



Invisible Hands, Visible Screens: Domestic Labor, Cultural Narratives, and Legal Realities in Contemporary South Korea

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Keywords

Domestic labor; Korean cinema; Labor law; Gender inequality; Precarious labor

DOI

<https://doi.org/10.24843/UJLC.2025.v09.i02.p01>

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Abstract

*Domestic labor in South Korea, a sector historically undervalued and predominantly feminized, exists at a complex intersection of law and culture. This paper investigates the socio-legal conditions of domestic workers by examining their life experiences, their portrayal in influential South Korean cinema, and the evolving legal frameworks governing their employment. This paper further analyzes three seminal films—Kim Ki-young's *The Housemaid* (1960), Im Sang-soo's *The Housemaid* (2010) remake, and Bong Joon-ho's *Parasite* (2019)—as cultural texts that reflect, reinforce, and occasionally critique societal perceptions of domestic labor, class, and gender, which in turn inform and are informed by the legal landscape. Through qualitative case studies of three Korean women domestic workers (OKN, LEY, and YEO), the research highlights the tangible impacts of legal invisibility and cultural biases on their*

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working lives, characterized by precarity, inadequate protection, and struggles for dignity. This study scrutinizes South Korea's Labor Standards Act, from which domestic workers have been historically excluded, and evaluates the recent Act on the Employment Improvement of Domestic Workers (2021) for its potential and limitations in addressing systemic inequities. By employing a multidisciplinary approach that integrates socio-legal analysis, feminist theory, and media studies, this research argues that cinematic narratives serve as crucial cultural mirrors, revealing societal contradictions that are deeply embedded in the legal treatment of domestic workers, thereby underscoring the urgent need for more comprehensive legal reforms and cultural shifts towards recognizing the value of domestic labor.

1. INTRODUCTION

Domestic labor—encompassing essential tasks like childcare, elder care, and household maintenance—forms a critical yet often invisible foundation of South Korean society. Despite its importance, this sector remains significantly underprotected and undervalued, particularly because it is predominantly performed by women, many of whom come from economically marginalized backgrounds or face precarious employment conditions when re-entering the workforce. These tasks are frequently not recognized as formal employment but are instead framed as natural feminine duties, reinforcing traditional gender roles.¹ This cultural and societal devaluation is mirrored in the legal landscape, where domestic workers are largely excluded from labor protections, perpetuating a cycle of invisibility and economic insecurity. Such systemic neglect is intertwined with broader gendered and class-based inequalities, further exacerbating the vulnerability of domestic workers in South Korea.² These dynamics are not only reflective of South Korea's dual labor market but also of the ways in which labor laws fail to account for the complexities of gender and care work in the contemporary socio-economic context.³

The consistent use of the domestic worker in South Korean cinema is justified by a powerful conceptual foundation that sees the home as a microcosm of the nation, allowing internal conflicts to mirror broader societal fractures in class and gender. This figure operates as an "intimate outsider," a liminal presence whose unique access to a family's private life makes her a potent catalyst for narrative drama and a living embodiment of intersecting inequities. While it is true that films are not pure mirrors of reality and are shaped by economic and social pressures as well as audience preferences, these forces do not necessarily dilute the social critique. Instead, they "genre-

¹ Anna Kim and Youjin Hahn, "The Motherhood Effect on Labour Market Outcomes: Evidence from South Korea," *Asian-Pacific Economic Literature* 36, no. 2 (2022): 71-72.

² Yang-Sook Kim, "Care Work and Ethnic Boundary Marking in South Korea," *Gender & Society* 32, no. 4 (2018): 531-532; and Nancy Abelman. *The Melodrama of Mobility: Women, Talk, and Class in Contemporary South Korea* (Honolulu: University of Hawaii Press, 2003), 79.

³ Seungyoon Lee and Yuhwi Kim, "Female Outsiders in South Korea's Dual Labour Market: Challenges of Equal Pay for Work of Equal Value," *Journal of Industrial Relations* 62, no. 4 (2020): 551.

fy" it, packaging complex issues into commercially viable forms, such as the thriller or black comedy, as seen in *The Housemaid* and *Parasite*. This process favors powerful symbolism over strict realism, tapping into the public *zeitgeist* to reflect and amplify existing anxieties. Therefore, the portrayal of domestic labor in these films represents a complex negotiation between critical commentary and market demands, revealing not a direct reflection of reality, but a culturally mediated and highly symbolic representation of society's deepest tensions.

Kim Ki-young's *The Housemaid* (1960) portrays a domestic worker whose presence destabilizes a middle-class family, serving as a metaphor for underlying class anxieties. Im Sang-soo's 2010 remake amplifies these tensions through a modern lens, highlighting the persistent inequalities and sexual politics embedded in the employer-servant relationship.⁴ Bong Joon-ho's *Parasite* (2019) further explores this theme by presenting a lower-class family's infiltration of a wealthy household, ultimately exposing the structural violence and false promise of social mobility that define South Korean capitalism, even though discriminatory practices, particularly on the basis of gender, are strictly prohibited according to South Korean labour law.⁵ These cinematic portrayals are not merely reflections of society, but, as Hall argues, they are forms of representation that help construct meaning and influence public discourse about class, labor, and identity.⁶

This paper examines the intricate relationship between law, culture, and the lived realities of domestic workers in South Korea. It posits that cultural narratives, particularly as articulated in cinema, provide crucial insights into the societal values and biases that underpin the legal treatment of domestic labor. By analyzing the experiences of domestic workers alongside their cinematic portrayals and pertinent legal frameworks—specifically the exclusionary nature of the Labor Standards Act (근로기준법, hereinafter “LSA”) and the provisions of the 2021 Domestic Workers Act—this study aims to demonstrate how law and culture are mutually constitutive in shaping the precarious status of domestic workers. As Sarat and Kearns argue, law and culture are deeply intertwined, each influencing and shaping the other in complex ways.⁷

The core argument is that films like *The Housemaid* (1960) and *Parasite* (2019) serve as significant cultural documents, highlighting the dissonance between societal reliance on domestic labor and its formal legal and cultural recognition, thereby underscoring the ongoing struggle for labor rights and dignity in this sector. This socio-legal⁸ inquiry seeks to contribute to a deeper

⁴ Eunhye Kim. "A Comparative Study on Discourse Analysis of Korean Movie *The Housemaid* – Focused on Films in 1960 and 2010 –." *International Journal of Korean Humanities and Social Sciences* 6, no. 3 (2020): 59.

⁵ "Employment structures in South Korean Labour Law". *Asia Business Law Journal*, <https://law.asia/employment-structures-in-south-korean-labour-law/>

⁶ Stuart Hall. *Representation: Cultural Representations and Signifying Practices* (London: SAGE Publications, 1997), 25.

⁷ Austin Sarat and Thomas R. Kearns. *Law in Everyday Life* (Ann Arbor: University of Michigan Press, 1993), 23.

⁸ The socio-legal approach is a multidisciplinary method that focuses on the mutually constitutive interaction between law and society. Socio-legal studies are essential for a deeper

understanding of how cultural norms influence legal evolution and how, conversely, legal frameworks can perpetuate or challenge cultural inequities, an area of growing interest in comparative law and cultural studies. Friedman emphasizes that legal culture encompasses the network of values and attitudes relating to law, which determines when and why people turn to law or government, or turn away.⁹

This study employs a multidisciplinary theoretical framework that draws on feminist legal theory, critical class analysis, and media representation studies to examine the 'intersection of law and culture'¹⁰ in the context of domestic work in South Korea. Feminist legal theory provides tools to analyze how gendered assumptions about care and domesticity are embedded in legal doctrines, leading to the systematic undervaluation and exclusion of feminized labor. The societal undervaluation of caregiving roles argues that legal structures often fail to recognize the inherent dependency and vulnerability associated with such labor.¹¹ Similarly, the ostensibly neutral legal standards that, in practice, perpetuate gender hierarchies and marginalize women's experiences, particularly in the realm of domestic work.¹²

This perspective is crucial for understanding why domestic work, largely performed by women, has historically been denied the status of "real work" within legal frameworks. Critical class analysis, particularly influenced by Marxist thought, helps to deconstruct the power dynamics inherent in the employer-domestic worker relationship and the broader socio-economic structures that create a supply of precarious labor. The concept of the "precariat" describes a growing class of workers who lack job security and stable labor conditions, highlighting the systemic factors that contribute to their vulnerability.¹³ Different forms of employment relationships significantly

understanding of the law. In this field, while the primary focus is on legal issues, researchers often draw on methodologies from other disciplines to explain and address these problems. This incorporation of methods from various disciplines enhances legal research rather than undermining its foundational authority. See Olabisi D. Akinkugbe, "Reflections on the Value of Socio-Legal Approaches to International Economic Law in Africa," *Chicago Journal of International Law* 22, no. 1 (2021): 28 <https://chicagounbound.uchicago.edu/cjil/vol22/iss1/5> and Sulistyowati Irianto, "Legal Education for the Future of Indonesia: A Critical Assessment," *The Indonesian Journal of Socio-Legal Studies* 1, no. 1 (2021), 11, 19.

