

# Korea<sup>1</sup>

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For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the [cross-country tables](#) at the front of the review (also available individually on the [Leave Network website](#)). To contact authors of country notes, see the [members](#) page on the Leave Network website.

## 1. Current leave and other employment-related policies to support parents

### a. Maternity leave (출산전후휴가) (responsibility of the Ministry of Employment and Labour)

#### *Length of leave (before and after birth)*

- Ninety calendar days: a minimum of 45 days must be taken after the birth. In the case of a delayed birth, additional days are provided to guarantee 45 days' leave after the birth; however, any additional days in excess of the 90 days are not paid.
- It is obligatory to take all the leave.

#### *Payment and funding*

- One hundred per cent of ordinary earnings (i.e., for contractually agreed working hours, excluding bonuses and/or overtime pay) at the time of taking leave, paid by the employer for the first 60 days (75 days for multiple births); then, 100 per cent of ordinary earnings paid by the Employment Insurance Fund with an upper limit of KRW2,100,000 [€1,479.09]<sup>3</sup> for the last 30 days (45 days for multiple births).

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<sup>2</sup> The opinions expressed and arguments employed herein are solely those of the author and do not necessarily reflect the official views of the Ministry of Health and Welfare, Korea.

<sup>3</sup> Conversion of currency undertaken for 06 July 2023, using: <https://sdw.ecb.europa.eu/curConverter.do>.

- To reduce the financial burden on small- and medium-sized enterprises (SMEs), often called an affirmative support enterprise, the Employment Insurance Fund<sup>4</sup> pays for the first 60 days, up to a limit of KRW2,100,000 [€1,479.09]. If an employee's ordinary earnings are higher than the limit for the first 60 days, the employer must pay the difference between the limit and the employee's ordinary earnings for that period. This means that the Employment Insurance Fund pays up to KRW6,000,000 [€4,225.98] (KRW8,000,000 [€5,634.64] for multiple births) on behalf of SMEs, including payment for the last 30 days, which is provided for all types of companies. The definition of an SME varies across sectors: for example, in the manufacturing sector, the enterprise must have no more than 500 employees, and in the construction sector no more than 300 employees to be considered an SME (Employment Insurance Law, Enforcement Decree Article 12).
- The portion of payments paid from the Employment Insurance Fund is not taxed.
- The Employment Insurance Fund for Maternity leave benefit is financed mainly by employers' and employees' contributions, with a small amount of government subsidy.

#### *Flexibility in use*

- Maternity leave can be taken 45 days before the expected date of delivery. For medical reasons, women who have previously experienced or risk a miscarriage can take the first 45 days at any time.

#### *Eligibility (e.g., related to employment or family circumstances)*

- All female employees, whether permanent or temporary workers, are eligible for Maternity leave; but to be eligible for the Maternity benefit from the Employment Insurance Fund, employees must have been insured for 180 days prior to the commencement of Maternity leave. For those not entitled to the benefit, the employer must pay for the first 60 days.
- A woman who gave birth but is not eligible for the Maternity benefit (for example, self-employed workers or workers who were not insured for 180 days) can receive KRW1,500,000 [€1,056.49] for 90 days (KRW500,000 [€352.16] per every 30 days). This provision does not apply to unemployed or inactive mothers. Self-employed mothers engaged in economic activities at least three months within 18 months including the day giving birth prior to taking maternity leave benefits are eligible.

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<sup>4</sup> Employment insurance (EI) does not cover government officials, teachers (both in public and private schools), part-time workers working fewer than 60 hours per month, or domestic workers. EI also does not cover businesses in the agriculture, forestry, fishery, and hunting sectors with four or fewer employees, nor does it cover small construction firms.

*Variation in leave due to child or family reasons (e.g., multiple or premature birth; poor health or disability of child or mother; single parent); or delegation of leave to a person other than the mother*

- In the case of multiple births, the length of paid Maternity leave increases to 120 days (a minimum of 60 days must be taken after birth).
- In the case of a miscarriage or stillbirth, five to 90 days of leave are provided, depending on the length of pregnancy.

## **b. Paternity leave (배우자 출산휴가) (responsibility of the Ministry of Employment and Labour)**

*Length of leave*

- Ten working days.

