

Labor Situation of Korea

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Chapter 1.

Brief History of the Korean Labor Movement

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1. Period under the Colonial Rule of the Japanese imperialism

The labor movement in Korea is traced back to the latter half of the nineteenth century, when the, capital accumulation was at its early stage. Therefore the labor movement in the real sense had not begun until 1910, when Korea was under the imperialist Japanese ruling.

Lead by the 'Sungjin Bonjung Dockers Union' in 1898, trade unions began to be organized throughout the country and, since the 1900s, many industrial unrests occurred in every corner of the country. The labor struggles assumed a strong streak of nationalistic resistance against foreign capital.

The 1920s saw an upsurge of labor movement in quality. Followed by the extensive inflow of the Japanese monopolistic capital into Korea in the 1920s and the gradual expansion of the modern industry, the number of workers increased . The working class during that time grew to be an independent class fighting against the deplorable working conditions, with below subsistence wage level and against national discrimination.

As for the trade union organization, national organization began forming starting with the 'Korean Laborers Mutual Aid Association' in 1920. Since then, organizational capacity grew rapidly through formation of 'Korean Labor Federation' in 1922, 'General Federation of Laborers and Farmers' in 1924, and separation process of 'General Federation of Labor' in 1927. The trade unions were of various forms, in-house, craft and regional based. The struggle pattern and nature of working class were also changing from spontaneous and scattered one to planned and systematic one, and increasingly more political from economic.

Similarly, the movement's ideology and strategy were gradually shifting from a reform oriented toward a more revolutionary unionism. In the years following the 1930s, the movement's direction as well as organization and struggle changed greatly affected by the severe repression of the Japanese imperialism . While the crucial task around 1930 was rebuilding the organizations destroyed and made powerless due to the Japanese repression, the movement in the mid 1930s had no choice but to become illegal and underground since open existence of trade union was no longer possible.

In this context, the working class struggles became militant and violent and, fights against the Japanese power had to become political. The struggles in the period, however, was not supported by organizational leadership, having not put down solid roots among the general public. Although the movement's direction became more revolutionary or radical it was not popular among the people in general. Nevertheless, we can not deny the fact that the labor movement deployed under the severe Japanese imperialistic suppression laid a valuable historical foundation for the development of trade union movement after the liberation from the Japanese rule.

2. Period of American Military Administration

After the end of World War II and Japan's withdrawal from Korea, the southern part of Korean peninsula was put under the American military administration. Sharp confrontation emerged within the trade union movement between sectors, one strongly linked with the leftist political power and the other the rightist. In November 1945, the "Korea National Council of Trade Unions(Chunpyong)", succeeding the revolutionary underground labor movement that existed during the Japanese colonial period, was formed and controlled the trade union movement under the American military administration. Supporting revolutionary socialist, as for the form of ideology, the KNCTU stressed combining the political struggle with economic struggle and, as for the form of organization, it assumed strong national control over industrial union system. In its platform, the KNCTU proclaimed control by the 'workers' factory committee over the enterprises formerly owned by Japanese, national traitors and pro-Japanese' Koreans .

The KNCTU chose the form of general strike as its struggle tactics. Actually it did go on number of nation wide general strikes such as the September Strike in 1946, March Strike in 1947, February 7 Strike and May 8 Strike in 1948. The KNCTU, however, faced with fatal shrinkage with the establishment of the government of the Republic of Korea, and failing to effectively cope with the offensives of the American military administration and the rightist political power.

In the meantime, the 'Korean Labor Federation for Independence Promotion(Daehan Nochong)' representing rightist trade unions was formed in March 1946. The KLFIP declared anti-socialism cooperation between labor and management and adopted shop level unionism. It appeared to strongly counter against the KNCTU through anti-communist activities with the support of the rightist political power, capitalists and American military administration.

3. Period Under the Liberal Party after the Government Establishment

The trade union movement under the Liberal Party government after the establishment of the government of the Republic of Korea in 1948 was dominated by the KLFIP. While adhering to unionism, the KLFIP was a falsehood, never concretizing even the basic duties of trade union. It continued to retain the shop level unionism. The KLFIP moved fast towards becoming an instrument of the government neglecting struggles to satisfy the demand of the working class and to improve their status. Factional strife continued to exist

within the trade union movement.

The Korean War broken out in June 1950 became a serious obstacle to the development of the trade union movement. Even under the circumstances, the grass-roots struggles sprung up. The Chosun Textile strike in 1951, wage struggle by mineworkers in 1952, Pusan Dockworkers' strike boycotting transportation of military supplies in 1952, to name some. Influenced by these struggles, the labor related laws including the Trade Union Act we legislated in 1953 for the first time in Korea. Although the legislation of the labor related laws could serve as a momentum to the growth of the trade union movement, the internal reform of trade union movement did not materialize. Even under the situation, call for democratic reform of trade union movement and the workers fights at working places continued.

4. Period of April Revolution in 1960

After the ruling Liberal Party's dictatorship collapsed in April 1960 by the April Revolution led by students, the trade union movement was given another momentum for development. The move to oust government patronized union officers and to democratize trade unions went on actively. At the same time, organizing activities expanded. Especially, organization of teachers union, financial workers union, journalists union and establishment of the Relief Committee for the Unemployed inspired trade union movement. During this period, the KLFIP was formed into the Federation of Korean Trade Unions.

The workers struggles increased rapidly. The number of labor disputes increased from 95 cases in 1959 to 227 cases in 1960. The reformation of trade union movement and the pursuit of a new way for a brighter future were ruthlessly crushed down by the military coup that took place in May 1961.

5. Period between the 1960s and the 1970s

The period between 1960s and 70s was the time when the trade union movement entered into a new era. As the state driven economic development plan started, the country began to be industrialized in full scale, thereby, rapidly increasing the number of wage earners and naturally the number of their struggles.

The unions during this period went under the process of dissolution, reorganization and expansion. In May 1961, the military main force of the coup disbanded all political parties and social groups and then allowed the trade union activities to resume later in August. The Reorganization Committee composed of 9 members who were nominated by military force rebuilt the union organization from the top, and as a result the Federation of Korean Trade Unions(FKTU) was formed followed by the formation of industrial unions. The

re-established unions under the industrial union system grew steadily. The number of organised workers increased from 100,000 in October 1961 to 470,000 in 1970, and then to 1 million in 1979. The FKTU blocked from engaging in the political activities and therefore engaging only in the economic activities, fell down completely at the repression by the military dictatorship in the 1970s. A move opposing the trade union structure led by the FKTU rose beginning the latter half of the 1970s, which was called 'Democratic Trade Union Movement'.

The struggles by working class grew more intensive and versatile. The form and nature of struggle can be generally characterized as; 1) lawful economic struggle led by trade unions, 2) spontaneous wild cat strike waged by rank and file members and basic workers, 3) active fights led by the Democratic Trade Unions in the 1970s. Although the official trade unions' lawful struggles took the form of labor disputes before the 'Special Measure Law on National Security' was promulgated in 1971, even such kind of struggles were weakened after the Act. The wild cat strikes by grassroots workers were the ones that continued and often in violent nature. The struggles led by the democratic trade unions in the 1970s were of organised and pertinacious pattern. Although they could not carry it further to the nature of political struggles, they often showed extreme confrontation with state power.

On the other hand, the legal restrictions and direct control over trade union movement were increasingly intensified in this period. The Trade Union Act and the Labor Disputes Adjustment Act were revised several times after 1962. Also the 'Extra-ordinary Law on Trade Unions and Labor Disputes Adjustment for Foreign Invested Companies' was promulgated in 1970 and the 'Special Law on National Security' which restricted the right to collective bargaining and collective action to an extreme was enacted in 1971. In October 1972, the 'Yushin' administration was established and the control over labor movement was ever more strengthened.

The resistance of workers and people against such repressive system functioned as the key factor to the collapse of the Yushin government. Since the collapse of Yushin government on the 26th of October 1979, embittered working class struggle were waged; the fights to improve working conditions and wages, struggles for liquidation of wages in arrears, struggles opposing factory closure, struggle for union organization and democratization, struggle for labor law reform, etc.

6. The period between 17 May 1980 and July to September 1987

The new military force which led a coup in May 1980 launched unleashing draconian repression over trade union movement. The military administration expelled high ranking union leaders such as the president of the FKTU from trade unions, dissolved 106 local unions and forced 191 union officers to resign from their office under the premise

'suspension of rights'. Similarly, the new military government forced the leadership of 'Democratic Trade Unions' to resign, dismissed them from their work places and arrested them, and at last violently destroyed the democratic trade unions. And, in late 1980, the Labor related Laws were revised drastically by the 'National Security Legislation Conference', not by the National Assembly. The revised labor laws drastically restricted the basic rights of workers. In particular, form of trade union was compelled to change to company level union system .

In addition, the suppression on trade union movement was intensified affecting directly or indirectly trade union formation and activities, repression of independent trade union activities, coercion of labor-management cooperation, violent counter to workers resistance, etc, and those repressive strategy dragged the trade union movement down ever more deeply into a quagmire of silence.

The slump that existed since May 1980 turned into an upsurge phase in 1984. The trade union movement in this period was promoted by the struggle for wage increase and improvement of working conditions, struggle for union establishment and democratization of yellow dog unions, struggle for institutional reform, joint struggle to secure workers rights, formation of independent labor organizations, intellectuals joining the labor movement, etc.

For the labor movement, the first half of the 1980s can be said to be a period of preparation and pains for the fundamental change and upsurge in the latter half of 1980s on the base of the potential capacity of labor movement accumulated during the 1970s.

7. Present status of Trade Union Movement since the Great Struggles between July and September 1987

Having gone through the workers great struggle from July to September 1987, Korean trade union movement came into a decisive turning point towards growth of Korean trade union movement. Striking advance was made in the area of organization, struggle, movement direction and political capacity.

First of all, in the area of organization, the un-organised enterprises and sectors were rapidly organized, and it became a new trend of trade union movement. The number of company level unions increased by three times from 2,742 in June 1987 to 7,147 in 1993, and the membership nearly doubled to 1.67 million from 1.05 million. Unionization of the formerly non-unionized sectors such as press, hospital, construction, research institute, school, business association, service and sales, etc., were actively promoted.

Meanwhile, the newly established company level unions, branding the FKTU as a non-democratic and dependent organization, refused to join the FKTU and formed their own regional councils . In January 1990, 'Korea Trade Union Congress'(KTUC, Chonnohyup) was created mainly from the regional councils. The KTUC defined itself as the national

solidarity center of democratic trade unions that were founded by succeeding the spirit of democratic trade union movement in 1970s and the workers great struggle in 1987. The trade unions of press workers, hospital workers, professional and technicians, clerical and financial workers, educational workers and college employees set up their own independent federations. Also trade unions of printing workers, foreign company workers, building maintenance workers, and university lecturers formed respective industrial councils. These white-collar workers' federations and councils formed themselves into the 'Korea Congress of Independent Industrial Trade Union Federations'(KCIIF, Upjonghoewi). The KTUC and KCIIF, being the backbone of democratic trade unions, came to create a new trend of trade union movement. In late 1990, the "Solidarity Council of Large Enterprise Trade Unions" was set up unsuccessfully due to mass repression of the government. Notwithstanding the cruel violence by the state and the capital, however, national organization of democratic trade union camp grew into the 'Korean Council of Trade Union Representatives'(KCTU, Chonnoda) in 1993 via the 'Joint Committee for ILO Issues and Labor Law Reform' in 1992 and finally settled down as the 'Korean Council of Trade Unions'(also KCTU, Minnochong), which was launched on the 13th of November 1994. The KCTU, Minnochong, advocates the principle of independence and democracy of trade union movement, and makes its position clear to, abolish company union system and building a national trade union center based on the system of one union at one industry.

Meanwhile, in this situation, the FKTU appears to favor its reform. But it is not making any effort either to establish independent and democratic union movement or to actively fight to satisfy the realistic demand of working mass. As a result, the FKTU fails to get the peak body's credibility and representation from its affiliated unions and is facing a critical challenge as many affiliates have withdrawn one after another since late 1993.

Secondly, in the area of struggle, there were great expansion of struggle capacity. The number of strikes in the latter of 1980s were; 278 in 1986, 3,749 in 1987, 1,878 in 1988, 1,616 in 1989, 322 in 1990, 234 in 1991, 235 in 1992, 144 in 1993. Struggle pattern became much more organized and planned than in the past years and joint struggle at industrial, regional and business group level was waged diversely. Moreover, mass struggle at key industries was also increased. Nation wide unified struggle like May Day struggle was also organized and that in 1994 the May Day celebrations was finally revived in place of the Labor Day(March 10).

As for the aspect of trade union movement line, the move to get over the labor-management cooperative revisionism of the FKTU grew more and more and instead direction for social reform is being pursued. And trade union movement after 1987 has widened its practice to solidarity with people's movement at the other social sectors and endeavored to do its tasks as a leading force within national democratic movement.

