

Q. Scope of Adverse Actions for Review

Adverse actions for review must meet the two requirements of (1) an administrative punishment and (2) greatly disadvantageous action.

→Concrete examples are as follows:

- Disciplinary action (dismissal, suspension from duty, reduction in remuneration or reprimand) under Article 82 of the National Public Service Law
- Change in status (demotion, dismissal or temporary retirement) under Articles 78 and 79 of the National Public Service Law
- Action which was taken against an employee's will and which appears to be greatly disadvantageous to the employee (personnel relocation, transfer or cancellation of resignation approval or approval of annual leave, etc.)
- Suspension of the End-of-term and Diligence Allowance under Articles 19 (6) and 19 (7) of the Remuneration Law
- Reduction and suspension of the End-of-term and Diligence Allowance under Article 19 (8) of the Remuneration Law

→The following examples do not meet the requirements and are not regarded as an adverse action.

- × A decision related to personnel relocation which has been approved but has not been disclosed (unofficial announcement, etc.)
- × Actions which do not change legal rights or obligations directly (mediating, recommendation, admonishment, serious warning, disapproval of annual leave, nonpayment of remuneration during temporary retirement, etc.)
- × Righteous legal effects resulted from satisfying a certain requirement (forfeiture of position under provisions of Article 38 of the National Public Service Law, retirement upon completion of the hiring period, reduction in remuneration resulted from absence from work, etc.)