

An Expedient for Work Permit System, Again?

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An agreement between the Government party and the Opposition party that is supposed to carry out work permit system and industrial trainee system side by side has been publicized. On July 2, the environment and labor committee of the National Assembly decided to submit the bill on work permit system to the judging committee of bills. It sounds quite praiseworthy that the two parties cooperated well to pass the bill related to people's livelihood and economy; however, the bill turns out to be just a temporary makeshift and shows a serious problems. Industrial trainee system has been revealed as an unfair program that Korean Federation of Small Business (KFSB) has accepted migrant workers as industrial trainees and forced them to work without having them trained. So, the two political parties asserted to abolish the industrial trainee system as one of the presidential election promises last year. And the industrial trainee system has shown administrative inefficiencies dealing with the induction of foreign labors among various governmental departments. The migrant workers are legal workers, but their human rights have been abused in many ways. So, the National Human Rights Commission of Korea advised the government to abolish the industrial trainee system.

*** Carrying out the two system together by throwing out their promise**

The President Noh Moo-hyun administration decided to abolish industrial trainee system and accept work permit system and to postpone the exit deadline for undocumented workers, and consider them to have work-stay status in the very early period of the administration. The government have postponed the exit deadline to the end of August for 200,000 undocumented workers who have stayed in Korea for more than 3 years and delayed the exit date until March 2004 for migrant workers who have stayed in Korea for less than 3 years. However, several lawmakers from Grand National Party(GNP) who belong to the committee of environment and labor of the National Assembly turned over their party's promise. They said "work permit system might bring wage raise and other side effects" and tried to do a time-saving sabotage by saying that "we will consider the governmental bill submitted by the ministry of labor." As a result, the plan to pass 'the bill on work permit system and human right for migrant workers' within the extra session of the National Assembly on June has been vanished.

By the way, the Government party and the Opposition party agreed to carry out the work permit system and industrial trainee system side by side. This is a reversal of the promise that the both parties agreed to abolish the industrial trainee system. Keeping an anachronical system called industrial trainee system means that the law makers want to save the class of vested rights' advantages. It can be read in the same context that KFSB used to be against the work permit system, but now supports for the compromised bill.

The work permit system bill is seriously related to 200,000 undocumented workers and should be legalized as soon as possible, but it shouldn't be thrown away the original principle. Keeping the industrial trainee system as a means of securing the vested rights group is nothing but having problems of the current systems related to migrant workers and might cause a serious trouble soon or later.

And yet, the compromised bill can be welcome in case that the form and contents of the current industrial trainee system should be fundamentally changed and keep the original purpose. In other words, it is supposed that an industrial trainee is expected to be trained for 1 year and then gets a job in the workplace for the rest 2 years under the current industrial trainee system.

Thus, the government should guarantee trainees to be trained for a year. For example, in Japan, trainees have

non-service training in classroom for 4 months and then have practical training in industries for the rest 8 months without any extra work. It should be very good and desirable if industrial trainees in Korea also have industrial training in industries for 1 year and then get hired as workers for 2 years.

***The frame should be changed in case keeping industrial trainee system**

If not, it shouldn't last long and might cause a big disaster and their human rights could be abused again, because the current system forces industrial trainee to work in industries without any training. Because of the problem of the industrial trainee system, work permit system might also be failed. There will be two seemingly unequal and unfair status among migrant workers: one as a trainee and the other as a legal worker under the compromised system, although they are from same country and conduct similar works. In this case, the compromised law can violate the clause of non-discrimination stated in the Constitutional Law of Korea. Even though the situation should be hasty, any impromptu remedy never last long nor durable. It is certain that accepting an expedient being against the principle and justice is expected to meet a vicious circle.

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