and IBM.

Bitter confrontations between labor and management-state throughout the country underline the immense difficulty of getting labor to be a willing partner in the development strategy promoted by the stae-chaebol alliance.

4. Main Issues on Workers' Rights

In spite of three decades of rapid industrial growth, exploitation and repression continue to be central to the workings of the SKn model. But while in the past the state had little trouble forcing the population to accept tis will, today the South Korean people are far better able to defend their interest. This erosion of nationalistic coherence is yet another important reason for believing that the SKn model has fianlly exhausted its potential to support continued economic growth.

The social contradictions underlying SK's growth process rapidly matured during the decade of the 1980s, producing organized social movements which not only opposed SK's growth strategy but were also increasingly able to resist the state initiatives designed to sustain it. But these social movements represents something far more significant than just organized resistance to state power. These social movements are rapidly building an alternative coherence necessary to offer and fight for an essentially new and democratic vision of SKn society.



* From "Manufacture Family", Vol. 20, July 18, 1991. "Democratic Family" is the official publication of the Association of Families of P. III. New Challenges

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In summary, with structural problems at the root of South Korea's current economic difficulties, the South Korean economy faces difficult times ahead. Chaebol export growth was based largely on efficient use of low-cost labor in combination with imported foreign componets and technology. NBot surprisingly, as labor costs and currency rates ros^]9^U^d Japanese and U.S. capitalists became more protective of their technology and markets, the South Korean export offensive faltered.

These negative developments were, as discussed above, largely generated by South Korea's recent expoet succes. Moreover, this same success has also worked to undermine the power of the SK state in its relations with the chaebol, as well as freign governments and corporations. Unwilling to consider a new development model, yet unable to control chaebol activity or regulate international trade as in the past, the state appears to have libble choice but to seek to solve South Korea's economic problems by demanding greater sacrifices from the SK people, especially industrial workers and farmers.

Such a strategy has its limitations, however. Popular resistance to the workings and logic of the SKn political economy is growing stronger, thereby making it increasingly difficult for the state to impose its will on the population. This development makes it even less likely that the state can both maintain the existing political economy as well as create the framework for a new period of sustained growth.

I was not conscious of how long I had been tortured. Despite the cold weather of March, my body was a mass of sweat and dust. I could not stand up because my heels were swollen from the beating. I wanted to kill myself by biting my tongue, not because I could not withstand the physical pain, but because I was ashamed and humiliated by being forced to heave like a dog under the violence of these people who believed only in power and who violated human rights as they liked. The torture, however, was not over yet.

As I insistently denied having an illegal interrogator, 'Go,

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TORTURE MUST BE ABOLISHED IN THE WORLD*

BY PARK DEUK JOON

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* From "Democractic Family", Vol 20, July 15, 1991. "Democratic Family" is the official publication of the Association of Families of Political Prisoners.

The author was arrested on March 22, 1991 by National Security Planning Bureau (KCIA) under National Security Law. He was falsely accused of being a member of Korea Reunification Realization Group which had allegedly arranged Im Soo Kyoung's visit to North Korea in 1989 as well as instigated anti-U.S. and pro-reunification movement activities behind the scene on campuses. The author graduated from Yonsei University and was working for Korea Pharmaceutical Corporation when he was arrested. He was sentenced to two years of imprisonment at first trial and is awaiting his second trial in Ahn-Yang Prison. The following piece is his statement at his first trial.

They stripped me. I was completely naked. Then, they forced me to confess an alias; however, I did not even have a pseudo name, and I told them as much. They nodded as if they expected that response. They said, "We knew you would deny it!" Then, with smiles on their faces, they started to beat me. Anyone who has been interrogated by KCIA knows that beating is the essential part of the KCIA's interrogation procedure. Beating is their method to achieve mental as well as physical surrender.

While I stood naked, they slapped me countless times, and then, they ordered me to kneel on my knees. Again, they asked me for my alias. As soon as I answered that I really did not have an alias, they kicked my knees and thighs with their shoes. This however, was not enough for them. They ordered me into a push-up position, and forced me to do push ups. For each push up, I was forced to chant, "Bad conscience! Bad conscience!" Because they thought my chanting voice was inaudible, they beat me mercilessly. Then, they forced me to lie down with arms, legs and head stretched outward and raised above the floor. They struck my heels with a wooden leg of the military bed. While they beat me, they ordered me to chant "I am fool, I am fool."

I was not conscious of how long I had been tortured. Despite the cold weather of March, my body was a mess of sweat and dust. I could not stand up because my heels were swollen from the beating. I wanted to kill myself by biting my tongue, not because I could not withstand the physical pain, but because I was ashamed and humiliated by being forced to heave like a dog under the violence of these people who believed only in power and who violated human rights as they liked. The torture, however, was not over yet.

As I insisntently denied having an alias, an interrogator, 'Go,

Young Jun, ' approached me and ordered me into attention position in his Chunla dialect. Then, he said, "This asshole does not understand! You want to be killed?!" He beat me indiscriminately with the wooden bed leg. As if their earlier beating was insufficient, he started to kick me with his shoes. After a while, he put the edge of the wooden leg to my throat and pushing it, threatened me by asking, "You want to be killed here? You want to get out of here as a corpse? Even if you are killed, it does not matter to us!" As he threatened me, I could smell strong alcohol from his breath. I wondered how could the government official drink alcohol while he was performing his official duty? This drunken man continued to beat me, and, eventually, some pieces of my flesh were torn from my throat and I began to bleed. My shoulder and chest were severely bruised, and my chest was a mess of blood.

I thought to myself, "What on earth do they want from me?" I did not know, but at that point I wanted to be able to tell them anything they wanted to know. I felt like begging them for my life. I just wanted them to spare my life. At last, I gave in, and pleaded, "I've forgotten my alias. I cannot recall. Please, tell me what it is." As I finished, this interrogator, 'Go Young Jun,' smiled as though he had been waiting for this, and ordered the beating to be stopped. They brought wet towels and washed blood off my body. Then, they asked, "Why didn't you say this from the beginning? Why did you deny? Do you have to be beaten up in order to talk? Your alias is 'Kyung Soo', and you are the head of B.C. team." "What is B.C. team?" I asked, because I had never heard of it. "Is this asshole an idiot or have we got the wrong guy?" Then, he looked at me pitifully and kindly explained, "The B.C. team are those who listen to North Korean radio. You organized the B.C. team last year. That's why we arrested you." After I listened to him, I sensed there was a conspiracy going on; thus I denied the charges.

With my denial, their hellish torture resumed. They threatened me again, "You haven't realized it yet. Okay, I will make you realize. I can bring you upstairs and give you electric and water torture. Do you want to go for it?" Their hellish beating had resumed, and this time they forced me to disgrace myself completely. They stripped me again and kicked my genitals while taunting me, "Do you even call this X. If we do electric torture on you, you cannot get married. Is that what you want?" Then, they ordered me to fold my hands and made me to do push-ups. Again, I was forced to chant, "Bad conscience. I am a fool." They beat me indiscriminately again because they thought my chanting was not loud enough. The cruel and disgraceful beating continued. At last, I surrendered completely. I can say without any doubt that it does not matter who you are if one is interrogated and tortured here in this room for three hours, you have to surrender everything, and come out as a "North Korean agent". I begged them to spare my life, and at that moment, tears started to pour from my eyes. I did not cry during the pain of the torture, but when I begged them for my life, tears poured out. I, a human being, was

crumbling. My tear was the sign that I had given up being a human being. I did not have any strength to resist anymore. I was completely exhausted and in total despair. I was trembling in fear and disgrace, but they did not let me rest; they immediately ordered me to write as they wanted. "If you write this, I will let you sleep. If you put your thumbprint here, you can go to sleep." I had to do everything they wanted me to do; I had to write things that I've never heard of and I had to imprint my thumbprint anywhere as they ordered me to. At that time, I would do any thing, even licked their heels if I could get some sleep. The deprivation of sleep continued even after the arrest warrant has been issued. After the arrest warrant has been issued, they tried to get rid of my scars inflicted during torture, but this deprivation of sleep continued. Sleeping is one of the basic needs for all human beings. They even exploited this fundamental need to force me to confess to things I had not done.

In the daytime, they forced me to stand and just look at the wall, and if I started to fall asleep, they ordered me to do push-ups and hop like a rabbit, so I could not sleep. At night, their interrogation resumed. In return for permission to sleep, they wanted me to adopt a story they made up. I was said to have listened to North Korean radio broadcasting which I had never actually heard before, and I was said to have read countless books of which I did not even know the titles.

Torture and deprivation of sleep were not the only methods they employed to break my resistance. They also used appeasement and threats. First, they demanded to confess the whereabouts of my college seniors 'Chung, Hee Yong', and 'Kim, Byung Kon'. Everyday, the so called 'search team,' bothered me. Furthermore, they demanded me to reveal the girlfriends of my school elders by searching through the yearbook of 'Ehwa Women's University.' I was forced to look through the yearbook for two days without sleep. They demanded I sell my conscience. They said, "If you tell us the whereabouts of 'Chung, Hee Yong', and 'Kim, Byung Kon', you will be free. If we catch them, this case is over. You are nothing. We can release you, if you just tell us." How could I sell my school elders. I did not even know their whereabouts. I denied knowledge of their whereabouts, and the interrogators started to exploit this. They demanded me to expose my school elders' whereabouts and threatened to call the 'search team' if I did not confess. As I denied insistently, they enticed me, "If you are not going to tell us their whereabouts, then make a statement as we dictate. If you do that, then we will not ask you anything about your school elders." Everyone has relationship with other people, and they even exploited this, too. They used human relationship as bargaining chips to induce me to make the statement they wished me to make. I was naive to fall for their enticement, but I did not realized that I was falling into an even bigger trap.

This has been my twenty days of interrogation in KCIA's basement.

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APPENDIX: LIST OF JAILED WORKERS AND LABOR ACTIVISTS

PREFACE

The rapid economic growth experienced in Korea since the early 1970s is often referred to as the "miracle on the Han River," indicating the wonder in which foreigners hold Korean economic development. Average annual growth exceeding 10 percent over two decades has earned Korea the title "Little Dragon of Asia," its growth strategy a focus of intense study and regarded by some as a model to be emulated. However, the systematic and often repressive measures applied to control labor in the course of promoting such rapid industrialization are not widely understood outside Korea.

Korea has the longest working hours and the highest rates of industrial accidents in the world because workers in Korea do not enjoy effective protection of internationally recognized rights. In the past, the workers endured harsh working conditions, placing their faith in the government slogan: "Diligence and hard work will yield prosperity for all." Nowadays the workers are pressing for their rights and voicing criticisms against government economic policies because the sacrifices they made in 1970s and 1980s have contributed to a persistent gap between expectations and reality. Absolute improvements in income over past two decades are real, but working conditions remain far below international standards. Quality of life for many workers and their families has actually declined relative to an emerging "new middle class" and to a much more rapid growth in affluence for urban elites.

