ENFORCEMENT RULES OF THE SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON THE ESTABLISHMENT AND OPERATION OF VOCATIONAL EDUCATION AND TRAINING FACILITIES

Amendment of Other Laws No. 4677, Jan. 20, 2025

Article 1 (Purpose)

The purpose of these Rules is to prescribe the matters delegated by the Seoul Metropolitan Government Ordinance on the Establishment and Operation of Vocational Education and Training Facilities and their enforcement.

Article 2 (Functions)

Vocational education and training facilities shall implement the following programs under Article 4 of the Seoul Metropolitan Government Ordinance on the Establishment and Operation of Vocational Education and Training Facilities (hereinafter referred to as the “Ordinance”):

1. Vocational education and training programs: Regular vocational training programs recognized and designated by the Minister of Employment and Labor;
2. Employment facilitation support programs: Vocational training programs implemented to facilitate trainees’ employment, such as reemployment training for unemployed people and vocational training for local unemployed people;
3. Local activity support programs: Programs for local residents such as computer education and beautician’s courses.

Article 3 (Program Planning, Etc.)

(1) An entity that operates a vocational education and training facility by entrustment (hereinafter referred to as an “entrusted entity”) shall submit a program plan for the following year’s operations of the vocational education and training facility to the Seoul Metropolitan City Mayor (hereinafter referred to as the “Mayor”) by June 30 of every year.

(2) The program plan under paragraph (1) shall include the following, and shall be formulated by applying the notifications under paragraph (3) and the criteria under paragraph (4):

1. Vocational education and training plan;
2. Trainee selection and management plan;
3. Plans for maintenance and repair of the facility, and procurement of training equipment;
4. Plans for increasing the efficiency of the programs;
5. Other matters concerning the operation of the vocational education and training facility, such as industrial, educational, and research cooperation.

(3) The Mayor shall determine matters necessary for the assessment and disbursement of operational funds, such as the number of training hours per year, training costs per hour by vocation, and methods of calculating average trainee numbers, and notification of the entrusted entity.

(4) An entrusted entity shall apply the following when assessing the operational funds necessary to implement a program plan: Provided, however, that a baseline unit cost may be used in which the inflation rate is applied to the baseline unit training cost by vocation, instead of the baseline unit cost in subparagraph 2, if the Mayor has notified the entrusted entity of the inflation-adjusted baseline unit cost:<Amended on Apr. 16, 2015; Apr. 7, 2016; Oct. 10, 2019; Apr. 11, 2024>

1. Dormitory residence unit cost under Article 17 (3) of the Ministry of Employment and Labor’s Regulations for the support of Businesses’ Vocational Skills Development Training;
2. Baseline unit training cost by vocation under Article 27 (2) of the Ministry of Employment and Labor’s Regulations on Support of Businesses’ Vocational Skills Development Training;
3. Meal unit costs determined by the Mayor.

(5) Notwithstanding paragraph (4), the Mayor may separately determine the dormitory residence costs of alien and overseas Korean trainees under Article 5 (3) 1 of the Ordinance. <Amended on Jan. 18, 2018>

(6) An entrusted entity shall modify the program plan without delay upon being notified of a change in the assessment criteria under paragraph (4) for submission to the Mayor.

Article 4 (Disbursement of Program Funds, Etc.)

(1) The operational funds of a vocational education and training facility shall be disbursed by the Mayor upon reviewing and deciding on the entrusted entity’s application. <Amended on Apr. 16, 2015>

(2) An entrusted entity shall appoint employees to take charge of accounting, as follows, and have them manage the operational funds disbursed under paragraph (1) for their appropriate execution:

1. Collection and accounting officer: The head of the vocational education and training facility (hereinafter referred to as the “Director”);
2. Assistant accounting officer: A person designated by the Director.
(3) An entrusted entity shall, within 10 days of the end of each quarter, submit to the Mayor a statement of accounts for the operational funds disbursed under paragraph (1).
(4) An entrusted entity shall, within two months of the end of each fiscal year, submit a settlement statement of accounts to the Mayor on the overall execution of the vocational education and training facility’s operational funds in the previous year.

