

# WHEN PROTECTION BECOMES WEAPONIZATION: PREVAILING FALSE ACCUSATIONS UNDER SOUTH KOREA'S WORKPLACE BULLYING LAW

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## Abstract

This study synthesizes survey evidence and qualitative observations to examine the dynamics, impacts, and policy implications of false workplace bullying reports in South Korea. Using a 2023 quota-sampled workforce survey aligned to the Economically Active Population Survey and qualitative case material, we compare victim demographics and organisational positions, document consequences for accused workers and witnesses, and analyse the evolving tactics and demands of alleged false reporters. Descriptive statistics from the 2023 Employee Work Environment Survey capture age and rank distributions and multi-response outcomes among workers who report being falsely accused or threatened with false reports; qualitative patterns are derived from researcher case intake and reanalysis of the 2023 survey. In 2023, 64.7% of those accused who perceived the report as false were in their 20s–30s, and 59.1% were rank-and-file workers, indicating concentration among relatively young, lower-status employees. Reported impacts on accused workers include decreased trust in colleagues (78.1%), decreased organisational trust (48.1%), reduced concentration/productivity (42.3%), psychological stress disorders (50.0%), increased turnover intent (34.6%), and somatic stress symptoms (23.1%). In the 2023 quota sample, 3.3% had ever reported bullying; with ~19% classified as victims, roughly 1 in 6 victims report. Experiences of being falsely accused (1.4%) and threats of false reporting (1.6%) were non-trivial; threats were about three times more commonly reported by women. Workers categorise false reports as fabrication, distortion, or exaggeration. Behavioural features among alleged false reporters include resigning before/after filing (~59%), highly emotive/overstated language (45.5%), distortion (40.9%), complete fabrication (34.1%), external-first filing or threats (22.7%), and frequent demands for public or written apologies (31.8% / 13.6%) and monetary or career benefits. Findings support the hypothesis that false reporting targets organizationally vulnerable groups and imposes significant psychosocial and organisational costs. Policy implications include clearer behavioural criteria for bullying and harassment, early education on evidence-keeping and due process, independent monitoring of employer handling, strengthened ethical standards for HR/industrial-relations professionals, and proportionate sanctions for serial false reporting.

**Keywords:** *South Korea, workplace bullying, false accusations, organisational psychology, the weak attacking the vulnerable.*

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## 1. Introduction

Workplace bullying—repeated exposure to negative acts at work in situations where the target has difficulty defending themselves—is recognised as a major occupational health and organisational problem (Einarsen, Hoel, Zapf, & Cooper, 2011). Meta-analysis suggests that, depending on measurement method, roughly 10–15% of workers worldwide report being bullied over a six- to twelve-month period (Nielsen, Matthiesen, & Einarsen, 2011; Nielsen, Glasø, & Einarsen, 2017). Exposure is associated with elevated risks of anxiety, depression, psychosomatic complaints and sleep problems, as well as reduced job satisfaction, absenteeism, and turnover intentions (Nielsen & Einarsen, 2012; Nielsen et al., 2017). Against this backdrop, many jurisdictions have embedded anti-bullying provisions in labour, occupational safety, and anti-discrimination law (Seo, 2023).

South Korea is part of this global trend. Amendments to the Labour Standards Act and related statutes in 2019 introduced an explicit prohibition of “workplace harassment,” requiring employers to investigate complaints and take remedial measures (Park, 2021). Early legal commentary highlights both the symbolic importance of this reform and substantial implementation challenges, including limited coverage of non-standard workers, vague employer obligations, and weak sanctions (Park, 2021).

The rapid institutionalisation of complaint mechanisms has also generated new concerns. Internationally, scholars examining bullying complaint processes note a paradox: while bullying is widely under-reported, complaint systems can be used strategically, including through vexatious or bad-faith complaints that aim to undermine an accused party rather than resolve mistreatment (Thompson & Catley, 2021). The European Framework Agreement on Violence and Harassment explicitly cautions against “vexatious, false and malicious complaints” while stressing the need to protect genuine complainants (Thompson & Catley, 2021).

In South Korea, false or exaggerated allegations of workplace bullying have begun to attract scholarly and policy attention. A qualitative study at KRIVET analyses seven cases of “false/exaggerated” bullying claims and argues that such cases tend to cluster around the introduction of anti-bullying legislation and periods of labour-market instability (Seo, 2022). Organisational responses often involve scapegoating individuals rather than addressing systemic issues, amplifying harm (Seo, 2022). Survey data on Korean employees’ work environments indicate that, alongside substantial bullying victimisation, a non-trivial minority of workers report having been subjected to, or threatened with, false bullying complaints (Seo & Kim, 2023).

