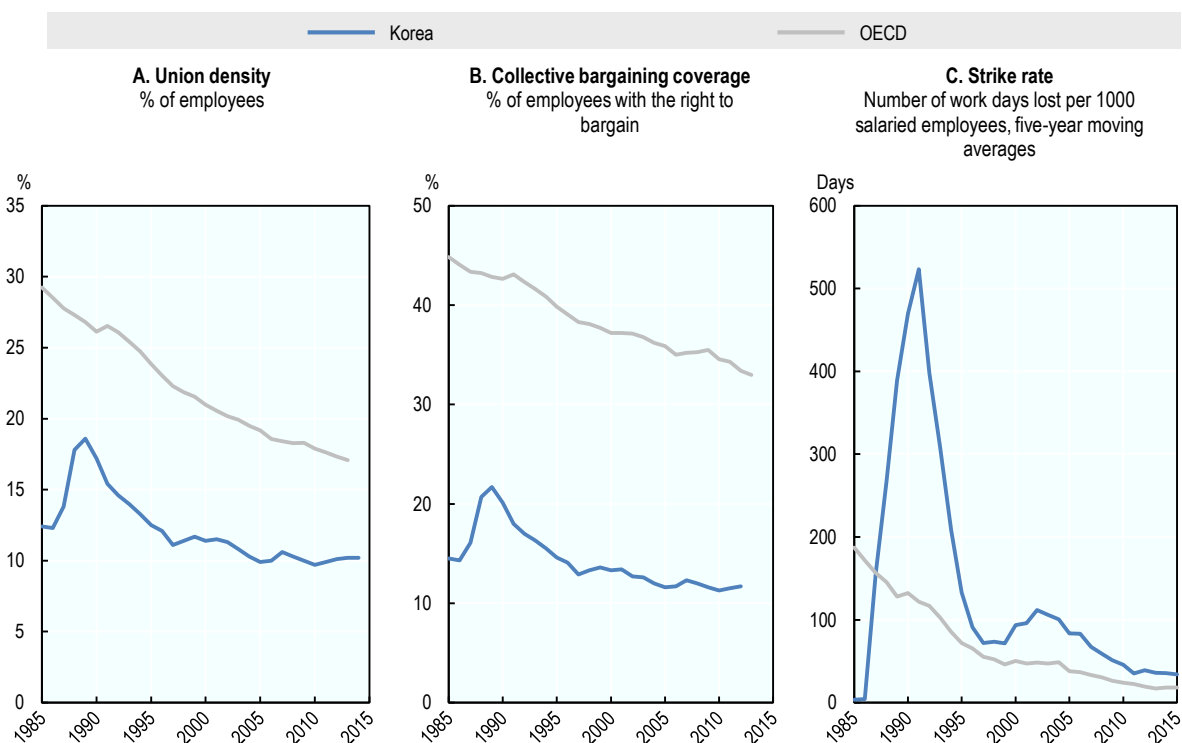


## Korea

### KEY FEATURES OF THE COLLECTIVE BARGAINING SYSTEM IN 2015

Predominant level	Company
Degree of centralisation/decentralisation	Decentralised
Co-ordination	No
Trade union density in the private sector	5-10%
Employer's organisation density	10-20%
Collective bargaining coverage rate	10-20%
Quality of labour relations	Low

### TRENDS IN INDUSTRIAL RELATIONS IN KOREA, 1985-2015



## BUILDING BLOCKS OF COLLECTIVE BARGAINING

The detailed description of the building blocks of collective bargaining mainly relies on information provided by the responses to the policy questionnaires that were sent to Labour Ministries, employer organisations and trade unions in 2016. The information reported in the questionnaires represents the situation in **December 2015**.

### Use of *erga omnes* clauses

Legal application of a sector level agreement in the absence of administrative extensions Double affiliation principle (but if >50% covered, then all covered).

Legal application of a firm-level agreement Only union members

### Use and coverage of extensions

Use of extensions of sectoral collective agreements Not relevant

Procedure Not relevant

Representativeness criteria Not relevant

Public interest criteria Not relevant

Exemptions or possibility of appeal Not relevant

### Duration of collective agreements

Average duration 24 (12) months

Maximum duration of collective agreements Set by law (at firm and sectoral levels).

Can contracting parties terminate an agreement before its expiry date? No, agreements remain valid until the end.

### Ultra-activity of collective agreements

Is maximum duration of after-life/ultra-activity of agreements fixed by law? Yes, but social partners can deviate.

### Retroactivity of agreements

Do firms have to pay arrears in case of late renewal? Yes

Does retroactivity apply only to members of signatory parties or does it cover all parties? Only to signatory parties.

### Use of the favourability principle

Application of the favourability principle is entirely a matter for the bargainers.

### Use and scope of derogations and opt-out

Derogations from the law Not relevant

Derogations from collective agreements

Scope Not relevant

Topics Not relevant

Rationale Not relevant

Criteria Not relevant

Other Not relevant

### Forms of co-ordination

Mode of co-ordination Not relevant

Degree of co-ordination Not relevant

### Enforcement of collective agreements

Sector-level agreements Firm-level agreements

Do agreements typically include a peace clause? Not relevant Not relevant

Do agreements typically include a mediation/arbitration procedure? Not relevant Not relevant

Is it compulsory? Not relevant Not relevant

### Worker representation at the workplace

Work council and union or union representatives but union predominant. Non-union worker representatives can be present.

### Board-level employee representation

Public sector Not relevant

Private sector Not relevant

Scope Not relevant

Proportion/number of workers' representatives Not relevant

Nomination of candidates Not relevant

Appointment mechanism Not relevant

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT  
PARIS, SEPTEMBER 2017