Article 5 (Education and Training Costs, Etc.)

(1) Any collection of education and training costs from trainees under Article 6 (2) of the Ordinance shall undergo the deliberation and resolution of the Integrated Steering Committee for Seoul Metropolitan City’s Institutes of Technology & Education prior to implementation.
(2) The amount of the education and training costs collected under paragraph (1) shall be within 10% of the standard training costs publicly notified by the Ministry of Employment and Labor, and the amounts shall be specified in public announcements for trainee recruitment.
(3) The education and training costs collected under paragraphs (1) and (2) shall be refunded in their entirety to trainees who complete their courses.
(4) Priority-admitted trainees and entrusted trainees under Article 5 (2) and (3) of the Ordinance, together with others recognized by the Mayor, may be exempted from application of paragraphs (1) to (3). <Amended on Jan. 13, 2022; Apr. 11, 2024>
[This Article Added on Jan. 18, 2018]
[The former Article 5 has been moved to Article 6 <Jan. 18, 2018>]

Article 6 (Payment Criteria for Training Allowances)

(1) Trainees shall meet all of the following requirements to be eligible for the payment of training allowances under Article 6 (4) of the Ordinance:<Amended on Apr. 7, 2016; Jan. 18, 2018; Jan. 13, 2022>
1. Trainees shall not be eligible to receive unemployment benefits under the Employment Insurance Act;
2. The number of days of actual training attended by a trainee in a given month shall be 80/100 or higher than the monthly number of mandatory training days for the training course. In such event, on-the-job training periods shall not be included in the days of training in a given month.
(2) The training allowances in paragraph (1) shall be paid monthly in amounts that conform to the following criteria: <Amended on Apr. 16, 2015; Jan. 18, 2018>
1. Livelihood support funds: KRW 200,000: Provided, however, that a person enrolled in the senior year of a high school under the Elementary and Secondary Education Act (including a school recognized as equivalent in educational attainment) recommended by the principal as a suitable trainee shall be paid KRW 100,000;
2. Transportation expenses: KRW 50,000: Provided, however, that a dormitory resident shall not be paid this expense item.
(3) Notwithstanding paragraph (2), training allowances under paragraph (2) shall be reduced or not paid to a person who is eligible to receive training allowances under paragraph (1), and who falls under the following conditions:<Amended on Apr. 7, 2016>
1. When taking the course for a second time: 50/100 of training allowances is paid;
2. When taking the course for a third time; Training allowances are not paid;
3. When the course is dropped during training: Training allowances are not paid for the month in which the course is dropped.
[Moved from Article 5; the former Article 6 has been moved to Article 7 <Jan. 18, 2018>]

Article 7 (Trainee Enrollment Quota)

(1) The Mayor shall separately determine trainee enrollment quotas by training vocation and department in each vocational education and training facility, taking into consideration the demand for industrial human resources in the Seoul region, the employment rate, training performance, etc.<Amended on Apr. 16, 2015; Jan. 13, 2022>
(2) An entrusted entity shall select trainees in conformance with the enrollment quotas by department under paragraph (1): Provided, however, that it may select up to 10% more trainees than the departmental enrollment quotas in consideration of the dropout rate, capacity, etc. <Amended on Apr. 16, 2015>
[Moved from Article 6; the former Article 7 has been moved to Article 8 <Jan. 18, 2018>]

Article 8 (Faculty Appointments, Etc.)

(1) An entrusted entity, when hiring faculty for a vocational education and training facility, shall employ fair and objective procedures to select persons with the requisite capabilities, such as the qualifications and experience required by a given field; and the Mayor shall be notified of new faculty hires within 10 days of their recruitment.<Amended on Apr. 16, 2015>

(2) An entrusted entity that seeks to appoint a new Director shall appoint a qualified person who does not fall under any of subparagraphs 1 to 5 of Article 29 of the National Lifelong Vocational Skills Development Act, and who has expertise in vocational education and training, and an upstanding social reputation. <Added on Apr. 16, 2015; Apr. 11, 2024>
[Title Amended on Apr. 16, 2015]
[Moved from Article 7; the former Article 8 has been moved to Article 9 <Jan. 18, 2018>]