Despite these developments, empirical research on false, exaggerated, or distorted bullying complaints remains extremely limited, both globally and in South Korea. Most workplace-bullying scholarship focuses on genuine victimisation, risk factors, and protective organisational practices; misuse of complaint procedures has received only conceptual or incidental treatment (Thompson & Catley, 2021; Einarsen, Hoel, Zapf, & Cooper, 2020). This gap is problematic because false complaints can themselves constitute a form of workplace harm and may undermine the legitimacy of anti-bullying regimes.

This paper addresses this gap by examining behavioural patterns and evolving tactics among individuals who make false workplace-bullying reports (“false reporters”) in the South Korean context. Drawing on a 2023 quota-sampled workforce survey and qualitative case materials, it describes patterns of targeting, demands and tactics, and situates these within the broader legal and organisational landscape of workplace harassment regulation in South Korea.

## 2. Literature review

Legal and policy initiatives addressing workplace bullying have proliferated over the past two decades. Comparative work shows a general movement towards recognising bullying as a distinct legal problem and imposing duties on employers to prevent and respond to it, via specific bullying statutes or broader dignity-at-work frameworks (Einarsen et al., 2020). In South Korea, Article 76-2 of the Labour Standards Act, alongside provisions in the Occupational Safety and Health Act and the Industrial Accident Compensation Insurance Act, defines and prohibits “workplace harassment” and recognises psychological harm as a work-related risk (Park, 2021). Park (2021) emphasises advances in recognising workers’ dignity but notes deficiencies in coverage, victim support duties, sanctions, and procedural safeguards and burden-of-proof rules for both complainants and accused parties. Korean legal scholarship focuses mainly on defining harassment, interpreting elements such as “beyond socially acceptable scope”, and aligning domestic law with international instruments such as ILO Convention No. 190 (Park, 2021), with little explicit discussion of false or vexatious complaints.

A recurrent finding in bullying research is that formal complaints represent only a small visible portion of the problem. In the UK National Health Service, Carter et al. (2013) documented high bullying prevalence but multiple barriers to reporting, including fear of retaliation, pessimism about outcomes, and concerns about being labelled a trouble-maker (Thompson & Catley, 2021). Similar patterns of under-reporting and “quiescent silence” appear in studies of sexual harassment and whistleblowing (Thompson & Catley, 2021). Organisational responses vary widely, from denial and minimisation to proactive approaches centred on psychological safety, ethical infrastructure and due process (Einarsen et al., 2020). Clear policies, trusted reporting channels, and fair investigative procedures are crucial but often absent or inconsistently applied (Seo, 2024). Complaint systems themselves can become arenas of conflict when poorly designed or implemented (Catley et al., 2017; Seo, 2024).

Compared with the extensive literature on genuine bullying, false, exaggerated or distorted bullying complaints are strikingly under-researched. In related areas such as sexual assault, reviews suggest that false reports constitute a small minority but are widely overestimated in public discourse (Huntington, Berkowitz, & Orchowski, 2022). Discussions of harassment law and organisational policy parallel this tension, warning against both dismissal of genuine complaints and tolerance of “vexatious, false and malicious” ones (Thompson & Catley, 2021). Within bullying studies, Thompson and Catley (2021) note that complaint processes can be misused to undermine others through vexatious complaints but provide illustrative rather than systematic evidence. Legal commentaries on dignity-at-work

frameworks acknowledge malicious use of procedures but treat it as peripheral relative to under-enforcement of protections for genuine targets (Einarsen et al., 2020).

In Korea, the main empirical contribution is the KRIVET qualitative study “Qualitative Research into False/Exaggerated Claim Cases of Workplace Bullying,” which examines seven cases of false or exaggerated claims and argues that such cases cluster around new legislation and labour-market instability and are often mishandled through scapegoating (Seo, 2022; 2024). Other Korean research focuses on victimisation, legal interpretation and prevention (Park, 2021; Nerobkova, Kim, Park, & Shin, 2022). Seo and Kim (2023) extend this work with survey evidence showing non-trivial prevalence of perceived false accusations and threats. Together, these studies point to serious bullying, significant under-reporting, and emerging false-report patterns, but provide only fragmentary insight into their dynamics.

### 3. Methodology

This study uses secondary quantitative analysis of 2023 survey data alongside qualitative case synthesis. It draws on the 2023 Employee Work Environment Survey (n = 1,200), which employed gender- and industry-based quota sampling aligned with the Economically Active Population Survey (Seo & Kim, 2023), supplemented by qualitative case material from Seo’s research and advisory work (Seo, 2022; 2024). The aim is descriptive rather than inferential, focusing on patterns rather than causal effects.