The adage, "The rich get richer and the poor get poorer" is accepted among the general population as portraying the Korean experience, as workers believe that speculation in real estate and in the stock market has been fueling inflation that continually erodes the real value of nominal wage gains achieved since 1987. For instance, while the total wages earned by all workers was about Korean won 6.2 trillion in 1989 (US\$8.5 billion (730 won = US \$1.00)), the unearned capital gains from skyrocketing land prices and stock price increases in the same year were 8.5 trillion won (US\$11.64 billion) and 2.4 trillion won (US\$3.3 billion), respectively. The average wage increase rate of 12.1 percent in 1989 failed to keep up with the official average rental housing cost increase of 16.7 percent. With 1.3 percent of the population owning 65 percent of total private land and 30 chaebols (large business conglomerates) accounting for 85 percent of Gross National Product, the structure of the political economy permits many burdens to be shifted to unpropertied workers. Sadly, there have been more than a few instances where household heads were driven to suicide because they could not keep up with the soaring rental fees for housing.

The Korean government is pressing ahead with industrial restructuring, blaming Korea's "loss of competitiveness" in the

international market, not on speculative rent-seeking by the wealthy but on wage increases driven by labor militance. This, however, ignores the demoralizing effect of distributive inequities and the global economic forces of the product cycle. Industrial restructuring burdens -- which fall most heavily on the most marginalized, particularly women, workers -- are not cushioned by adequate retraining or social insurance systems.

Increasingly more workers -- disillusioned by a government that they no longer trust to safeguard their rights and interests -- believe that the only way to change the government's unjust labor policies is to develop a strong labor movement. Lacking any sense that they have an effective voice in the processes by which crucial policies are formulated, large numbers of workers feel that their interests and those of their families are unprotected. And the labor movement is becoming stronger despite harsh government repression, including jailing of hundreds and deaths of dozens of labor unionists and activists. Since mid-1987, hundreds of new independent and democratic labor unions have formed. Some of the new organizations have been denied legal recognition, notably Chunkyojo (National Teachers and Educational Workers Union) and Chonnohyop (Korea Trade Union Congress, formerly known as the Council of Korean Trade Unions). Chief among the obstacles to strengthening of the labor movement are internal divisions that have been aggravated by deliberate government refusal to lift repressive legal restrictions and by company favoritism toward compliant "yellow unions."

To know the situation of Korean workers, it is necessary to understand the conditions and policies under which they must persevere. This report is divided into six sections: (1) Aftereffects of Industrial Restructuring; (2) Living Conditions of Workers; (3) Working Conditions: Occupational Diseases and Industrial Accidents; (4) Government Labor Policy; (5) Status of Women Workers; and (6) Alternatives for Workers. It is intended to acquaint non-Koreans with the reality behind the thin veneer of the Korean economic "miracle."

This report was written by Anna Y.M. Park, a consultant to Korea Women Workers Association, a member organization of the Korea Womens Associations United.

The Korean government is pressing ahead with industrial restructuring, planning Korea's "loss of competitiveness" in the

I. THE AFTEREFFECTS OF INDUSTRIAL RESTRUCTURING

A. Direction of Industrial Restructuring

Korea's export-oriented economy developed with heavy reliance on borrowings from abroad. Foreign debt service imperatives continue to demand a focus on exports. This focus renders the Korean economy vulnerable to changes in the world economic order and to shifts in comparative advantage that are driven by technological change and international monetary policies. The Korean government regards Korea's loss of comparative advantage in low-technology and labor intensive goods as sufficiently compelling to undertake industrial restructuring in order to sustain economic growth.

During the Sixth Economic Development Plan (1987-1991), the government has aimed, through various financial and tax subsidy schemes, at: (1) promoting development of "frontier industries" such as semi-conductors, computers, bio-engineering, robotics, space aviation and cable communication; (2) encouraging infusion of new technology into industries targeted for growth, such as the machinery, electric, electronics, automobile and chemical industries; (3) facilitating overseas investment by "declining" industries such as shoes, toys, textiles, garments and certain electronic household items; and (4) fostering production rationalization, factory automation, and the streamlining of management. The government is proceeding with its plan with the active support of the major industrialists. It is common knowledge that those companies which fail to heed government policy will be weeded out to ensure the success of industrial restructuring.

When the labor market is in a state of flux and workers switch jobs frequently, industrial restructuring can be carried out more easily. For the workers, therefore, industrial restructuring means high labor mobility, that is, job insecurity and unemployment. Workers in the "sunset" industries are experiencing mass dismissals due to relocation of whole sectors (by Korean as well as foreign manufacturers) to lower cost locales for labor intensive operations. Similar threats of unemployment await workers whose jobs will become obsolete through automation. While factory automation may speed production, workers suffer psychologically and physically from knowing that they could easily be replaced by machines. As more and more workers are replaced by automation, the workers' position is weakened during collective bargaining for better working conditions. The government has yet to establish a reasonable plan to mitigate these adjustment burdens for dislocated workers. Lacking protection, many workers have no alternative but to find new jobs that offer even worse working conditions.

B. The Problem of Unemployment

The following list illustrates the scope of the unemployment problem due to changes in the government priorities in industrial planning. Notably, women workers have been most affected by the increased unemployment brought on by industrial restructuring.

1. Workers in coal mining, a "sunset" industry, face mass unemployment. The government decided in 1987 to close -- in the name of "rationalization of coal mining" -- 65.6 percent of all coal mines by 1996. In 1989 and 1990, 177 coal mines closed. In 1988, coal miners numbered 68,000, but that number has now been reduced to 36,000. Although 15,000 coal miners are laid off each year, there is no government plan to care for these newly unemployed workers.

2. With the government withdrawal of support for labor intensive industries, workers in industries such as textiles, shoes, toys, garments, and electronic household goods are currently having to cope with large scale unemployment. The ranks of clothing and textile workers, for example, was rising until 1987 when they numbered 784,000. Only one year later, by 1988, that number fell by 41,493.

A substantial part of this reduction occurred due to the flight of foreign-invested light manufacturing companies. In the Masan Free Trade Zone, where foreign investments are concentrated, 10,000 women workers have lost their jobs in the past two years. Company shutdowns and plant closures have occurred in the Pusan area, where much of the export-oriented shoe industry is based, and the Daegu area, where there is a sizeable textile industry.

Withdrawal of foreign capital is a significant problem in the Masan-Changwon Industrial Area. Following the formation of a labor union at American-invested T.C. Electronics Korea branch in Masan, the investor laid off 14,000 workers by withdrawing his investment. Japanese-invested Asia Swany and Sumida Electronics also abruptly shut their plants, without notice to workers nor payment of wages and severance pay. In February 1990, American Pico Electronics' Korean subsidiary closed its plant and its managers fled to the United States without any advance notice nor payment of back wages and severance pay to its 300 workers.

3. As a consequence of fostering production rationalization, factory automation, and streamlining management, mass dismissals and layoffs resulted. Poongsan Steel Co., for example, in 1990 announced a scheme to reduce its workforce by 1,300 on the pretext of managerial rationalization. In 1990, Daewoo Shipyard also dismissed about 1,500 white-collar

workers under the guise of a "management revolution."

4. A number of medium and small companies -- those employing less than 300 workers each -- are being weeded out during the industrial restructuring process. During the period of 1989-90, 2,824 companies employing over 10 workers closed. Many of these companies had been subcontractors to the conglomerates, which in some cases cancelled their contracts in order to accumulate the capital necessary to develop their high technology industries. In the process, about 100,000 women workers in the small and medium companies lost their jobs. In two years, 1989-1991 for instance, Crown Electronics went from employing 1,500 workers to 300 at present. Jungwon Electronics Co. currently employs 450 workers, down from 850; Kwangrim Electronics Co. -- 150 workers, down from 250; and Motorola Korea -- 2,500, reduced from 4,000.

As Table 1 indicates, sectoral unemployment reflects the shrinkage of certain industries.

Table 1. Employment Index of Manufacturing Industries

INDUSTRY	1985	1986	1987	1988	1989	Oct. 1990
TEXTILE & GARMENTS	100	101.6	103.8	100.9	92.3	80.2
OIL & CHEMICALS	100	104.3	108.7	110.4	109.1	107.9
NON-METAL	100	98.4	99.0	101.7	101.6	99.4
PRIMARY METAL	100	105.1	105.3	110.6	111.2	110.4
ASSEMBLY, METAL	100	107.5	119.3	123.5	121.3	113.3
OTHER MANUFACTURING	100	103.4	116.6	108.6	94.3	77.9

SOURCE: Ministry of Labor, "Monthly Statistics Research Report."

(All official statistics and reports referred to within this report were published monthly by the relevant government and other official agencies.)

The impact of trade unions on plant closures is exaggerated by the government and business circles, who deemphasize other factors. Rationing of finance fosters concentration of industries and encourages enterprises to relocate labor-intensive operations in countries such as the Philippines, Indonesia or Sri Lanka. Table 2 shows that companies usually relocate or close their plants because of financial difficulties that arise due to industrial restructuring, not due to strikes or labor disputes. Organized labor in Korea recognizes the inevitability of some restructuring, however until now workers have been denied voice in the discussions that determine the pace and the scale of structural adjustment.

Table 2. Analysis of Industrial Shutdowns and Closings

Year	Total Shutdowns and Closings									
	Financial Difficulty		Change of Business		Labor Disputes		Others			
	89	9/90	89	9/90	89	9/90	89	9/90	89	9/90
# of Companies	1443	1390	1387	1361	23	21	21	3	4	5
# of Workers	57184	38545	38545	37277	1254	568	676	615	263	85

SOURCE: "1990 Report of the Labor Ministry to the National Assembly"

C. Insecurity over Employment Status

Industrial restructuring leaves most workers insecure in their employment status. In addition to mass dismissals, companies halt recruitment, demote workers, increase the number of temporary workers, forcibly retire senior workers who do not adapt well to new changes in production and technology, and carry out arbitrary job transfers. For example, the Hyundai Group plans to transfer workers from its construction and heavy industries to its aerospace, electronics and petrochemical operations. Within this process, however, workers are subject to severe stress and possible dismissal if they fail to meet the employer's standards of "adaptability."

As shown by Table 3 (below), if industrial restructuring is carried out on a larger scale, job insecurity will be greatly aggravated. Judging from official statistics, the rate of total unemployment remains relatively low. Due in large part to low oil prices, a favorable foreign currency exchange rate and a low domestic interest rate in 1988, the rate of unemployment in 1988 was 2.5 percent (435,000 persons), the lowest in Korean history. These statistics, however, do not reflect problems of underemployment and adopt debatable definitions of the scope of the economically active population, particularly the females in the job market. Unemployment in 1989 was 2.6 percent and fell to 2.2 percent as of third-quarter of 1990, leading the government to proclaim a serious "labor shortage." Apparently, this is in part because many workers laid off from light manufacturing industries have been absorbed into other sectors, such as services. As Table 3 illustrates, the rate of employment in manufacturing has been decreasing since 1988 and the reduction in the manufacturing workforce is more apparent beginning in 1989. Employment in the utilities (electricity and gas) and the service industries, in contrast, has increased. Unemployment problems may become more serious as non-manufacturing sectors can no longer absorb workers displaced from the manufacturing sector.