Article 9 (Reporting of Operation Regulations)

An entrusted entity or its director shall report immediately to the Mayor on the enactment, amendment, or repeal of regulations necessary for the operation of an institute of technology and education.
[This Article Wholly Amended on Apr. 16, 2015]
[Moved from Article 8; the former Article 9 has been moved to Article 10 <Jan. 18, 2018>]

Article 10 (Trainee Selection)

(1) The Mayor shall determine and publicly announce the details of vocational education and training facilities' recruitment of trainees, and the directors shall recruit persons who desire to enroll in vocational education and training facilities (hereinafter referred to as "applicants") pursuant to the details of the public announcement of recruitment.
(2) An applicant shall attach the required documents to attached Form 1 for submission to the vocational education and training facility where enrollment is sought. <Amended on Apr. 11, 2024>
(3) A director who receives applications under paragraph (1) shall select trainees through fair and objective procedures, such as documentary reviews and interviews. <Amended on Apr. 16, 2015>
[Moved from Article 9; the former Article 10 has been moved to Article 11 <Jan. 18, 2018>]

Article 11 (Dormitory Admission)

(1) A trainee who seeks admission to a dormitory shall submit the application for dormitory admission in attached Form 2 to the director.
(2) A director who has received applications for dormitory admission under paragraph (1) shall enter them into the filing ledger and decide who will be admitted into the dormitory in consideration of the following priorities: <Amended on Jan. 20, 2025>
1. Trainees with physical disabilities;
2. Persons falling under any of the subparagraphs of Article 5 (2) of the Ordinance;
3. Trainees with long commutes or inconvenient transit.
(3) A director may restrict any of the following persons from dormitory admission:
1. A trainee with an alcohol, drug, or psychedelic drug habit;
2. A person who is found to be unable to share a dormitory with other residents due to their having a highly infectious disease, etc.;
3. A person who has previously dropped out of dormitory residence.
(4) Other matters necessary in connection with dormitory residence shall be separately determined by the director.
[Moved from Article 10; the former Article 11 has been moved to Article 12 <Jan. 18, 2018>]

Article 12 (Criteria for Trainee Expulsion and Attendance)

(1) A director may expel a trainee in the event that he or she engages in any of the following acts: Provided, however, that the director shall expel a trainee in the event of subparagraphs 1 to 5. <Amended on Apr. 17, 2016; Jan. 13, 2022; Apr. 11, 2024>
1. Where the trainee is absent without authorization or justified cause for 10 days or more in a given month, or for five or more consecutive days;
2. Where the trainee is absent for 20% or more of the yearly training days;
3. Where it is found that any document or certificate submitted by the trainee is false;
4. Where the registered trainee is found not to be the person who is actually taking the course;
5. Where it is found that the trainee is registered as a resident under a false address for admissions purposes;
6. Where the trainee engages in actions such as drinking, disorderly conduct, gambling, theft, or violence;
7. Where the trainee otherwise undermines his or her dignity as a trainee.
(2) A director may use fingerprint readers to track the attendance of trainees who have submitted consent forms for the collection, use, and provision of their personal information (attached Form 5), and shall track the attendance of trainees who have not submitted the consent form by another system recognized by the Mayor.<Added on Apr. 7, 2016; Apr. 11, 2024>
1. Every three instances of tardiness, early departure, or going out during training hours: Deemed to be one day of absence: Provided, however, that where, due to a trainee's tardiness, early departure, or going out, the hours actually attended are less than 50/100 of the mandatory daily training hours, the trainee shall be deemed absent for that day;
2. Where a trainee, participating in a training course whose number of mandatory training days is 30 days or more and whose

number of mandatory training hours is 60 hours or more, is unable to train for a cause specified in the “Category” column of Annex 2: The trainee shall be deemed to have attended the training up to the recognized number of days of attendance in Annex 2.
(3) Other matters necessary for the management of trainees shall be separately determined by the Director. <Amended on Apr. 7, 2016>
[Title Amended on Apr. 7, 2016]
[Moved from Article 11; the former Article 12 has been moved to Article 13 <Jan. 18, 2018>]