With the rise of movement since 1987, Korean trade union movement is facing the following tasks.

In the area of organization, it has become a major task to concretize the plan for transforming the current company unionism to industry wide union structure and at the same time to systematize and unify the union organizations at national level, alongside with expansion and strengthening of organization. In the area of struggle, the major tasks are to

systematize joint struggle at industry and region on the basis of struggle capacity at shopfloor level, to fix the tasks of nation wide unified struggle, to lay a foundation of nation wide struggle, to properly combine economic struggle with political struggle, and to counter effectively ideological attack by the state and the capital.

In adopting trade union ideology and line, it is important to establish the position of social reform and to lay basis for solution to the immediate demands and ultimate goal of working class. Politically, the most crucial immediate task is to strengthen political capacity to lead all the peoples movements and national democratic movement.

Chapter 2.

Labor Market

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1. Overview of Labor Market

Korean economy has undergone recession in 1992 and 1993, but it began to restore from the second half of 1993. With the economic restoration in 1994, the economically active population and its participation rate are gradually increasing, while unemployment rate decreasing.

<Table 1> Change of Economically Activity Population, Employed and Unemployed
(thousand persons, %)

	1991	1992	1993	1993			1994	
				2/4	3/4	4/4	1/4	2/4
Economically Activity Population	19,048	19,426 (2.0)	19,803 (1.9)	20,094 (1.4)	20,204 (2.2)	20,058 (3.0)	19,665 (4.3)	20,573 (2.4)
Men		11,627	11,890	11,964	12,055	12,014	11,925	12,252
Women		7,799	7,913	8,130	8,149	8,044	7,741	8,322
Participation Rate	60.6	60.9	61.1	62.2	62.2	61.5	60.1	62.6
Employed	18,612	18,961	19,253	19,529	19,685	19,538	19,066	20,082
Unemployed	436	465	550	564	518	520	571	491
Unemployment rate	2.3	2.4	2.8	2.8	2.6	2.6	3.0	2.4
Economic Growth	9.1	5.0	5.6	4.8	6.8	6.4	8.8	8.1

() is Difference rate over the same period of previous year.

source : Office of the Statistics, Korean Statistics Monthly

2. Employment Trend

Employment composition as at the end of 1993 shows service industry oriented; 14.8% engaged in agriculture, forestry and fishing industry, 24.1% in mining and manufacturing industry, 61.0% in social overhead capital and service industry. The significance of agriculture, forestry, fishing, mining and manufacturing industry is dwindling, while service industry's growing.

<Table 2> Tendency of Employed by the Industry (thousand persons, %)

	1991	1992	1993	1993			1994	
				2/4	3/4	4/4	1/4	2/4
Whole Industry	18,612 (6.2)	18,961 (1.9)	19,253 (1.5)	19,529 (0.7)	19,685 (1.9)	19,538 (2.7)	19,066 (4.4)	20,082 (2.8)
Agriculture, Forestry, Fishing	3,064 (-5.7)	2,991 (-2.4)	2,828 (-5.4)	3,121 (-6.9)	3,092 (-6.7)	2,786 (-5.9)	2,265 (-2.1)	2,932 (-6.1)
Mining, Manufacturing	5,061 (1.6)	4,891 (-3.4)	4,704 (-3.8)	4,724 (-4.4)	4,691 (-2.7)	4,708 (-1.9)	4,694 (0.0)	4,755 (0.7)
(Manufacturing)	4,936 (1.8)	4,828 (-3.3)	4,652 (-3.6)	4,672 (-4.3)	4,640 (-2.6)	4,663 (-1.6)	4,653 (0.5)	4,714 (0.9)
Social Overhead Capital, Service	10,487 (6.6)	11,079 (5.6)	11,721 (5.8)	11,684 (5.3)	11,903 (6.4)	12,045 (6.8)	12,107 (7.6)	12,395 (6.1)

() is Difference rate over the same period of previous year.

source : Office of the Statistics, Korean Statistics Monthly

<Table 3> Employees Composition by Employment Status
(Non-agriculture) (thousands persons, %)

	1992	1993	1993			1994	
			2/4	3/4	4/4	1/4	2/4
Wage Earners	11,014 (1.9)	11,289 (2.5)	11,308 (1.7)	11,459 (3.4)	11,540 (4.4)	11,524 (6.2)	11,908 (5.3)
Full Time Employment	9,413 (2.9)	9,688 (2.9)	9,666 (2.3)	9,782 (3.6)	9,865 (4.4)	9,995 (5.9)	10,201 (5.5)
Daily Employment	1,601 (-3.6)	1,601 (0.0)	1,642 (-1.8)	1,677 (2.4)	1,675 (4.4)	1,529 (8.4)	1,707 (4.0)
Non-wage Employees	4,679 (4.6)	4,948 (5.7)	4,940 (5.3)	5,024 (6.4)	5,033 (5.1)	4,978 (3.9)	5,092 (3.1)

() is Difference rate as for the same period of previous year.

source : Ministry of Labour, Monthly Survey Report on Labour Statistics

From the employment trend, we can see that the employment size is generally growing in conjunction with economic recovery. However, the trend broken down respectively according to employment category, gender and enterprise size shows the following features:

<Table 4> Employment Tendency by Craft
(thousand persons, %)

	1993				1994 1/4	Increase or Decrease Rate
	1/4	2/4	3/4	4/4		
Whole	18,259	19,529	19,685	19,538	19,066	4.4
Public servant, Technician	1,535	1,423	1,349	1,330	1,340	-12.7
Engineer, Semi-technician	1,362	1,414	1,572	1,613	1,646	20.9
Office staff	2,402	2,494	2,394	2,367	2,426	1.0
Service, Sales	3,830	3,996	4,099	4,194	4,229	10.4
Agriculture, Forestry, Fishing	2,007	2,691	2,873	2,614	2,138	6.5
Skilled job	2,899	2,833	2,743	2,731	2,632	-9.2
Machine operator	2,311	2,420	2,519	2,556	2,559	10.7
Simple manual work	1,913	2,260	2,139	2,134	2,096	9.6

The Difference rate is compared to the same period of previous year.

source : Office of the Statistics, Korean Statistics Monthly

First, as Table 4 indicates, the engineer, semi-technician and machine operator spearheads employment growth, whereas the skilled workers decrease to a great extent. It means that industry restructuring, away from labor intensive industry towards high technology industry, is progressing rapidly. Also the rapid growth of machine operator indicates that automation is taking place rapidly.

Second, suspension or cessation of business, trade changes into other industries and factory relocation in such industries subject to restructuring as textile and garment, electronics parts, and footwear continue to lead to decrease of full-time female workers. The continued decline of employment at manufacturing sector is due to the rapid decrease of female workers.(Table 5)

Third, retrenchment has continued throughout the whole industry, especially at large scale companies, except for agriculture. It reflects the economic recession on the one hand but at the same time indicates the automation and rationalization led by large companies.(Table 6)

<Table 5> Trend of Full-time Employment by Job Category and Sex
(Manufacturing Industry) (thousand persons, %)

	1992	1993	1993			1994	
			2/4	3/4	4/4	1/4	2/4
Manual worker	1,731 (-7.4)	1,520 (-12.2)	1,509 (-14.6)	1,506 (-11.9)	1,502 (-7.9)	1,507 (-3.5)	1,491 (-1.2)
Male	1,032 (-3.6)	937 (-9.2)	927 (-11.7)	935 (-8.4)	935 (-5.1)	940 (-0.9)	936 (1.0)
Female	699 (-12.4)	583 (-16.6)	582 (-18.7)	571 (-17.1)	557 (-12.2)	567 (-7.6)	555 (-4.7)
Clerical and Technical Workers	950 (4.4)	1,043 (9.7)	1,047 (12.9)	1,045 (8.5)	1,049 (6.8)	1,063 (3.3)	1,067 (1.9)
Male	716 (3.9)	772 (7.8)	774 (10.1)	775 (7.8)	776 (5.1)	787 (3.2)	791 (2.1)
Female	234 (6.1)	271 (15.6)	273 (21.7)	270 (13.1)	273 (7.8)	276 (3.5)	277 (1.5)

() is Difference rate as for the same period of previous year.

source : Ministry of Labour, Monthly Survey Report on Labour Statistics

<Table 6> Trend of Full-time Employees of Large Companies
with more than 500 persons (thousand persons, %)

	1992	1993				1994	
		1/4	2/4	3/4	4/4	1/4	2/4
Whole	4,927 (3.0)	4,930 (-0.9)	4,906 (-1.7)	4,882 (-1.9)	4,882 (-1.2)	4,901 (-0.4)	4,911 (0.1)
More than 500	1,327 (-0.9)	1,239 (-9.5)	1,205 (-10.8)	1,202 (-8.5)	1,205 (-5.4)	1,125 (-1.9)	1,212 (0.6)

() is Difference rate as for the same period of previous year.

source : Ministry of Labour, Monthly Survey Report on Labour Statistics

3. Status of Unemployment

<Table 7> Trend of Unemployment by Age (%)

	1991	1992	1993	1994 1/4	1994 2/4
Whole	2.3	2.4	2.8	3.0	2.4
15-19(Age)	9.3	10.2	11.1	11.6	9.2
20-24	6.9	7.0	8.6	9.0	7.0
25-54	1.6	1.7	2.0	2.2	1.9
55 and Oder	0.5	0.5	0.5	0.7	0.5

source : Office of the Statistics, Korean Statistics Monthly

<Table 8> Trend of Unemployment by the Level of Education (%)

	1989	1990	1991	1992	1993
On the Whole	2.6	2.4	2.3	2.4	2.8
Under middle school graduate	1.3	1.1	1.1	1.1	1.4
High school graduate	3.5	3.4	3.2	3.3	3.6
Above college graduate	4.8	4.4	3.6	3.4	4.0

source : Office of the Statistics Office, Korean Statistics Monthly

Unemployment rate has gradually fallen from the peak 3.0% in the first quarter of 1994 to 2.4%, near full employment, as at the second quarter of 1994. However, taking into consideration that the method of calculating unemployment rate by the Korean government is very strict (even employment by one hour a week is considered as employed in Korea) and that the daily basis and casual labor are leading factors in the recent rise of unemployment, workers employment status should be seen as still unstable despite the economic recovery.

The feature in unemployment rate is the high level unemployment of young workers. Especially, the high unemployment rate of young workers between 15 and 24 has to do with the high level of unemployment rate among high school graduates and college graduates shown in Table 8. Difficulty in finding job by women and cultural science college graduates as well as the high unemployment rate of middle or high school graduates reluctant to work for small and medium size companies because of relatively bad working conditions create problems.

4. The Problems Present in the Recent Labor Market

As noted, the economic indices of various kinds show rising curve and the size of employment is also getting larger. However, imbalance and problems in labor market are still serious, and accordingly workers' stable living is greatly threatened. To abridge the recent problems, it is deepening of job instability in the midst of full employment'. While shortage of manpower is becoming more serious on the one hand, the workers whose living is threatened by retrenchment and unstable job are also increasing on the other hand.

1) Increase in the Unemployment of Young Workers

Unemployment of young workers aged between 15 to 29 is growing. Rise of young worker unemployment, which has been continued since 1990, remained in 1994 despite the economic restoration. (Table 7 and 8)

Young worker unemployment can be generally divided into two types. The one is mainly of women workers who were once employed in labor intensive light industries such as textile and garment, electronics, footwear and leather industries but then lost jobs due to company bankruptcy, overseas relocation or trade changes in the process of industrial restructuring that began since the late 1980s. They are the very victims of restructuring which has been promoted under the cover of economic fluctuations without any positive employment plan for the workers. This type of unemployment was still going on even in the middle of 1994 when unemployment rate was record low 2.0%.

The other one is the unemployment of women and cultural science college graduates. The key reason for increase of unemployment of the highly educated is thought to be due to the

problems in the education system. Too many college graduates for the size of labor market is said to give rise to this type of unemployment. Probably they have to lower their standard of employment to find job or to content even with part-time work in order to avoid unemployment.

2) Expansion of Irregular Employment

Irregular employment is a type of the unstable employment like temporary workers, part-timers, dispatched workers, etc. The irregular workers have no job security and working conditions are not protected by laws. Besides, the irregular employment is very disadvantageous for the workers as they can hardly form or join trade union in a realistic sense. In the past, the irregular employment also existed mainly in the manufacturing industries, but recently this type of employment is widening to reduce labor cost both in manufacturing and non-manufacturing sectors. The government also promote the irregular employment type as seen in its recent move to introduce the Labor Dispatch Act.