Table 3. Trends in Employment Rates

	UNIT: %			1st qtr			2nd qtr			3rd qtr		
	87	88	89	90	90	90	90	90	90	90	90	
MANUFACTURING	6.0	0.7	-3.7	-4.9	-5.2	-5.6						
ELECTRICITY, GAS, WATER	-0.1	2.5	3.8	3.9	5.6	8.1						
CONSTRUCTION	-5.6	-1.9	3.8	6.0	4.8	4.5						
LODGING	-6.5	4.2	0.3	-2.9	-2.1	0.2						
TRANSPORTATION, STORAGE	2.8	1.5	1.1	1.0	1.2	0.9						
FINANCE & INSURANCE	2.1	2.4	4.7	0.6	5.0	4.2						
SOCIAL & PRIVATE SERVICE	2.6	3.9	2.4	2.5	2.2	3.3						

SOURCE: Ministry of Labor, "Monthly Report of Statistical Research." Korea Labor Institute, "Analysis of Labor Trends."

The government-financed Korea Labor Research Institute's "Analysis of Labor Trends" also shows that while the unemployment rate for young women has decreased since the third quarter of 1989, the unemployment rate for men between the ages of 25 and 49 rose. These trends reflect increased production automation and freezes in hiring since mid-1988. At the beginning of 1989, 670,000 persons were jobless; only 266,000 found permanent employment while 395,000 became temporary and daily-contract workers. The rate of stable employment (the rate of those with permanent positions against the unemployment rate), which has steadily increased since the 1960s, peaked in July 1988 at 85.1 percent, and dropped to 82.7 percent in July 1989. As Table 4 shows, temporary workers have quickly replaced full-time, permanent employees.

Table 4. Employment Rates of Permanent, Regular and Temporary Workers

	1st qtr 87	2nd qtr 88	3rd qtr 89	1st qtr 90	2nd qtr 90	3rd qtr 90
TOTAL NON-PERMANENT						
WAGE WORKER	4.6	7.9	6.4	4.4		
REGULAR (LONGER TERM/ FULL TIME)	5.9	5.1	4.3	4.4		
TEMPORARY (CONTRACT)	2.1	23.1	18.9	4.4		
TOTAL PERMANENT WORKER	4.6	1.1	-1.9	-2.4	-2.7	-2.8
MALE	4.9	2.1	0.8	-0.4	-1.0	-1.2
FEMALE	4.0	-0.9	-5.6	-6.5	-6.1	-6.1

SOURCE: Korea Labor Research Institute, "Analysis of Labor Trends."

Deterioration in employment security for women has been more severe. First, in concentrating on developing high technology industries, the government has shifted away from supporting labor intensive industries, where women constitute 60 percent of the workforce. Women workers in textile and clothing industries have been particularly hard hit. These industries in 1988 employed 597,000 workers. As of second quarter of 1990, that number was down to 502,000, or a reduction of 16 percent. Second, women tend to be employed by medium and small-sized companies, which face greater financial insecurity than their bigger competitors. When these companies reduce the size of their workforce, women are usually let go before the male workers. Third, withdrawal of foreign investment has resulted in unemployment for 8,224 women workers from 32 foreign-invested companies. In the Masan Free Trade Zone alone, 10,000 women workers lost their jobs over a two-year period. Fourth, there is an increasing trend toward hiring women as

temporary and daily-contract workers instead of as full-time workers. In 1989, there were 3,010,000 temporary women workers and 890,000 daily-contract women workers. But as of March 1990, daily-contract workers, mostly married women who engage in simple, manual labor, numbered 1,890,000, or 20 percent of the workforce.

Because "temporary" workers do not enjoy the right to participate in collective bargaining through unions and are not entitled to the other legal benefits of permanent employees, employers have a double incentive to hire them: their wages are lower and they can be more flexibly discharged at will. The government, under the rationale of easing the "labor shortage," has in concert with employers' federations, been actively encouraging the recruitment of married women and older people for such temporary jobs.

As Table 5 (below) shows, the insecurity in employment status is a more serious problem among production workers, whose ranks are rapidly decreasing. Clerical-level workers, in contrast, continue to enjoy relatively secure employment status.

Table 5. Employment Rates of Production and Clerical Workers

	1st qtr 87	2nd qtr 88	3rd qtr 89	1st qtr 90	2nd qtr 90	3rd qtr 90
PRODUCTION	5.4	-1.1	-6.2	-7.4	-8.0	-8.5
CLERICAL/TECHNICAL	3.8	3.5	2.7	2.2	2.3	2.5

SOURCE: Ministry of Labor, Monthly Statistics.

II. LIVING CONDITIONS OF WORKERS

A. Wage Structure

In South Korea wages vary greatly depending on several factors, including the workers' educational background, skills, sex and the size of the company. For example, factory shop-floor workers' average wages were only 54.5 percent in 1985 and 70.3 percent in 1990 of wages earned by clerical, administrative and technical workers. There has been a reduction in the difference in the rate of wages earned, but in terms of actual income, a 200,000 won (US\$274/month) differential remains since 1988. A typical worker with a high school education earned 44.1 percent in 1985 and 52.3 percent in 1989 of the amount earned by a college graduate. While the difference in percentages is narrowing, the gap in average monthly income increased every year since 1987 except in 1988. In 1989, a college graduate earned 930,396 won/month (US\$1275) while a worker with a high school education earned only 487,013 won/month (US\$667), or approximately less than half of the former. While the rate of wage disparity based on the size of the company has also narrowed since 1987, the gap in the amount of actual wages earned has not been reduced. Gender-based wage disparities will be discussed in section on current status of women workers.

B. Disparity between Wages and Living Costs

The government and employers assert that workers' wages in Korea have increased dramatically as compared to the past. It is true that nominal wages have increased substantially in the last five years. In 1985, the average monthly wage was 324,283 won (US\$444), in contrast to 592,329 won (US\$811), or an 82.7 percent increase, as of the beginning of 1990. According to a report by the Office of National Tax Administration, however, 42.9 percent of the nation's total workforce in 1989 earned less than 300,000 won/month (US\$411), significantly less than the 1985 national average. For instance, in February 1990, the average wage of women workers was 291,923 won/month (US\$400), which was significantly below the minimum wage of 331,923 won/month (US\$455) calculated by the officially-recognized Federation of Korean Trade Unions (FKTU) to be absolutely necessary to meet the costs of subsistence.

Nominal wage increases have not translated into improved living conditions for workers. According to statistics compiled by the Economic Planning Board (EPB), shown in Table 6, the inflation rate in 1990 was 9.4 percent. But a report by the Bank of Korea showed that only 4.3 percent of Koreans believed the Economic Planning Board's statistics on the consumer price index. The EPB does not take into its calculation of the inflation rate the escalating housing and land costs, and this accounts for the low

rate of trust by the public in the EPB figures.

The government statistics ignore what is for most people a large portion of their earnings that must be spent on meeting increased housing costs, including rent deposits (usually one year's rent paid up-front) and monthly rent payments. Consequently, the inflation-adjusted disposable income of the average worker, after taking into account large increases in housing costs, in many individual cases may have declined if the relevant criterion is purchasing power for ordinary necessities. The subject of erosion of the real value of nominal wages due to spiralling housing costs will be discussed under section C, below. As Table 6 shows, prices of consumer goods have risen greatly in the last few years.

Table 6. Increase in Rate of the Consumer Price Index

Unit: %

YEAR	1985	1986	1987	1988	1989	1990
RATE OF INCREASE	2.5	2.8	3.0	7.1	5.7	9.4

SOURCE: Economic Planning Board, "Monthly Report on Korean Statistics."

According to the Economic Planning Board, the monthly expenditure of an average urban worker's family was 842,924 won (US\$1,155) during the second quarter of 1990. The amount represented an 18 percent increase of 120,046 won (US\$164) over the same period only a year before, in 1989. The government explained that the increase in expenditure was due to higher standards of consumption. In reality, however, the rise in living standards has not been commensurate with increases in the costs of living.

Although nominal wages have increased, most Korean workers do not earn a sufficient amount of money to maintain decent living and health standards for their families, according to Table 7, the results of a November 1990 survey conducted by Chonnohyop ("Minimum Living Costs for Workers in the Manufacturing Industry"). For the survey, production and manufacturing workers were asked about their living conditions and asked to make a list of their expenditures. Then their expenditures were calculated at the prevailing market rate. The worker's debts, loans and savings were not included in the survey. Chonnohyop chose to survey production and manufacturing workers because their living standards are comparatively lower than those of other workers, hence their costs of living could be considered the minimum costs of living for all

workers. According to the Ministry of Labor's report, the average monthly wage of workers in all industries is 457,023 won (US\$626) per worker, which is only 50.2 percent of Chonnohyop's minimum subsistence costs for a family of four.

Table 7. Composition of Minimum Living Costs of a Manufacturing Shop-floor Worker's Family UNIT: Won/Month

	*A	B	C	D	E
FOOD	77,350	68,481	144,580	181,323	249,185
HOUSING	102,133	102,133	157,002	191,959	227,119
UTILITIES (WATER, ELECTRICITY)	22,236	22,236	28,292	31,477	47,165
FURNITURE, OTHER HOUSEHOLD GOODS	13,630	13,832	33,929	37,746	41,230
CLOTHING	24,544	25,906	47,921	52,758	67,417
TRANSPORTATION, COMMUNICATION	12,400	12,400	22,920	22,920	23,200
HAIR & BEAUTY	11,875	20,416	30,817	31,042	35,850
MEDICAL	12,930	10,390	18,460	27,850	30,160
MISCELLANEOUS	56,100	40,650	62,600	68,350	69,350
TAX	20,856	19,535	39,673	48,476	73,562
TOTAL LIVING COSTS	355,054	335,979	586,194	693,901	909,238

*KEY:

- A - ONE MALE WORKER
- B - ONE FEMALE WORKER
- C - TWO FAMILY MEMBERS
- D - THREE FAMILY MEMBERS
- E - FOUR FAMILY MEMBERS

SOURCE: Chonnohyop, "Minimum Living Costs for Workers in the Manufacturing Industry" (Study conducted in November 1990; results published in January 1990).

Table 8. Sufficiency Rates of Living Costs (SRLC)

	WAGES (won)	MINIMUM LIVING COSTS (won)	SRLC (%)
ALL INDUSTRIES	BASIC WAGE: 457,203	909,238	50.2
	TOTAL (+ ALLOWANCES) 661,840		72.7
MANUFACTURING	BASIC 400,619		44.0
	+ ALLOWANCES 618,565	355,054	68.0

SOURCE: On Wages: Ministry of Labor, "Research Report of Monthly Labor Statistics." (July 1990); On Minimum Living Costs: Chonnohyop, "Minimum Living Costs for Workers in the Manufacturing Industry." (Study conducted in November 1990, results published in January 1991).