*Payment and funding*

- One hundred per cent of earnings.
- Paid by the employer. The Employment Insurance Fund pays for five days on behalf of the SMEs to reduce the financial burden on the SMEs. The upper limit on payment for five days is KRW401,910 [€283.08]

*Flexibility in use*

- Leave can be taken within 90 days after the birth and can be split once.

*Eligibility (e.g., related to employment or family circumstances)*

- All employees whose spouse gives birth.

## **c. Parental leave (육아휴직) (responsibility of the Ministry of Employment and Labour)**

*Length of leave*

- One year per parent.
- Leave is an individual non-transferable entitlement.

*Payment and funding*

- Eighty per cent of ordinary earnings, with a minimum of KRW700,000 [€493.03] per month and an upper limit of KRW1,500,000 [€1,056.49] per month.

- Using part-time Parental leave, the employee can reduce working hours by one to five hours a day. For one hour reduction, 100 per cent of ordinary earnings is paid with an upper limit of KRW2,000,000 [€1,408.66] per month. For two to five hours reduction, 80 per cent of ordinary earnings with an upper limit of KRW1,500,000 [€1,056.49] per month is applied for the whole leave period, to encourage employees to use part-time Parental leave.
- Using the '3+3 Parents' Parental Leave Scheme (3+3 부모 육아휴직), if parents take Parental leave simultaneously or sequentially for a child under 12 months of age (including leave during the pregnancy), then each parent's Parental leave benefit is increased for the first three months from 80 per cent of ordinary earnings to 100 per cent, with escalating ceilings for each additional month on leave. That is: 1) if both parents take Parental leave for one month, the upper limit is KRW2,000,000 [€1,408.66]; 2) if both parents take Parental leave for two months, the upper limit is KRW2,000,000 [€1,408.66] for the 1st month, and KRW2,500,000 [€1,760.82] for the 2nd month; 3) if both parents take Parental leave for three months, the upper limit is KRW2,000,000 [€1,408.66] for the 1st month, KRW2,500,000 [€1,760.82] for the 2nd month, and KRW3,000,000 [€2,112.99] for the 3rd month.
- For single-parent families, higher payment is applied: the Parental benefit for the first three months of leave increases to 100 per cent of ordinary earnings with an upper limit of KRW2,500,000 [€1,760.82] per month; 80 per cent with an upper limit of KRW1,500,000 [€1,056.49] and a floor of KRW700,000 [€493.03] per month for the remaining months.
- 25 per cent of the Parental leave benefit is paid as a lump sum if the employee returns to the same employer upon expiry of leave, and works for more than six months with the same employer afterwards. However, this rule is not applied when it is not the fault of the employee for not working for more than six months with the same employer (for example, closing or bankruptcy due to the economic recession from 31 March 2020).
- Payments funded by the Employment Insurance Fund are not taxed.

### *Flexibility in use*

- Leave can be taken until the child reaches the age of eight (or second year in primary school).
- Pregnant workers can also take Parental leave.
- Full-time Parental leave can be split once, i.e., it can be taken in two separate periods. Part-time Parental leave can be split into three months periods.
- Instead of taking Parental leave on a full-time basis, employees can reduce their working hours<sup>5</sup>. Reduced working hours must be a minimum of 15 hours per week and cannot exceed 35 hours per week. The Parental leave benefit is paid in proportion to the number of working hours.
- If the employee takes only part-time Parental leave – in other words, does not take full-time Parental leave at all, they can take part-time Parental leave for up to two years.
- Both parents can take Parental leave at the same time.

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<sup>5</sup> This part-time Parental leave is called 'Reduced Working Hours during Childcare Period'.

*Eligibility (e.g., related to employment or family circumstances)*

- Employers can refuse to grant Parental leave to employees who have not worked continuously for their firm for one year.
- In order to receive the Parental leave payment, employees must have been insured for at least 180 days prior to the commencement of Parental leave and take at least 30 days' leave consecutively.
- Self-employed workers are not eligible.
- Same-sex couples are not eligible, as same-sex marriage is not legal.

*Variation in leave due to child or family reasons (e.g., multiple or premature birth; poor health or disability of child or mother; single parent); or delegation of leave to a person other than the mother*

- None.

#### **d. Childcare leave or career breaks**

- No statutory entitlement.

#### **e. Other types of leave and flexible working**

*Adoption leave and pay*

- The same Parental leave regulations apply in the case of adoption.