3) Unstable Employment of Women Workers

Korean women workers are suffering from discrimination not only in employment but in all aspects of working conditions, for example, wages, promotion, etc. The management's discrimination against women workers is still strong despite the meagre improvement made by the activated labor movement since 1987. Particularly in the area of employment issues, women workers are still considered as marginal workers. The job problems women workers are recently facing can be classified into three categories.

Firstly, unemployment: women workers' unemployment has grown greatly amidst bankruptcy, suspension or cessation of business, trade change of labor intensive industries. For this reason, the number of regular women workers has continued to decrease since 1989 when suspension or cessation of business occurred successively in the process of full scale industrial restructuring.(Table 8)

Secondly, increase of underemployment. As seen from the source of Economic Planning Board that 13.0% of women workers were employed as part-timers in 1989, employment status of women workers is very unstable.

In the recent years, women employment has increased greatly in clerical, sales and service sectors. But the actual growth has been only in part-time or temporary employment. Bank industry abolished female clerk system, apparently to abide by the Equal Employment Act for Men and Women, and instead, employed female part-timers.

Thirdly, discrimination on recruitment. According to the data of the year 1993 Ministry of Labor submitted to the National Assembly, out of 856 enterprises violating the Equal Employment Act for Men and Women, 570 cases were related with discrimination in recruitment. The discrimination in recruitment has not been improved as yet.

4) Shortage of Manpower at Small and Medium Size Companies and the Problems of Foreign Workers

Shortage of manpower at small and medium size companies has exacerbated since 1990 when economy was in recession and factory closing occurred one after another. As the economy was restoring in 1994, the shortage of manpower further exacerbated. Strange it maybe, unemployment is increasing from successive factory closing on the one hand, manpower shortage deepens on the other hand. The government and employers argue that manpower shortage of small and medium size companies is due to the workers who evade hard work in from manufacturing sector' hard labor. However, the real reason behind this phenomena is the low wage and bad working conditions which lead workers to avoid manufacturing sector. Those who avoid from manufacturing industries are not the workers who used to work in the manufacturing sector (the average service length of workers engaged in manufacturing industries increases every year) but the young workers aged 15-24 who get job for the first time. No one volunteers the low waged, unsatisfactory monotonous work and prolonged working hours.

While manpower shortage exacerbating, foreign workers are increasingly coming into Korean labor market. Although the government calculated the number of migrant workers to be 50 or 60 thousands as of September 1993, it is estimated that actual number is between 90-110 thousand. The Korean Federation of Small Businesses, representing the employers' interests is proposing to the government that about 60 thousands more foreign workers be imported. The reason why foreign workers are welcomed by employers of small and medium size companies as a solution to manpower shortage is that their wages and other labor costs are much cheaper. The foreign workers work without any protection of the domestic labor related laws, submitting to discrimination.

Meanwhile, there have been debates regarding the foreign workers. Labor movement is undertaking protection activities for foreign workers, because they are also entitled to human and labor rights. On the other hand, it has been pointed out that even though the influx of foreign workers may help solve the manpower shortage in the short run, the foreign workers' low waged employment would only prolong the bad working conditions and would hurt workers at small and medium size companies.

5) The New Employment System

Aside from the manpower shortage of small and medium size companies, new employment system has been introduced mainly to the office and management sector and large companies which have gone into the labor saving automation and reduction of operation. Employers are introducing performance based personnel policy and wage system for maximum utilization of regular workers while reducing the regular labor force to the possible minimum. Similarly, employers are diversifying employment patterns. For example,

a small number of regular workers and a large number of irregular workers are employed to minimize labor cost and to easily adjust to the market situation. This employment system is extending to public service sectors and the government policy also supports this system.

5. New Policy of Government and Employers for Labor Market

Labor market policy of the government and employers is changing very actively. This is because the problems of industrial restructuring promoted since late 1980s have been worsened. Also it is a part of reshaping of internal system to enhance international competitiveness to cope with the expected fierceness of international competition. The new labor market policy presented by the government and employers is revealing its outline with some drafts of the so called 'new manpower policy' and the employment related laws. The contents are as below.

1) So Called 'New Manpower Policy'

This policy draft presented by the Ministry of Labor in 1993 gives a picture of general direction of labor market policy of the government and employers. The major contents are as follows:

First, technical innovation system centered on workplace is necessary to enhance industrial competitiveness and, for this, training of multi-skill or function of workers at shopfloor and of middle level technical manpower are needed.

Second, to this end, it's necessary to create internal labor market of company controlled under performance based personnel system and to strengthen in company education and training system.

Third, labor market should be controlled separately; primary market focused on the internal market of the large size companies and secondary market of small and medium size companies and irregular labor forces. Companies should give due weight to creating competitive internal labor market while government to the secondary labor market.

Notable in the new manpower policy are the arguments that competitive internal labor market be created and that the primary and secondary labor markets be managed distinctively. Creation of competitive internal labor market means that it will strengthen the performance based employment control. And the separate management of primary and secondary labor markets means that it will encourage and manage the secondary labor market, a various form of under employment which is becoming an important part of employment instability, as a peripheral market supporting large size companies' internal

market.

The result when the above policy comes into effect is obvious. There will be emerging the competitive labor on the one hand and a great number of employees of underemployment whose fates are destined by company's profit pursuit and economic fluctuation. Also the competition within working class due to discrimination between the primary market and secondary market would block forever the avenue to job security which can be achieved only through wide unity of working class.

2) Introduction of Labor Dispatch Act and Employment Insurance Act

The new manpower policy is being realized with the employment related laws which are being legislated through the close consultation between government and employers. Among other things, the most debated ones are the labor dispatch act and employment insurance act.

Labor Dispatch Act : Dispatched labor is an employment pattern in which a labor supply enterprise, with contract signed by workers supplies the workers to companies. The labor supply enterprise is illegal since it is against the Labor Standard Act which prohibits intermediate exploitation of workers. However, this employment pattern has been going on widely and illegally taking advantage of the conditions of under employment. The purpose of the government promoting labor dispatch act is to legalize the presently unlawful labor supply business. The legislation of this act was notified but faced with fierce resistance from workers, and submission to the parliament was suspended.

Employment Insurance Act : Employment insurance is a social security system with an aim to guarantee stable living of workers through active employment service and vocational training as well as to preserve workers' minimum living during unemployment. The employment insurance system was introduced in 1994. However, the current employment insurance act is more of the labor market policy to facilitate supply of industrial manpower to adjust to the labor market than of a social security system. There is a suspicion that the employment insurance act is a safety valve to ease dismissal including reduction in force. Debates between trade unions and employers on the employment insurance system, as to its coverage, eligibility level and kind of payment length, funding, etc. went on widely but only to result in the system with meagre social security nature.

6. Countermeasure of Trade Unions

Despite that Korean trade union movement has been galvanized since 1987, it has very limited influence on the issues of labor market. The low unionization rate, yellow dog

unionism of the existing national center, enterprise based organizational structure and labor movement's poor participation in political area are regarded as the weakness of Korean trade union movement. Accordingly, trade unions' activities regarding labor market are focusing mainly on the problems of employment related cases. Unions have been concentrating on job security clauses in the collective agreements, petition on legislation of employment related laws to National Assembly, policy demand thru the opposition party, exercising pressure through mass actions, etc. The trade union activities in the years of 1993 and 1994 were concentrated mainly on solution to unemployment problems. The contents are as the following:

First, campaigns for legislating or checking the employment related laws. The former KCTU representing independent trade union movement petitioned in 1993 the 'special law to regulate dismissal and 'employment insurance law', and performed policy activities to modify and complement the bill of basic employment policy law and the revision bill of vocational security law presented by the government, and also waged successful fights to check the labor dispatch law which was to legalize dispatched labor.

Second, activities to guarantee job security by guiding collective bargaining of enterprise level unions. The contents are ; to enable temporary and dispatched workers to change to regular employees; making it subject to union agreement such matters as relocation of factory, change of industry, liquidation of company; take-over of employees by the new employer in case of merger or transfer of company; automation and strengthening of labor intensity; guarantee of equal working conditions for foreign workers; recruitment and maintenance of labor force on natural reduction in force.

Third, survey and research on rationalization and public campaign. The employment problems caused by rationalization is becoming more and more serious. Rationalization is posing various challenges like intensification of labor strength and attack on trade union as well as employment problems. It gives rise to retrenchment and extension of irregular employment. Trade unions are undertaking surveys on actual conditions of each industry, research activities, and activities to arouse public opinions of union members.

As mentioned above, trade union's capacity to control labor market is very weak. It is because organizational rate is very low(14.3% as at the end of 1993) and unionization of small and medium size companies and irregular workers is very low. Lack of autonomy in the existing central organization is also one of the factors hindering powerful counteract. Korean trade unions are exerting organizational efforts to build a national trade union center independent of the government to replace the current company based union structure with industry wide unionism.

Chapter 3.

Structure of Union System

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1. Current Situation of Trade Union Organization

Korean trade union movement has come to a critical turning point towards an upsurge not only in the sense of size but in the sense of quality.

Since the workers great struggles in 1987, unionization of unorganized enterprises and sectors has progressed rapidly. The number of company level unions increased from 2,742 as of June 1987 to 7,147 as of December 1993, and the membership from 1.05 mill to 1.67 mill(Table 1). This expansion of organizational capacity resulted from active unionization of traditionally unorganized sectors, such as press, hospital, construction, research and professional, university, business association, marketing industry and etc., as well as unorganized manufacturing industry.

In the meantime, union membership has declined since 1990, which is due to the industrial restructuring and 'rationalization' that has lead to business suspension or cessation, overseas relocation, division of business, increase in irregular work force.

<Table 1> Trend of Union Membership

	June 1987	Dec 1987	Dec 1988	Dec 1989	Dec 1990	Dec 1991	Dec 1992	Dec 1993
Number of Company Unions	2,742	4,103	6,104	7,883	7,698	7,656	7,527	7,147
Increase Rate	(2.5%)	(49.6%)	(50.2%)	(27.9%)	(-2.35%)	(-0.5%)	(-2.68%)	(-5.05%)
Membership(thousand)	1,050	1,267	1,707	1,932	1,887	1,803	1,735	1,667
Unionization Rate	11.7%	13.8%	17.8%	18.7%	17.4%	16.0%	15.1%	14.3%

Source : Quarterly Survey on Labour Situation, KLI, 1994

Note : Unionization Rate is percentage of union members over total employees

2. Organizational Form of Trade Union

The vast majority of unions in South Korea are organised at company level. Trade unions represent workers at company(enterprise) level and the leadership is elected by union members through direct voting. A company union collectively bargains at company level and strike is confined within the company. A company union affiliates with a respective lawful industrial federation, which is not a union. Most of industrial federations and regional councils have no bargaining power. They assume a role of consulting or assisting their affiliated unions.

Recently, however, trade unions are exerting every effort to transform the company level unionism into industrial unionism. The trade unions organised at industrial level presently are the Korean Teachers and Educational Workers Union, Korean College Lecturers Union, Korean Science and Technology Institute Workers Union, Korean Medical Insurance Workers

Union.

3. Structure of Trade Union Organization

At present, the FKTU is the sole lawful and recognized national trade union center. The trade union newly established at a company is to formally apply membership with an industrial federation under the FKTU. It is because the Trade Union Act prohibits plural unionism and requires company level union to state a specific industrial federation it should belong to upon its establishment when reporting to the administrative authority.

But the trade unions established after 1987 formed the so called the 'Democratic Trade Union Camp', as distinct from the FKTU. Hence Korean trade union movement is presently divided into two lines, say, FKTU and democratic trade union camp.

1) FKTU(<Figure 1>)

The FKTU is made up of 20 industrial federations and 15 regional offices under which 47 regional branches are set up.

Though the FKTU claims its membership to be about 1.2 millions, dues paying membership is known to be only 600 thousands.

Supreme decision-making body of the FKTU is the annual National Convention. Next comes the frequently held Representatives Conference of Industrial Federations where most important matters are discussed and decided.

2) Democratic Trade Union Camp(<Figure 2>)

The trade unions organised after 1987 formed another solidarity organization apart from the FKTU to bring about a new stream called 'democratic trade union camp'.

The newly established or newly democratized unions set up regional councils, apart from the regional organizations of the FKTU. The regional councils were established in such major industrial regions as Kyunggi, Inchon, Puchon, Sungnam, Pusan, Masan-Changwon, Taegu, Jinju, Chunbuk, Kwangju, etc. These regional trade union councils founded the 'Korea Trade Union Congress(KTUC, Chunnohyup)' in January 1990. The KTUC declared at its inauguration congress, "the KTUC's appearance symbolizes a birth of a new organizational subject of trade union movement in South Korea which will overcome the company and anti-democratic yellow dog unionism represented by the FKTU in the past and carry out independent and democratic labor movement." Also it said, "we will devote ourselves to building a national center composed of independent industry-wide trade unions not the current in-house trade union system. To achieve this goal, we will advance the unified struggles at each industry or each trade section, and expand the organizational capacity of democratic trade union movement." At the inauguration, the KTUC represented

about 200 thousand members from 700 affiliated company unions.

