

Procedure for Sending Skilled Workers to the Republic of Korea, 2024

Date of approval by the Ministry: 29 February, 2024

Date of first amendment: 25 October, 2024

Second amendment: 23 June, 2025

Third amendment: 27 June, 2025

Preamble: Whereas, it is expedient to make the act of sending Nepali workers to the Republic of Korea as skilled workers through the E-7 visa managed and transparent;

Now, therefore, this Procedure has been made by the Ministry based on the authority referred to in the Sub-rule (2) of Rule 52A. of the Foreign Employment Rules, 2008.

Chapter – 1

Preliminary

1. **Short title and commencement:** (1) This Procedure may be cited as “Procedure for Sending Skilled Workers to the Republic of Korea, 2024”.

(2) This Procedure shall commence after approval from the Ministry.

2. **Definitions:** Unless the subject or the context otherwise requires, in this Procedure:



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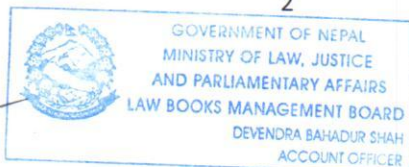
- (a) **“Licensed Institution”** means an institution licensed to operate foreign employment business pursuant to Section 11 of the Act.
- ^{*}(b) **“E-7 Visa System”** means the system of sending skilled Nepali workers to the Republic of Korea for employment under the categories E-7-1 (Professional), E-7-2 (Semi-Professional), E-7-3 (General Skilled Worker), and E-7-4 (Skilled Worker) as specified in Schedule-1 determined by the Republic of Korea through private sector business-to-business (B to B) mechanism, excluding the EPS system.
- ⁺(b1) **“Skilled Worker”** means a Nepali worker having skills in the various types of employment referred to in Clause (b).
- (c) **“Act”** means the Foreign Employment Act, 2008.
- (d) **“Training Operation Procedure”** means the Foreign Employment-oriented Skills Development Training Operation Procedure, 2018.
- (e) **“Embassy”** means the “*Embassy of Nepal” located in the Republic of Korea.
- (f) **“Rule”** means the Foreign Employment Rules, 2008.
- (g) **“Institution”** means the National Vocational *Training Institution established and operated under the Ministry.

* Amended by the Second Amendment.

+ Added by the Second Amendment.

* Amended by the Second Amendment.

* Amended by the Second Amendment.



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(h) “**Ministry**” means the Ministry of Labour, Employment and Social Security.

♦(i)

*(j) “**Employment Agreement**” means the employment agreement in accordance with Section 9, concluded between the employer and the Nepali workers selected to go to the Republic of Korea as a skilled workers pursuant to this Procedure.

(k) “**Employer**” means the company †or individual located in the Republic of Korea who provides employment to Nepali workers.

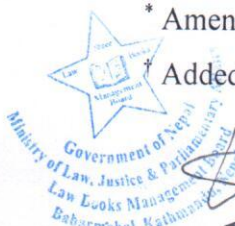
(l) “**Department**” means the Department of Foreign Employment.

(m) “**Foreign Employment Information Management System**” means the Foreign Employment Information Management System (FEIMS) developed by the Ministry to collect the integrated data related to foreign employment.

♦ Removed by the Second Amendment.

* Amended by the Second Amendment.

Added by the Second Amendment.



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***Chapter-2**

Institutions Working under the E-7 Visa System, Skills Testing, Demand Letter Verification, Worker Selection Method and Agreement Process


3. **+Institutions Working under the E-7 Visa System:** Licensed institutions fulfilling the special qualifications as per Section 4 shall, with the approval of the Department, be allowed to send skilled Nepali workers to the Republic of Korea under the E-7 Visa System (excluding seasonal workers).
4. ***Special Qualifications:** The special qualifications for licensed institutions sending workers to the Republic of Korea under the E-7 Visa System shall be as follows:
 - (a) The institution must have a training center owned by itself as per the standard required by the employer or a training center taken on lease through a contractual agreement for full-time use, as per the standards prescribed by the employer, for the purpose of conducting language and skill tests as required by the employer, or if the employer provides such training upon arrival in Nepal.
 - (b) The training center referred to in Clause (a) must have trainers who meet the standards prescribed by the employer.
5. ***Language and Skill Related Training:** (1) A Nepali worker interested to go to the Republic of Korea for employment under the E-7

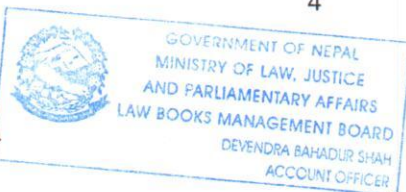
* Amended by the Second Amendment.

