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The Employment, Labor and Social Security Laws for the Contingent Work in America, Germany and Korea

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The contingent work in employment becomes general phenomena in developed countries such as Germany, France, Italy and America. Korea, one of developing countries, also has faced with the growth of contingent work in employment relations. The types of contingent work have been diversified and complicated in practice. For example, the types are so called, subcontracting, outsourcing, temporary employment agency and labor contractor. Such types of contingent works have led to many legal issues in employment and labor laws.

Because of such developing types, we need new rules in employment and labor laws for the contingent workers. Focusing on the purpose protecting employees from the low wages and hard works, the traditional rules have no longer the practical effect in employment and labor relations.

EU countries, including Germany, have promoted the changes in their employment and labor laws and social security laws in general.

The legal system of Korea is based on the Civil Law and labor law system introduced from Germany. Especially, the rules of the collective agreement and protective dismissals in employment are considered as legal principles from Germany.

The labor and employment policy of America has an influence on the one of Korea from economic and political reasons. Most of policy makers in Korea government have an

inclination to imitate America's social and economic policies without considering the differences between Korea legal system and America.

In the institutional climate of Korea, it is important to approach the contingent work issues of the from the comparative labor law. This paper is to review the contingent work with employment and labor laws of each country from the comparative labor law of view. And this is to try to find some solutions to the contingent work issues in Korea.