⁹ Lawrence M. Friedman. *The Legal System: A Social Science Perspective* (New York: Russell Sage Foundation, 1975), 193.

¹⁰ The 'intersection of law and culture' has been widely discussed in various contexts. See for example Branco, Patricia and Valerio Izzo, "Intersections in Law, Culture and the Humanities," *Revista Crítica de Ciências Sociais* 112 (2017): 45-72 and Batbayar Enkhtaivan, Tserendorj Myagmarsuren, and Uugantsetseg Munkhbat, "The Intersection Of Law and Culture: How Traditional Practices Shape Legal Norms in Multicultural Societies," *International Journal of Sociology and Law* 1, no. 1 (2024): 17-20.

¹¹ Martha Albertson Fineman. *The Autonomy Myth: A Theory of Dependency* (New York: New Press, 2004), 35.

¹² Catharine A. MacKinnon. *Toward a Feminist Theory of the State* (Cambridge, MA: Harvard University Press, 1989), 115.

¹³ Guy Standing. *The Precariat: The New Dangerous Class* (London: Bloomsbury Academic, 2011), 1.

impact individuals' life chances, highlighting the role of exploitation and domination in maintaining class hierarchies within the social structure.¹⁴

This lens illuminates how class distinctions are maintained and reproduced through labor relations in the domestic sphere. Media representation theory, particularly the concept of film as a cultural artifact, allows for an examination of how cinematic narratives contribute to the social construction of domestic workers, potentially reinforcing stereotypes or offering counter-narratives. Ryan and Kellner argue that films are never neutral but rather function as ideological texts that reflect and actively shape societal values, either by perpetuating or challenging dominant ideologies.¹⁵ Dyer further emphasizes that stereotypes in media are not merely reflections of reality but are constructed representations that serve specific social functions, often reinforcing existing power structures.¹⁶ This integrated approach facilitates a comprehensive understanding of how legal status, lived experience, and cultural representation intersect to shape the reality of domestic work.

Existing scholarship has extensively examined the constituent elements of this issue, yet often in disciplinary isolation. Sociological and economic studies, such as those by Ryu and Kim (2020)¹⁷ and Lee and Kim (2020)¹⁸, have provided robust details on the gendered division of domestic labor and the structural inequalities of South Korea's dual labor market. Separately, a rich body of film and cultural studies has analyzed the class and gender anxieties present in South Korean cinema, drawing on foundational media theories from scholars like Hall (1997)¹⁹ and Ryan and Kellner (1988).²⁰ While these parallel inquiries are well-established, a significant gap remains in synthesizing them to understand the specific interplay between cinematic representation and labor law concerning domestic work. This manuscript presents a timely and necessary intervention by undertaking a triangulated analysis that explicitly connects the cultural scripts of iconic films, such as *The Housemaid* and *Parasite*, with the legal architecture of the LSA and the 2021 Domestic Workers Act. By treating these films not merely as cultural products but as socio-legal artifacts that articulate the very tensions embedded in South Korea's labor laws, this study offers a novel, integrated analysis that transcends existing disciplinary silos.

A qualitative research design was employed, utilizing a multi-sited case study approach. Yin emphasizes that such an approach is particularly

¹⁴Erik Olin Wright. *Approaches to Class Analysis* (Cambridge: Cambridge University Press, 2005), 56.

¹⁵ Michael Ryan and Douglas Kellner. *Camera Politica: The Politics and Ideology of Contemporary Hollywood Film* (Bloomington: Indiana University Press, 1988), 15.

¹⁶ Richard Dyer. *The Matter of Images: Essays on Representations* (London: Routledge, 1993), 12.

¹⁷ Soomin Ryu and Jinhee Kim, "Gender Differences in Contribution to Domestic Work and Childcare Associated with Outsourcing in Korea," *Family and Environment Research* 58, no. 3 (2020): 345.

¹⁸ Lee and Kim, *Op.Cit.*, 549.

¹⁹ Hall, *Loc.Cit.*

²⁰ Ryan and Kellner, *Loc.Cit.*

effective for exploring complex social phenomena within their real-life contexts, allowing for a comprehensive understanding of the subject matter.²¹

Data collection involved two primary strands:

1. In-depth Interviews: Semi-structured interviews were conducted with three South Korean women domestic workers (identified by pseudonyms OKN, LEY, and YEO). These interviews aimed to elicit rich narratives about their work histories, conditions, challenges, and perceptions of their social and legal standing. The informants were selected to represent a range of educational backgrounds and work experiences, with each representing a key age demographic: the 40s, 50s, and 60s. This specific age focus is crucial, as in the South Korean context, women under 40 are typically in other professional careers, while those over 65 are generally considered past retirement age and face challenges in the job market. Kvale and Brinkmann highlight that semi-structured interviews are instrumental in capturing the depth and complexity of participants' experiences, allowing for flexibility while maintaining a consistent framework across interviews.²² The informants were selected to represent a range of ages, educational backgrounds, and work experiences within the domestic labor sector, as detailed in Table 1. All interviews were conducted in Korean, transcribed, and then translated into English for analysis, ensuring semantic equivalence and cultural nuance.
2. Cinematic Analysis: The cinematic analysis in this study serves to support and expand upon the testimonies of OKN, LEY, and YEO. By undertaking a critical textual analysis of *The Housemaid* (1960), *The Housemaid* (2010), and *Parasite* (2019), the research examines how the specific struggles with class, gender, and power raised by the interviewees are negotiated in the popular imagination. Focusing on narrative structure, character development, and symbolism, this approach dissects how these films function as cultural artifacts that both reflect and shape societal views on domestic work, thereby validating and contextualizing the lived experiences shared in the interviews. Such an analytical approach enables researchers to dissect how films function as cultural artifacts, reflecting and shaping societal discourses.²³
3. Law and Culture Analysis: To establish the legal framework that underpins the societal discourses in the films and the lived realities of the workers, this research also employs a law and culture approach. Relevant legal documents were collected and analyzed to provide a legal basis for the cultural aspects discussed in this writing. This included an examination of key provisions in the South Korean LSA, civil codes related to employment contracts, and court precedents concerning domestic labor to understand the formal rights and

²¹ Robert K. Yin. *Case Study Research and Applications: Design and Methods*, 6th ed. (Thousand Oaks, CA: SAGE Publications, 2018), 31.

²² Steinar Kvale and Svend Brinkmann. *InterViews: Learning the Craft of Qualitative Research Interviewing*, 2nd ed. (Thousand Oaks, CA: SAGE Publications, 2009), 67.

²³ David Bordwell and Kristin Thompson. *Film Art: An Introduction*, 11th ed. (New York: McGraw-Hill Education, 2017), 75.

protections afforded to these workers. This legal analysis helps to contextualize the power dynamics represented in the films and the perceptions of legal standing expressed by the interview participants.