In the 2023 survey, respondents were classified as bullying victims or non-victims using criteria defined in the original study (~19% victims) and reported whether they had ever filed internal or external bullying complaints (3.3%), been the target of a complaint they regarded as false (1.4%), or been threatened with such a complaint (1.6%) (Seo & Kim, 2023). Sociodemographic and positional variables (age, gender, hierarchical level) were used to describe distributions; false-report victimisation was highest among workers in their twenties and thirties, and threats were about three times more frequent among women than men (Seo & Kim, 2023). The survey also identified a subset of “false reporters,” defined as complainants whose allegations were judged through organisational investigations and contextual evidence to be wholly fabricated, substantially distorted, or grossly exaggerated; for this group, Seo and Kim (2023) report employment status at complaint, primary demands, and behavioural characteristics.

Qualitative material, derived from case intake records and practitioner reports, was used to identify recurring “tactics” (Seo, 2022; 2024). Because the underlying case corpus, sampling frame, and coding procedures are not fully specified, these qualitative elements are treated as illustrative rather than generalisable. Analyses are strictly descriptive: proportions and patterns from the 2023 survey are reported as in the source (Seo & Kim, 2023).

### 4. Results

In the 2023 workforce survey, approximately 19% of employees are classified as workplace-bullying victims, while only 3.3% report ever having filed a bullying complaint, implying that roughly one in six victims uses formal channels (Seo & Kim, 2023). Within the same sample, 1.4% report having been the target of a bullying complaint they consider false and 1.6% report threats of false reporting (Seo & Kim, 2023). Threats are about three times more commonly reported by women; false-report victimisation is concentrated among workers in their twenties and thirties and disproportionately reported by middle managers, suggesting that relatively young and structurally exposed employees are key targets.

Among accused workers who perceive the accusations as false, 64.7% are in their 20s–30s, and 59.1% are rank-and-file rather than managerial staff, indicating concentration among younger and lower-status workers. Reported consequences among accused workers include decreased trust in colleagues (78.1%), decreased organisational trust (48.1%), reduced concentration and productivity (42.3%), psychological stress disorders (50.0%), increased turnover intent (34.6%), and somatic stress symptoms (23.1%).

For the subset of identified false reporters, employment status around the time of complaint shows that 18.2% resigned before filing (“resigned first, then reported”), 40.9% resigned immediately after filing, 36.4% remained employed, and 4.5% did not respond (Seo & Kim, 2023). Nearly three-fifths (59.1%) thus resign either before or immediately after lodging complaints, suggesting an orientation toward exit-linked strategies rather than ongoing protection.

Demand profiles of false reporters are marked by high salience of apologies and instrumental benefits. The most frequent demand is a public apology (31.8%), followed by monetary compensation for alleged harm (18.2%), upward adjustment of performance evaluations (18.2%), recognition of work achievements to which the complainant did not actually contribute (18.2%), access to unemployment

benefits despite voluntary resignation (15.9%), written apologies (13.6%), payment for allegedly unused annual leave that had in fact been taken (6.8%), promotion (6.8%), and paid leave (4.5%) (Seo & Kim, 2023). Qualitative accounts indicate that apologies are sometimes pursued both for immediate symbolic “victory” and for later use as quasi-admissions in civil or criminal proceedings (Seo, 2022; 2024).

Behavioural features of complaints classified as false include exaggerated and emotional expressions (45.5%), distorted reporting (40.9%), completely fabricated events (34.1%), reporting of routine organisational practices as bullying (22.7%), initial use or explicit threat of external reporting channels (22.7%), claims of harm grossly disproportionate to reported behaviours (22.7%), repeated reporting of similar behaviours (13.6%), reporting of non-perpetrators such as bystanders or interveners (9.1%), and complaints filed strategically around audits, evaluations or personnel decisions (4.5%) (Seo & Kim, 2023). Workers categorise false reports into fabrication, distortion, and exaggeration, mirroring these patterns.

Qualitative material further identifies evolving tactics: organised or group false reporting; delayed and post-resignation complaints; pre-emptive complaints by anticipated perpetrators; management-initiated false reporting used to facilitate restructuring or retaliate against whistle-blowers; union-initiated complaints targeting entire approval chains; third-party orchestration using “proxy” complainants; legal leveraging of apologies obtained under pressure; serial and “universal” complaining against almost every actor involved; and repeated involvement of particular labour-relations or HR experts in suspected false-report cases (Seo, 2022; 2024). These patterns suggest increasing sophistication and institutionalisation of false reporting in the wake of the 2019 legal reforms, although their prevalence cannot be quantified with the available data.

