

Personnel Management in the Gaeseong Industrial Complex (Abstract)

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The aim of this paper is to examine the labor laws and personnel management in the Gaeseong Industrial Complex (hereinafter referred to as the "Industrial Complex"). In Section 2, we describe the size and quality of the workforce, as well as the distinctive conditions for the personnel managers in the Industrial Complex. In Section 3, we examine the labor laws and personnel management in the Industrial Complex and, comparing the labor laws in the DPRK and the ROK, mainly examine the following labor problems; 1) employment; 2) wages/salary; 3) working hours; 4) industrial accidents; and 5) resignation and dismissal.

There are six main problems relating to the labor laws and practices existing in the Industrial Complex. First, enterprises can't employ DPRK workers freely through a direct, open recruiting system. Second, DPRK workers can't receive their wages/salaries from enterprises directly. Third, it is difficult for enterprises to introduce a flexible-working-hour system because of the methods of transportation to and from the workplace. Fourth, there is no clause concerning the limit for overtime work in the "Labor Regulations for the Gaeseong Industrial Zone" (hereinafter referred to as the "Labor Regulations"). Fifth, the Labor Regulations have no concrete clauses concerning compensation when workers in the Industrial Complex die or suffer accidents due to work. Sixth, it is actually difficult for enterprises to dismiss DPRK workers.

We can consider that these problems occur for the following reasons. Although the DPRK and the ROK have different labor law systems, many articles in the Labor Regulations were laid down as a compromise between the labor laws of the DPRK and the ROK. As a result personnel management in the Industrial Complex has a complicated structure. (For example, in ROK enterprises which are operating in the Industrial Complex, ROK managers and DPRK labor representatives take charge of personnel management. Kaesong Industrial District Management Committee and the General Bureau for the Guidance on the Development in the Central Special Zone participate in employing DPRK workers.) Furthermore, from the viewpoint of the protection of workers, insufficient sections can be seen within the Labor Regulations.