In the meantime, the industrial federations or councils in the non-manufacturing sectors which were established after 1987 formed the 'Korean Congress of Independent Industrial Trade Union Federation(KCIIF, Upjonghoewi)' in May 1990. KCIIF affiliates were the federations of trade unions at press, hospital, construction, professional, clerical and financial, printing, cargo transport sectors, teachers and foreign companies workers.

Besides, trade unions of large business group formed group federations; Hyundai Group Trade Union Federation, Daewoo Group Trade Union Council, Kia Group Trade Union Federation, Hanjin Group Trade Union Council, etc. They are also important pillars of the democratic trade union forces together with KTUC and KCIIF.

In June 1993, the KTUC, KCIIF and large company trade unions formed the 'Korean Council of Trade Unions(KCTU, Chunnodae)'. The KCTU decided November 1994 to build a national trade union center and formed a preparation committee for democratic confederation. (The committee is in fact a solid central organization called again KCTU, Minnochong). The KCTU currently comprises 400 thousand membership in 1,000 company level unions.

<Figure 1> Organizational Structure of FKTU

FKTU	
Industrial Federations	Regional Offices
Korean Railway Workers' Federation Federation of Korean Textile Workers' Trade Unions Federation of Korean Mine Workers' Trade Unions Korean National Electrical Workers' Union Korean Federation of Foreign Organization Employees Unions Korean Federation of Communication Trade Unions Korean Federation of Port & Transport Workers' Unions Korea Seamen's Trade Unions Federation of Korean Bank & Financial Workers' Unions Korea Tobacco & Ginseng Workers' Union Federation of Korean Chemical Workers' Unions Federation of Korean Metalworkers Trade Unions Federation of Korean Printing Workers Unions Korea Automobile & Transport Workers' Federation National United Workers' Federation Korean Tourist Industry Workers' Federation Korean Communications Workers' Union Korean Federation of Insurance Labour Unions Federation of Korean Taxi Transport Workers' Unions Federation of Korean Rubber Workers' Unions	Seoul Pusan Taegu Inchon Kwangju Taejon Kyunggi Kangwon South Choongchung North Choongchung South Kyungshang North Kyungshang South Chulla North Chulla Cheju

<Figure 2> Organizational Structure of KCTU

KCTU		
KTUC	KCIIF	Group Federations
Seoul Inchon Puchon Southern Kyunggi Sungnam North Chulla Kwangju Taegu Masan-Changwon Jinju Pusan Taejon-South Choongchung	Korean Federation of Clerical and Financial Workers' Unions Korean Federation of Profession & Technicians' Unions Korean Federation of Hospital Workers' Trade Unions Council of Democratic Printing Workers' Unions Council of University Employees' Trade Unions Korean Federation of Press Unions Korean Federation of Foreign Company Trade Unions Korean Federation of Facility-Care Trade Unions Korean Teachers and Educational Workers' Union Korean Federation of Construction Trade Unions Korea University Lecturers' Union Korean Federation of Cargo Transport Workers' Unions Korean Council of Subway Workers' Unions Korean Federation of Agricultural Cooperative Trade Unions	Hyundai Daewoo Kia

3) The Korean Council of Public Service Trade Unions

In November 1994, trade unions at public service sector formed the 'Council of Public Service Trade Unions(CPSTU, Gongnodae)' with an aim to securing basic trade union rights and checking the government's wage control policy. The CPSTU constituent unions are not only from the democratic trade union camp but also from the FKTU affiliates and such independent unions as Korea Telecom Trade Union.

<Figure 3> Affiliates of the CPSTU

Government Authorities	Korean Teachers and Educational Workers' Union
State Invested Enterprises	Korea Telecom Trade Union, Korean Broadcasting System Labour Union, The Industrial Bank of Korea Trade Union, The Bank of Korea Trade Union, Korea Highway Corp Trade Union, etc.
Subsidiary Companies of GIE	Dacom Trade Union, Korea Electrical Safety Corp Trade Union, The Korea Cold Storage Company Trade Union, Korea Engineering Consultant Corp Trade Union, etc.
Local Public Enterprises	Seoul Subway Trade Union, Agricultural Fishery and Marketing Corp Trade Union, etc.
State Financed Authorities	Seoul National University Hospital Workers' Union, Korea Development Institute Trade Union, Korea Institute for Industrial Economic and Trade Labour Union, etc.
Government Subsidized Authorities	Korean Scientists & Technicians' Union, Korean Medical Insurance Trade Union, Korea Airports Trade Union, Korea Productivity Center Trade Union, etc.

4) Organizational Limits of the Korean Trade Union

Despite the expansion and consolidation of organizational capacity since 1987, trade union movement at this moment has many weak points in the organizational aspect.

First of all, unionization rate is not more than 15 percents, 1.7 million out of 12 million workers. This is due particularly to little progress in unionizing small and medium size companies.

Secondly, the organizational form of company level union restricts greatly growth of trade union movement. In the situation where joint struggle with political capacity of trade union movement is much in need, the company union system reveals its limits.

Thirdly, weakness of upper body leadership, low solidarity actions among union organizations and meagre role played by large company level trade unions are also the factors hindering further growth of organizational capacity.

4. Organizational Tasks of the Korean Trade Union Movement

The most crucial one of the organizational tasks for further growth of trade union movement is transformation of the current in-house union system into industry wide union structure. This is the common goal of both the FKTU and the Democratic Trade Union Camp, although their practical approaches are different.

1) FKTU

The FKTU stresses the necessity of transformation into industrial union system, saying "now that direction of our movement has been set to realize political, economic and social democracy in order to build a welfare society, the form of union organization should change from the company level unionism to industrial union system which can better enhance the rights and interests of workers and the whole nation."

The FKTU presents several ways to reach an industrial union system: through legislation, through amendment of union constitutions, through establishment of an industrial union after dissolving all enterprise unions. The FKTU has already petitioned to the National Assembly for the revision of the Trade Union Act to provide industrial union system. As a means of industrial union establishment, the FKTU presents the following steps:

First, each industrial federation shall resolve transformation into an industrial union and adopt a constitution of the industrial union at its national convention.

Second, each enterprise union shall decide simultaneously its dissolution and its transformation into industrial union structure, and adopt a new constitution according to its

Congress or convention.

Third, each industrial union shall convene a national convention to establish an industrial union system by electing officers, formulating activity programme and drawing up a budget.

Fourth, all union members submit membership applications to their industrial union through respective branch union.

The proposed steps will face some difficult problems in both institutional and practical manners. First of all, forcing organizational form of trade union by law is not compatible with the principle of freedom of association nor the spirit of the labor law. Moreover, FKTU adheres to its position that the provision of Trade Union Act prohibiting union pluralism should remain. Therefore, the transformation of trade union structure into industrial union system by legislation would merely result in consolidating the monopolistic and exclusive position of the FKTU. The method through union resolution or constitution revision is conditional to the existing enterprise unions' confidence in the independency and democracy of the FKTU and its industrial federations. However, the current situation is such that the enterprise unions are not ready to dissolve themselves for joining industrial unions under the FKTU.

2) Democratic Trade Unions

Organization strategy for the form of union of the Democratic Trade Union Camp is promoted in the different direction from the FKTU's. At present, they are building another national center outside the FKTU and at the same time devoting themselves to establishing new industrial federation at each industry, for example, metal (or narrow industrial federations at automobile sector, shipbuilding sector, general metal sector), chemical, textile industries, etc. The ultimate goal is of course to build one democratic and independent national trade union center in Korea based on two organizational axis, the industrial unions and the regional structures. The KCTU assumes a task to unify trade union organizations and to transform the enterprise unions into industrial union system at the same time.

In order for the Democratic Trade Union Camp's organizational strategy to decide the form of union to succeed, the labor laws need to be reformed rationally and the organization be expanded.

Another organizational task needed for development of trade union movement is organizational expansion over the unorganized sector. In particular, unionization of small size companies is important.

Establishment of competent leadership at the national level of union organization is also an important organizational task. While restoring independence and democracy is critical for the FKTU, organizational expansion and upgrading of leadership are important for the Democratic Trade Union Camp. Besides, it is essential to widen the scope of union activities with a view to strengthening union solidarity and to achieve general unity of Korean trade union movement.

Chapter 4.

Major Issues of Korean Labor Laws

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Korean Labor Laws consist of labor laws concerning individuals and collective labor laws. There are seven individual labor laws including the Labor Standard Act on the basis of the article 32, clause 3 of the Constitution which provides "the standard of working conditions shall be provided by law to ensure human dignity."

There are four collective labor laws including the Trade Union Act on the basis of the article 33 clause 1 of the Constitution which provides "workers shall have autonomous rights to organising, collective bargaining and collective action in order to improve working conditions."

Of these laws, the followings are the points of debates between labor and management

1. Major Issues of Labor Laws

1) Prohibition of Multiple Unionism

Trade Union Act provides that only one union can be established at a company or industry(Article 3 Clause 5) and that union establishment should be reported to administrative authority concerned (Article 13).

The article 3, clause 5 of Trade Union Act prohibits union establishment in case that "a trade union has the same organizational subject as an existing trade union or has the purpose to obstruct normal function of existing trade union." By this legislation, formation of any trade union other than the FKTU has been regarded illegal in Korea. It blocks entirely the right of workers choice of who don't want to join the FKTU.

This evil legal provision reflects the interests of government and employers who want to block growth of labor movement by granting monopolistic control power over trade unions to the FKTU which lacks in independence and democracy under the prolonged government control, and at the same time coincides with the FKTU's intention to maintain its monopolistic position.

Despite the fact that this provision is in contravention to the article 33 of the Korean Constitution guaranteeing the autonomous right to organize, and to the article 2 of ILO Convention No. 87, the Korean government, employers' association and the FKTU refuse to revise this provision.

2) Denial of Right of Unity of Public Servants

The Korean Constitution grants the freedom of association to every workers by the article 21 and guarantees the rights of workers to organizing, collective bargaining and collective action by the article 33. However, the article 33 of the constitution has an exceptional provision, "in case of public servants, the rights to organize, collective bargaining and collective action shall be granted to only those who are stipulated by law."

Based on this provision, the article 8 of Trade Union Act has a provision that in case of public servants the right to form and join trade union shall be laid down by separate law. Then, the article 66 of Public Servants Act provides, "public servants shall not undertake collective action for labor movement and so on other than official duties. Provided that the public servants who are engaged in de facto manual work are to be excepted." The Local Public Servants Law has the same provision.

The said 'separate law', or article 28 of Presidential Decree of the Public Servants Service Regulation, confines the category of 'public servants who are engaged in de facto manual work' to the technical and hired employees who are engaging in manual work at the operating organs of the Ministry of Communications and the National Railway Office and at the working sites of the National Medical Center. As a result, among the public servants of Korea only those working at the operating fields of the state owned communications, railways and medical service sectors can establish trade unions. The other 1.5 million public servants employed in central government and local government are blocked from forming and joining trade unions.

The above mentioned legislation is incompatible with ILO Conventions which ensure basic trade union rights to public servants insofar as they are wage earning workers employed by state.

3) Deprivation of Basic Trade Union Rights of Teachers

In Korea, teachers of public schools are defined as educational public servants and the Educational Public Servants Act follows the Public Servants Act. Public school teachers are prohibited from exercising the rights to organize, collective bargaining and collective action under the said article 66 of Public Servants Act and, in case of violation, they subject to penal servitude less than 1 year or fine less than 1 million won.

The article 55 of Private School Act reads as 'mutatis mutandis from Educational Public Servants Act'. This mutatis mutandis leads to prohibition of the right to organize of teachers at public school and private school.

By dint of the above legislative system banning teachers' right to organize, 45 teachers were imprisoned and 831 teachers of public schools and 665 teachers of private schools were dismissed because they formed and joined the Korea Teachers and Educational Workers Union in May 1989. Now most of the dismissed teachers have returned to schools, but the KTU remains as illegal according to the government.

4) Prohibition of Third Party Intervention

The article 12-2 of the Trade Union Act and article 13-2 of the Labor Dispute Adjustment Act provide that those except for persons who are employes with actual employment relations with the employer, concerned trade union, or persons having legitimate authority under the law' shall not engage in any act of intervention for the purpose of manipulating, instigation, obstructing, or any other act to influence the concerned parties in

an establishment or dissolution of a trade union, joining or disjoining a trade union, or in collective bargaining with the employer, or in a dispute.

This provision has been used as a powerful weapon of the state and Capital to block solidarity actions of workers during the whole period of 1980s. A number of union leaders and activists were imprisoned by this provision because they supported organizing trade unions of not their own.

