



# Kyun Ho Shim

## Comparative Analysis of Employment Promotion Policies for Persons with Disabilities in Korea and Japan

### Topic and Research Question

The topic of this MA thesis is a comparison of three representative policies (measures) of the Republic of Korea and Japan that are designed to promote the employment of persons with disabilities (PWD) in an analytical manner. The three policies (measures) include the mandatory employment quota system for PWD, the anti-discrimination legislation for PWD –especially parts that are related to employment and treatment after employment–, and the vocational training/rehabilitation policy for PWD. The purpose of conducting this analysis is to derive lessons that can lead to an improvement of the aforementioned policies in either of the two countries or even in other countries.

Embodying the topic and the purpose of the thesis, the research question is as follows:

What lessons can the Republic of Korea and Japan provide each other and to others for the improvement of various employment promotion policies for persons with disabilities (PWD), based on their similarities and differences?

### State of the Art

In the 'State of the Art' chapter of this thesis, a literature review of works that analyze the aforementioned three types of policies –either separately or simultaneously in one work– is conducted, together with works that cover other policies/measures that are either directly or indirectly related to the employment promotion of PWD.

The approaches taken by the works varied to a great extent, including correlation with other factors, problem analysis, development process, international literature review, analysis from a perspective of a certain theory, comparison between countries, etc.

Nonetheless, it could be found that there is a lack of comparative analysis of multiple countries that include the three major policies mentioned above simultaneously with a particular analytical framework. When it came to the comparison of Republic of Korea and Japan, the research gap widened.

### Methodology and Approach

In order to analyze three types of policies (measures) that take very different forms, an eclectic analytical framework was adopted, derived from various works from the literature review, which is as follows:

Mandatory quota system	Level of quota
	Coverage of employers
	Sanctions and incentives
Anti-discrimination legislation	Introduction of the law
	Definition of PWD
	Definition and types of discrimination
	Categories/scope of discrimination in employment
	Reasonable accommodation
	Role of gov't bodies
Vocational training/rehabilitation	Remedies
	Vision (history/principle)
	Means (organization/legislation/services/HR/financing)
	Evaluation

### Main Facts

**Mandatory quota system:** The Japanese system demonstrates more sophisticated double/half counting system and incentive system, whereas the Korean system shows more focus on the employees than the employers, and higher amounts of monetary incentives. The sanction system is more sophisticated in the Korean system with higher penalties and is evenly applied to both public and private sector, whereas the Japanese system does not impose sanctions on the public sector.

**Anti-discrimination legislation:** Regarding the definition of disability and PWD, the Korean laws seem to remain representing the medical model of disability, whereas the Japanese law demonstrates a mixture of medical and social model of disability. On the other hand, when it comes to the definition and types of discrimination against PWD, either in general or in the workplace, the Japanese laws either do not cover such aspects at all or only very briefly touch upon it, whereas the Korean laws

elaborate on those aspects relatively thoroughly. Also, regarding the reasonable accommodation concept, the Korean laws elaborate on the concept with more detailed examples, whereas the Japanese laws only mention basic principles, and the concept is not strictly applied to the private sector.

With regards to the responsible organizations, the Korean system renders the responsibility to the National Human Rights Commission of Korea (NHRCK), whereas in Japan, it is not specified, but the focus is rather put on handling guidelines and directions to be provided to employing bodies. Similarly, procedure of remedies is to be carried out by NHRCK in Korea, whereas in Japan, regional institutions are utilized.

**Vocational training/rehabilitation:** The organizational structure for vocational training/rehab in Korea is also centralized and specialized in PWD, whereas in Japan, it is decentralized and carried out for non-PWD together. Regarding the types of training, the Japanese system provides more services to the employers to be able to better embrace PWD in the workplace, whereas in Korea it is limited.

Also noteworthy is that many types of human resources for vocational training/rehab are certified by private associations in Korea, whereas no private associations come into play for certification in Japan. Moreover, more human resources actually work in companies in Japan to provide post-employment supports compared to Korea.

When it comes to the evaluation of the system, Japan has a more sophisticated evaluation scheme with a focus on unannounced onsite evaluation to better guarantee quality, while Korea does not have a systematic evaluation scheme.

### Results

**Mandatory quota system:** 1. The quota should be raised for both countries and should be applied for both public/private sectors in Japan. 2. Double/half counting system should be improved for Korea, considering different types of disabilities. 3. Incentives and sanctions should be improved for both countries taking more factors into consideration.

**Anti-discrimination legislation:** 1. Laws in both countries should embody the social model of disability in defining disability and PWD. 2. The Japanese laws should include more details in defining discrimination against PWD and also the concept of reasonable accommodation to better protect them. 3. The advantages of the centralized and independent

organizational approach of Korea and those of decentralized and regional approach of Japan can be combined in implementing the laws and conducting remedial procedures, with a cooperative model of one centralized institution together with regional offices.

**Vocational training/rehabilitation:** 1. Likewise, the centralized/specialized approach of Korea and the regional/generic approach of Japan can be combined to better provide adequate training and rehab. Nonetheless, it would be better to have a specialized system for PWD, instead of having multiple types of targeted groups. 2. The Korean system should refer to the Japanese system regarding the certification system for human resources, so that all licenses can be administered by national institutions. 3. Also, regarding the evaluation system, the Korean system should be improved to make it more systematic in order to effectively maintain high quality of vocational training/rehab.

### References

All references can be found in the full version of the MA thesis available at <http://othes.univie.ac.at>

### About the Author

Kyun Ho Shim holds a Bachelor of Economics and BA in Spanish Language and Literature from Korea University of the Republic of Korea. His academic interest during the undergraduate studies lay in the regional studies on Latin America and he has work experience in the Embassy of the Republic of Korea in the Republic of Austria and Permanent Mission of the Republic of Korea to the International Organizations in Vienna, and in an organization called 'Africa Insight', focused on improvement of awareness for discrimination against African citizens.

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