The wage increases have been inadequate to meet minimum living costs of workers. In addition, the wage increases of the last few years have not reduced the imbalance in income between the employers and the workers. According to "Research on Income Distribution in 1988," a report by the Economic Planning Board, incomes of employers and businessmen increased at a far higher rate than that of the workers: Employers' income increased 80.6 percent; businessmen's at 50.8 percent. As a result, the income difference between the employers/businessmen and workers became wider -- from 176:100 in 1985 to 224.2:100 in 1988.

Because workers cannot meet minimum living costs with their wages, many live under the burden of high debts. According to research conducted in November 1990 by Chonnohyop, as shown in Table 9 below, workers who do not own their homes face precarious financial situations due to increase in rent. Yet workers cannot afford to buy a home with their income alone. Of those homeowners among workers, 83.5 percent incurred large debts which averaged 77,810,000 won (US\$106,590) with monthly interest payments alone of 82,000 won (US\$112).

Table 9. Savings and Debts of a Working Class Family

	SINGLE WORKER	FAMILY HEAD
RATE OF SAVINGS	83.0	90.1
RATE OF DEBT	28.9	60.6
AMOUNT OF MONTHLY SAVINGS	13.5	14.5
AMOUNT OF DEBT	44.4	224.5
ONE YEAR SAVINGS MINUS INCREASED AMOUNT OF HOUSE RENT DEPOSIT*	-0.6	-23.6

SOURCE: Korea Social Research Institute, "Trends and Prospects." Spring 1991.

*One year's savings is the actual amount saved plus annual interest calculated at 17.8 percent. The increased amount of house rent deposit is calculated at 1,767,000 won per worker and 2,127,000 won per family head.

C. Housing and Land Costs

According to a 1990 report by the Economic Planning Board, 3,714,000 families, or 58.7 of the total urban population, rent their housing. The percentage of renters is slightly higher in Seoul, at 59.2 percent of all families. The actual percentage of renters is higher than is reflected in government statistics. According to research conducted in November 1990 by Chonnohyop, only 28.1 percent of families own their residence. Only 17.8 percent of single workers and 22.8 percent of married workers in the manufacturing industry owned their homes. According to research conducted in 1985 by the Economic Planning Board, the average floor space for a family was 43.6 square meters, or 10.8 square meters per person. Each family lived in an average of 2.1 rooms, and the average number of persons per room was 1.9. Housing conditions for workers, however, is much worse.

In 1988, 9,970,000 persons, nearly a quarter of the national population, moved their places of residence, many of them because they could not afford increased rent deposits and monthly rent payments. In the past five years, single workers in the manufacturing sector had to move an average of 2.59 times, married workers 2.4 times. The housing situation became so dire for many people living in the margins that during February-April 1990, at least fourteen people committed suicide over increased housing

costs. As Table 10 shows, the price of homes and rents has increased significantly since 1987. Table 11 shows that rent deposits and monthly rent payments rose greatly, at 35.2 percent and 62 percent respectively in 1990 alone.

Table 10. Increase in Rate of Land, House, and Rent Deposit Prices
Unit: %

	Dec/1987	Dec/1988	Dec/1989	Dec/1990	Sept/1990*
LAND	14.7	27.5	32.0	16.5	241.2
HOUSE	7.2	13.1	14.6	17.4	158.8
RENT DEPOSIT	19.2	13.8	17.8	18.9	199.8

*Sept/1990: Percentage increase if Sept/1985 = 100.

SOURCE: Ministry of Construction, "Trends in Land Value"; Korea Housing Bank, "Housing Finance."

Table 11. Current Situation of Rising Rent Deposit and Monthly Rent for the Past One Year

	Before Rising	After	Amount of Increase	Rate (%)
Rent Deposit for Leases	584.9	790.8	205.9	35.2
Estimated Monthly Value (forgone interest)	7.1	11.5	4.4	62.0
Deposit for Monthly Rent	132.3	224.2	91.9	69.5
Monthly Rent	4.4	7.0	2.6	57.7

SOURCE: Chonnohyop, "Minimum Living Costs for Workers in the Manufacturing Industry." November 1990.

Adaptations by unions in the form of mutual aid associations (labor banks and credit unions) are subject to administrative obstacles. The boundary between compulsory and permissive bargaining topics is unresolved. Pension funds, if developed on a stable basis through employer contributions, could facilitate worker participation in mobilization of savings for access to better credit to ease abrupt increases in chonsei (rent deposits) or to finance housing projects organized by union federations.

D. Inadequate Social Welfare Facilities

According to a 1989 report by the Labor Ministry, a typical company spent 26,280 won/month (US\$36) per employee for social welfare costs; a typical company in the manufacturing industry spent 25,520 won/month (US\$35). This money was spent primarily on meals (mostly lunch) with the remaining meager amount divided for other basic and social welfare needs such as housing, education, medical care, cultural activities, sports and recreation.

It is imperative for companies to provide workers with social welfare facilities. The reasons are two-fold. First, workers continue to suffer from low wages that are not enough to meet minimum living costs. Second, the government has not instituted an adequate social welfare system to narrow the gap between what the workers can afford and what they need.

Despite the need, many workers are not provided with facilities such as canteens, dormitories, staff houses, company buses, nursery centers, medical centers, shower rooms, barbershops, consumer cooperatives, or minimal sports and exercise facilities. As Table 12 shows, most companies are not equipped with social welfare facilities.

Table 12. Current Situation of Social Welfare Facilities

FACILITIES	RATES (%)
BARBERSHOPS	8.5
CAFETERIA	86.4
COMMON SOCIAL AREA	16.1
COMMUTER BUS	61.9
CONSUMER COOPERATIVES	20.3
COOPERATIVE CREDIT UNIONS	7.6
CREDIT UNION FOR HOUSING	9.3
DORMITORY (single workers)	43.2
DORMITORY (married workers)	11.9
EXERCISE FACILITIES	5.1
INFIRMARY	41.5
JOINT MARKET	21.2
LAUNDRY	20.3
OUTDOOR RETREAT FACILITIES	26.3
REFRESHMENT CENTER	42.4
SAEMAUL (GOVERNMENT) SAVINGS BANK	28.8
SHOWER ROOMS	48.3

SOURCE: Chonnohyop, Explanation of Collective Bargaining Report Model (Dolbaegge Book Publishing Co., 1990)

Illnesses have become a more serious problem for workers due to poor working conditions. Workers, however, cannot afford adequate health insurance for themselves or their family. They are vulnerable to high medical bills and must incur large debts in order to pay for the necessary treatment.

In 1989, medical checks conducted on workers across the country revealed that at least 7,568 workers were suffering from industrial diseases. That figure may not accurately reflect the rate of occupational diseases. According to Park Suk-won, director of occupational diseases, since 1988, the rate of occupational diseases has risen to the level of 1.1% for workers. Most workers still regard occupational diseases as an unavoidable part of work and do not know how to escape.

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III. WORKING CONDITIONS: OCCUPATIONAL DISEASES AND INDUSTRIAL ACCIDENTS

The Labor Standards Law, Industrial Safety and Health Law and the Industrial Accident Compensation Insurance Law comprise South Korea's existing standards and protection for workers. However, the laws apply only to companies employing more than five workers, and are not adequately, if at all, enforced.

The Industrial Safety and Health Law was enacted in 1981, and amended in February 1990 after a three-year struggle by workers for better working conditions. The struggle began in 1987 when Moon Song-myun, a 15-year-old boy, died of mercury poisoning after he had worked for one year at a small factory on the western outskirts of Seoul. His death marked a turning point, focusing national attention on the problem of industrial accidents. But it still took a three months' struggle by family lawyers before Moon's death was admitted to be work-related such that the family could claim compensation for the death under the national insurance scheme.

The revised law did not include workers' participation rights, i.e. voting rights in industrial safety committees, nor did it grant a right to workers to refuse work at dangerous sites. The limited protection provided has subsequently been eroded in some respects. The government in May 1990 amended relevant legislation to define more narrowly the types of work designated as life-threatening; the number of hours a laborer is permitted to perform dangerous tasks was restricted, however.

The amended Industrial Safety and Health Law provides for the creation of a fund to prevent industrial disaster, as well as for stepped-up inspection and supervision at workplaces. The Ministry of Labor, pursuant to this statute and its Enforcement Decree, has issued detailed regulations on equipment safety, permissible noise levels, air-purity standards, procedures for the handling of toxic substances and such. The Ministry has not taken effective steps to enforce the standards, however. The emphasis of the administrative authorities continues to be less focused on prevention than on post-accident compensation.

A. Occupational Diseases

Since 1988, the issue of occupational diseases has come to the fore. Unfortunately, most workers still regard occupational diseases as an unavoidable part of work, an ordeal they cannot escape.

In 1989, medical checkups conducted on workers across the country revealed that at least 7,568 workers were suffering from industrial diseases. That figure may not accurately reflect the rate of occupational diseases. According to Park Suk-un, director

of the Labor Human Rights Center in Kuro, doctors belonging to institutions nominated by the Labor Ministry have been suspected of unfairness by the workers. In cases of mercury poisoning, for example, these doctors tend to acknowledge that a worker has been poisoned only when the results of blood or urine tests exhibit a level beyond the criteria fixed by the Ministry. In some cases, therefore, they do not acknowledge an occupational disease even when the worker shows clear symptoms. Moreover, workers think that these physicians are strongly influenced by the Ministry of Labor and employer groups, who do not want problems of occupational diseases or hazardous working environments to be publicized widely.

Among the 7,568 workers found to be suffering from occupational diseases, only 1,500 (or 20 percent) were officially acknowledged as occupational disease victims entitled to compensation and sick leave while the others were left to languish without treatment. For most, medical attention may come too late -- usually several months after being certified as an occupational disease victim. Most occupational disease victims suffer from symptoms such as paralysis, headaches, speech disorders, insomnia, that need immediate attention. Since most workers, however, cannot afford to pay for the treatment at their own expense, they are forced to wait until the companies grant them compensation and sick leave. While waiting for treatment, their illnesses worsen. In that long period of time, workers have been known to give up in frustration and take other measures, such as suicide.

CASES

1) Carbon Bisulfide Poisoning - Wonjin Rayon Co.

Early this year, a worker who had quit working at Wonjin Rayon Co. committed suicide due to frustration over his mental disease and inability to make a living. He had started working at the Rayon factory in 1977 but quit in 1985 after showing symptoms of gas poisoning, including partial paralysis, breathing difficulties and mental problems. His death brought to eight the total number of the factory's workers who have allegedly died after being poisoned by carbon bisulfide, a toxic gas. Ninety-six workers from the same factory were officially recognized as suffering from the occupational disease, and 165 other workers also applied for treatment and sick leave due to gas poisoning. This enterprise was ultimately closed down after media attention increased pressure on the government, however not before many employees suffered irreversible impairments of health.