*Time off for the care of dependants*

- Employees are entitled to 90 days of unpaid family care leave per year when they need to take care of a family member on account of illness, accident, old age, etc. This must be taken in blocks of at least 30 days.
- Although family care leave should be taken in blocks of at least 30 days, employees can take family care leave of up to 10 days per year on a daily basis to take care of family members on account of illness, accidents, old age and childcare. Grandparents and grandchildren are covered by this ten days' leave. The total number of unpaid leave per year is 90 days, i.e., these ten days of leave are included within the total of 90 days of unpaid leave. These ten days of family care leave are temporarily paid in order to lessen the family care burden caused by COVID-19.

*Flexible working*

- *Reduction of working hours*
  - All female workers within the first 12 weeks, or after 36 weeks of gestation, can reduce their working hours by two hours per day, without a reduction in pay.
  - Through Part-time Parental leave (see Section 1c).

- *Shortened Work Hours Programme*: Employees can use the Shortened Work Hours Programme, working 15 to 30 hours per week, for reasons such as family care, personal health issues, retirement preparation, and personal education. The initial shortened period should be within one year, but it can be extended once up to a total of three years. However, the total shortened period for educational reasons cannot exceed one year. Wages are paid in proportion to the reduced working hours. Unlike part-time Parental leave, there is no financial support provided for the wage decrease resulting from this Shortened Work Hours Programme.
- The employer may not allow a reduction in working hours for the following reasons: 1) if the worker has been employed for less than six months in the current business and applies for the reduction; 2) if it is difficult to hire substitute workers; 3) if it is difficult to perform the job with split working hours due to the nature of the work; 4) if there is a significant impediment to the normal operation of the business; 5) if less than two years have passed since the previous reduction in working hours was implemented. After the reduction in working hours ends, the employer must reinstate the employee to the same position or a position with comparable level of wages as before. Family care is limited to care related to illness, accident, or old age of family members. Family members include the employee's grandparents, parents, spouse, spouse's parents, children, and grandchildren. For retirement preparation, employees should be aged 55 and above.
- *Flexible working without reducing working hours*: employees with a child (there is no age limit) can use flexible working programs described below.
  - Employees can adjust weekly or daily working hours within the limit of 40 hours of regular working hours per week.
  - Employees can work from their place of residence using mobile communication devices.
  - Employees can work in a remote work office adjacent to their place of residence or business travel location using mobile communication devices.
  - In order to promote the utilization of flexible working programs, the Ministry of Employment and Labour provides support to small and medium-sized enterprises for labour management costs or expenses related to the installation of mobile devices.

## **2. Relationship between leave policy and early childhood education and care policy**

The maximum period of paid post-natal leave is 27 months. Well-paid leave runs for 27 months. There is no entitlement to ECEC, though because of the very low birth rate (TFR 0.78 in 2022), there are enough places in ECEC services to meet demand; recently, many ECEC services, especially small-scale services, have closed down, due to problems in recruiting children.

For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' on the [cross-country comparisons](#) page.

A childcare subsidy is available for all children aged five years or younger to attend any type of formal ECEC facilities, regardless of family income level.

### **3. Changes in policy since April 2022** (including proposals currently under discussion)

- The upper limit for Maternity leave payment was increased from KRW 2,000,000 [€1,408.66] in 2022 to KRW 2,100,000 [€1,479.09] in 2023.

## **4. Uptake of leave<sup>6</sup>**

### **a. Maternity leave**

In 2022, a total of 73,387 employees took Maternity leave; their number has increased by around 2,000 compared to the number of Maternity leave takers (71,325) in 2021. The provisional number of births in 2022 is 249,000.

### **b. Paternity leave**

There is no available official data for Paternity leave take-up, as Paternity leave benefits are paid by employers. However, the Employment Insurance is financing the first five days of Paternity leave benefits for employees in SMEs since October 2019. The number of employees taking Paternity leave benefits from the Employment Insurance Fund was 18,270 in 2021 and 16,168 in 2022<sup>7</sup>.

