

South Korea

Fixed Term Contracts

Fixed-term contracts are permitted in South Korea, but may not exceed two years. Beyond that limit, they will be deemed indefinite. If the Worker has a reasonable expectation that the fixed-term contract will be renewed, failure to renew requires reasonable justification.

Probationary Periods

There is no statutory requirement for probationary periods in South Korea. Most companies implement a three-month probationary period. During that time, 30 days' notice is required to terminate the employment relationship. Refusal to extend the employment beyond the probationary period requires objectively reasonable cause.

Holidays

In South Korea, Workers recognize 13 public holidays, which span 15 days. If a public holiday falls on the weekend, it is recognized on the next working day ("substitute holiday"). Workers are entitled to a paid day off for each holiday.

Vacation

After one year of service with adequate attendance, Workers are entitled to at least 15 days of paid vacation. Workers with less than one full year of service but perfect attendance are entitled to 1 day of paid vacation per month of employment up to 11 days in the first year. Workers with three years or more of service are entitled to an additional day of paid leave for every two years after the first year, not to exceed 25 days. Unused leave does not carry over year to year. However, employers must pay out unused, expired leave unless they have taken adequate measures to encourage the use of leave.

Sick Leave

South Korea does not mandate paid sick leave for non-work-related illnesses and injuries.

Working Hours

A regular workweek is eight hours per day and 40 hours per week.

Overtime

Overtime is considered any hours worked more than the regular workweek. Workers may not work more than 12 hours of overtime per week. Overtime, night work, and holiday work are paid at 150% of wages or, with the Worker's permission, with time off in lieu.

Termination

Unless a Worker has worked for less than three consecutive months or committed a wrongful act or omission, Employers must provide 30 days' advance notice of termination or pay in lieu of notice. The notice must include just cause for the termination and the effective date of the termination.