2) Mercury Poisoning - Orient Electronics Co.

Orient Electronics Co. was founded in 1971 and manufactures mercury switches used in telephone exchange devices. Mercury is

injected into a glass and then heated in an "activating room." If the glass should break from overheating, the mercury is scattered in all directions.

Most of the production workers are single women workers in their 20s, some as young as 18. There was no safety committee at the factory; such a committee is not required in companies with fewer than 100 employees. The workers were not told of health risks and hazards in handling highly toxic mercury nor were they properly trained or provided with protective clothing. Consequently, they became exposed to mercury vapors. There was a high turnover rate in personnel.

Workers began experiencing symptoms such as pain in the eyes, difficulty in breathing, headaches, memory loss, and insomnia. They suspected the symptoms might be related to hazards within the factory. Two workers underwent medical examinations at their own expense. The test results indicated a high level of mercury in their blood and urine. Alarmed, eleven additional workers underwent testing and nine were found to be exposed to levels exceeding international standards, five of them above Korean standards. In May, two of the workers were acknowledged by the Ministry of Labor as having occupational diseases and thus became eligible for compensation and free medical care.

The union at Orient Electronics, formed in March 1989 and affiliated with the Korean Metalworkers Federation, went on strike in May 1990 in part over safety issues. After a two-month strike -- during which some of the striking workers were beaten by managers -- the company agreed to pay for workers' tests at the Korea University Environmental Medicine Research Institute (testing site recommended by the company), and to an inspection of the workplace by the Seoul National University Graduate School of Public Health (measure and inspectors recommended by the union).

In September, twenty-four workers were tested. None were found to have the level of exposure necessary to be classified as occupational disease victims but four were to be monitored. In October, the Labor Ministry recognized the four as occupational disease victims. As of mid-October, the inspection of the workplace had not occurred. This was the second time that the company had failed to honor an agreement to have the environmental survey conducted. In September, the Labor Ministry fined Orient 300,000 won (US\$430) in a summary proceeding under the Industrial Safety and Health Law for failure to examine the workplace environment and to have the workers examined.

In addition to symptoms discussed above, mercury poisoning causes sterility in women, miscarriages, stillbirth and high infant mortality rates. Yet the current Korean Ministry of Labor's air exposure standard of 0.1 mg/m³ permits exposure twice as high as the standards recommended by the World Health Organization.

(Permissible Exposure Limits for Hazardous Substances," Ministry of Labor Notice 88-69, effective from March 1, 1989.)

3) Cadmium Poisoning.

The Ministry of Labor and the governmental Industrial Safety and Health Deliberation Committee conducted in 1990 a survey of 17 companies that use cadmium in manufacturing. Between January 28 and February 25, the work environments in seven of the companies were found to exceed the cadmium exposure rate. The plants of Lucky Metal and six other companies located in Ulsan exceeded the legally permissible level of cadmium, iron and lead. 190 workers who had previously handled or are currently handling cadmium were tested and of those tested nine were found to suffer from cadmium poisoning, with symptoms similar to mercury poisoning: difficulty in breathing, bronchitis, dizzy spells, and general deterioration in health. Cadmium poisoning cannot be cured easily.

One of the victims, for example, developed a hole in his nose due to overexposure to cadmium. KIM Chun-il, aged 45, had worked at Korea Iron since April 1983 as a welder. At the beginning of 1989, he began complaining of a constant runny nose and nose bleeds, difficulty in breathing, fatigue and serious bodily pain. To quote the workers: "If workers engage in chrome plating for a long time, very commonly a hole will develop in their nose bone."

4) Electrocutation.

KIM Byung-mu, aged 23, had worked since beginning of 1987 at Samsung Electric's final end of the production line. He had handled machines that generated 25,000 volts of electricity which exposes workers to electric shocks upon touch. He finished work at 6 a.m. on April 10, 1991 after working a 12-hour night shift. He had worked 500 hours per month. On that day, he complained of dizziness, fell unconscious and died upon arriving at the hospital. This was only one in a series of questionable deaths among assembly line workers at Samsung Electric. The company did not offer any explanation for the deaths. At least two additional individuals died after complaining of symptoms similar to those of Kim Byung-mu. KIM Byung-jun, aged 31, died in December 1987. CHUNG Kwang-myung, aged 33, died in August 1990.

B. Industrial Accidents

Over several years, twenty-one workers at a factory in Youngdeung-po in Seoul had their hands mutilated by the same press machine. The company's president did not set up safety equipment until the press claimed its twenty-first victim.

South Korea's rate of industrial accidents of 1.76 workers per every 100 is the world's highest, far exceeding the rates of 0.57 in Japan, 0.38 in Singapore, and 0.88 percent in Taiwan. Official statistics show that the overall rate of industrial accidents decreased slightly in 1990 compared to 1989. The number of injured workers is, however, still staggering at 135,129, equivalent to the population of a small-sized city. Moreover, in 1990, 2,236 workers were killed on the job, a thirty percent increase over 1989 figure of 1,724, according to statistics released by the Ministry of Labor. 626 were killed in industrial manufacturing; 673 in construction; 390 in mining; 338 in stevedoring and dock work; 8 in utilities; and 201 miscellaneous industrial workers. Among the 7,563,355 subscribers to insurance for industrial accidents, 132,893 had to be hospitalized for more than four days.

Labor Ministry statistics do not accurately reflect the degree of the problem of industrial accidents because the Labor Ministry excludes from consideration certain types of workplace accidents in compiling its statistics. The Labor Ministry takes into consideration only 5,300,000 out of the country's ten million workers, excluding accidents in such industries as agriculture and fisheries, as well as at workplaces with less than five workers employed. In 1990, sixty-four percent of the accidents occurred at companies with less than 300 employees. For these reasons, many labor experts put the real number of industrial accidents at three times that of figures provided by the Labor Ministry. Disturbing to them is that while the total casualty figures reportedly decreased, the number of fatalities went up in 1990.

The chief inadequacy of the Industrial Accident Compensation Insurance Law, as amended in 1989, is that it applies only to companies employing more than five workers, excluding more than 4 million workers from coverage. A second problem is underreporting of industrial accidents. Because companies' premium rates are determined by the Labor Ministry classifying businesses into several grades on the basis of their accident rates over the past three years, employers are unwilling to report accidents. According to a survey by Action for Workers' Safety and Health on four manufacturing companies in the Seoul suburbs, 846 accidents occurred at these factories in 1988, but only 111 cases, or 15 percent, were reported to the Ministry of Labor as workplace accidents. The main reason is money. Medical insurance accounts for about 70 to 80 percent of worksite disaster insurance which normally covers follow-up treatment. Employers also do not want to pay 70 percent of monthly wages to injured workers during their rehabilitation.

Table 11. Rate of Industrial Accidents by Year

YEAR	# of Accidents	# of Victims			
		Total	Deaths	Disabled	Injured
1985	140,218	141,809	1,718	19,824	120,267
1986	140,404	142,088	1,660	21,923	118,505
1987	141,495	142,596	1,761	25,244	115,591
1988	141,517	142,329	1,925	26,239	114,165
1989	128,138	134,127	1,724	25,536	106,867
1990*		135,129	2,236		132,893

SOURCE: Federation of Korean Trade Unions, "Yearly Report of 1990 -- Statistics." The above statistics are identical to those provided by the Labor Ministry.

(*Statistics for 1990 were provided by the Ministry of Labor to the mass media. The number of injured workers includes the number of disabled workers.)

Also ignored and unenforced is the requirement that each plant employ a safety supervisor to warn workers of safety hazards. For example, workers are supposed to wear helmets at petrochemical plants to protect themselves from falling objects. But due to the heat within the plants, workers often dislike wearing the helmets. No safety supervisor, however, admonishes the workers to wear head protection. Some small companies cannot afford to hire safety supervisors, nor do they provide safety equipment.

In addition to lack of safety supervisors, workers are generally not told of workplace hazards and this is particularly detrimental for new workers. Lack of education accounted for a high number of accidents, according to a report by the Korea Industrial Safety Corporation which analyzed workplace accidents from 1978 to June 1989. According to the report, workers with less than one year of job experience accounted for 53.6 percent of those injured. In 1990, that rose to 63 percent. Mining topped the list as most dangerous with an accident rate of 10.88 percent, followed by manufacturing (2.67 percent) and transportation and storage (2.39 percent).

IV. GOVERNMENT LABOR POLICY

A. Government Attitude towards Workers and the Independent Labor Movement

The South Korean government's labor policy has long been aimed at preventing organization by workers. After national liberation on August 15, 1945 from Japanese colonial rule, the country was divided between north and south, with a sharp ideological conflict between the left and the right. In the south, the government tried to indoctrinate the people with the notion that a "labor activist is a communist" and suppressed all labor groups except those over which it could exercise control.

In the 1970s, substantial foreign capital flowed into South Korea in the form of loans, joint ventures, and technical assistance. The Korean economy was structured to favor labor-intensive, heavy and chemical industries. This spurred the rapid growth of the chaebol, the large business conglomerates that dominate much of the economy, and the class of industrial workers also grew rapidly with a dramatic demographic shift from rural farming to urban employment.

South Korea's industrial revolution of the 1970s and 1980s was fundamentally premised on the exploitation of the workers. In 1970, Chun Tae-il, a young textile worker, committed self-immolation to protest against inhumane working conditions. His death galvanized the labor movement and some democratic unions managed to form but they were suppressed by the brutal Yushin government of President Park Chung-hee.

Since June 1987, however, the progressive labor movement has developed despite continuing government oppression. Independent and democratic unions have been formed among blue and white-collar workers. Workers in white-collar professions who have unionized include public and private school teachers, nurses and hospital workers, and staff in research centers, banks, insurance companies, mass media and publishing companies. The labor movement also established mutually supportive links with other social and political groups. Several federations of unions along industry lines have also been formed. In January 1990, a cross-industry federation -- Chonnohyop (Korea Trade Union Congress) -- was formed despite a government-proclaimed ban on nationwide federations other than the officially-recognized Federation of Korean Trade Unions (FKTU), which in 1991 alone received 5.77 billion won (about US\$8 million) in officially-acknowledged funding from the government.

In disregard of the developments in the labor movement, and in contrast to some progress toward democratization in other realms, the laws restricting worker rights have undergone only minor changes. The government's underlying policy of suppressing

the workers' movement has not changed. On the contrary, the government publicly condemns and defames the democratic labor movement and implements extremely hostile policies towards it.

