

## Resolution on Korea

# IndustriALL Global Union urges National Assembly of the Republic of Korea to pass bill implementing ILO Conventions 87 and 98

The Executive Committee of IndustriALL Global Union, at its meeting on 15-16 November 2022 in Geneva, calls unanimously on the National Assembly of the Republic of Korea to pass the "Revision of Trade Union and Labor Relations Adjustment Act (TULRAA) Articles 2 and 3 for guaranteeing the labor rights of all workers" bill to comply with ILO Conventions 87 and 98.

The legitimate 51-day strike of shipbuilding-subcontracted workers in Okpo shipyard in Geoje, Gyeongnam Province, South Korea that began in June 2022 highlighted how the narrow definitions of worker and employer in the current TULRAA Article 2 undermine collective bargaining. Even though 90% of subcontractors' finances consisted of workers' wages and it is only through bargaining with the principal employer that workers could meaningfully address the unilateral 30% wage cuts and multi-tier subcontracting, TULRAA Article 2 allows principal employers to avoid their responsibility.

Further, TULRAA article 3 does not restrict damages claims on strike rights guaranteed by ILO conventions, including strikes for workers' socioeconomic status and to respond to employers' non-implementation of agreements and other illegalities. A strike cannot bring pressure to bear on a principal employer to bargain if the employer can sue the workers to reclaim strike damages instead of engaging in bargaining. The 47 billion KRW (about 35 million euros) damages claims lawsuit against 5 low-wage subcontracted shipbuilding workers to pay the principal employer back for the damages incurred by the strike is bald retaliation for exercising rights guaranteed by the ILO conventions. It is an unfair labor action and should be immediately dropped.

Having fully in mind that ILO Conventions 87 and 98 have entered into force in Korea this year and given that these narrow definitions of worker and employer in TULRAA Article 2 and restrictions on right to strike applied in Article 3 impair the guarantees provided in those conventions, it is imperative that the National Assembly approve the bill to guarantee all workers—including precarious workers—their legitimate right to bargain collectively with employers, including principal employers, and the right to strike, without being foisted with damages claims suits and provisional seizure, among other issues.

Noting that on 8 November, Korean civil society, including unions, have collected enough signatures, more than 50,000, to submit the bill before the National Assembly, and on 12 November 2022, some 90,000 workers demonstrated in Seoul calling for passage of this bill, IndustriALL Global Union hereby adds the voices of international society calling on the National Assembly of the Republic of Korea to promptly enact this revision of TULRAA, and calling for a comprehensive review and revision of TULRAA so that workers from all walks of life in Korean society can be guaranteed their own rights.

Therefore, the Executive Committee calls on all affiliated unions to:

1. Disseminate information on the oppression of labor unions in Korean society and actively seek ways to form solidarity in their country.

2. Call on the Korean government and the National Assembly to ensure that subcontracted workers in Korean society are guaranteed a legitimate legal basis for negotiating with the principal employer.

3. Urge the 'Korean Government and National Assembly' to quickly review and enforce the revision of the union law so that workers in the Korean society are not oppressed due to their union activities and are not subjected to excessive claims for damages.

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