Since, given that the basic three labor rights guaranteed by the Constitution include the right to receive advice, support, assistance, guidance from other persons and every person has the freedom to influence other persons by expressing his opinion (freedom of expression or general act) unless it has not criminal purpose such as rebellion, arson and murder, the prohibition of third party intervention is a poisonous provision in contradiction to the Constitution and it infringes on the essential content of the right to organize.

5) Prohibition of Political Activities

The article 12 the of Trade Union Act prohibits trade union from exercising its organizational power for political effect by stipulating; ① a trade union shall not conduct any act in the election of any public office in order to support a particular political party or a person. ② a trade union shall not collect political funds from its members ③ Trade union fund shall not be used for political purpose.

This provision is under strong pressure for revision from trade unions because it neglects the political nature of labor problems and impedes the autonomy of trade unions.

Labor problems are basically not only social and economic problems but political problems that should be solved through democratic reform of society. Similarly, trade unions protect not only the interest of whole nation but they are interest organizations having an aim of improving workers' political, economic and social position. Moreover, economic policy, tax policy and welfare policy which are directly related to workers' living are decided through the process of government's policy planning and execution and the National Assembly's legislation. Therefore, political activities are viewed as an essential part of trade union.

Further, such acts as support of specific party or person in the election of public office, collecting or donation of political funds are the matters of trade union's autonomous decision. Thus restriction of these acts is contravention against the ILO Convention No. 87. Moreover, since the article 12 clause 3 of Political Fund Act allows donation of political funds by any company, except for the state owned company, prohibition of political activities only of trade union is not fair.

6) Prohibition of Labor Dispute act of Public Servants and Workers of Defense Industry and Compulsory Arbitration for Public Enterprise

① Article 33 clause 2 of the Constitution stipulates that "of the workers who are public servants, only those stipulated by law shall have the right to organize, collective bargaining and collective action" and the clause 3 provides "the right to collective action of the workers engaged in major defense industries stipulated by a law can be restricted or prohibited in accordance with a law, and article 37 clause 2 provides "every freedom and right of people may be restricted by law when necessary for national security, order maintenance or public welfare, and in that case, essential content of the freedom and right shall not be infringed on." However, the article 12 clause 2 of Labor Dispute Act provides "Workers engaged in the national or local government or defense industry specifically designated by the Special Law concerning Defense Industry shall be prohibited from undertaking acts of labor disputes" so that it completely deprives public employees and workers engaged in defense industry of the right to strike regardless of the nature of their actual jobs. This provision was judged to be incompatible with the Constitution by the Constitution Court on 11 March 1993 and the ILO also recommended the government to lift prohibition of the right to strike of the teachers, but not yet revised.

② Article 30 clause 3 of Labor Dispute Act provides that in case of public enterprise, the Labor Relations Commission can refer a dispute to the arbitration upon the demand of an administrative authority or ex officio decision of the Labor Relations Commission. If labor disputes can either be allowed or sometimes prohibited by the decision of an administrative authority, Labor Relations Commission, it is a serious infringement of the workers' right to strike which is guaranteed by the Constitution. The compulsory arbitration of the disputes over wage increase and other collective bargaining agreement, namely, interest disputes, has the same effect as referring them to the court. Interest dispute can be solved through agreement between the parties concerned. A third party cannot decide but just assist and facilitate the process for views approach. Therefore, this compulsory arbitration of public enterprise is not only contrary to the principle of labor-management autonomy but incompatible with the Constitution and the ILO Convention Nos. 87 and 98.

7) Unfair Control, Intervention, Interference IN the Trade Union Affairs by the Administrative Authority

The current Trade Union Act has many articles which allow administrative authority to abusively control, intervene and interfere with trade union activity; 'power to order amendment or supplementation of union constitution'(article 16), 'power to order for modification of resolution or disposition of trade union'(article 21), 'power to nominate a

convocator of extraordinary convention of trade union'(article 26), 'power to investigate over union affairs'(article 30), 'power to change or nullify collective bargaining agreement'(article 34), etc.

The above articles clearly contradict the article 3 of ILO Convention No. 87, "Workers' and employers' organizations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organize their administration and activities and to formulate their programmes. The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof."

8) Restriction on Strike Action – Cooling off Period

In Korea, trade union should report the occurrence of labor dispute to the administrative authority and Labor Relations Commission and for a certain period (cooling-off period) a labor dispute cannot be conducted. The article 14 of Labor Dispute Adjustment Act provides "no act 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 of dispute occurrence by the Labor Relations Commission has been rendered."

This cooling-off period system tends to impede rather than to help prompt solution of labor dispute and actually employers commit unfair labor practices like maneuvering against strike during the period.

2. Positions of the Trade Union, Employers and Government over Major Issues

1) Trade Union

Trade unions of South Korea are split into two main forces; the legal FKTU and the KCTU that refuses to join the FKTU and has created a new organizational structure, advocating establishment of independency and democracy. The two organizations have called for similar democratic reform of labor laws and improvement of working conditions but on issues they show different views with the matters regarding monopoly and third party intervention being the typical ones.

The Democratic Trade Union Camp, thinking that the anti-democratic essence content of the current labor related laws impedes trade union movement's further development, has staged active campaign to reform the labor laws since 1988. As a part of the struggles, the Democratic Union Camp submitted in March 1992 a complaint to the ILO concerning 11 issues including union establishment at workers' own choice, repeal of union establishment report system, guarantee of the right to organize, collective bargaining and collective action

of public servants and teachers, and again in October 1993 second complaint over the restriction of right to strike such as prohibition of strike action of public servants and workers in defense industry, compulsory arbitration for public enterprise, and over the administrative authority's control, interference with trade union activities such as investigation into the union affairs, abusive power to order for amendment, change or nullification of union constitution, resolution, disposition or collective agreement. The ILO governing body, accepting all the debating points the KCTU alleged, recommended the Korean Government to reform the questionable legal provisions in March 1993, in November 1993 and again in June 1994.

Meanwhile, the FKTU opposes repeal of the article 3 clause 5 of Trade Union Act arguing that multiple unions will result in split of trade union movement. It also demands to maintain the article of "prohibition of third party intervention" by making an exception that those whom the trade union accepts shall be excluded from being the third party.

In case of the individual labor relations law, both the FKTU and KCTU resist the employers' claim for deterioration of working conditions.

2) Employers

The Korea Employers' Federation representing the Capital's interest focuses its aim of revision of the labor law on 1) lowering the working conditions and introducing new wage system and employment pattern, 2) blocking union activities altogether, 3) restriction of the workers' right to strike.

The KEF strongly argues that the standard of working conditions stipulated by the Labor Standard Act should be lowered to enhance international competitiveness. The important points are abolishment of monthly leave and menstruation leave, reduction of factory closing allowance, lowering of part-timers' working conditions, introduction of more flexible working hours, reduction of the number of days of annual leave, reduction of over time pay rate, etc.

In relation with revision of the Trade Union Act, KEF calls for 'exclusion of management and personnel matters from being subject to collective bargaining', 'prohibition of involvement in union activity without employer's approval', 'denial of dismissed workers access to union membership', 'giving the authority to decide to negotiators at collective bargaining', 'no pay for full time union officers', and so on. In the Labor Dispute Adjustment Act it claims to introduce 'principle of no work - no pay', 'prohibition of sympathy strike', 'extension of cooling-off period', etc.

3) The Government

The past governments revised the labor related laws for the worse in order to put the trade unions under their control. Especially, the military dictatorship in the 1980s not only controlled the trade union movement by legislation and institution but also repressed with violent means. The FKTU merely submitted and yielded itself to the repression and abetted

the labor law to become worse.

In contrast, the Democratic Trade Union forces integrated into the KTUC has been waging vigorous fights and campaigns including lodging complaints to the ILO. To this, the ILO responded in march 1993 by adopting recommendations such as deletion of ban on multiple unions, guarantee of unity of public servants and teachers, deletion of the third person intervention prohibition, release of those under imprisonment, and reinstatement of dismissed teachers.

Faced with the persisting resistance from the trade union movement, the government established in April 1992 the 'Labor Related Laws Reform Review Committee' composed of the FKTU and KEF officers and the so called public members. The government promised it would reform the labor laws by the end of 1994.

Meanwhile, the Korean government sent a reply on 30 April 1993 to the ILO regarding the recommendation. The government stated in the reply that "it would reform the labor laws by the end of 1993", "most of the imprisoned workers had already been released on amnesty and the remaining prisoners have nothing to do with union activities", "dismissal of the teachers' union members is inevitable in the light of the special condition of Korea", "time is necessary to meet international labor standards." However, the Korean government has not yet ratified the ILO Convention Nos. 87 and 98 nor submitted the revision bill of labor laws to the National Assembly.

Chapter 5.

Situation of Trade Union and Democratic Rights

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1. Introduction

With the inauguration of President Kim Young-sam, who had once been a strong opposition leader, the military government ended its 33 year ruling. President Kim promised 'change and reform' to the nation in his inauguration speech. It was true that even many people who had not supported him expected a genuine 'reform', restoration of the basic human rights which had been suppressed by the past military governments, and development of democracy. Especially, workers and trade unions paid attention to the new government promise to reform the evil legislation which had been used to repress trade union activities. Also they hoped the new government to release many unionists in jail and to reinstate the dismissed unionists, who had been imprisoned or dismissed for their involvement in union activities under the rule of the military governments, the fifth and sixth Republic.

Two years have elapsed since the Kim Young-sam administration launched, but the government has not yet presented the revision draft of labor related laws made by the Labor Laws Review Commission, set up under the Ministry of Labor, to the National Assembly. The unionists dismissed unfairly for union activities by employers have not yet been reinstated because of the resistance the employers. The government's promise to release unionists in jail has not come true, either.

On the contrary, the leaders of Democratic Trade Union Camp are again on the list of police hunt under the evil legislation like prohibition of third party intervention. As long as the union monopoly system exists, many trade unions continue to be illegal and mass arrest, dismissal and discipline are repeatedly taking place. While mobilization of riot police into labor disputes continues unchanged, employers' unfair labor practices against unionists are protected with the collusion between the government and employers.

While the military government in the past abused labor movement and democratic movement as beneficial to the North Korean Communists, the Kim Young-sam government tells the people that workers' argument is hindering international competitiveness.

In the meantime, the extreme right wing persons in the core of power in the current government also threatens continuously the democracy in Korea. As Kim Il-sung of North Korea died and the relations between North and South have become hard, they began all-out offensive. Claiming that spy groups are active behind the scene at Kim Jung-il's (Kim Il-sung's son and presently the highest person in power in North Korea) instigation in labor movement, student movement and even the religious circle in South Korea, the extreme rightists argued that the strong chastisement should be made against the Marxist plotters. In the long run, even though they could not present any evidence for verifying their claims, the result was so unfortunate that a number of progressive university professors and activists of social organizations were arrested on a charge of violation of the National Security Law.

2. Infringement upon Trade Union Rights

1) Search for Union Leaders(Continued Application of Prohibition of the Third Party Intervention)

Government issued arrest warrants for the two co-presidents of the KCTU, Mr. Kwon Young-kil and Mr. Yang Kyu-heon, on a charge of third party intervention. Therefore, the two representative leaders of the Korean trade union movement have had to take refuge for seven months so far. The legal provision(third party intervention) is the very provision that ILO repeatedly recommended Korean Government to repeal.

The law violating acts of the two persons the prosecutors office produced as alleged proofs are; speech at KCTU held 'Resolution Rally for '94 Wage Hike Campaign and Reinstatement of Dismissed Unionists'(May 1, 1994), utterance at 'KCTU National Council'(May 20, 1994), solidarity speech at 'Resolution Rally for Railway and Subway Workers' Solidarity Struggle'(June 2, 1994), press conference in the press room of the Ministry of Labor'(June 22, 1994). Those acts are claimed to constitute violation of the prohibition of third party intervention. The prosecutors argue that the above acts of two union leaders induced strikes of Korea Locomotive Council(June 23, 1994), Seoul Subway(June 24, 1994), Pusan Subway(June 25, 1994), Kumho Tire and Hyundai Heavy Industries. However, the reality is completely different. What induced the above strikes was not the two leaders' agitation but the government's mobilization of police troops. Just before the riot police the sit-in location to arrest six KLC leaders and 614 duty off railway workers, the KCTU was trying its best to have a dialogue with the Labor Minister in order to avoid the situation running into catastrophe.

2) Rapid and Multiple Increase of Arrest and Search for Union Activists

The government abuses legal punishment too frequently as seen from the fact that so many unionists were imprisoned during a period of 3 to 4 months and then released on suspension of execution or suspension of indictment. Employers utilize the arrest records as a means to dismiss the unionists and ultimately, by doing so, to expel the active unionists from the workplace.