+ Added by the Second Amendment.

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Visa System must meet the qualifications, experience, and skill requirements specified for the relevant position under the E-7 visa category by the Government of Korea.

(2) After receiving the demand letter and obtaining prior approval from the Department, the licensed institution, while inviting applications for workers to be sent to the Republic of Korea under the E-7 visa system, shall mention that only those individuals having language proficiency and training as referred to in sub-section (1) shall be eligible to apply.

5A. **+Application for Demand Letter Verification:** (1) In order to employ skilled workers from Nepal in the Republic of Korea under the E-7 Visa System in the employments listed in Schedule-1, i.e., E-7-1 (Professional), E-7-2 (Semi-Professional), E-7-3 (General Skilled Worker), and E-7-4 (Skilled Worker), the interested employer shall submit the demand letter to the Embassy either by himself/herself, through his/her official representative, or through a recruitment agency, along with the following updated documents in Korean and English languages:

- (a) Certificate of company registration of the employer,
- (b) Company profile of the employer,
- (c) Operation license of the employer company,
- (d) Power of attorney if submitted by a representative,
- (e) A brief description covering salary structure, service facilities, working conditions, letter of commitment,

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and the key contents to be included in the employment agreement,

- (f) Letter of commitment from the employer to conduct language and skill tests free of cost in Nepal,
- (g) Official document issued by the concerned government authority stating the requirement of foreign workers under the E-7 category.

(2) The employer shall submit the demand letter through the online system of the concerned Embassy.

6. ***Attestation and Management of Demand Letters:** (1) The demand letters submitted pursuant to Section 5A shall be verified for authenticity by the Embassy in accordance with the Demand Attestation Related to the Foreign Employment Guidelines, 2018, and forwarded to the Department along with a recommendation through the Foreign Employment Information Management System (FEIMS), and the employer shall be notified accordingly.

(2) The Embassy may also verify the authenticity of the demand letter through the online system.

(3) The Department shall provide the Embassy with the username and password of the Foreign Employment Information Management System (FEIMS) for the purpose of entering the demand letters recommended by the Embassy, into the system.

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(4) The Embassy shall review the documents submitted along with the demand letter through the online system, and in case of any deficiencies, it may return them with comments for correction and resubmission.

(5) If, during the verification process under Sub-section (1), it is found that the demand letter cannot be attested, the Embassy shall reject it by providing clear grounds and reasons and notify the employer accordingly.

(6) While attesting the demand letter pursuant to Sub-section (5), arrangements shall be made to attest only the demand letters related to the employments mentioned in Schedule-1 in such a manner that the currently implemented Employment Permit System (EPS) is not affected.

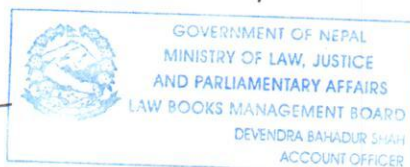
7. ***Advertisement and Application Collection:** (1) After the attestation of the foreign employment demand letter as per Section 6, the licensed institution shall obtain prior approval from the Department and publish a public notice in a daily newspaper, providing a minimum period of fifteen days, including the following details, inviting applications:

- (a) Position, number of workers, and area of employment for which demand has been made,
- (b) Requirements related to age, educational qualification, language and skill knowledge, or training,
- (c) Must be a Nepali worker,

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- (d) Certificate of being physically and mentally fit,
- (e) Certificate of not being addicted to narcotic or intoxicating substances,
- (f) Character certificate issued by Nepal Police certifying good conduct,
- (g) Job description, safety, and health risks,
- (h) Salary, allowance, service facilities, and provisions of social security,
- (i) Process for submission of applications,
- (j) Information on the selection process and its duration.