Table 1. Informant Profile

No	Name (Pseudonym)	Age	Address	Educational Background	Working Experience
1	OKN	64 (sixty-four)	Yongin City	None	54 (fifty-four) years
2	LEY	55 (fifty-five)	Hanam City	Bachelor	15 (fifteen) years
3	YEO	47 (forty-seven)	Gwangju City	Bachelor	12 (twelve) years

The data from interviews and film analyses were thematically coded and analyzed to identify recurring patterns, points of convergence, and contradictions concerning the legal and cultural status of domestic workers. Braun and Clarke emphasize that thematic analysis offers a flexible and accessible approach to analyzing qualitative data, enabling researchers to systematically identify, analyze, and report patterns within the data.²⁴

2. RESULT AND ANALYSIS

2.1 Lived Realities: Case Studies of Korean Domestic Workers

The experiences of OKN, LEY, and YEO offer profound insights into how cultural norms surrounding domestic labor intersect with legal vulnerabilities, shaping their working lives and overall well-being. Through their rich, personal narratives, several key themes emerge: the persistent social stigma attached to domestic work, the precarious nature of informal employment, and the complex power dynamics within private households. This section will delve into each woman's case study, examining their unique work histories and daily challenges to illustrate these broader issues. While their individual stories differ, together they form a cohesive tapestry that highlights the systemic issues facing this vital yet often invisible workforce, revealing the tangible human consequences of operating in the shadows of formal legal protection and social recognition.

²⁴ Virginia Braun and Victoria Clarke, "Using Thematic Analysis in Psychology," *Qualitative Research in Psychology* 3, no. 2 (2006): 77.

2.1.1 Case 1: OKN – A Lifetime of Labor within Cultural Constraints and Legal Voids

OKN²⁵ began working as a child caregiver and domestic helper at the age of 10 (ten), following the death of her father and her mother's subsequent illness. Her mother, unable to support her children due to financial hardship, passed away from ovarian cancer. Relatives intervened to prevent the children from being placed in an orphanage, with OKN's youngest aunt taking her in. This arrangement, common in contexts of poverty and family crisis, often blurs the lines between kinship care and child labor, with little external scrutiny. Such situations are documented in studies highlighting the feminization of poverty and child labor.²⁶

OKN's role in her aunt's household was more akin to that of a servant than a family member. She was responsible for caring for her four cousins, including tasks like bathing, feeding, assisting with schoolwork, laundry, and cleaning. Despite her labor, she received no remuneration, and any perceived negligence resulted in physical punishment.²⁷ Such instances of abuse within domestic settings, particularly involving child domestic workers, often go unreported due to power imbalances and the private nature of the household, compounded by a lack of external oversight and weak child protection laws.²⁸

As her aunt's children grew older, OKN was sent to work for an acquaintance, performing similar tasks. Her wages were paid directly to her aunt, who justified this by claiming OKN was not old enough to manage money. This practice of wage appropriation by guardians constitutes a severe form of economic exploitation faced by child domestic workers, often unaddressed by labor laws²⁹, which do not penetrate the informal family economy.³⁰

OKN was never enrolled in school. At the time, elementary education was not compulsory in Korea, and her aunt, facing financial constraints, did not prioritize her education. The denial of education is a critical factor that perpetuates cycles of poverty and limits future opportunities for child laborers, effectively foreclosing pathways to legally protected and better-remunerated employment later in life.³¹

²⁵ The first informant, identified by the pseudonym OKN, is a 64(sixty-four)-year-old resident of Yongin City. She has no formal educational background and possesses the most extensive work history, with 54 (fifty-four) years of experience.

²⁶ Sylvia Chant and Cathy McIlwaine. *Cities, Slums and Gender in the Global South: Towards a Feminised Urban Future* (London: Routledge, 2016), 92.

²⁷ OKN, "Nanny and domestic worker," Interview by Yang En Siem Evelyn, Gwangju, South Korea, March 21, 2025.

²⁸ Human Rights Watch, "Swept Under the Rug: Abuses against Domestic Workers Around the World," <https://www.hrw.org/report/2006/07/06/swept-under-rug/abuses-against-domestic-workers-around-world>, 33.

²⁹ Korea Trade and Investment Promotion Agency. "2025 Labor Laws in Korea". 9–12. https://www.investkorea.org/file/ik-en/252025Labor_Laws_in_Korea.pdf

³⁰ International Labour Organization, "Global Estimates of Child Labour: Results and Trends, 2012-2016," <https://www.ilo.org/publications/global-estimates-child-labour-results-and-trends-2012-2016>, 45.

³¹ International Labour Organization and UNICEF, "Child Labour: Global Estimates 2020, Trends and the Road Forward," <https://www.ilo.org/publications/major-publications/child-labour-global-estimates-2020-trends-and-road-forward>, 15.

At 20 (twenty), OKN met her husband, a manual laborer from an impoverished background. They married after two years of courtship, despite her aunt's disapproval. OKN had no savings, having worked for years without personal financial gain. She worked in a restaurant to cover her wedding expenses. This lack of savings, despite years of toil, is a hallmark of exploitative labor conditions where workers are denied the fruits of their labor.³²

After her children began school, OKN resumed work as a child caregiver and later opened a modest food stall near her children's school, where she sold snacks for eight years. She closed the stall due to the Asian financial crisis and her husband's job relocation. This entrepreneurial effort, though ultimately curtailed by external economic factors, demonstrates a common strategy for domestic workers seeking autonomy and improved financial stability, often in the informal sector where legal and social safety nets are thin.³³

In their new apartment, she worked as a part-time domestic helper, serving four regular households. She preferred working when homeowners were absent, highlighting a desire for autonomy common among domestic workers who may find direct supervision intrusive.³⁴

OKN recounted an incident where a client accused her of stealing a wallet containing expensive jewelry. The client searched OKN's house, causing her profound humiliation. The client later apologized after discovering their own son had taken the wallet. Such false accusations represent a significant vulnerability for domestic workers, whose isolated work environment within private homes can make them easy targets, with limited immediate recourse to defend their reputation or seek damages for defamation under existing civil laws.³⁵

OKN never considered seeking legal protection for the injustices she endured. At the time, there were no laws or regulations to protect her, and within Korean society, her position and work were considered lowly. Due to existing familial relationships or neighborly ties, reporting such incidents to the police was culturally taboo because it could bring shame upon herself and her employers, becoming unsavory gossip within the community. This concept reflects deep-seated cultural norms of avoiding public shame and maintaining communal harmony, often acting as a powerful deterrent against seeking legal recourse, particularly in hierarchical social structures or close-knit communities.³⁶

OKN's life story bears a resemblance to Myoungsook's character in *The Housemaid* (1960), who, due to a lack of education or work experience, had no choice but to work as a domestic helper or child caregiver. She endured

³² Barbara Ehrenreich. *Nickel and Dimed: On (Not) Getting By in America* (New York: Metropolitan Books, 2001), 198.

³³ Martha Alter Chen, "The Informal Economy: Definitions, Theories and Policies," *WIEGO Working Paper* no. 1 (2012): 5.

³⁴ Helma Lutz. *Migration and Domestic Work: A European Perspective on a Global Theme* (Aldershot: Ashgate Publishing, 2008), 92.

³⁵ Judith Rollins. *Between Women: Domesticity and Their Employers* (Philadelphia: Temple University Press, 1985), 178.

³⁶ Pyong-Choon Hahm. *Korean Jurisprudence, Politics and Culture* (Seoul: Yonsei University Press, 1986), 55.

harsh treatment but lacked the power to resist and received no protection, even when the abuse resulted in permanent hearing impairment. Her story is a testament to the historical and ongoing vulnerability of domestic workers operating outside formal legal protections and within constraining cultural norms that devalue their labor and personhood.