### **c. Parental leave**

In 2022, 131,087 employees took Parental leave, an 18.6 per cent (20,532) increase compared to the 2021 (110,555), and about one out of three Parental leave takers, 30.5 per cent (37,885), were male employees. The proportion of male Parental leave takers has been rising in recent years; it was 8.5 per cent in 2016 and 21.2 per cent in 2019. The average length of Parental leave taken was nine months in 2022, which is slightly reduced from 9.5 months in 2021.

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<sup>6</sup> The number in this section is related to the number of employees taking leave, which are covered by Employment Insurance. Therefore, the number of persons taking leave who are teachers (public and private), civil servants, part-time workers, etc. is not included. Please refer to footnote 4, which explains the coverage of Employment Insurance.

<sup>7</sup> Huh. M, (2023) *Legislative tasks to enhance access to Paternity leave*, National Assembly Research Service, Republic of Korea.

Two-thirds of Parental leave users (64.3 per cent) take their Parental leave within 12 months after giving birth, and one in seven (13.6 per cent) take it when their children go to primary school. In addition, gendered behaviour regarding Parental leave take-up is observed: mothers are more likely to take Parental leave when the child is young, while fathers are to take Parental leave around the age at which the child should go to primary school. Gradual transitions from a work-oriented to work-and-life balance culture are observed as Korea increasingly embraces family-friendly measures.

The number of employees taking part-time Parental leave was 19,466 in 2022, showing 16.6 per cent (2,777) increase. Male employees represented 10.3 per cent of all part-time Parental leave takers.

**Annex: A new consolidated approach by Statistics Korea**

From 2021, the Statistics Office in Korea announced provisional data on Parental leave take-up in 2020 using new data collection methods. While the data collected by the employment insurance only included private sector employees covered by the employment insurance scheme, the newly produced data by Statistics Korea includes both private sector employees covered by the employment insurance scheme and public sector employees (including teachers). In other words, the new data set has more accuracy in terms of coverage – only military officials and civil employees in the military covered by the military pension are excluded - compared to the data produced by the employment insurance.

**A brief summary of the parental leave system in Korea (2021):**

	Private sector	Civil servants
Law	Act on gender equality in employment and support for work-family reconciliation	National Civil Servant Law; Local Civil Servant Law
Eligibility	Employee who has been employed more than six months at the same workplace one day before taking Parental leave	Civil servant
Entitlement	Employees who have a child not exceeding the age of eight (or in the second year of primary school)  Pregnant female employees  An employee who has worked the same workplace continuously for more than six months as of one day before taking Parental leave	Employees who have a child not exceeding the age of eight (or in the second year of primary school) <i>or</i> when a female civil servant gets pregnant or gives birth



Leave duration	One year per a child / Paid	Three years per a child (one year paid, two years unpaid)
Flexibility in use	As of June 2008, Parental leave can be split once; as of December 2020, Parental leave can be split twice	It can be used very flexible, as the employee wishes

**Data collection method:**

Statistics Korea used data from the employment insurance and the national health insurance in order to provide these statistics

The major change, compared to earlier data, is in how the number of parents who take Parental leave is counted. To be specific, Statistics Korea counts the number of parents taking Parental leave per 100 births or per the number of parents who are entitled to take Parental leave. Statistics Korea counts only parents who take Parental leave for the child born in the same year, which does not fully reflect the status of Parental leave take-up. Therefore, with this new method, Statistics Korea includes in the data both the number of parents who have a newborn baby and take Parental leave and the number of parents who have a newborn baby and take Parental leave for its elder siblings. In other words, if a mother gave birth in 2018 and 2020 and took Parental leave in 2020 for the reason of the baby being born in 2018, the previous method would not count her as a Parental leave beneficiary, while the new method counts her as a Parental leave beneficiary.

The number of Parental leave beneficiaries reflects the number of parents who took Parental leave in one year period. Therefore, if a parent took Parental leave in 2019 and is still on Parental leave in 2020, Statistics Korea will not include this parent in the number of leave beneficiaries in 2020.