B. Legal Restrictions on Worker Rights

1. Constitutional and International Guarantees and Limitations

Article 21 of the Constitution of the Republic of Korea, as amended in November 1987, guarantees that all citizens have the right to freedom of association. Article 33(1) of the Constitution also provides that "To enhance working conditions, workers shall have the right to independent association, collective bargaining and collective action." In April 1990, South Korea ratified the International Covenant on Economic, Social, and Cultural Rights which contains a provision on the right to freedom of association. Although South Korea also ratified the International Covenant on Civil and Political Rights at the same time, it made a reservation to the provision on free association, notwithstanding the questionable validity of such a reservation under recognized principles of international law. Despite the foregoing basic undertakings, however, both legal and extra-legal restrictions seriously infringe on the rights guaranteed to Korean workers by the Constitution and by international law.

2. Labor Legislation and Administrative Regulations

a. Restrictions on Freedom of Association

i. Limitations on the Right to Form Unions

International standards, as stated in ILO Convention 87, "safeguard workers' right to form unions, including the right to establish union federations. According to South Korea's Trade Union Law, workers who wish to form a union must be recognized by relevant Labor Ministry authorities. In order to obtain the necessary authorization, the workers must submit a report which includes, among other things, information on the proposed union's by-laws, membership and the background of its leaders. The administrative authority may refuse certification based on that information alone. Past reasons cited by authorities for rejection include formal technicalities, allegations of inaccuracies, and pendency of police or internal security force inquiries into the accuracy of the report data. These practices do not comport with explicit ILO standards rejecting any requirement of prior authorization by the State.

Article 3(5) of the Trade Union Law bans the formation of a union "[w]hen the subject of the organization membership is the same as the already existing trade union, or the purpose of the

organization is to hamper the normal operation of the already existing trade unions." This provision effectively outlaws any alternative to unions and federations existing from the time of President Chun Doo-hwan's rule in the 1980s, many of which have been company-sponsored or government-controlled.

Chonnohyop was declared illegal under Article 3(5) of the Trade Union Law. Chonnohyop was formally inaugurated in January 1990 despite the government ban and despite outstanding arrest warrants against its leaders. Until Chonnohyop's emergence, the Federation of Korean Trade Unions (FKTU) had held the monopoly as the only nation-wide federation with constituent industrial groups of enterprise unions despite the fact that FKTU had lost the confidence of many member unions. There is no similar restriction on employers' federations and organizations.

Article 3(5) of the South Korean Trade Union Law contravenes international legal standards. Chonnohyop remains an illegal organization, and its leaders have been imprisoned and its member unions harassed. The government frequently bans its assemblies and rallies.

iii. Limitations on Internal Autonomy of Unions

Article 8(1)(a) of the International Covenant on Economic, Social and Cultural Rights and ILO Convention No. 87 both accord a right to form and join a trade union "subject only to the rules of the organization concerned." The provisions of the South Korean Trade Union Law, however, infringe on the independence and internal autonomy of unions, a corollary of freedom of association.

For example, under the Trade Union Law, the authorities can supplement, amend or cancel union by-laws. The government authorities can impose ceilings on union dues. They can also investigate the union's internal documents on an arbitrary basis. In February 1990, as part of a campaign to harass Chonnohyop-member unions and to discourage other unions from affiliating, the government launched investigations into 130 Chonnohyop-affiliated unions to determine whether they had misappropriated funds for "ideological purposes." Two union leaders who refused to cooperate with the investigations and four unions were fined while other union officers were brought before the Prosecutor's Office. These incidents relate to the controversial and constitutionally dubious law prohibiting unions from engaging in political activities, as discussed below.

iii. Ban on "Third-Party Intervention"

Article 12-2 of the Trade Union Law and 13-2 of the Labor Disputes Adjustment Law prohibit "interference by a third party" in labor affairs: "Persons other than an employee who has actual employment relations with the employer, or concerned trade union

and employer, or persons other than [those] having legitimate authority under law shall not engage in an act of interference, in a dispute, for the purpose of manipulating, instigating, or any other act to influence the parties concerned."

These provisions were enacted in 1980 during a period of severe labor repression to prevent church-related organizations and other pro-labor groups from educating and organizing workers and have been used repeatedly since then to prevent workers from seeking advice from "outsiders." The ban on "third-party interference" is one of the most controversial provisions in the labor law. Hundreds of trade unionists, most recently those affiliated with Chonnohyop, and labor activists have been prosecuted and jailed under the law. (The FKTU is unaffected by this provision, for since 1987 legally-recognized federations are not regarded as "third-parties.") The law, tailored to obstruct any organized effort to educate workers about their legal rights, is a conspicuous infringement of the rights to freedom of expression and assembly.

In March 1989, the National Assembly amended the Trade Union Law and the Labor Disputes Adjustment Law to permit labor educators and lawyers to advise workers without violating the "third-party" ban. The amendments, however, were vetoed by President Roh. On January 15, 1990, a majority of the South Korean Constitutional Court ruled that the "third-party" ban was not unconstitutional, although the members of the court were divided in interpreting the law, and one of the Justices strongly dissented, noting that the law had been introduced under martial law by a legislative process of doubtful validity. On January 19, 1990, the government announced that Chonnohyop's support for its member unions' endeavors for higher wages would be in violation of the ban on third-party intervention. At the same time, the authorities carried out investigations into the internal affairs of Chonnohyop-member unions, as already discussed. Only a few months before, in late 1989, the internal affairs of thirty-five Chonnohyop-affiliated unions had also been investigated following a Presidential Declaration of "War against Crime."

iv. Prohibition on Political Activities

Article 12 of the Trade Union Law prohibits unions from engaging in political activities, hence limiting the ability of unions to translate their organizational power into political voice. The law states that: "(1) A trade union shall not be allowed to conduct any act, in the election of any public office, in order to support a specific political party or have specific persons elected. (2) A trade union shall not be able to collect political funds from its members. (3) Funds for a trade union shall not be diverted to political funds."

The effect of this restriction is to preclude unions from openly endorsing or contributing to a party or candidate whose position on issues of great importance, such as reform of repressive labor legislation or enactment of social security measures, is favored by the vast majority of union members. This law has been challenged by petition to the Constitutional Court, but no decision has been rendered.

b. Constitutional Restrictions on Organizing by Public Sector Employees

Although the Constitution guarantees freedom of association, the right of public sector employees to organize unions and engage in collective actions is restricted by Article 33(2) of the Constitution, which provides: "Only those public officials who are designated by law shall have the right to association, collective bargaining and collective action." Although international standards, including relevant ILO conventions, have been consistently interpreted as rejecting a public/private distinction as a criterion for denying rights of freedom of association, South Korean laws and practices have institutionalized systematic restrictions on the rights of public sector workers.

i. Korean Teachers and Educational Workers Union (Chunkyojo)

Over the past several years, teachers are among the public employees whose rights to organize into labor unions have been subject to inequitable restrictions. Chunkyojo, the Korean Teachers and Educational Workers Union, was launched on May 28, 1989, despite legal prohibitions against collective action by public sector employees and despite the firing and arrest of 100 of its organizers less than two weeks earlier. Chunkyojo is the first independent Korean teachers' union in almost thirty years. Since its formation, its members have been labelled by the government as communists, some 1,500 have been dismissed from their positions because of their union activities and others have suffered from punitive transfers to less desirable locations. Many of the dismissed teachers filed claims for reinstatement with arbitration committees but only a few have been successful.

Thousands of Chunkyojo members have been detained briefly for attending Chunkyojo-organized rallies while dozens of others, particularly leaders, have been jailed for longer terms. Some of those detained have been mistreated by police. Beginning in mid-1989, applicants for teaching positions have been interviewed on their political beliefs and activities, past and present, and on whether they would join Chunkyojo. An affirmative answer on the latter interrogatory can lead to disqualification.

Public school teachers in Korea are deemed to be public servants, who have never been granted the right to form unions.

Article 66 of the National Civil Service Act bars all civil servants, including public school teachers, from taking collective action, thus prohibiting them from participating in trade union activities. In March 1989, the National Assembly passed revisions to the Trade Union Law which would have lifted the ban on union organizing by public sector employees. The revisions, however, were vetoed by President Roh. In April 1990, the South Korean Supreme Court upheld the ban on organizing by public school teachers.

Private school teachers are also banned from organizing under Articles 55 and 58 of the Private School Law which stipulates that private school teachers are to be treated as public school teachers and that they may be dismissed from office if they "join political movements or labor movements or ... agitates the students to support or oppose any political party." A suit challenging the constitutionality of the ban on unionizing by private school teachers was brought before the Constitutional Court nearly two years ago. Although the Constitutional Court normally should render a decision within six months to one year after the case is heard, no decision has been handed down yet.

Currently all teachers belong ex officio to the government-sponsored Korean Federation of Teachers' Associations (KFTA), which until November 1989 had been called the Korean Federation of Education Associations. The name change has meant nothing: dues are automatically deducted from teachers' salaries; and the leadership is selected from ranks of retired government bureaucrats, with the president approved by the Minister of Education. The KFTA, like its predecessor, has no role as a collective bargaining agent.

ii. Workers in Export Processing Zones

In August 1989, the Minister of Labor determined that all companies operating in South Korea's Export Processing Zones (EPZs) would be treated as "public businesses." This effectively restricts the right of unions to strike at these companies and requires mandatory arbitration in nearly all cases. Under ILO standards, the right to strike may be restricted in "essential services" whose interruption would endanger the life, personal safety, or health of a significant portion of the population. The companies operating in the EPZs are not engaged in production for export that can be considered "essential" or "public interest" by any accepted international standards. The workers in the EPZs, therefore, are being subjected to labor law standards different than their counterparts engaged in the same work in other parts of the country.

The Labor Ministry's August 1989 decision is seen as a reaction to increased unionization and labor disputes and strikes within the EPZs since the summer of 1987. Unionized workers had won significant wage increases in 1988 and 1989 annual spring

contract negotiations. In addition to the restriction on the right to strike, unionists in the EPZs complained of police harassment as well as violence by members of employer-organized kusadae ("Save-the-Company Squads"), whose illegal activities go unprosecuted.

c. Restrictions on the Right to Engage in Collective Action

i. Limitations on Collective Bargaining

Although the Trade Union Law provides that unions and employers shall negotiate collective agreements autonomously of government, there are various ways in which the authorities curtail that right. First, collective bargaining must be conducted at the enterprise level and is not valid beyond the individual enterprise level unless authorized by the Administrative Authority. Such a restriction is intended to fragment the labor movement and prevent emergence of powerful industrial unions. Second, the administrative authorities may also order changes or nullify provisions of a collective agreement when they are deemed to be in violation of laws. Third, since 1989 the government has promulgated "guidelines" on wage increases. In 1989, the government instructed companies not to give wage increases over ten percent; in 1990, seven percent was the officially prescribed limit. A single-digit wage hike restriction is in effect for 1991, although even the government-supported FKTU figures on cost of living increases project the need for a seventeen percent wage increase in order to maintain parity of purchasing power. The government has employed several means to ensure companies' compliance. There have been threats of withdrawing government-allocated credit from companies that grant increases over ten percent. The government strongly supports employer federations' anti-labor public relations initiatives, and government-imposed wage freezes in the public sector (where unions are banned or very weak) are used to demonstrate proper "discipline" of labor.

ii. Right to Strike

In addition to procedural restrictions on the right to strike which will be discussed below, the government limits the scope of "legitimate" collective actions by workers. In January 1990, the Labor Ministry announced a set of guidelines restricting issues over which workers may legitimately strike. First, unionized workers were not permitted to stage a legal strike if they set forth "political demands," such as the release of their imprisoned union leaders, resignation of certain executives, or opposition to appointment of key company officials. In April-May 1990, more than a dozen unionists at the Korean Broadcasting System (KBS) were imprisoned for their leading roles in a strike protesting the appointment and demanding the resignation of the network's president, Soh Ki-won, formerly head of a government-controlled

newspaper. Soh also had served as an official under the Park Chung-hee government and was notorious as a union buster and censor.

