Study on Legal Status of Insurance Solicitors

Since the 2000s, social discussions have been held on the legal status and protection of special-form workers positioned in between the workers and self-employed, such as insurance solicitors. One axis of discussion is about classification of special-form workers into either of the two categories under the current law, and the other is to come up with legislative protection measures for them. Various bills addressing such measures including revision of Employment Insurance Act, the Labor Standards Act, the Labor Union Act, are pending in the National Assembly, and each law has different issues and different repercussions on the industry.

This study first examines the legal status of ‘insurance solicitors’ in terms of labor law and the trends of the court’s interpretation with regard thereto, then reviews and analyzes various issues related to proposed protection measures, and implication thereof, focusing on the profession of insurance solicitors mainly in terms of law. In particular, this study purports to provide practical implications for discussions on the protection of special workers in the insurance industry by focusing on the specificity of the profession called ‘insurance solicitors,’ rather than on generalized discussions on ‘special-form workers’ who collectively refer to those in various types of contracts and forms of work.