	The period when Parental leave was taken	Inclusion in data in 2020
A	December 2019 ~ November 2020	Not included
B	January 2020~March 2020, September 2020~January 2021	Included as one take-up case
C	December 2019~March 2020, September 2020~January 2021	Included as one take-up case

**Following the method described above, Statistics Korea produced a new data set ranging from 2010:**

The number of Parental leave beneficiaries (unit: person, per cent, p)

	2010	2011	2012	2013	2014	2015	2016
<b>Total</b>	72,967	93,895	104,996	111,083	124,317	136,560	140,403
<b>Father</b>	1,967	3,053	3,691	4,498	6,219	8,220	11,965
<b>percent</b>	2.7	3.3	3.5	4.0	5.0	8.5	8.5
<b>Mother</b>	71,000	90,842	101,305	106,585	118,098	128,340	128,438
<b>percent</b>	97.3	96.7	96.5	96.0	95.0	94.0	91.5

	2017	2018	2019	2020	2021 <sup>P</sup>
<b>Total</b>	142,038	153,741	163,256	171,959	173,631
<b>Father</b>	18,160	25,062	32,051	38,813	41,910
<b>percent</b>	12.8	16.3	19.6	22.6	24.1
<b>Mother</b>	123,878	128,679	131,205	133,146	131,721
<b>percent</b>	87.2	83.7	80.4	77.4	75.9

\* p = provisional value

Index	Formula and implication	2020	2021
1	<b>The number of Parental leave beneficiaries</b> The number of parents who started taking Parental leave for a child under the age of nine (or the second year in primary school) / only includes the number of parents who take Parental leave in 2020.	171.959	173.631
2-1	<b>The number of parents taking Parental leave among parents giving birth per 100 births in the year</b>  the number of parents who gave birth in the year and took parental leave in the year $\frac{\text{the number of births in the year}}{\text{the number of births in the year}} \times 100$ Estimates the number of parents taking Parental leave compared to the number of births	27.3	29.3
2-2	<b>The number of parents entitled to take Parental leave among the parents who gave birth per 100 births in the year</b>	111.5	114.5

	$\frac{\text{the number of parents entitled to parental leave among parents who gave birth in the year}}{\text{the number of births in the year}} \times 100$		
	Estimates the number of parents entitled to Parental leave among those who gave births in the year		
2-3	<p><b>The percentage of parents taking Parental leave among parents entitled to Parental leave and who gave birth in the year</b></p> $\frac{\text{the number of parents taking parental leave among parents entitled to take parental leave and giving birth in the year}}{\text{the number of parents entitled to take parental leave among parents who gave birth in the year}} \times 100$	24.5 per cent	25.6 per cent
	Estimates the percentage of parents taking Parental leave among parents entitled to Parental leave and who gave birth in the year		
3	<p><b>For one child-parent, Parental leave take-up behaviour from t year to t+9 year (for those who are eligible to take Parental leave during the same period)</b></p> <p>Understands the parents' behaviour on Parental leave, for instance, the age of the child when Parental leave is taken and whether Parental leave is used in several blocks.</p> <p><i>Parents who gave birth in 2011 and have only one child took Parental leave</i></p> <ul style="list-style-type: none"> <li>○ 74.4 per cent of parents took Parental leave when the child was one year old.</li> <li>○ 10.8 per cent of parents took Parental leave when the child was six years old.</li> <li>○ About one in five parents (18.5 per cent) took their Parental leave in blocks (at least one block), and mothers (19.7 per cent) are more likely to use their Parental leave with more than two blocks than fathers (9.3 per cent).</li> </ul> <p><i>Parents who gave birth in 2012 and have only one child took Parental leave:</i></p> <ul style="list-style-type: none"> <li>○ 73.5 per cent of parents took Parental leave when the child was one year old.</li> <li>○ 11.5 per cent of parents took Parental leave when the child was six years old.</li> <li>○ About one in five parents (18 per cent) took their Parental leave in blocks (at least one block), and mothers (19.1 per cent) are more likely to use their Parental leave with more than two blocks than fathers (9.1 per cent).</li> </ul>		
4	<b>The mother's employment status before and after giving birth</b>		

	<p><i>Mothers who gave birth in 2020 were:</i></p> <ul style="list-style-type: none"> <li>○ <i>44 per cent were employed on the date of giving birth</i></li> <li>○ <i>The number decreased by 10.1 percentage points compared to the same number 360 days before giving birth.</i></li> </ul> <p><i>Mothers who gave birth in 2021 were:</i></p> <ul style="list-style-type: none"> <li>○ <i>46.8 per cent were employed on the date of giving birth</i></li> <li>○ <i>The number decreased by 9.3percentage points compared to the same number 360 days before giving birth.</i></li> </ul>		
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