Second, unions were prohibited from staging sympathy strikes in support of striking workers at other sites of the same company. Third, a "no work-no pay" policy was imposed by which striking workers would not be paid for time lost after a strike was settled and a collective agreement signed. Fourth, workers could not strike over a company's relocation plans or a decision to close the plant. These guidelines were announced after a high level, inter-ministerial meeting at Chongwadae, the Blue House, with President Roh presiding. The Labor Minister also announced that police would be dispatched, either with or without the request of the companies, at the onset of an "illegal" strike. The March 1991 case of Australian Westpac Bank is illustrative of an instance where the government refused to certify a collective agreement between the labor union and management that included a strike-pay compromise, even though both management and labor had agreed on it.

The "no-work, no-pay" principle has become a significant limitation on the workers' exercise of their right to strike. It is plainly interventionist and pro-employer, allowing companies to invoke government policy as a justification for refusal to bargain. Other countries have similar policies, but in other countries the policy usually applies only to "economic strikes" over terms and conditions of employment. In Korea, the policy applies across the board to all strikes, even strikes caused by employer bad faith or other unfair labor practices. South Korean workers, moreover, are at a relative disadvantage compared to counterparts in other countries. First, the ceiling on union dues is legally fixed at two percent, therefore striking workers do not have funds available to sustain them during extended strikes. Second, in case a new collective agreement has not been reached before the expiry of the former agreement, the former collective agreement remains valid for only three months after the expiration thereof, even if the prior contract contains a mutually agreed "evergreen clause." This interpretation of the Trade Union Law (established by the Labor Ministry, not by the courts) puts workers at a disadvantage, because it encourages employers to refuse to bargain if they want to demand "give-backs" of past concessions, and thereafter employers may act unilaterally during a strike. Third, there is no unemployment insurance system in South Korea. Hence workers who are fired in connection with a strike encounter serious economic hardship.

As discussed above, public sector employees, including Chunkyojo and workers in Export Processing Zones do not have the right to strike. The authorities have the power to impose mandatory mediation or arbitration in situations deemed to be "emergencies." Informal government interventions also occur.

(A) Procedural Regulations: Cooling-off Periods

In the event of a labor dispute, one of the parties concerned must notify the local administrative authority and the Labor Relations Commission. Article 14 of the Labor Disputes Adjustment Law stipulates a "cooling-off period": "No acts of dispute shall be conducted unless 10 days have elapsed in the case of ordinary enterprise and 15 days in the case of public utility after receipt of the report . . . by the Labor Relations Commission."

Although the requirement seems benign and balanced, in reality, the cooling-off period affords employers opportunities to harass and intimidate workers considering a strike. The employers may call in kusadae ("Save-the-Company Squad") or solicit police intervention. These methods, discussed in the next section on Strike-Breaking, are also used in the pre-strike period by employers eager to preempt an imminent strike.

(B) Strike-Breaking

Beyond formal legal restrictions on the right to strike, the government has used or condoned various methods of strike-breaking. In some cases the government will send in, at the company's request, a unit of police in civilian clothes specially trained in martial arts, called baikgoldan ("White Skull Brigade") to intimidate, physically disperse, and on occasion arrest workers who have reported to the authorities their intention to strike over a labor dispute, as required by law. A company can call "112," the hotline number for reporting crimes. Usually regular police are dispatched to the scene of a crime, but in cases involving labor disputes, the baikgoldan are dispatched.

A commonly used strike-breaking tactic since mid-1989 has been to arrest striking workers on charges of violating Article 314 of the Criminal Code which bars "interference with the business of another . . . by the threat of force." The Labor Disputes Adjustment Law stipulates that a strike take place within the concerned place of business. Workers who do nothing more than beat on drums outside the plant have been arrested and charged with "interference with business."

The kusadae, basically company hired thugs, operate with impunity because the government very rarely investigates or prosecutes them. They have been responsible for beatings, death threats, kidnappings and other forms of assault and battery against workers. Only in exceptional, highly publicized cases, such as the egregious January 1989 kusadae attack against Hyundai union leaders, have incidents of kusadae violence been investigated and offenders prosecuted. In the January 1989 Hyundai incident, local police officials were revealed to have aided in carrying out the attack against the unionists.

Companies resorted more and more to using the kusadae after mid-1987 when companies could no longer rely on police intervention as primary means at suppressing workers. Minuhuei, (Women's Association for Democracy and Sisterhood) has documented several cases of beatings inflicted on women workers by their company managers, usually males, or by thugs hired by companies to keep the women compliant and discourage them from carrying out union activities including wage negotiations or demands for safer working conditions. Although such instances of violence are reported to the police and authorities, nothing is done to punish the companies and offenders involved. More recently, the willingness of police to intervene directly has increased again, but the kusadae remain active as well. Apart from intimidation, the more sophisticated kusadae also use money bribes and promises of secret favors to accomplish their goals of breaking unions.

3. Other Laws Used to Restrict Worker Rights

a. National Security Law

The National Security Law (NSL) was enacted in 1949 and was originally intended to destroy communist groups, such as the Peace Preservation Law of 1925 was used by the Japanese colonial government in Korea to punish "thought crime." Amended several times, most recently in May 1991, the law has been used throughout the 1980s to suppress the labor movement. The NSL provision most frequently used against labor activists is Article 7, which prohibits acts that encourage, praise or serve in any way to benefit "anti-state" organizations, including North Korea.

Thousands of workers have been arrested and hundreds imprisoned under the NSL for participating in labor movement activities or for possessing books critical of the South Korean government which are deemed subversive by the government. The government's aim in invoking the NSL against labor unionists and activists is to portray their activities as a betrayal of national security, although by international standards the vast majority of those activities would be considered permissible exercises of rights to freedom of association and speech.

The Appendix contains information on eighty-one unionists and labor activists who are presently imprisoned under the NSL.

b. Law on Assembly and Demonstration

The Law on Assembly and Demonstration was used in the 1970s mainly to control the student movement. Since the 1980s, however, the law has been used more frequently to control the labor movement by abridging workers' constitutionally guaranteed right to freedom of assembly.

Workers are denied permission to hold demonstrations and

rallies which the authorities deem to present a danger of disorder or violence. Gatherings by non-government supported unions have rarely been permitted under this highly subjective standard. Workers, therefore, consider the law to be arbitrarily applied in a discriminatory way. For example, in November 1989 the government denied Chonnohyop permission to hold a rally saying that it feared violence by participants even though the same authorities had permitted the FKTU to hold a rally at the same site only a week earlier.

In many instances, workers have held demonstrations regardless of official permission. Some refer to the 1987 constitutional amendment which provided that prior licensing of assembly is not to be required. When the government is aware that workers are planning a demonstration, hundreds or thousands of riot police are dispatched to blockade the rally site (and nearby alternate sites) to preempt the participants from gathering. Additional riot police are deployed at railway stations, bus terminals and other key strategic locations to turn back those coming from other areas to participate in the rallies. If the demonstration is nevertheless held, rally participants have been sometimes rounded up en masse by riot police, who have at times employed excessive force. Nearly all of those arrested are detained briefly before being sentenced through special summary proceedings under the Minor Offense Punishment Act. Those accused of leading or organizing the demonstrations are often formally arrested and charged under the Law on Assembly and Demonstration. According to statistics compiled by Mingahyup (Families of Political Prisoners), a respected domestic human rights monitoring organization, as of June 25, 1991, at least twenty-five workers and labor activists were formally prosecuted and jailed under this law.

C. Role of Police and Secret Intelligence Agencies

As discussed above, various different police are used to suppress workers. Riot police are dispatched en masse to blockade planned worker rallies and demonstrations. The baikgoldan, specially trained plainclothes police, are dispatched to intimidate, harass, or arrest laborers at workplaces involved in labor disputes. Involvement or acquiescence of local police in kusadae violence is also well-substantiated.

It is no secret that the Agency for National Security Planning (ANSP, formerly known as the KCIA) and the Defense Security Command (DSC), South Korea's civil and military intelligence agencies, engage in extensive domestic surveillance. In October 1990, a DSC agent revealed publicly that the agency had maintained an extensive domestic spying network that kept at least 1,300 opposition politicians, academics, religious figures, journalists, labor leaders and others under regular surveillance. The evidence presented by the defecting agent included files and computer

diskettes containing extensive information on activities of those monitored.

It is also general knowledge that the ANSP and DSC are involved in suppressing union activities. Moreover, the so-called "Conference for Labor Measures," organized pursuant to Prime Ministerial Directive Article 163 (February 1981) and composed of representatives from general administrative bodies, economic administrative bodies, National Police Headquarters (NPH), ANSP and DSC, had been acting as a means for labor controls with the Labor Minister as the central figure. This body was officially dissolved on October 21, 1988, after being denounced as a means of extra-legal labor oppression. But in April 1989, the Joint Investigation Headquarters for Public Security (JIHPS) was formed. JIHPS's composition resembled "Conference for Labor Measures" in that it included the ANSP, DSC, the Prosecutor's Office, NPH, the Labor Ministry, the Ministry of Education, and the (then) Ministry of Culture and Information. Ostensibly formed to investigate unsanctioned trips by dissidents to North Korea, in its existence from April to June 1989, the JIHPS used its coordinated efforts also to crack down on the labor movement, rounding up hundreds of labor activists and unionists. It dispersed striking workers in the Buchon area. Dan Byung-ho, the head of Chonnohyop, was arrested. Labor organizations and unions affiliated with Chonnohyop were investigated and harassed.

D. Imprisonment of Workers

Unionists and labor activists in South Korea are jailed for their trade union or labor movement activities under various security and labor-related laws, which have been described above. According to Mingahyup, as of June 25, 1991, 280 workers and labor activists were jailed in connection with their trade union activities. Among them, at least eighty-one were sentenced for alleged violation of the National Security Law, twenty-five under the Law on Assembly and Demonstration, 100 under the Criminal Code ban on "interference with business," and thirteen under the labor law prohibition against "third-party" interference.

A list of jailed workers and labor activists is appended to this report.