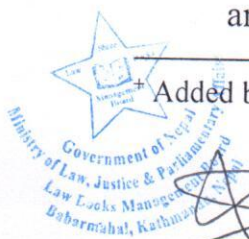
(2) Interested candidates may submit applications to the licensed institution according to the notice published pursuant to Sub-section (1).

(3) The licensed institution shall inquire on the applications and documents received with the applications pursuant to Sub-section (2), and approve the applications of those candidates who are found to be qualified.

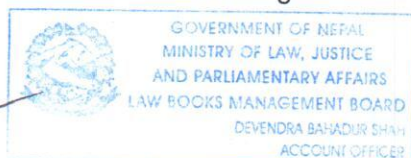
(4) The notice of applications approved under Sub-section (3) shall be made public, and arrangements shall be made to inform the concerned individuals through SMS to the mobile number mentioned in their application.

7A. +Language and Skill Test: (1) The employer himself/herself shall come to Nepal, and conduct a free test to assess language proficiency and professional skills at the training center referred to in Section 4,

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Clause (a), for the candidates whose applications have been approved as per Section 7.

(2) Those who pass the test pursuant to Sub-section (1) shall be issued a Certificate of Eligibility by the training center referred to in Section 4, Clause (a).

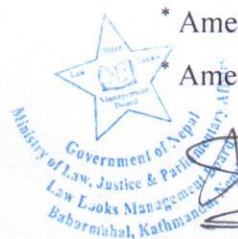
8. ***Worker Selection Process:** (1) The licensed institution shall follow the procedures prescribed in Sections 7 and 7A. and select workers on the basis of merit in a transparent manner.

(2) The Department shall monitor, as necessary, whether or not the worker selection under the E-7 Visa System has been conducted in a transparent manner and whether or not the language and skill tests were conducted at the training center meeting the standards set by the employer.

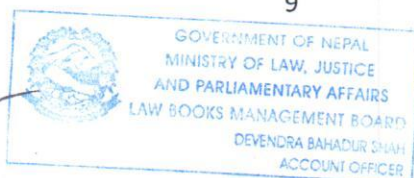
9. ***Employment Agreement:** (1) An employment agreement shall be concluded between the worker selected under Section 8 and the employer, clearly mentioning the salary prescribed by the Government of the Republic of Korea for skilled workers, insurance of the worker, allowance for overtime work, leave, gratuity, social security, medical treatment, minimum one health check-up per year, and other welfare facilities.

* Amended by the Second Amendment.

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(2) While concluding the employment agreement pursuant to Sub-section (1), the employer shall sign four copies of the agreement and send them to the licensed institution for the signature of the selected worker.

(3) Upon receipt of the employment agreement pursuant to Sub-section (2), the concerned licensed institution shall obtain the signature of the selected worker and submit one copy each to the concerned employer, the concerned worker, and the Embassy, and submit the remaining one copy to the Department.

(4) The Department shall enter the employment agreement received under Sub-section (3) into the Foreign Employment Information Management System (FEIMS) for record-keeping.

Chapter-3

Miscellaneous

10. *** Assignment of Responsibility:** Notwithstanding anything contained in Section 8 Sub-section (2), the unit under the Department responsible for matters related to the Republic of Korea, or any other specific branch of the Department, may be assigned the responsibility for ensuring transparency in the worker selection process, verifying the validity of language and skill tests and related documents, managing the overall selection process, and coordinating with other related agencies as necessary in accordance with this Procedure.



Amended by the Second Amendment.

Aug 12, 2015



11. **Visa:** (1) For workers who have concluded the employment agreement and obtained a Certificate of Eligibility as specified by the employer, the Department shall recommend the issuance of visa to the Embassy of the Republic of Korea in Nepal based also on the recommendation of the concerned licensed institution.

(2) Based on the recommendation of the Department under Sub-section (1), the concerned licensed institution shall submit the visa application to the Embassy of the Republic of Korea in Nepal along with the required documents as per the prevailing laws of the Republic of Korea.

(3) The Department shall not be held accountable regarding whether or not the worker for whom the visa has been recommended under Sub-section (1) obtains the visa.

12. **Medical Examination:** In accordance with the provision of Section 72 of the Act, the worker must have undergone a medical examination as per the requirements of the Republic of Korea and obtained a health certificate either from a medical service provider institutions authorized by the Government of Nepal registered for this purpose or government hospitals.