2.1.2 Case 2: LEY – Navigating Semi-Formalization, Cultural Pressures, and the Quest for Rights in Childcare

LEY³⁷ began her career in childcare at age 35 (thirty-five) after being introduced to the opportunity by a fellow church member. At the time, she was a homemaker with 2 (two) school-age sons and a husband employed as an office worker. Possessing only a high school diploma and lacking vocational certification, LEY sought employment to contribute to the family income. Her entry into the labor market exemplifies a common trajectory among married women in South Korea who, after completing their child-rearing responsibilities, re-enter the workforce through feminized, care-related roles considered natural extensions of their maternal identity.³⁸

LEY initially worked part-time at a daycare center but was unable to become a full-time teacher due to the absence of formal qualifications. To overcome this, she enrolled in a cyber university to obtain a childcare certification, after which she secured a full-time position caring for toddlers. She continued this work for 10 (ten) years before returning to part-time employment at age 50 (fifty), citing physical fatigue and the preference of mothers for younger caregivers as motivating factors. She supplemented her income with private after-school childcare within her residential community—a dual-employment strategy that typifies how care workers often navigate both formal and informal labor sectors to achieve economic stability.

During her full-time role, LEY worked from 8 (eight) a.m. to 5 (five) p.m., officially receiving a one-hour break during children's naptime. However, she was required to remain on the premises and continue monitoring the children, often foregoing rest entirely if a child did not sleep. In her current part-time role, she receives a 30 (thirty)-minute break during a 4 (four)-hour shift but continues to supervise children during that time. This lack of meaningful rest, despite statutory provisions, highlights the gap between labor law and its enforcement in feminized sectors such as childcare.³⁹

LEY is officially entitled to 13 (thirteen) annual leave days, including summer and winter breaks. Yet, she reports that these are rarely used due to understaffing and the increased burden placed on colleagues during absences. Additionally, the timing of daycare events further restricts the scheduling of leave. Leave is generally only exercised in cases of family bereavement,

³⁷ The second informant, LEY, is 55 (fifty-five) years old, resides in Hanam City, and holds a bachelor's degree from Cyber University, with 15 (fifteen) years of working experience.

³⁸ OECD, "Employment Outlook 2019: The Future of Work," https://www.oecd.org/content/dam/oecd/en/publications/reports/2019/04/oecd-employment-outlook-2019_0d35ae00/9ee00155-en.pdf, 33.

³⁹ Yoo-Jean Song and Yun-Suk Lee, "Work Hours, Work Schedules, and Subjective Well-Being in Korea," *International Sociology* 36, no. 1 (2021): 15.

reflecting the structural limitations within daycares and the organizational cultures that discourage absenteeism.⁴⁰

LEY observed a prevalent preference among parents for younger childcare providers, attributing this to perceptions of greater physical agility and responsiveness. Such biases contribute to age-based discrimination, often perpetuated by cultural norms rather than mitigated by enforceable anti-discrimination laws.⁴¹ Moreover, LEY emphasized that childcare providers, akin to parents, grapple with daily challenges in raising children, underscoring the significant emotional labor inherent in care work.⁴²

A significant occupational challenge involves managing child injuries. Despite understanding that injuries can occur even under vigilant supervision, parents often hold teachers solely responsible, which can adversely affect their professional reputations. To mitigate such risks, many caregivers limit children's play activities, which can potentially hinder developmental opportunities. LEY also recounted instances where children, influenced by domestic stress, exhibited aggressive behaviors toward peers or teachers. Parents often failed to acknowledge these underlying issues. In severe cases, demands to review CCTV footage necessitated police mediation, imposing substantial psychological strain on teachers who lack specialized legal protections or dispute resolution mechanisms.

In conflicts between parents and teachers, daycare centers typically side with parents to avoid reputational damage or student withdrawal. LEY lamented that in such situations, "there are no laws or regulations to protect the rights of the teacher." The primary institutional response is periodic training on safety and customer service, highlighting an emphasis on risk management over worker welfare. This scenario reflects what Korczynski describes as a "customer-oriented bureaucracy," where client satisfaction takes precedence over employee protections.⁴³

LEY also highlighted income instability resulting from sudden parental decisions to withdraw children from daycare, often upon securing placements in preferred institutions. Such decisions can lead to reduced working hours or staffing adjustments, directly impacting caregivers' wages without recourse or severance compensation. This precariousness typifies contingent labor arrangements in client-dependent sectors.⁴⁴

Despite these challenges, LEY expresses contentment with her current dual role. Her private nanny position, which pays 800,000 KRW (eight hundred thousand Korean Won) or equivalent to approximately 576 USD (five hundred seventy six Dollar America) per month, encompasses tasks such as cooking, light cleaning, and supervising homework. She values mutual understanding with her employer, who honors her leave and ensures payment

⁴⁰ Korean Labor Standards Act, Art. 54.

⁴¹ David Neumark, Ian Burn, and Patrick Button, "Is It Harder for Older Workers to Find Jobs? New and Improved Evidence from a Field Experiment," *Journal of Political Economy* 127, no. 2 (2019): 922-923.

⁴² Arlie Russell Hochschild. *The Managed Heart: Commercialization of Human Feeling* (Berkeley: University of California Press, 1983), 7.

⁴³ Marek Korczynski. *Human Resource Management in Service Work* (London: Palgrave Macmillan, 2002), 77.

⁴⁴ Arne L. Kalleberg. *Precarious Lives: Job Insecurity and Well-Being in Rich Democracies* (Cambridge: Polity Press, 2018), 42.

continuity during family vacations. In return, LEY offers flexibility and additional care, such as organizing special outings. She notes a growing awareness among younger mothers of the value of consistent caregivers, though she emphasizes the necessity of legally formalizing private care arrangements to ensure standardized protections and working conditions.⁴⁵

LEY's career trajectory resonates with the character Eun-yi in *The Housemaid* (2010), who chose caregiving work to contribute to household finances. Unlike Myoung-sook in the 1960 version of the film, who entered domestic service due to poverty, LEY's choice stemmed from a desire for economic supplementation and self-fulfillment. Nevertheless, she encountered similar institutional and cultural constraints. LEY's experience illustrates a nuanced form of domestic labor that, while more specialized and partially formalized, continues to suffer from inadequate legal protections, blurred boundaries, and systemic undervaluation, particularly when the employment structure straddles informal and semi-formal domains.⁴⁶

2.1.3 Case 3: YEO – The Weight of Care, Cultural Stigma, and the Elusive Dignity in Domestic Work

YEO⁴⁷ began her career as a domestic worker after her youngest child started kindergarten. Before marriage, she worked in administrative roles. However, due to one of her three sons being born with a disability, she and her husband relocated to a rural area to ensure their children could attend school without facing bullying or adverse experiences. This decision underscores the societal pressures and personal sacrifices parents, especially mothers, make in South Korea to provide supportive environments for children with special needs. Despite governmental efforts to support families with disabled children, utilization rates of these services remain low, indicating gaps in accessibility and effectiveness.⁴⁸

Prior to her domestic work, YEO held a part-time position at a government office. However, the demands of caring for her son with a mental disability forced her to resign, as she could not reconcile her working hours with his care needs. Seeking employment closer to home proved challenging, highlighting the limited flexible job opportunities for mothers of children with disabilities. This often pushes them towards informal or precarious employment sectors.⁴⁹

Through an acquaintance, YEO found employment with a retired couple in her neighborhood, working three days a week from 10 (ten) a.m. to 5 (five) p.m. Her duties included cleaning, cooking, laundry, and waste disposal. This

⁴⁵ Rhacel Salazar Parreñas. *Servants of Globalization: Migration and Domestic Work*, 2nd ed. (Stanford, CA: Stanford University Press, 2015), 88.

⁴⁶ Seán Ó Riain, "States and Markets in an Era of Globalization," *Annual Review of Sociology* 26 (2000): 205.

⁴⁷ The third informant, YEO, is a 47 (forty-seven)-year-old from Gwangju City. She has a bachelor's degree and has accumulated 12 (twelve) years of working experience.

⁴⁸ Ministry of Health and Welfare & Korea Institute for Health and Social Affairs, "Range and Nature of Social Services for Children With Disabilities and Their Families: A Descriptive Study," <https://pmc.ncbi.nlm.nih.gov/articles/PMC11700929/>, 45.