The governing body of the ILO pointed out in its resolutions that trade unionists were imprisoned for the exercise of their legitimate activities and recommended the Korean Government to release the unionists. But even under the "civilian government" there are still mass arrest and manhunt for trade unionists. It is serious infringement upon the trade union rights and freedom of association.

3) Dismissal of Unionists

On the 6th of May 1994, 104 dismissed unionists were holding a meeting in the opposition Democratic Party headquarters, promising to contribute their internal organs to the needy patients. Most of them were the ones who were dismissed by employers under the patronage of government during the time of the military dictatorship for actively participating in union activities. These dismissed workers formed in November 1992 'Struggle Committee for Restoration and Reinstatement of the Arrested, the Searched, and the Dismissed Workers' and continue to endeavor for reinstatement and release of unionists in jail and those on the list of police hunt.

However, even under the Kim Young-sam government, the number of workers who are blocked from returning to their workplace for the reason of labor movement involvement is more than one thousand. Though some of the dismissed workers have been reinstated in case of large size companies, most are facing employers' stubborn refusal. Worst of all, 44 dismissed workers have not been reinstated despite the ruling of the court or labor relations commission for reinstatement.

4) Ban on the Right to Organize Teachers and Public Servants

The above number of dismissed workers does not include the teachers who were dismissed from schools for their joining the Korea Teachers and Educational Workers Union. In 1989, the then Roh Tae-woo government dismissed 1,500 KTU affiliated teachers. Despite this, the KTU members continued to fight to correct the school education distorted by military government and to accomplish the dismissed teachers' reinstatement. In the years President Kim Young-sam was in chair of the opposition party, he once joined the street demonstration for reinstatement of dismissed teachers. Considering this, the KTU asked the Kim Young-sam government to take a decisive measure to reinstate dismissed teachers.

It was not until the first semester of 1994 that dismissed teachers were begun to be reinstated with the decision of President Kim. But only on the condition that they sign memoranda to withdraw from KTU and not to participate in union activities. Needless to say, those who did not comply with the precondition were not allowed to come back to school. Also the government laid a guideline that it would not allow reinstatement of KTU leaders. The number of teachers who remain expelled from school reaches to 180. The key reason why the government continues to exercise unfair pressure on the KTU members is that Korean Trade Union Act prohibits teachers and most of public servants from forming trade union.

5) Government's Repression of Workers in the Subway and Railway Sector

Coming into 1994, trade unions strongly resisted the government's intervention in and repression of union activities.

The Korean Council of Railway Workers Unions, composed of a total of 20 thousand subway workers, locomotive operators and mechanics, was established on 16 March 1994 with a view to promoting public traffic convenience, building an industry wide union in the transportation sector and to lead the foundation of democratic confederation. From 21 April 1994, the three KCRU affiliates (Seoul Subway Trade Union, Pusan Subway Trade Union, Korean Locomotive Workers Council) were respectively going on collective bargaining. The railway workers were suffering from the longest working hours, 360 hours per month, two shifts of 24 working hours without a day of break. Contrary to the working hours, their wages had been kept below 3 to 5 percents increase for 5 years by the government's wage guideline. (During the period, average GNP growth rate was 7.2 percents and CPI hike 6.8 percents)

The common demand of trade unions were that the flexible working hour system which allowed the terrible overtime work be abolished and that overtime pay be given at the rate set forth in the Labor Standard Act. Also they demanded repeal of government forced wage guideline so that the employers and trade unions to conclude themselves the wage increase rates.

However, the government warned the KLC of legal punishment in case of calling strike, arguing that the KLC was not lawful organization and had no right to collective bargaining for its organizational domain was the same as the FKTU's federation at railway sector. Having refused any dialogue with the KLC, the government mobilized six thousand riot policemen early in the morning of June 23, 4 days before the would-be strike, to 14 KLC branch offices and took 562 unionists to the police station. The members immediately went on strike and leadership started sit-in at the Christian Center. As a result of this event, 29 leaders of KLC were arrested and a total of 963 workers were submitted to disciplinary punishments: 59 to dismissal, 46 suspension from office, 165 downgrading mulct, 43 reprimand, 140 transfer, 233 admonition, 277 standby for punishment.

The government's refusal to negotiate with KLC on the ground that KLC was illegal organization is infringement on the right to organize at the workers' own choosing and thus in contravention to the principle of freedom of association. Similarly, the government's claim that the strike of KLC was illegal because it was prohibited by the article 12 clause 2 of the Labor Dispute Adjustment Act is incompatible with the Constitution and ILO Conventions which guarantee right to strike.

In the case of subway sector, the issue was on the prohibition of the right to strike in the public sector. Collective bargaining between management and trade union was blocked from the beginning due to the wage guideline of 3 percents base up rigidly imposed by the government. Trade union dared to call a strike and the government defined the strike as illegal on the basis of the article 30 of LDAA by which strike at public utility enterprise is

restricted. The management accused 46 union members of whom 16 were imprisoned, 2 indicted and 23 charged. Moreover, the company instituted a litigation for compensation for the loss during strike. As a result, presently the company is holding on temporary attachment of 40 union officers' retirement pay, 18 union officers' personal property and funds in deposit. Also the company punished 2,873 union members: 114 dismissed, 127 heavily punished and 2,632 light punishment. This number is one third of the total union membership. ILO clearly concluded in its June session 1994 of the governing body that the article 4(scope of public enterprise) and article 30 clause 3(commencement of arbitration) of LDAA contradict to the principle of freedom of association.

6) Continued Suppression on Strikes by Mobilizing Riot Police – Restriction on the right to strike at defense industry(Kumho Tire) –

During the years of military government, trade union strike was a target of military operation. Not only police but army was trained usually to put down labor unrest. While the government claimed that such military training was a part of the military necessity to protect defense industries, and not to block industrial strike. The fact is almost all of important factories were designated as defense industries. Everyone believed that such practices were not compatible with the civilian government. But the Kim Young-sam government mobilized riot police to labor disputes of major private companies occurred in 1994 in the same way as the past military government and crushed workers' strikes with physical power. The case of Kumho Tire was a typical case.

The employer and the trade union of Kumho Tire which produces and supplies almost all kinds of automobile tires in Korea together with other tire companies were going on a collective bargaining from May 24, 1994. As the company did not present any offer, the trade union submitted a report of labor dispute occurrence to Labor Relations Commission. But the Labor Commission's reply was that "labor dispute cannot be allowed since Kumho Tire is a defense industry". At this, trade union called a strike with 97 percent approval of union members. At midnight of the third day of strike, the government mobilized helicopters, excavators and riot police into the factory to suppress the factory and took 417 unionists to the police station of whom 31 union officers were imprisoned on charge of violation of LDAA. On 7 July, the company squad physically attacked the workers' families who were demonstrating to support the strike at the front gate of the company. 1,200 riot policemen raided on 15 July into Chunnam University where union leadership was staging a sit-in, and arrested 38 leaders including union president Jang Yong. Furthermore, the company claimed compensation for the damage from the strike to the 74 union officers and warned mass dismissal of the unionists actively involved in the strike. The Special Law on Defense Industry completely prohibits labor dispute at the enterprises designated by the law. Therefore, labor dispute at defense industry is defined as illegal and excluded from the protection granted by Trade Union Act. Since an enterprises like Kumho Tire is designated as defense industry, mass arrest, police hunt, dismissal, violence and claim for damage over

trade unionists can occur again anytime, not to speak of the threat to control the right to collective action.

7) Collusion of the Employers and Politics to Commit Unfair Labor Practice Publicly

Under the conditions that government mobilizes public power to suppress trade union activities physically and shelters only employers, it's difficult to expect real partnership in employers. The employers would rather want to maintain good relations with the government and politicians than with trade unions representing employees. The Korea Automobile Insurance corp. which is owned by one of the large conglomerates in Korea, Dongboo Group, is a typical example.

The management of Korea Automobile Insurance corp has committed continuedly unfair labor practice against the trade union since December 1, 1994. Ignoring the Trade Union Act, the company gave various disadvantages and threat to trade union and finally forced union officers to resign and dismissed 107 workers. Moreover, it announced publicly that it would destroy trade union. Against these measures, trade union applied for the relief and requested punishment of the management's obvious illegal practices to the Labor Relations Commission. But the company ignored completely even the Commission's decision of relief. People could not understand at all the company's outrageous behaviors. People were lost at the company taking such attitude. Soon the reason was revealed. A member of parliament of the opposition Democratic Party disclosed that he had found bribe money in the fruit basket given to him by the Korea Automobile Insurance and returned it. He argued that the other members of the parliament Labor Committee of the Parliament would very likely have received the same kind bribe since the Labor Committee at the time was examining the company's unfair labor practice. He proposed to officially investigate the bribe scandal. Instead of complying with his move, the other members of the parliament charged him of slander and damage of grace at the discipline committee of the National Parliament. People became furious about the scandal. Trade unions and other civil organizations called for severe punishment of Dongboo Group and Korea Automobile Insurance and expulsion of the members of parliament who received bribe. The dismissed unionists and union officers of the company staged 303 day long sit-in from 22 April 1994 and union leaders waged 37 day long hunger strike.

On the end of September 1994, the labor and management managed to reach an agreement. The company promised to recognize trade union and to quit unfair labor practices and trade union admitted light punishment over union leadership. However, even after labor-management agreement the management is said to have committed unfair labor practices like excluding union officers from engaging in duty and instructing workers not to contact union officers. This case clearly shows the premodern attitude the large conglomerates take on trade union and the narrow view labor policy of government.

3. Infringement on Human Rights

1) National Security Law

With the start of the Kim Young-sam government, the most advanced sector in terms of democratization was the press. Different from the past, there exists no longer the censorship or news guideline for the newspapers. But a lot of persons who were involved in the previous military government are still holding important posts in the current government and the security machinery like the National Security Planning Board still maintains large staff. Moreover, the National Security Law which was the base of such security agents secret activities remains mostly unchanged.

In August 1994, when new political phase of security unrest was created in connection with international and internal tension following the nuclear issue of North Korea, war crisis and North Korean Chairman Kim Il-sung's death, the prosecutor and police in Korea stated that they would summon some professors including Professor Chang Sang-hwan of the Kyungsang University, a coauthor of "Understanding of Korean Society" which was widely used as a cultural study text in universities, and if they would not comply to the summon, would arrest them, claiming that the sociology book contained some clauses violating the National Security Law by praising North Korea and denying legitimacy of the Korean government and intended to spread North Korean 'Juche ideology' to students. At this, the professors and 'National Professors Association for Democracy' immediately released statements saying "judging the lawfully published publication, the academic level of which already been verified several years by the "questionable" National Security Law itself is an infringement on the freedom of study and thought guaranteed by the Constitution" and strongly called for "withdrawal of the summon of the professors and repeal of the National Security Law."

The security agents' headlong plot was vanished in vain by the deliberate court ruling. Judge Choi In-seok turned down prosecutor's arrest warrant, saying that the content of the book was something that can be easily found at progressive social science bookstores and can be accepted by the Korean society which has reached a certain level. He also clarified that freedom of study is a basic right to be protected by law. People gave claps and cheers to his wise and brave decision.

During the same period, president of the Seogang University, Park Hong disclosed a shocking story that North Korea's Kim Jung-il's instructions were delivered directly to the so called 'Juche ideology fraction' in Korea such as student movement, farmers movement and labor movement and claimed that he had solid evidences. He made this utterance at an event arranged with President Kim Young-sam's invitation for university presidents and when major large scale company trade union strikes were facing with the police raid. Although many intellectuals criticized president Park for his words being irresponsible and vulgar, commercial press except the Hankyore Newspaper praised him as a 'courageous intellectual'. However, Park ignored the request from both his supporters and opponents that

the said evidences be presented. One day suddenly he left on a secret travel to the United States.

This case revealed that Kim Young-sam government also relies on anti-communist ideology in order to consolidate his ruling power by suppressing internal resistant forces the same way as the past military government. Also it ascertained that the democratic basis of the present government of which the important posts are occupied by the key persons of the past military dictatorship, is very weak. The reason why the present government, which was able to seize power with the people's struggle to achieve political freedom, maintains the National Security Law is not only to repress the freedom of thought but to restrain the democratic rights over press, publication, study, culture and people's struggle for the right to live in order to maintain the present ruling structure.

2) The Law on Assembly and Demonstration

Assembly and demonstration are important methods of opinion expression of the social members. When the mass media like newspapers and broadcasting are unfair, the role of assembly and demonstration becomes even more important. A number of mass assemblies are still restricted even though Roh Tae-woo regime partly revised the Law on Assembly and Demonstration in March 1989 and made its application to be carefully examined. Police still has the authority to disapprove any assembly or demonstration submitted in advance for approval. Although the law lays down procedures for appeal and legal suit against the police disapproval, the procedures have no effect for urgent assembly or demonstration. In fact, this is a permission system for assembly and demonstration which contradicts the Constitution as it bans such system. Actually most of the important trade union assemblies and demonstrations are banned by the police so that the number of arrested unionists for violating the Law on Assembly and Demonstration is increasing. The police disapproval notice on assembly and demonstration should be repealed so the people's basic right to freedom of assembly and demonstration can be protected.

