

Abstract

Enhancement of regulations on job-tasks limiting employment of PMWY workers in Korea

In accordance with the Article 65 of Labor Standards Act(LSA) and Table 4 of Presidential ordinance under the LSA, pregnant workers, mothers given a birth in past 12 months, women other than these two groups in age 18 or older, and young workers in age of less than 18 years (to be called as 'PMW workers' for the first three groups, 'Young workers' for the last, and 'PMWY workers' for the all groups, hereafter) shall be limited to 26 job-tasks which adversely affect health of PMWY workers in Korea. The objective of this study was to provide evidence for enhancing regulations of the job-tasks by examining international standards on protection of PWMY workers as well as conditions of their employment and then by newly identifying job tasks to be limited to PWMY workers.

The study scope was as follows: 1) Examination of Korean and international standards on job-tasks limiting to PWMY workers across countries or international bodies; 2) Review of employment conditions by industry and hazardous tasks to PWMY workers in Korea; 3) Proposal of job-task candidates in order to increase the regulatory job-tasks by reviewing work conditions against PWMY workers; and 4) Proposal of an amendment draft on the Presidential ordinance Table 4. The study was conducted using a variety of approaches such as literature reviews, analyses of data sets from 2014 Korean Working Conditon Survey (KWCS) data as well as 2014 Korean Working Environmental Monitoring Output(KWEMO) data, a national survey using a questionnaire for OSH managers employing in 262 factories, and a case study using an on-site interview for 30 factories which were regarded to individually represent for each of their sectors. Literature included international standards, as comparable to the LSA, which were regulated by international bodies such as International Labor Organization(ILO) and European Union(EU) as well as developed countries such as Japan, Germany, USA, and UK.

Data examinations, reviews and comparisons were made to identify new job-task candidates or to modify existing job-tasks during the literature review, analyses of 2014 KWCS and KWEMO data sets, questionnaire survey, and on-site case study. In the literature review, the regulations on job-tasks for PMWY workers in USA and UK were ruled out since they were not likely standards comparable to others

in the comparison processes in this study. Job-tasks or equivalent tasks identified were categorized into physical, chemical, biological, ergonomical, safety-relevant, or other agents, and these were examined and compared with by homogeneous agent, respectively, in the review and comparison processes. However, the agents except the chemical one were unlikely comparable since there were not sufficiently scientific evidences (e.g., reproductive hazards or hazards to pregnant workers or fetus, and so on) to propose job-task candidates for amendment of the LSA Article 65. There were also limitations in time and financial resources to find further evidences on social, economical or cultural aspects in the foreign standards. In this respect, only the chemical agents were addressed to propose job-task candidates in the review, analysis and comparison processes in this study.

Finally, five chemicals as part of chemicals in the existing job-task were proposed: 1) Lead and its inorganic compounds; 2) Mercury and its inorganic compounds (except Sulphurous mercury); 3) N,N-Dimethyl formamide; 4) 1-Bromopropane; 5) Cadmium and its compounds. For these chemicals, evidences and relevant data were described and discussed. On the other hand, two chemicals such as Potassium hydroxide and Hydrogen chloride (Chlorine) were proposed to delete in the existing job-task list under the LSA.

For the findings or chemicals proposed in this study, it would be desirable for policy makers to refer to the former five chemicals as well as the latter two chemicals when the Article 65 of LSA is engaged in an amendment or policy making process in the near future or later.