## 5. Discussion and implications

This study used 2023 survey data and qualitative cases to show that South Korea’s workplace bullying regime operates under a dual pressure: substantial, under-reported bullying on the one hand, and a non-trivial level of perceived false or vexatious reporting on the other (Nielsen, Matthiesen, & Einarsen, 2011; Nielsen & Einarsen, 2012; Nielsen, Glasø, & Einarsen, 2017; Seo & Kim, 2023). In line with international work, only a minority of victims formally report bullying (Carter et al., 2013, cited in Thompson & Catley, 2021), yet 1.4% of Korean workers report having been falsely accused and 1.6% report threats of false reporting, with clear concentration among younger, lower-status workers and, for threats, women (Seo & Kim, 2023). Qualitative evidence indicates that some complaints judged false are characterised by resignation-linked timing, apology-centred and material demands, and patterns of exaggeration, distortion or fabrication, sometimes embedded in coordinated or strategically timed campaigns (Seo, 2022, 2024).

The findings suggest that bullying scholarship needs to treat complaint processes as part of the phenomenon rather than a separate administrative layer. Formal procedures can be used to extend or reshape bullying dynamics, including via vexatious or strategic complaints (Thompson & Catley, 2021; Catley et al., 2017; Seo, 2022, 2024). This points towards a broader notion of procedural or institutionalised aggression, in which harm is mediated through organisational and legal mechanisms, not only through everyday negative acts (Einarsen, Hoel, Zapf, & Cooper, 2011, 2020; Nielsen et al., 2012, 2017). The Korean case further underscores that the design of the legal framework—strong duties to “act” combined with relatively weak due-process guidance—shapes both genuine reporting and misuse (Park, 2021; Seo, 2023).

At system level, the results support the following. Clearer behavioural criteria for bullying and harassment, aligned with international definitions (repetition, power imbalance, severity), to improve signal-to-noise in complaints without raising barriers for genuine victims (Einarsen et al., 2011, 2020; Nielsen et al., 2012, 2017; Park, 2021; Seo, 2023).

Balanced procedural safeguards, including explicit evidentiary standards (especially for delayed and post-resignation claims), opportunities for response, and transparent reasoning in contested cases, consistent with work on ethical infrastructure and fair handling (Einarsen et al., 2020; Catley et al., 2017; Seo, 2024).

Independent monitoring of employer responses, given the risk that pressure for “quick settlements” (e.g., pushed apologies or resignations) can incentivise false reporting and later litigation (Seo, 2022, 2024).

For organisations and practitioners, priorities include training HR and line managers in both bullying dynamics and false-report risk (Thompson & Catley, 2021; Einarsen et al., 2020; Seo, 2024), careful use of apologies, and explicit ethical standards for HR/IR professionals who operate at the interface between law and organisational practice (Huntington, Berkowitz, & Orchowski, 2022; Seo, 2022, 2024). Trade unions and worker representatives similarly need internal guidance to support genuine victims while avoiding the instrumentalisation of bullying procedures in broader industrial conflict (Einarsen et al., 2020; Park, 2021; Nerobkova, Kim, Park, & Shin, 2022; Seo, 2022, 2024).

The analysis is constrained by reliance on aggregated cross-sectional proportions and self-reports of “false” accusations (Seo & Kim, 2023), and on practitioner case material without a fully specified sampling frame (Seo, 2022, 2024). It cannot estimate the true proportion of false complaints among all bullying allegations, a question that is methodologically and politically sensitive, as demonstrated in adjacent areas such as sexual assault (Huntington et al., 2022). Future work should use survey micro-data and administrative records, longitudinal designs, and comparative organisational case studies to model predictors and outcomes of both genuine and vexatious complaints, and to examine how different legal dynamics condition these dynamics (Einarsen et al., 2020; Park, 2021; Seo, 2023, 2024).

Overall, the Korean evidence confirms that workplace bullying remains prevalent, harmful, and under-reported, while also documenting patterned, non-negligible false reporting that disproportionately affects younger and structurally vulnerable workers (Einarsen et al., 2011, 2020; Nielsen et al., 2011, 2017; Nielsen & Einarsen, 2012; Seo & Kim, 2023; Seo, 2022, 2024). The central challenge is therefore not to choose between protecting victims and deterring misuse, but to design complaint systems that do both: robustly protect genuine targets of bullying while safeguarding the rights and dignity of the accused and minimising opportunities for strategic weaponization of protection mechanisms (Thompson & Catley, 2021; Einarsen et al., 2020; Park, 2021; Seo, 2023, 2024).

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