4. The Future Tasks

At the start of the Kim Young-sam government, human rights conditions seemed improving. The National Security Planning Board Law which used to be seen as a typical anti-democratic law was revised and the Board became subject to the parliamentary audit. Also the politicians with military background left the scene.

But human rights in the area of civil sector has not improved. Most of the police investigations are accompanied with detention while investigations without detention are few. It has been revealed that torture and harassment during interrogation still exist. Censorship on performance and publication still prevails. The National Security Law is applicable even on the texts put on the computerized communication network.

While the government uses 'democracy' to attack its rivalry, the military group, it ignores completely the political rights of the people. In particular, guarantee of the workers' rights is retrograding. Kim Young-sam government is converting the military-oriented ruling structure into the monopolistic capital oriented one. Its ignorance of the international and domestic call for the reform of the labor related laws is a typical example.

Improvement in democracy and the human rights in Korea goes in parallel with the growth of the influence exercised by the masses including workers.

Chapter 6.

The Method of the Trade Union Education in Korea

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1. Current Situation

Trade union education is undertaken mostly by the trade unions but often also by university institutes, private institutes and by worker education organizations. The method mainly takes the form of lecture but also the forms of seminars, group activities and study groups.

Reflecting the organization structure, trade union education is carried out separately between the FKTU (Federation of Korean Trade Unions) and democratic union camp.

1) The FKTU

The FKTU education is generally divided into two types; regular courses for union officers and special Sector courses.

① Regular Course

The regular courses are again divided into three categories; officers course, cadre course and special course.

Officers course is a 5 day residential course, about 15 courses a year. The target groups are the union officers ranked higher than executive committee members of company level unions. The subjects include union structure and operation, history of labor movement, union officers' attitude, labor relations, and labor related laws. The methods are centered on lectures. The lecturers are principally from among the FKTU officers, but some of the outside lecturers are also used for certain subjects.

Cadre course is a 2 day residential course, about 12 courses a year, with the target group being company level union officers who cannot attend the officers courses. The subjects are on union officers attitude, union administration, labor related law, physical training, and etc. The lecturers are from among the FKTU officers.

Special course is a 1 day touring lecture seminar for local areas. The participants are officers of company level unions and the subjects are on political activities of trade union, tasks and direction of trade union movement and labor laws.

② Special Sector Courses

This course is targeted for union officers responsible for union departments with an aim to help improve daily activities of trade unions.

First, there are seminars for union educators. The participants of this 3 day residential course are union education officers of the industrial federations and regional councils. The subject is focused on the problems of union education and the solution there to.

Next comes seminar on labor related laws. This 5 day residential course focuses on explanation of labor related laws, targeted for officers of industrial federations.

Then there is course for newly elected presidents. This 4 day residential course is targeted on union presidents newly elected or of newly established union. The subjects are

on union organization and operation, history of labor movement, union officers attitude, collective bargaining, and etc.

Also there are courses for public relations and communications officers, courses for officers responsible for occupational safety and health affairs.

2) KTUC

KTUC(Korean Trade Union Congress) has no regular course. Instead, its education activities are divided into three types; central course, local touring course and special course. KTUC's education policy is to support the education activities of regional councils and enterprise level unions.

① Central Course

First, wage negotiation course is held with the approach of wage increase struggle every year. The target group of this 3 day residential course are general officers, educators, research and statistics officers. The main subjects are on significance and direction of wage increase struggle, the strategy of wage negotiation, and etc.

Next comes new officers course. This 3 day residential course aims at strengthening organizational capacity of enterprise level unions and enhancing leadership of union leaders.

Then there is union education development course. This 3 day residential course is to develop educational ability and planning capacity of union educators of enterprise level unions.

Also, PR class and culture class are conducted as 3 day residential courses.

In addition to the above, there are residential courses for research officers and officers in charge of occupational safety and health.

② Circular Courses at Different Locality

This course is organised in different areas for union officers of enterprise level unions as with such subjects as on wage negotiation, labor law reform, organizing ability development, counter measures against repression on labor movement, etc.

③ special course

In relation with building democratic national center, education by industry at manufacturing sector and education for the KTUC oriented unions are organised.

Automobile trade union courses are held for union officers and educators. The forms of courses are 3 or 2 day residential courses and the subjects are on industrial situation, trade union situation and its tasks, education activities, and etc.

Similarly, training courses for shipbuilding trade unions are organised with similar target group, terms and subjects.

Also, courses for the KTUC oriented unions are organised. The target group is union leaders of the newly affiliated KTUC member unions or the KTUC supporting unions. The subjects are on explanation of the KTUC rules, activity program and platform, affiliation example, organization operation and daily activities, etc.

3) Education of Industrial Federations and Regional Councils

Education projects executed by industrial federations and regional councils vary depending on the size, financial condition, union conditions, and etc. As a whole, industrial federations' education for the union officers of their affiliates is focused on wage negotiation, enhancement of officers capacity, consolidation of organizational capacity, direction of institution improvement struggles, etc. Education for the officers in charge of union departments such as research, education, culture, organizing, and dispute are also organised. Besides, education on certain issues like labor law reform, and May Day struggle is executed.

Regional Council education is similar to those of industrial federations and held when needed in response to special issues of regions.

2. Cases of Union Education at Enterprise Level

Actual education implemented differs from local union to local union. The commonly executed education at enterprise level are held for union executives and representatives.

Recently, company level unions make increased efforts to provide educational opportunities and to develop method for rank and file members. Some of the exemplary cases of union education at enterprise level are described as follows.

1) Education for rank and file members of the Hyundai Precision Union (Ulsan)

The Hyundai Precision produces container, automobile parts, and etc. Union membership is about 3 thousands.

The trade union has education committee composed of 12 members, 4 members each from executive board, representatives and sub committees. The role of education committee is to plan and implement educational activities and to educate rank and file members. For systematic and continued implementation of the educational activities, education committee is stipulated in the union constitution.

Seminars to educate the entire 3 thousand members have been implemented several times and frequently even during the struggling. For effectiveness, education is given for groups of 50 to 70 rank and file members based on company departments or sections. Each education committee member is responsible for 5 to 7 units. As a whole, an education committee member executes the same course for about 300 rank and file members. This way the entry 3,000 union members can be properly covered within 2 weeks. The education

committee members themselves, while conducting education, are trained to become activists of considerable capacity. Moreover, with this education implemented regularly, the rank and file members' come to share the same thought as their union leaders.

2) Current topics discussion groups on Namsung Electrical Union

Namsung Electrical is located in Kuro industrial complex 3 and the trade union of about 500 membership was organized in 1978.

The discussion group on the current topics began with a simple purpose to widen the members' view and to enable them to understand the society better. The discussion group gives opportunities for the members to develop their expression ability through discussion and presentation and to enhance the political consciousness of the participants.

The discussion group is divided into two teams; political and economic issue group and reunification issue group. Once a week the teams hold discussions with material published by labor organizations, various monthly magazines and newspaper scrap, and hold a presentation session once a month.

Operation of the discussion groups is : collection of newspaper and materials every week and reviewing, discussion on selection of subjects, discussion on the subject and then presentation. Also, once a subject has been selected, publicity activities are undertaken using posters, newsletter, tatzepao, etc. If a special issue such as local government election is raised, they form a preparation team. Any members who is interested in the subject is invited to participate in the presentation

By operating the discussion group, the Namsung Electrical trade union has been able to widen its members' view on society and enlighten them in the present social relations and heighten their sense of responsibility as a constituent. Through this, union officers have come to actively take parts in the social problems. The officers' active participation in social problems influences increasingly rank and file members to take interest in social problems.

3) Living integration education of the Young Age Workers Union

The Young Age produces shoes and the trade union of about 200 membership was organized in 1989.

The living integration education was designed to combine labor movement and personal living with a view to overcoming both the past officers education and discussions which have not been effective. Seeing the problem that many union officers elected after 1987 either left or gave up trade union movement, this type of education is thought to help solve the problem that even the unionists with high union consciousness have difficulty living the same way.

The living integration education is made up of eight sessions, once every two weeks, and a training course. The program is as follows: the first session is discussion on the willingness to participate in education: the second session is establishment of self independency; the third is basic spirit of trade union(collectivism and brotherhood); the

fourth is view on life; the fifth is attitude and role of a union officer(devotion and example); the sixth is opening new horizon of trade unionism (goal and direction of trade union movement); the seventh is obtaining finding brotherhood through union life; the eighth is living community (normalization of group activity).

Group members reflect their living during the last two weeks and pursue after better living. The living integration is not just reporting what have been done but reviewing the problems of living and what to do for the future.

The education proceeds as follows: for the preparation and execution, the operation committee composed of 7 members including the union vice president, educator and a group leader prepares educational materials on each subject. Participants are divided into 4 groups of 5 to 6 members and the groups implement the course going through the check list.

The program of each course is made up of living integration by each group, lecture, theme discussion, presentation of living integration and discussion, general discussions. Time assigned to a lecture is just 20 minutes and the course is mostly proceeded with the participants' preparation and discussions.

The method of living integration is to prepare and to present the result of check list on living; for example, for the first two weeks, how much did I do to take care of my family during the first two weeks; second two weeks, did I try to get along with fellow workers and how much did I cooperate with fellow workers at work; third, was I faithful in union activities like union meetings or assembly; fourth, What did I do for my own development; fifth, how much did I prepare for this course, etc.

4) Education by Seoul University Hospital Union

The trade union was established by 41 founders on 1 August 1987 and its membership is about 2,150(73% unionization). The union members are composed of such a variety of crafts as office workers, nurses, medical engineer, simple manual workers, technicians, computer operators, pharmacists, and etc. Thus to integrate the different demands of members arising from different educational backgrounds, wage levels, working conditions was the most important task for the trade union.

① **group study of union officers**

Trade union has a study group composed of 7 to 8 full time union officers. The group study is conducted for 2 hours prior to executive board meeting every week. The members should come with discussion subjects. A participant presents a subject on problems arising from union activities. At first, they had to invite outside experts to get solutions out of their reach. They don't have to depend on outside experts anymore

They have gone through 'guide to labor movement', 'theory of union leaders functions' and are now studying 'history of labor movement'. The trade union has unity in the basic concept of movement. Also, in depth discussions among the union officers enable them to solve any internal disagreement and to trust one another.

② education officers meeting

Regular weekly meetings are held to reports on the outcome of standing executive committee meeting, to discuss important issues and to review education related matters. Furthermore, the meeting provides time for study and discussion on current topics. They have studied 'digest of Korean modern history' over 5 times so that all the education officers have correct views on history. The current topics discussions which takes place once or twice a month help them to understand the current political situation that influences the union movement.

③ monthly envelope education for representatives and executive officers

Considering the condition that most of representatives and standing executive committee members should work on 3 shifts system, trade union developed the 'envelope education' to enhance the ability of the activists. Every month, union hands on each representative and executive officer an envelope, which contains educational content, and have them learn the issues. The contents are mainly focused on social or political issues, for example, 'reasonless National Security Law', 'cartoon, history of labor', 'we are all handicapped', 'it is not time to be silent', 'criminals who destroy environment', 'dinosaur economy created by the Jaebols', 'ILO admission only in the form', 'inflation creators', ' what's good about the National Assembly when the laws are dead', and so on.

Besides the above, many unions like Industrial Bank, Daewoo Shipyard, Asia Motor and Daewoo maintenance and Parts conduct labor class for rank and file members on a continued basis. And the number of trade unions that conduct systematic education of rank and file members is growing larger and larger. Education methodology is also shifting from the conventional lecture type to various methods such as group discussions, five minutes presentations, thirty minutes presentations, VCR, slide, posters, charts, etc.

The contents of education also change to enhance social or political consciousness from the past wage struggle and union's daily activities.

Nevertheless, these exemplary cases of education activities are still rare in number. National federations are not yet fully meeting the variety of educational demands from enterprise level unions.

3. Tasks to Enhance Union Education

To enhance union education, there are many urgent matters to be solved; systematization of education activities according to target groups, proper financial support, improvement of role of education department or committee, acquirement of time for union education, development of education methodology, training and assignment of educators, etc.

Most trade unions cannot carry out union education well because they cannot secure enough time for education during working hours, poor financing, and lack of union

educators. And it appears to be an important task to retrain the union activists come into being after 1987. More and more union officers elected after 1987 are leaving labor movement because they can not see the future of the labor movement and they cannot solve problems in relation with their living. Therefore, it is an urgent task to train and deploy labor activists by developing diversified educational content and method by which their personal living can be stabilized more or less as well as their worker consciousness.