13. ***Safety and Protection:** (1) The licensed institution shall regularly coordinate with the employer to ensure that the Nepali workers sent to the Republic of Korea under the E-7 visa system receive proper job

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assignment, service facilities, grievance hearing mechanisms, occupational safety and health, welfare services, access to contact details, and assurance of compensation claims and redress.

(2) The licensed institution shall submit a report regarding the safety and protection of workers under Sub-section (1) to the Department and the Embassy every three months. The Embassy may verify the contents of such report by seeking clarification from the employer.

(3) If any report submitted under Sub-section (2) is found to be false, the Embassy shall not attest any further demand letters of such licensed institution.

14. **Skill-Based Training:** (1) A person intending to go to the Republic of Korea as a skilled worker pursuant to this Procedure shall undergo training in the prescribed skills.

(2) The training referred to in Sub-section (1) must be obtained from the Ministry's institution, or institutions operated under the Government of Nepal, or from an institution licensed to operate foreign employment-oriented training.

15. ***Orientation Training:** (1) A skilled worker who has entered into an employment agreement and obtained a visa to work in the Republic of Korea under this Procedure must undergo mandatory orientation training from the institution prior to departure.

* Amended by the Second Amendment.

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(2) The procedures for applying for and receiving orientation training shall be as determined by the institution.

(3) Coordination may also be made with training centers operated by licensed institutions having special qualifications for the purpose of orientation.

16. **Insurance Requirement:** Workers who have concluded an employment agreement and obtained a visa must obtain insurance from an insurance company listed with the Department in an amount not less than that listed under Section 26 of the Act.

17. **Deposit in Welfare Fund and Social Security Fund:** (1) Workers who have entered into an employment agreement and obtained a visa must deposit the required amount into the Foreign Employment Welfare Fund and the Social Security Fund pursuant to Section 32 of the Act.

(2) After the worker joins the Social Security Fund and makes the first contribution, the Social Security Fund, the licensed institution, and the employer shall facilitate the continuity of future contributions.

18. **Monitoring and Inspection:** (1) The Department shall conduct regular monitoring and inspection of the licensed institutions' operations and the E-7 visa selection process in accordance with the provisions of this Procedure.



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(2) If, during such monitoring, any violation of law is found, the Department may conduct an investigation and take action in accordance with the prevailing law.

19. ***Issuance of Work Approval:** The Department shall issue work approval after confirming whether the worker who has entered into an employment agreement, obtained a visa, and received orientation training is entitled to the salary, worker's insurance, overtime work allowance, leave, gratuity, social security, health care, minimum one health check-up per year, and other welfare facilities as prescribed by the Government of the Republic of Korea.


20. ***Service Charges and Other Costs:** (1) If the cost and service charges for sending Nepali workers to the Republic of Korea for employment under this Procedure are borne by the employer, they shall be as per that arrangement, and if not borne by the employer, they shall not exceed the service charges existing under the E.P.S. system.

(2) The matter of costs borne by the worker for obtaining skill training before the selection process and the language training shall not be included under the service charge referred to in Sub-section (1).

21. **Contact Point:** (1) The Department shall serve as the contact point for the implementation of this Procedure.

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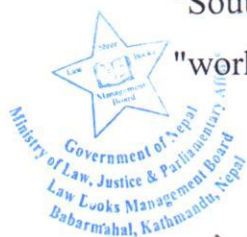


(2) The Department shall coordinate with the Korean side, as necessary, to facilitate the implementation of this Procedure.

22. **Rescue and Compensation:** In case any Nepali worker going to the Republic of Korea under this Procedure requires rescue due to physical or mental health conditions, or in the event of death due to any reason, the employer shall bear the cost of repatriating the deceased's body to Nepal along with compensation payable to the deceased's family.

23. **Provision for Removal of Obstacles:** In case any dilemma or ambiguity arises in the implementation of this Procedure, the authority to resolve such issues shall rest with the Ministry.

Adaptation: The original Rule has been adapted by replacing the term "South Korea" with "Republic of Korea" and the term "citizen" with "worker" wherever it appears.



A stylized handwritten signature in black ink, appearing to read "Devendra Bahadur Shah".

Aug 12, 2024