⁴⁹ Young-sook Kim, "The Trade-off between Paid and Unpaid Work for Married Women in South Korea: The Role of Gendered Social Norms," *Journal of Family and Economic Issues* 43, no. 2 (2022): 369.

arrangement, while seemingly straightforward, placed her within the intimate sphere of a private household—a common characteristic of domestic employment in South Korea, where terms are often informally negotiated without legally binding contracts.⁵⁰

After two years, YEO resigned due to health reasons, citing extreme fatigue and insufficient rest. Her daily routine was grueling: waking at 5 (five) a.m. to prepare breakfast and see her family off, commuting her son to a distant special school, managing her own household chores, working at her employer's home, and then returning to pick up her children and handle evening responsibilities. This illustrates the profound "double burden" faced by many women, which, in YEO's case, was a "triple burden" due to her second son's intensive care needs due to his disability. Such situations often lead to severe caregiver stress and burnout, exacerbated by inadequate state or communal support systems.⁵¹

Another factor in YEO's decision to leave was her employers' occasional dissatisfaction with her work. Despite performing tasks as she would in her own home, her employers perceived her efforts as insufficient. This highlights the subjective standards in domestic work, where satisfaction often depends entirely on the employer's personal preferences, in the absence of standardized criteria or formal training for domestic workers.⁵²

YEO also felt immense guilt when unavoidably late for work due to her son's needs. She perceived an unspoken cultural expectation that workers should not appear too eager to leave precisely at the end of their shift, fearing it might be interpreted as a sign of a lack of commitment. This reflects a broader norm in Korean workplace culture, where presenteeism and unpaid overtime are often implicitly expected due to deeply embedded Confucian values that emphasize loyalty, hierarchy, and group harmony—practices that persist even outside formal corporate settings.

An additional psychological burden for YEO was the shift in how she was perceived by others in her community. While she was previously seen with sympathy and respect as a mother of a child with a disability, this changed after she took on domestic work. Although she held a bachelor's degree, she felt regarded condescendingly by neighbors and even employers. Such perceptions are not uncommon in Korean society, where domestic work is still widely regarded as low-status labor, often associated with low educational attainment or economic hardship. As Ryu and Kim mentioned, this stigma significantly undermines the dignity and perceived social worth of domestic workers.⁵³

2.2 Cinematic Reflections: Cultural Scripts of Domestic Work in Korean Film

South Korean cinema intricately weaves narratives that both reflect and critique societal perceptions of domestic labor, often highlighting the legal and

⁵⁰ Ehrenreich, *Op.Cit*, 55.

⁵¹ Arlie Russell Hochschild and Anne Machung. *The Second Shift: Working Parents and the Revolution at Home* (New York: Penguin Books, 2012), 259.

⁵² Rosie Cox. *The Servant Problem: Domestic Employment in a Global Economy* (London: I.B. Tauris, 2015), 97.

⁵³ Ryu and Kim, *Op.Cit*, 343-344.

social vulnerabilities faced by workers. Films like *Parasite* (2019) and *The Housemaid* (1960, remade in 2010) delve into the complexities of class, gender, and power dynamics within the domestic sphere. These cinematic works highlight how the home, traditionally regarded as a private sanctuary, becomes a site where socioeconomic disparities and labor precarity are starkly revealed. As Taylor-Jones notes, these films reveal "the home of the wealthy is built on the labor of those who are often invisible and unacknowledged," emphasizing the intertwined nature of domestic spaces and labor exploitation.⁵⁴

Furthermore, the portrayal of domestic workers in these films aligns with broader societal issues, such as the concept of '*gapjil* / 갑질'—a term describing the abuse of power by superiors over subordinates in South Korea. This phenomenon reflects the hierarchical nature of Korean society, where those in positions of authority often exploit those beneath them, particularly within the private confines of the household.⁵⁵ The cinematic depiction of such dynamics serves as a cultural barometer, registering anxieties and critiques about entrenched class structures and gender roles.

2.2.1 *The Housemaid* (1960) – The Unsettling Presence and Legal Non-Entity

Directed by Kim Ki-young, *The Housemaid* is a seminal film in Korean cinema that explores the sociocultural dynamics between a middle-class family and their newly hired domestic worker, Myung-sook. The narrative follows the destabilization of a conventional family unit after the arrival of Myung-sook, whose presence instigates a tragic and unsettling chain of events, culminating in violence and moral collapse.

Myung-sook represents both sexual and class-based anxieties of the era. Her integration into the private domestic space—traditionally considered sacrosanct and regulated by patriarchal norms—serves as a disruptive force. As a housemaid, her labor is indispensable to the household's operation, yet her growing influence and entanglement with the family's patriarch render her increasingly threatening. This duality underlines the paradox inherent in domestic labor: it is essential yet marginalized, visible yet rendered invisible until a perceived transgression occurs.

Ultimately, the film portrays Myung-sook as a figure both vulnerable and volatile. Despite her efforts to conform and serve, she is scapegoated and eliminated once she poses a risk to the family's social reputation. Her fate exemplifies the fragility of a domestic worker's position within both the household and the broader legal system. The lack of institutional protections in 1960s South Korea parallels the film's thematic concern with the legal invisibility and disposability of domestic laborers.

Myung-sook's character encapsulates the class and sexual anxieties of a rapidly modernizing Korea, a society grappling with new social formations

⁵⁴ Kate E. Taylor-Jones (Viewfinder Magazine), "Home, Class and Murder in South Korean Cinema," <https://learningonscreen.ac.uk/viewfinder/articles/home-class-and-murder-in-south-korean-cinema/>.

⁵⁵ Jung-Ju Lee and Hae-Sung Yoon. "A Study on Case Analysis According to the Type of Gapjil." *Korean Society for Corruption Studies* 25, no. 4 (2020): 38-39.

and traditional patriarchal values. O'Brien notes that the film serves as "an expression of the culturally contingent anxieties surrounding modernisation in post-war South Korea," highlighting the destabilizing force of modernity on traditional family structures.⁵⁶ Similarly, Lo observes that the film reflects "the class struggle, rural-urban disparity, and cultural confrontation" prevalent in 1960s South Korea, showcasing the tensions between emerging modern values and entrenched traditional norms.⁵⁷

The film culturally frames the housemaid as both indispensable and dangerous, a figure operating within the intimate sphere of the family yet remaining an outsider—a liminal status often mirrored by her lack of legal personhood as a worker. This portrayal reflects the cultural ambiguity and legal non-status of domestic workers in that era, who were without specific labor protections, rendering them vulnerable and disposable. As noted by the Korean Film Archive, the film "offers a compelling and provocative reflection of the prevailing sentiments concerning modernity and the patriarchal family," emphasizing the precarious position of domestic workers within the socio-legal landscape of the time.⁵⁸ The film's ending, where the patriarch warns the audience about the potential dangers of housemaids, reinforces a cultural narrative of suspicion rather than empathy or calls for protection, thereby justifying their marginalization.

2.2.2 *The Housemaid* (2010) – Exploitation in the Lap of Hyper-Modern Luxury

Im Sang-soo's *The Housemaid* (2010) is a provocative reimagining of Kim Ki-young's 1960 classic, recontextualized to highlight the persistent and deepening class divisions and gendered labor dynamics in contemporary South Korea. The film centers on Eun-yi, a working-class woman employed to care for the daughter of an ultra-wealthy household. While she is initially treated with superficial civility, her seduction and subsequent pregnancy by the household patriarch, Hoon, reveal the rigid class hierarchy embedded in the private domain. As Kim argues, the modern retelling transforms the domestic space into a site of systemic exploitation, where Eun-yi's essential labor is juxtaposed with her social disposability.⁵⁹

The film sharply critiques the structural absence of legal and social protections for domestic workers. When Eun-yi is sexually and emotionally exploited, she has no institutional recourse. The calculated coldness of her mistress and the mistress's mother, who seek to quietly eliminate her, exemplifies how elite families often prioritize reputation over justice. This aligns with Taylor-Jones's observation that South Korean cinema frequently

⁵⁶ Luke O'Brien, "A Timely Tragedy: Deviant Women and Cultural Dissonance in Kim Ki-young's *The Housemaid*," *Aigne Journal* 10 (2024): 86.