Chapter 7.

Recent Development of Korean Labor Movement

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Passing through the mid 1980s, the Korean labor movement envisaged a important turning point towards a qualitative upsurge. It reflects the growth Korean labor movement achieved during the period of throes or preparation in the early 1980s on the basis of the potential accumulated in the 1960s and 70s. Especially the worker struggles from July to September 1987 contributed to epoch-making in the history of labor movement.

However labor movement fails yet to establish its status as a leader of social reform. Moreover, with the ongoing control and repression of the state and capital to impoverish labor movement and to distort the direction of movement, the labor movement after 1990s is caught in the stagnation. Being a period of transition preparing for the next upsurge with accumulation of discontent and demand of working class, the stagnation phase should be regarded only as temporary.

1. Expansion of organizational capacity and growth of democratic trade union movement

1) Status of trade unions organization

Prior to the labor struggle in 1987, trend of membership increase was very sluggish. Organization rate has shown a very steep upward curve since the rapid unionization started in the latter half of 1987. The number of trade unions increased from 2,675 in 1986 to 7,883 as of 1989 and the union membership from 1,036,000 to 1,932,000 during the same period. Since 1990, however, the number of trade unions and union membership has continued to decline to 7,147 unions with total membership of 1,667,000, and organization rate to 14.3 percent. This decrease seems to be primarily due to the industrial restructuring and the new management strategy propelled unilaterally by capital.

Average number of members for each trade union also decreased from 380 in 1986 and now to 230. Organization rate by company size shows striking difference. According to the survey of 'Korea Labor Institute', the organization rate at the companies with 300 employees and below is not more than 0.3 percent as at the end of 1992, while that of the companies employing 300 and more is 55.4 percent.

2) Growth of democratic trade union movement

Emergence and development of democratic trade union movement made in parallel with organizational expansion of trade union and shift of the overall labor movement can be said to represent the quality aspect of labor movement progress. The democratic trade union

movement is a new stream that should be distinguished from the conventional trade union movement which has been led by the FKTU.

Although the democratic trade union movement characterized by independence from the state and capital and union democracy did exist even before 1987, it could not form a stream. It was not until 1987 that the democratic trade union movement achieved great organizational growth alongside with the rapid expansion of trade unions.

At the organizational aspect, the democratic union movement has developed separately, namely, at manufacturing sector and at non-manufacturing sector. Trade unions at manufacturing sector began to form regional councils which were united organizations of company level unions at regional level and finally in January 1990 formed into a national center called the Korea Trade Union Congress(KTUC, chonnohyup). Democratic trade unions at non manufacturing sector formed solidarity bodies by each industry which soon developed into industrial federations or councils and in May 1990 formed the Korea Congress of Independent Industrial Trade Union Federations(KCIIF, Upjonghoeuy). Trade unions of business conglomerates called Chaebol in Korean also formed their own solidarity bodies such as Hyundai Trade Union Federation, Daewoo Trade Union Council, etc.

The solidarity bodies of trade unions formed at regional, industrial and business group level expanded and consolidated organizational capacity and at the same time sought a unified national solidarity body through joint struggle against capital and the state. The national solidarity body reached to the current Korean Council of Trade Unions(KCTU, Minjunochong) via the National Joint Committee for Ratification of ILO Basic Conventions and Revision of Labor Laws(ILO Joint Committee) in 1992 and the Korean Council of Trade Union Representatives(KCTU, Chonnodaе) in 1993.

The KCTU(Minjunochong) which was formed at the National Workers Rally on 13 November 1994 comprising all democratic trade unions centered on the former KCTU is preparing in a concrete way for the new central organization of trade unions distinct from the Federation of Korean Trade Unions(FKTU). There are under the KCTU 1,405 unions and 526,269 members including the sympathetic unions, which assume 19.7 percent of entire trade unions and 31.6 percent of total union membership. Average per union membership of the KCTU is 3,746, much higher than the national average(230 members).

Organizational line of the KCTU is in transforming the current company based union system into industry wide union structure. The basic affiliated unit of the KCTU will be industrial union. As a result, notable industrial union organizations have emerged within the democratic trade union movement. The one is an industrial federations at manufacturing sector not under the FKTU, namely, Korean Council of Shipbuilding Trade Unions(KCSTU) formed on 30 January 1994. This trend will grow along with building democratic national center. Others are industry wide unions at national level like the Korean Scientists and Technicians' Union and Korean Medical Insurance Trade Union. They were established newly as nation wide industrial unions after dissolving the existing enterprise based or regional based trade unions. It is note worthy in the sense that in-house trade unions developed themselves into national industrial trade unions.

2. Rise in struggles and change of the pattern

Labor movement develops through struggles of working class. Through struggles, workers can have clear perception of the substance of fighting targets, confirm their confidence in the necessity of fight and victory, and realize organizational consolidation and class consciousness as well. In a word, struggle is driving force of a labor movement.

The workers struggles show several features after the workers struggles in 1987. Among other things, it is mostly notable that workers struggles have increased rapidly. The number of labor disputes each year since 1986 was 276 in 1986, 3,749 in 1987, 1,873 in 1988, 1,616 in 1989, 322 in 1990, 234 in 1991, 235 in 1992, and 144 in 1993. The labor disputes seemed explosive in the years between 1987 and 1989.

Secondly, the issues of workers struggles become diversified and elevated. According to a survey of the Ministry of Labor, the non-wage issues giving rise to labor disputes assume 45 percent in 1990, 41.5 percent in 1991, 31.5 percent in 1992 and 46.6 percent in 1993. Workers' demands for social reform are increasing, for instance, medical care democratization campaign of hospital workers and press democratization campaign of press workers.

Thirdly, the fashion of workers struggle became more organised and planned taking the forms of general strike, partial strike, sabotage, work to rule, etc. This nature of struggles is fortified by the general practice that trade unions respond more effectively to workers' demands through active group discussion even during strikes.

Fourth, the major tactics of workers' struggles continue to be factory occupation, which leads to fierceness of workers fights physically confronting with employers. The fierceness is still more escalated by the direct confrontation with governmental power.

Fifthly, united national struggles, as well as regional, industrial and business group level solidarity struggles are increasingly strengthened and more and more economic struggles combined with political struggles are taking places. The typical one was the general strike by the Korean Council of Railway Workers' Unions in 1994, which was the first general strike at railway sector since the 1950s.

The aforesaid changes in the pattern of workers struggles reflect the development of labor movement since the workers struggles in 1987, and show a section of the current situation of the movement. Despite the development, workers' struggles reveal limits and problems.

What may be pointed out first is that the principle of mass subject is not yet respected faithfully. As the struggles waged by workers are led by mass organization, they cannot be inspired without the spontaneous and active involvement of working mass. However a good many struggles are still progressed with the initiatives of union activists, leaving the working mass inactive in the struggles. Trade union democracy needs to be still more strengthened at struggles.

Similarly expansion of joint struggles and united struggles are restricted by both the

closed nature of in-house unionism and the narrowness of individual struggles, while it is crucial that joint struggles and united struggles need to be further strengthened as improvement in institution and solution of political tasks are gaining importance.

The fact that the current worker struggles do not fully induce national demands is also an obstacle to the development of labor movement despite that the interests of working class and people closely coincide.

3. Ideological development of labor movement and extended political advance

It is an essential phenomenon in the development of labor movement that the ideology develops as the organisation expands and consolidates. The development of ideology is concretized in establishing the direction and goal of movement, adopting a keynote and strategy of movement, and counteracting the ideological offensive from state and capital.

Meanwhile, enhancement of political capacity and extension of political influence of labor movement have significant meanings for the sake of the labor movement aimed at reforming the capitalist society as well as responding to the workers' political demands. Moreover, in the condition that the conflict and contradiction between the labor movement and the state power are serious, how to consolidate and develop the political capacity of labor movement must be a critical factor defining the labor movement's development.

1) Ideological development of labor movement

The FKTU adopted 'movement basis and action programme of the FKTU' at its national convention held in February 1992, in which the FKTU defined its ideology as 'trade unionism for realization of democratic welfare society', and its the major contents were ① commitment to independent and democratic labor movement, ② protection of right to living of workers and ordinary people, ③ promotion of structural reform of Korean capitalism, ④ active participation in decision making process of government, ⑤ undertaking political activity, ⑥ unity of labor organizations and solidarity with civil movement, as so forth.

From the above the FKTU's movement ideology can be categorically viewed as a sort of economic unionism, which does not only make it difficult to establish the goal in order to realize both the realistic and fundamental demands of working class but also make it impossible to decide a correct strategy of movement to accomplish the goal so established. Moreover, when the basis and ideology of movement are not backed up by practice, this kind utilitarianism is liable easily to degrading into unionism only in form.

On the other hand, movement ideology of democratic trade union camp is not explicitly settled yet as it is on the way to building a central organization. However, there exists a common ideological direction which has been set through the 7 year old democratic trade

union movement so that we can grasp the outline through the platform and programme of the KTUC which has represented the democratic trade union movement up until now.

In the inauguration declaration, the KTUC defines itself as "a new organization main stream of the Korean labor movement to overcome the labor-management cooperation and government controlled and undemocratic trade unionism as represented by the FKTU and to carry out independent and democratic trade union movement." The KTUC declared both rejection of government controlled and undemocratic trade union movement and overcoming of labor-capital cooperation.

Besides, the KTUC stresses on the fights to realize 'reform of social and economic structure' and 'democratization, independency and peaceful reunification of the country' as well as the fights to realize 'economic interests' and also presented such major goals as improvement of working and living conditions, employment security, guarantee of basic labor rights, annihilation of labor repression, improvement of institutions and policies relating to housing, education, social security, tax, state finance, price, environment, etc., removal of discrimination over women workers, establishment of sound people's culture, guarantee of people's democratic rights, international solidarity of labor movement, contribution to world peace, and so on.

Hence, the ideology of democratic trade union movement can be viewed as a social reformative trade unionism of strong militant and political nature. It does not deny the capitalist system and the wage system in its strategic goal. Although it rejects the labor-capital cooperation, it moves towards social reform and adoption of unified economic struggle with political struggle as its major line.

This ideology of democratic trade union movement seems to be maintained almost as it is by the would-be democratic national center, although it is likely to be elaborated more scientifically and systematically and the context of social reform is expected to be more concretized.

2) Extension of political context

Since the labor struggle in 1987, political capacity of labor movement has grown and the political context extended. It is a reflection of the heightened political demands of labor movement and at the same time can be seen as a result of the strengthened organizational and struggling capacity. However, political capacity of labor movement is not yet strong enough to create a workers party or take the lead in national democratic movement.

Meanwhile, the FKTU lays the basic direction of political activity by union officers actually going into the parliament or lobbying to win political forces. The union officer's becoming member of parliament or lobbying activity to win political forces, however, has to be backed up by organizational resolution and promoted as a means of political struggles. Furthermore, insofar as the politics related laws or election system has undemocratic structure, workers' access to parliament is extremely difficult and political activity by way of lobbying is also extremely limited. In some cases, we cannot rule out the possibility that such union activities might result only in consolidating the base of ruling power.

For the political activities, the FKTU is also focusing on the solidarity activities with

civil movement organizations, while putting aside the solidarity with grassroots people's movement. It explains the revisionist activity pattern the FKTU adheres to.

On the contrary, the democratic trade union movement gives due weight to the political activities through mass struggle, still not neglecting the political activity through parliament. It is not only because of the great legal and institutional limitations on the political activity through parliament, but also because we believe it to be the prime line of democratic trade union movement. The democratic trade union movement, therefore, primarily promotes the struggles against political power for union formation and activities, campaigns for improvement of institutions and policies, social reform campaigns in solidarity with national democratic movement, and etc.

The representative fights against the governmental power were the struggles for KTUC creation and the struggles to secure lawful status of the federations under the KCIF. Campaigns for improvement of institutions and government policies have been staged almost annually including struggles for labor law reform, job security, checking repression over labor movement, repeal of wage curb policy including the so called total pay system and the FKTU-KEF wage accord, and improvement of labor policy and economic policy, etc.

Political context of democratic trade union camp is expressed by the striking features of joining national democratic movement and promoting national unification movement. The KTUC and the KTU(teachers' union) became main constituent of the national democratic movement, having affiliated to the National Alliance for Democracy and Unification which was formed in December 1991 comprising all national democratic movement forces throughout the country and the former KCTU decided its participation as a co-representative, though not a formal affiliation, in the National Conference for Independent and Peaceful Unification which was formed in July 1994 with an aim to realizing great unity and independent and peaceful reunification of the nation. It is very meaningful that the labor movement for the first time since the birth of the Republic of Korea in 1948 is participating in the independent movement for the reunification of the nation.