E. Other Means of Government Control of Labor

To counter the influence and impact of independent and democratic trade unions and labor activists, the government has established new labor research organizations and acted to strengthen existing research agencies and unions under its control. In August 1988, the government established the Korea Labor Research Institute (KLRI), which conducts research and educational

activities. Its 1990 budget was 1.8 billion won (US\$2.6 million). In 1991, KLRI's budget increased to 2.13 billion won (US\$3 million). The KLRI consistently insists that control of the workforce is necessary for stable economic growth. It also admonishes workers to curb their demands for increased wages and improved working conditions.

In addition, the government continues to bolster FKTU's position in order to raise the acceptability of the yellow unions. For example, many FKTU-affiliated union leaders have been sent on government-sponsored, expenses-paid tours to foreign countries, including Poland and China.

1. Role of Mass Media

Notwithstanding some liberalization of the print media since 1987, the labor movement has suffered from a lack of objective, balanced reporting, particularly in the broadcast media. During the workers' participation in the 1987 democratization movement, the mass media stereotypically caricatured the labor movement as ultraradical and violent without mention of the reality faced by workers and the true motivations for their movement. The mass media sometimes misreports that strikers have beat or insulted employers, and remains silent on violence against workers.

In November 1990, the government publicized a crackdown described as "Stern Legal Measures against Workers' Radical Disputes," which included encouraging managers to call the "112" hotline -- used to report crimes -- to have police dispatched to strike sites. In trying to portray the workers as criminals, the government is aided by much of the mass media, which continuously attacks workers' strikes as radical and suggests that both sides in the labor disputes are in the wrong. The mass media presents to the middle class an image of the labor movement as a criminal conspiracy, in the process engendering feelings of betrayal and anger among the workers.

During the period of annual spring wage negotiations the government and businessmen publicly stress South Korea's weakening ability to compete internationally and paint doomsday scenarios of domestic economic crisis. The mass media faithfully reproduces the government and companies' statements without considering their validity. For example, in spring 1990, the media emphasized government claims that South Korea was in an economic crisis. On May 7, however, President Roh announced in a nationally televised address that "It is wrong to think we have an economic crisis on hand ... The real problem is that a pervasive sense of anxiety is making the situation more troublesome than it actually is." The government apparently was concerned by a steep fall in the stock market aggravated by government-induced worries about an economic crisis. The mass media, however, played a leading role in fostering this anxiety and generating hostility towards workers,

whose wage demands were portrayed as unreasonably excessive and as the main cause of an economic crisis which turned out to be largely fictional.

As mentioned above, women workers have borne the brunt of unemployment and job insecurity problems caused by restructuring. Even in normal times, women workers face all the forms of gender-based discrimination. Laws recently enacted ostensibly to reduce discrimination suffered by women workers are inadequate and ineffective. As a result, women workers are being pushed out of the labor force at a faster rate than men.

According to the Labor Ministry, for every 100 men employed in a male worker's job, only 75 women were employed in a female worker's job. In 1985, men earned 207,420 won/month (US\$284) and women workers earned 157,420 won/month (US\$214). The difference was 50,000 won/month (US\$68). In 1990, the difference was 51,000 won/month (US\$69). The difference between male and female workers' wages is widening.

Table 14. Wage Differences between Male and Female Workers

Industry	Male (1990)	Female (1990)	Male (1985)	Female (1985)
ALL INDUSTRIES	207,420	157,420	207,420	157,420
MANUFACTURING	214,200	154,670	214,200	154,670
SHOP-FLOOR WORKER IN MANUFACTURING	255,910	198,670	255,910	198,670

SOURCE: Ministry of Labor, "Monthly Report of Labor Statistics," February 1990.

Discussed below are factors of sex-based discrimination which have resulted in women earning less than their male counterparts. The present discriminatory system should be eradicated by providing training for women to facilitate their promotion to higher-paying positions currently dominated by men. In addition, the education-based wage system should be abolished where the educational background of the worker does not affect her job performance and sex-based allowances and bonuses favoring male workers should be eliminated.

V. STATUS OF WOMEN WORKERS

As mentioned above, women workers have borne the brunt of unemployment and job insecurity problems caused by industrial restructuring. Even in normal times, women workers face multiple forms of gender-based discrimination. Laws recently enacted ostensibly to reduce discrimination suffered by women workers are inadequate and ineffective.

A. Wage Discrimination

According to the Labor Ministry, for every 100 won earned by a male worker, a female worker earned 47.8 won in 1985 and 53.7 won as of the beginning of 1990. While the government points to these figures as proof that the income gap between male and female workers has narrowed, in terms of real income the gap has widened. In 1985, men earned 207,420 won/month (US\$284) more than women workers. As of beginning of 1990, the difference was 251,660 won/month (US\$345).

Table 14. Wage Differences between Male and Female Workers

	Unit: Won		
	MALE	FEMALE	DIFFERENCE
ALL INDUSTRIES	543,583	291,923	53.7%
MANUFACTURING	514,209	264,677	51.4%
SHOP-FLOOR WORKER IN MANUFACTURING	459,358	255,921	55.6%

SOURCE: Ministry of Labor, "Monthly Report of Labor Statistics." February 1990.

Discussed below are factors of sex-based discrimination which have resulted in women earning less than their male counterparts. The present discriminatory system should be eradicated by providing training for women to facilitate their overdue promotion to higher-paying positions currently dominated by men. In addition, the education-based wage system should be abolished where the educational background of the worker does not affect her job performance and sex-based allowances and bonuses favoring male workers should be eliminated.

1. Concentration in Low-wage Sectors

A high percentage of women workers is concentrated in low-wage sectors like sales, service and production, while only a small number are in high-wage sectors such as technicians and administrative managers.

Most women work in medium and small-sized companies which pay lower wages than are earned by their male counterparts who tend to be employed by larger companies. As of August 1989, 1,079,867 or about a quarter of all women workers were employed in companies with over ten workers. Among them, 819,000, or 75.9 percent, were employed in the manufacturing sector.

In the manufacturing industries, women are placed in low-skilled positions, such as simple assembly line jobs within the production section. Promotions of women to the rank of foreman are sharply limited in practice.

Table 15. Job Distribution of Women Workers and Wage Differences by Job Categories

JOB	MALE	FEMALE	RATES OF FEMALE EMPLOYMENT	WAGE DIFFER- ENCE*
TECHNICAL	313,367	92,595	22.8%	70.3
ADMINISTRATIVE MANAGER	164,058	2,150	1.3%	100
CLERICAL	663,313	352,438	34.7%	48.3
SALES	30,830	32,654	51.4%	40.0
SERVICE	133,893	82,268	37.9%	33.6
PRODUCTION	1,665,301	1,109,103	40.0%	35.5

* Wage index for various jobs where an administrative manager earns 100.

SOURCE: Economic Planning Board, Table of Economic Activities by Sectors, 1988.

2. Educational Background

The earning potential of a worker is largely determined by his or her educational background, regardless of the nature of the

work performed. A person with only a high school background earns less than half of what college graduates earn, even if the value-added by the former is greater than the latter. For every 100 won earned by workers with a university degree, a worker with a junior college background is paid 59.7 won. This education-based wage policy particularly affects women workers who have comparatively low educational backgrounds but perform job tasks comparable to men's. 49.3 percent of all women workers have a junior high school education or less, 45.8 percent have attended high school and only 4.8 percent have a junior college education. Therefore, most women are placed in low-wage sectors.

B. Gender-Equal Employment Law

The Constitution guarantees equal treatment of both sexes under the law. The proclaimed purposes of the Gender-Equal Employment Law, enacted in 1987 and amended in 1989, are: (1) to ensure equal opportunities and treatment for employees regardless of their gender, in accordance with the ideal of equality in the Constitution; (2) to protect the maternal role of women; (3) to develop the capabilities of female employees; and thus (4) to enhance the status of females and to promote their social welfare.

Under this law, if an employer receives a complaint of discrimination from a female employee, it should be referred to a Complaint Settlement Committee consisting of an equal number of employer and employee representatives, all from the workplace where the grievance arose. If the complaint is not settled, the parties involved may request assistance from the head of the local labor office. This administrative agency may provide recommendations itself or refer the matter to the Employment Problems Mediation Committee.

Despite this machinery for redress, discrimination in the workplace remains persistently widespread due to weak penalties for violators and weak enforcement. Moreover, the Gender-Equal Employment Law provides no method for women to bring legal actions in the courts for injunctive relief or back-pay in case of wrongful discharge or discriminatory non-promotion. Consequently, many women view the law as little more than a symbolic measure which affords no effective legal remedies.

1. Discrimination in Recruitment and Employment

Segmentation in the job market reflects longstanding biases against women in hiring and placement, despite Article 6 of the Gender-Equal Employment Law which requires employers to provide equal opportunity to females and males with regard to recruitment and employment. Employers recruit female and male applicants for different positions within the same company. Women are given less responsible and lower-paid positions than men. Even if they are

recruited competitively for the same job category, fewer positions are actually allotted to women. Additional requirements irrelevant to performance are imposed on women applicants, such as a pleasant appearance and non-married single status. Even with a similar or higher level of education, women are more likely to start at lower salaries with smaller allowances than men. Often women are hired for part-time or temporary positions, while more secure jobs are given to men.

a. Male-Only Recruitment Advertisements

In the first prosecution under Article 6 of the Gender-Equal Employment Law, eight companies, including Dong-A Pharmaceutical Co. and two insurance companies, were found guilty of sexual discrimination and received a small fine of 1,000,000 won (about US\$1,400) each in a January 1990 decision. The eight companies had run advertisements in newspapers in the fall of 1989 in which they offered positions only for male employees.

Women students at the Seoul National University brought a complaint against these companies. Any violator of Article 6 could be fined up to 2.5 million won. According to the Prosecutor's Office which investigated the complaint, personnel managers at all eight companies admitted that they had limited the job openings to males. The managers said they did not intend to discriminate against females but they believed males would be better suited for the advertised positions. For example, Daehan Life Insurance Co. said that it had been recruiting college graduates for positions as "field officials," responsible for supervising 20-40 saleswomen, mostly housewives. Rather than arguing that women college graduates lack the necessary skills or other clearly established qualifications, the company only said that it felt female college graduates would not be appropriate for the job.

The government itself also discriminates against women in its recruitment for civil service positions. Ten out of fifteen provinces and autonomous regions announced a civil service exam in December 1990 for which the passing rate was subject to a gender quota at 8:2 male-female ratio. In response to a public outcry, several provinces abandoned the discriminatory quota policy. Over half of the provinces administered the exam in the beginning of April with the discriminatory policy intact; the biased policy is currently being challenged in court on constitutional grounds.

2. Unequal Wages for Equal Work

Article 5-2 of the Gender-Equal Employment Law provides that an employer "shall adhere to the principle of equal pay for value-equal work in the same enterprise." Any employer who violates this provision is subject to imprisonment not exceeding two years or a fine not exceeding five million won. Despite these ostensibly tough legal penalties, wage discrimination is pervasive among male