⁵⁷ Samuel Lo (East Asia on Screen), "The Housemaid (1960): A Social Analysis on Post-war South Korea," <https://medium.com/east-asia-on-screen/the-housemaid-1960-an-erotic-fantasy-in-south-korea-and-more-6078b71be53e>.

⁵⁸ Korean Film Archive (KoreaSeen), "The Housemaid," <https://www.koreaseen.com/the-housemaid/>.

⁵⁹ Eunhye Kim, "A Comparative Study on Discourse Analysis of Korean Movie *The Housemaid*—Focused on Films in 1960 and 2010," *International Journal of Korean Humanities and Social Sciences* 6 (2020): 64-65.

portrays the home as a space where wealth is maintained through the invisible labor of vulnerable women.⁶⁰

By situating the narrative within an environment of hyper-modern luxury—characterized by minimalist glass architecture, classical music, and haute cuisine—the film highlights the stark disparity between the extravagance of the wealthy and the isolation of the working class. Eun-yi's increasing marginalization, culminating in her tragic suicide, becomes emblematic of the brutal consequences of unbridled economic inequality. As Wu (2011) notes, the film “exposes the icy detachment of the rich and the utter expendability of those who serve them,” making a broader critique not only of individual moral failure but of the structural conditions that normalize such exploitation.⁶¹

Unlike the 1960 original, where the housemaid disrupts a vulnerable middle-class family, the 2010 version presents her as entirely at the mercy of the ultra-elite, amplifying the critique of capitalism and patriarchal power. Through its chilling portrayal of domestic servitude in an opulent setting, the film underscores the systemic nature of labor abuse, revealing the ways in which domestic workers are simultaneously essential and silenced in modern capitalist societies.

Im Sang-soo's *The Housemaid* (2010) transposes the narrative of Kim Ki-young's 1960 classic into the context of an ultra-wealthy household, amplifying themes of class disparity and exploitation in a globalized, neoliberal South Korea. The protagonist, Eun-yi, a working-class woman, is employed as a domestic worker in an opulent home, where she is sexually exploited by the master of the house, Hoon. Subsequently, the family colludes to eliminate the “problem” she represents, showcasing the extreme power imbalances inherent in such domestic settings. This portrayal underscores the powerlessness of domestic workers when confronted with the wealth and influence of their employers. The absence of effective legal recourse for such workers, particularly regarding sexual harassment and abuse in private employment, exacerbates this vulnerability. As noted by Cho, Min, and Min (2024), personal care workers in Seoul experience significant workplace violence, including sexual harassment, highlighting the systemic issues faced by domestic workers in private settings.⁶²

The film's opulent yet cold setting emphasizes Eun-yi's isolation, with the luxurious environment serving as a stark contrast to her increasing marginalization. Her tragic end serves as a cinematic commentary on the expendability of domestic workers in a society where class and reputation often trump justice and human dignity. This narrative reflects critiques of ongoing class polarization in contemporary Korea. Koo (2007) discusses the intensifying economic inequality in South Korea, noting that the growing

⁶⁰ Taylor-Jones, *loc.cit.*

⁶¹ Duncan Wu (Times Higher Education), “Film Review: The Housemaid,” <https://www.timeshighereducation.com/features/culture/film-review-the-housemaid/415556.article>.

⁶² Mi-Suk Cho, Kyoung-Bok Min, and Jin-Young Min, “Workplace Violence Experienced by Personal Care Workers in a District in Seoul, Republic of Korea: A Comparison Study with Office and Service Workers,” *Healthcare* 12, no. 3 (2024): 320.

disparity is manifested in various aspects of social life, including residential segregation and educational opportunities.⁶³

Ultimately, *The Housemaid* (2010) highlights how the private home can become a site of profound legal impunity for employers, where domestic workers are subjected to exploitation without adequate legal protections. This cinematic narrative serves as a critique of the systemic issues faced by domestic workers in South Korea, emphasizing the need for comprehensive legal reforms to protect vulnerable workers in private employment settings.

2.2.3 *Parasite* (2019) – Class Warfare and the Invisible Labor Force

In *Parasite*, Bong Joon-ho explores the stark contrast between the rich and poor in a modern, capitalist society, using domestic labor as a key component of the narrative. The film follows the Kim family, who infiltrate the wealthy Park household by posing as highly qualified workers. The Park family's reliance on a string of domestic servants, including a former housekeeper and a chauffeur, represents the social and economic division between the two families.

The film centers on the Kim family, who progressively infiltrate the affluent Park household by assuming fabricated professional identities. Notable among the domestic workers are Moon-gwang, the Park family's original housekeeper, and Chung-sook, who replaces her as the new housemaid under false pretenses.

Domestic labor is central to the narrative's symbolic and spatial dynamics. The Park family's reliance on Moon-gwang—and later, unknowingly, on the Kims—highlights the dependence of the elite on undervalued and often invisible labor. The architectural division of the Park residence further reinforces this theme: upper spaces denote affluence and authority, while subterranean spaces, such as the hidden bunker where Moon-gwang's husband resides, metaphorically represent social erasure and economic marginalization.

Unlike *The Housemaid*, *Parasite* shows how the lines between employer and employee are blurred. The Kim family's infiltration is not one of violence or revenge but rather of strategic manipulation and deceit, reflecting the desperate desire of lower-class workers to infiltrate the class above them. While all films expose the invisibility and disposability of domestic workers, *Parasite* focuses more on the intergenerational conflict between the classes and the emotional and psychological toll of living in such inequity. It paints a picture of domestic labor as a crucial, but ultimately undervalued part of the capitalist system—workers are often essential but invisible.

Bong Joon-ho's *Parasite* (2019) offers a globally resonant dark satire on class relations, with domestic labor at its core. The Kim family's infiltration of the wealthy Park household by posing as various service providers highlights the elite's dependence on an often invisible workforce whose labor sustains their lifestyle. The film masterfully employs spatial symbolism—the luxurious Park home versus the Kims' semi-basement apartment—to depict the vast,

⁶³ Hagen Koo, "The Changing Faces of Inequality in South Korea in the Age of Globalization," *Korean Studies* 31, no. 1 (2007): 5.

almost unbridgeable class chasm, serving as a visual metaphor for social and economic stratification. As noted by Nulman (2020), the film presents class in spatial terms that speak to hierarchy, utilizing staircases and vertical movement to represent social mobility and division.⁶⁴

While the Kims engage in deception, their actions stem from systemic economic desperation and limited opportunities in the formal labor market. The film portrays domestic workers—both the Kims and the former housekeeper, Moon-gwang—as essential yet precarious, easily replaceable, and caught in a desperate struggle for survival. This narrative critiques not just individual employers but a capitalist system that thrives on such inequalities. *Parasite* reflects the realities of neoliberal South Korea, where economic polarization and labor precarity are prevalent, highlighting the systemic issues faced by the working class.⁶⁵

The film's international success brought these Korean socio-cultural and socio-legal issues concerning class and labor to a global audience, prompting discussions about universal basic income and stronger worker protections. *Parasite*'s global recognition underscores the power of Korean cinema to engage with pressing social issues, fostering international discourse on inequality and labor rights.⁶⁶

2.3. The Legal Landscape: Protections, Exclusions, and Cultural Underpinnings

The legal status of domestic workers in South Korea has historically been marked by exclusion, with recent legislative efforts making only partial strides toward inclusion. This trajectory is deeply influenced by cultural perceptions of domestic work, which often lag behind economic realities and international human rights norms. For instance, the enactment of the Act on the Employment Improvement of Domestic Workers No. 18285 (*가사근로자의 고용개선 등에 관한 법률*) (hereinafter “EIDW Act”)⁶⁷ in 2021 extended certain labor protections—such as minimum wage, social insurance,⁶⁸ severance pay,⁶⁹ and annual paid leave⁷⁰—to domestic workers. However, this law applies only to those employed through government-certified service

⁶⁴ Eugene Nulman. “Coronavirus Capitalism Goes to the Cinema,” in *Coronavirus Capitalism: Media, Communication, and Politics in the COVID-19 Pandemic*, ed. Christian Fuchs (London: Routledge, 2020), 185.