Article 13 (Approval of One-Time Facility Usage)

(1) A director may permit one-time use of a part of the vocational education and training facility for such purposes as national technical qualification examinations and local residents’ athletic activities; the facilities available for one-time use and the rental fees for them are as presented in Annex 1.<Amended on Apr. 11, 2024>
(2) An entity seeking one-time use of a facility shall submit an application for a one-time facility use permit in attached Form 3 to the Director. <Amended on Apr. 11, 2024>
(3) Matters concerning one-time use of a facility, other than those determined in these Rules, shall be determined by the Directors with the Mayor’s approval. <Amended on Apr. 11, 2024>
(4) Directors shall report the current status of facility rental approvals and one-time uses to the Mayor at the end of every half of the year.
[Moved from Article 12; the former Article 13 has been moved to Article 14 <Jan. 18, 2018>]

Article 14 (Steering Committee)

(1) A director may establish and operate a Vocational Education and Training Facility Steering Committee (hereinafter referred to as a “Committee”), which shall be composed by taking into consideration the gender ratio. <Amended on Apr. 16, 2015; Jan. 18, 2018; Apr. 11, 2024>
1. Matters concerning the formulation of program plans and performance evaluations;
2. Overall matters for cooperation arising from the implementation of program plans;
3. Other matters necessary in connection with the operation of the vocational education and training facility.
(2) A Director shall take the proposals of the Committee into account as much as possible in the operation of the vocational education and training facility.
[Moved from Article 13; the former Article 14 has been moved to Article 15 <Jan. 18, 2018>]

Article 15 (Satisfaction Survey)

A Director shall survey the satisfaction of clients of vocational education and training facilities with their services and take account of the results by gender in the operation of the vocational education and training facility.<Amended on Apr. 16, 2015>
[Moved from Article 14; the former Article 15 has been moved to Article 16 <Jan. 18, 2018>]

Article 16 (Termination of Entrustment Agreements)

(1) The Mayor may terminate an entrustment agreement if any of the following grounds arise; and in such event, the entrusted entity may not seek compensation for damages, etc.: <Amended on Jan. 18, 2018; Jan. 13, 2022; Apr. 11, 2024>
1. Where any accounting impropriety, serious tort, or manifestly unfair practice, etc. is found in the operation of the vocational education and training facility;
2. Where the entrusted entity fails, without justifiable cause, to perform any of the duties under Articles 3, 4, 8 to 10, 12, or 13;
3. Where the entrusted entity deliberately delays a report on the affairs of a vocational education and training facility, or makes a false report thereof;
4. Where the entrusted entity otherwise violates any governing law or regulation, such as the Ordinance or these Rules, or any matter determined in the Entrustment Operation Agreement, or is found to be unsuitable to operate a vocational education and training facility.
(2) The Mayor, when seeking to terminate the entrustment agreement of the vocational education and training facility, shall notify the entrusted entity in writing no later than 30 days before the planned date of termination, specifying the reason for and date of termination of the agreement.
[Moved from Article 15; the former Article 16 has been moved to Article 17 <Jan. 18, 2018>]

Article 17 (Guidance and Supervision)

(1) The Mayor shall conduct at least yearly guidance and supervision of vocational education and training facilities regarding the matters determined by the Ordinance and these Rules, and of their compliance with the agreement.

(2) The Mayor may conduct guidance and an inspection at any time if a complaint is brought against an entrusted entity for any irregularity, tort, criminal complaint, or poor operation of its education and training programs, etc. in connection with the management and operation of the vocational education and training facility, or if there is a cause falling under the paragraphs of Article 16 (1). <Amended on Jan. 18, 2018; Apr. 11, 2024>
[Moved from Article 16 <Jan. 18, 2018>]

Addendum (En Bloc Amendment Rule for the Overhaul, Etc. of Inaccessible Terminology in Seoul Metropolitan Government Rules) <No. 4677, Jan. 20, 2025>

This Rule shall enter into force on the date of its promulgation.