⁶⁵ Dal Yong Jin (Central Connecticut State University), “Conference Speakers and Abstracts,” <https://www.ccsu.edu/squid-game-conference/conference-speakers-and-abstracts>.

⁶⁶ Gemma Ballard, “The Soft Power of the Korean Wave: Parasite, BTS and Drama,” (PhD Dissertation, Faculty of Arts and Humanities University of Leeds, Winter Term 2020), 301–302.

⁶⁷ EIDW Act was enacted on June 15, 2021 and came into effect on June 16, 2022.

⁶⁸ EIDW Act, Art. 7 (Social Insurance). This article mandates the application of the National Pension Act, National Health Insurance Act, Employment Insurance Act, and the Industrial Accident Compensation Insurance Act.

⁶⁹ *Ibid.*, Art. 9 (Guarantee of Retirement Benefits). This stipulates the application of the *Act on the Guarantee of Employees' Retirement Benefits*.

⁷⁰ *Ibid.*, Art. 8 (Application of the Labor Standards Act). This article applies provisions of the *Labor Standards Act* concerning wages (including minimum wage) and paid leave.

providers.⁷¹ Consequently, the majority of domestic workers who are hired directly by private households remain outside the purview of key labor protections⁷² and must rely solely on civil contractual claims in disputes.⁷³

Cultural factors further complicate the legal recognition of domestic workers. Deep-seated Confucian ideals in South Korea emphasize hierarchical family structures and traditional gender roles, often relegating domestic work to the private sphere and viewing it as informal or non-economic labor. This cultural backdrop contributes to the marginalization of domestic workers and the slow pace of legal reforms aimed at protecting their rights.

Moreover, the introduction of foreign domestic workers under the E-9 visa program has raised concerns about labor exploitation. The Hankyoreh Daily mentioned that while these workers are intended to alleviate domestic labor shortages, they often face conditions that fall below the legal minimum wage and lack adequate legal protections, highlighting the persistent vulnerabilities within the sector.⁷⁴

2.3.1. Historical Legacy: Confucianism, Gender Roles, and the *Nobi* System

The cultural framing of domestic labor in Korea has deep historical roots. The *Nobi*/노비/ system, a form of servitude prevalent during the *Goryeo*/고려/ and *Joseon*/조선/ dynasties, was officially abolished in 1894 as part of the *Gabo Reforms*/가보 개혁/. However, its legacy persisted, influencing societal attitudes toward domestic work. *Nobi*/노비/ were often considered property and were integral to the household economy, performing various domestic tasks.⁷⁵

Confucian ideology, particularly the Neo-Confucianism adopted by the state during the Joseon Dynasty, further entrenched hierarchical social structures and gender roles. At the heart of this framework were the Three Bonds and Five Relationships (삼강오륜, *Samgang Oryun*), which mandated a strict order of subordination: ruler over subject, father over son, and husband over wife. These principles defined a virtuous society as one built on clear

⁷¹ *Ibid.*, Art. 2 (1) and (4). These define a "domestic worker" as an individual with a labor contract with a "domestic service provider," which must be a legal entity certified by the Ministry of Employment and Labor.

⁷² Labor Standards Act (근로기준법), Act No. 19553, Art. 11, Paragraph 1. This clause explicitly states that the Act does not apply to domestic employees (가사(家事) 사용인), which has been interpreted as those directly hired by a household.

⁷³ Civil Act (민법), Act No. 471, Art. 658, 659. As the Labor Standards Act does not apply, the relationship between a household and a directly-hired domestic worker is governed by general principles of contract law found within the Civil Act, specifically under Chapter 9 on Employment (고용).

⁷⁴ The Hankyoreh, "Exploiting Foreign Domestic Workers Won't Solve Korea's Birth Rate Problem," https://english.hani.co.kr/arti/english_edition/english_editorials/1146582.html.

⁷⁵ Young-hoon Rhee, "Korean Nobi and American Black Slavery: An Essay in Comparison," *Millennial Asia* 1, no. 1 (2010): 5-6.

vertical hierarchies.⁷⁶ This structure was philosophically justified by an adaptation of the Yin-Yang (음양, *Eum-Yang*) theory, which assigned Yang (male) to the public, external world and Yin (female) to the private, domestic sphere. This division framed women's work within the home not as economic labor but as a natural, complementary duty, thereby devaluing it in formal terms.⁷⁷

These ideals solidified a rigid patriarchal family system, legally embodied for much of the 20th century by the *Hoju* system (호주제, household head system), which registered all family members under a male head and passed lineage and authority exclusively through the male line.⁷⁸ This perspective relegated domestic labor to a lower status, often viewed as unskilled and unworthy of formal recognition or compensation.

These historical and cultural factors have contributed to the modern-day perception of domestic workers in Korea. Often referred to as "helpers" (*gasadoumi*/가사도우미) rather than "employees" (*nodongja*/노동자), domestic workers have historically been excluded from mainstream labor laws designed for industrial and public sector workers. This exclusion reflects the enduring influence of Confucian values⁷⁹ and the legacy of the Nobi system on contemporary labor practices.

2.3.2 Exclusion from the Labor Standards Act: A Legal Manifestation of Cultural Devaluation

The most significant legal hurdle for domestic workers has been their explicit exclusion from South Korea's primary labor law, the LSA.⁸⁰ This exclusion has historically denied domestic workers fundamental rights afforded to most other employees. A 2019 fact-finding survey by the National Human Rights Commission of Korea (NHRCK) documented the direct consequences, revealing a widespread lack of access to severance pay, paid holidays, and regulated working hours among domestic workers.⁸¹ For instance, a directly hired domestic worker terminated without reason had no legal recourse through the Labor Relations Commission for unfair dismissal, a standard protection afforded to other employees. Their only option was the higher burden of a civil lawsuit, a situation the Ministry of Employment and

⁷⁶ Martina Deuchler. *The Confucian Transformation of Korea: A Study of Society and Ideology* (Cambridge, MA: Harvard University Press, 1992), 25.

⁷⁷ Eunkang Koh, "Gender issues and Confucian scriptures: Is Confucianism incompatible with gender equality in South Korea?," *Bulletin of the School of Oriental and African Studies* 71, no. 2 (2008): 345–347.

⁷⁸ Korean Legislation Research Institute, "Hoju system (호주제)," http://www.koreanlii.or.kr/w/index.php/Hoju_system.

⁷⁹ Eun Mee Kim (Women's eNews), "U.S. and South Korea: How Traditional Values with Religious Roots Still Impact Gender Inequalities," <https://womensenews.org/2017/08/u-s-and-south-korea-how-traditional-values-with-religious-roots-still-impact-gender-inequalities/>.

⁸⁰ Labor Standards Act (근로기준법), Act No. 19553, Art. 11(1).

⁸¹ National Human Rights Commission of Korea, *Fact-finding Survey for the Promotion and Protection of Domestic Workers' Human Rights* (Seoul: NHRCK, 2019). <https://uhr.humanrights.go.kr/pub/file/download/4225>.

Labor itself recognized as a "legislative vacuum" when proposing the legislation that would become the EIDW Act.⁸²

The official justifications for this long-standing exclusion have rested on 4 (four) key arguments: (1) the special nature of the private household as a workplace that should be shielded from state supervision; (2) the practical difficulty of monitoring working hours; (3) the perception of the relationship as "personal" or familial rather than formal employment; and (4) the belief that applying labor standards would unduly burden private households.⁸³ This legal vacuum has left domestic workers reliant on individual contracts (if any exist), the goodwill of their employers, or the limited protections offered by general civil law, which are often inadequate for addressing labor-specific issues of power imbalance and exploitation.

2.3.3 The 2021 Domestic Workers Act: A Modest Reform within a Persistent Cultural Context

In response to prolonged advocacy by labor unions⁸⁴, civil society organizations, and international pressure following the adoption of International Labour Organization (ILO) Convention No. 189, the South Korean National Assembly enacted the "Act on the Employment Improvement of Domestic Workers" in 2021, which came into effect in June 2022. This legislation represents a significant, albeit limited, advancement in recognizing domestic labor as formal employment, deserving of the same legal protections as other types of employment.

A central feature of the Act is its focus on domestic service agencies.⁸⁵ Domestic workers employed by government-certified agencies are now entitled to basic labor rights, including written employment contracts, a minimum wage, paid weekly leave, annual leave, severance pay, and coverage under the four major social insurance programs: employment insurance, industrial accident compensation insurance, national pension insurance, and national health insurance.⁸⁶

However, the Act has several critical limitations. Firstly, its protections primarily apply to domestic workers formally employed through certified placement agencies. A significant proportion of domestic workers, particularly those in direct-hire relationships, part-time arrangements with multiple individual employers, or undocumented migrant domestic workers⁸⁷, remain

⁸² Ministry of Employment and Labor, "Press Release: Act on the Employment Improvement of Domestic Workers Passed by National Assembly" (Sejong: MOEL, May 26, 2021). https://elaw.klri.re.kr/eng_mobile/viewer.do?hseq=59951&type=sogan&key=6.

⁸³ Ohseong Kwon and Sohee Park, "A Study on the Protection of the Domestic Workers," *Labor Law Forum* 11, no. 31 (2020): 152.

⁸⁴ Cahyo Pamungkas, "The History of the Labour Movement in South Korea 1947-1997," *Masyarakat, Jurnal Sosiologi*, 16 No.2, (2011): 4-6.

The Role of Blue Collar and White Collar Workers
<https://scholarhub.ui.ac.id/cgi/viewcontent.cgi?article=1211&context=mjs>

⁸⁵ EIDW Act, Art. 7, which establishes the certification system for service providers.

⁸⁶ Haolie Jiang, "Global Care Policy Index 2021: Country Report: South Korea," https://www.academia.edu/95827539/Global_Care_Policy_Index_2021_Country_Report_South_Korea, 5.

⁸⁷ Arwen Joyce, "Reducing Worker Exploitation in Time-Limited, Low-Wage Visa Schemes: Lessons from South Korea and Thailand," *Industrial Law Journal*, 53 No. 1, (2024): 44.

outside the scope of this Act and thus are largely still excluded from LSA protections.

Secondly, the Act does not amend the LSA to include all domestic workers, but instead creates a parallel system for a specific segment. Critics argue that this agency-based model may not cover the majority of workers in the sector and might lead to a two-tiered system, further marginalizing those in informal arrangements.

Furthermore, challenges remain regarding the effective enforcement of the Act, the capacity and willingness of agencies to comply fully, and the accessibility of these agency services for both workers and households across different regions and socio-economic strata. The demographic reality of an aging domestic workforce in Korea and policy discussions around importing foreign domestic workers to meet demand further complicate the cultural and legal landscape, raising new questions about rights, integration, and the potential for exploitation if legal frameworks are not comprehensive and rigorously enforced as mentioned in *The Dong-A Ilbo*.⁸⁸

2.3.4 Discussion: The Intertwined Fates of Law, Culture, and Domestic Labor

The detailed case studies of OKN, LEY, and YEO, juxtaposed with cinematic portrayals and the evolution of legal frameworks, vividly demonstrate the profound and often detrimental interplay between law and culture in shaping the realities of domestic work in South Korea. The enduring effects of Confucian legacies have embedded gendered hierarchies and the devaluation of care work within cultural norms, leading to a long-standing legal marginalization of domestic workers. Even as South Korea modernized economically, the exclusion of domestic work from legal protections—such as the LSA—perpetuated this cultural devaluation. OKN's story—defined by early child labor, abuse, and wage theft—demonstrates how legal invisibility allows traditional norms to dominate labor relations, particularly in the domestic sphere.

The films discussed are not mere entertainment; they are cultural artifacts that articulate, reflect, and sometimes challenge these dominant norms and their legal underpinnings. *The Housemaid* (1960) mirrors an era where the domestic worker was a largely unprotected and potentially disruptive "other," whose liminal status in the household was mirrored by her non-status in labor law. Im Sang-soo's 2010 remake and Bong Joon-ho's *Parasite* (2019) powerfully demonstrate that, despite South Korea's significant economic modernization, the fundamental precarity and class-based vulnerability of domestic workers persist, serving as a cinematic testament to the slow pace of comprehensive legal and cultural reform. Eun-yi's exploitation in the 2010 film and the Kim family's desperate machinations in *Parasite* underscore how extreme power imbalances, often nurtured in the private sphere and tacitly permitted by legal gaps, can lead to tragic or exploitative outcomes, reflecting a societal culture that struggles to reconcile its economic advancements with social justice for its most vulnerable workers.

⁸⁸ The Dong-A Ilbo, "Can Foreign Domestic Helpers Help Address Korea's Low Birth Rates?," <https://www.donga.com/en/article/all/20240909/5160424/1>.

LEY's experience in the semi-formalized childcare sector reveals that even partial professionalization and certification do not fully counteract embedded cultural biases or guarantee adequate labor rights. The parental preference for younger teachers, the immense pressure regarding child safety leading to self-imposed restrictions by teachers, and the difficulties in accessing entitled leave highlight how cultural expectations and operational realities in care work can undermine formal entitlements. Her call for legal regulation of private nanny arrangements points directly to the "juridic field" where law has yet to fully extend its reach, leaving many in a state of normative ambiguity. YEO's narrative, characterized by the "triple burden" of paid work, her own household's care, and intensive support for her child with a disability, coupled with the societal stigma against her chosen profession despite her education, further illuminates the struggle for dignity. There is currently no official domestic worker association that can serve as a forum to tolerate and help each other like in Spain or Taiwan⁸⁹. This reflects ongoing cultural expectations that override contractual rights in settings where unionization is weak and standardization is lacking.

The 2021 Domestic Workers Act is a landmark acknowledgment of these issues; yet, its agency-based model and limited scope indicate a deep-seated cultural resistance to fully integrating domestic work into the mainstream labor law paradigm. It reflects a cautious legal pluralism, where a new set of rules applies to a segment of workers, but the old exclusionary logic largely persists for others. For the law to be truly transformative, moving beyond symbolic gestures, it must be accompanied by profound cultural shifts that recognize domestic work as skilled, valuable labor deserving of the same dignity, respect, and protections afforded to other sectors. The cinematic narratives, by bringing these hidden realities into public discourse, can contribute to this cultural re-evaluation, fostering empathy and a demand for more just legal frameworks. This process is dialectical: as laws change, they can slowly reshape cultural perceptions, and as cultural understandings evolve, they can create the political will for more progressive legal reforms.

3. CONCLUSION

This study demonstrates that the precarity of South Korean domestic workers—vividly captured in their personal narratives and potent cinematic portrayals, such as *Parasite* and *The Housemaid*—stems from a mutually reinforcing failure of law and culture. The historical legal exclusion of domestic workers from the Labor Standards Act (LSA) is a direct manifestation of their cultural undervaluation as unskilled, feminized labor. While the 2021 Domestic Workers Act is a progressive step, its limited, agency-based model is insufficient, creating a dual system that leaves the most vulnerable unprotected. Achieving genuine dignity and rights, therefore, demands a dual transformation. Legally, South Korea must move towards universal coverage under the LSA, with robust enforcement that recognizes the private home as a workplace. Culturally, a profound shift is necessary to revalue care and

⁸⁹ Sabrina Marchetti, Cherubini Cherubini, and Geymonat Giulia Garofalo. "Global Domestic Workers: Intersectional Inequalities and Struggles for Rights." 1st ed. Bristol University Press. (2021):17-18. <https://doi.org/10.2307/j.ctv209xn9k>.

household labor as the essential, skilled contributions they are to society. As demographic pressures heighten the need for care services, making these "invisible hands" visible through comprehensive legal reform and a deep-seated cultural reshaping is not just a matter of justice, but a critical social and economic necessity for the nation's future.

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