



Labour Update

労組周辺動向 No. 138



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This bulletin contains information on law changes that have either passed, or are being discussed, in parliament, court decisions, and other labor issues in Japan that are of interest to activists.

1. Law/Policy

(1) Childbirth benefit “increase to about ¥450,000” to be proposed by Diet LDP caucus; average cost in Tokyo ¥600,000

A group of LDP Diet members known as the “Parliamentary Association to Promote Lightening the Burden of Childbirth Expenses” has decided on a plan to make a proposal to the government to increase the amount of the “Childbirth and Childcare Lump-Sum Benefit” (currently set, as a general rule, at ¥420,000 per child). To match the growing expenses associated with having children, the proposal would lift the amount of the benefit payment to “the mid-400,000s range”, and supposes an increase of something in the vicinity of ¥30,000. The group will soon put their case directly to Prime Minister Kishida.

The lump-sum benefit is paid out at the time of birth to those enrolled in health insurance

societies (*kenko hoken kumiai*) or in National Health Insurance. According to inquiries by the Diet members' group, the costs of childbirth (including hospital fees, etc.) are increasing year by year, and are now at a nationwide average of ¥440,000. The proposal mentions that some end up having to cover part of this cost out-of-pocket, and therefore calls it necessary to raise the benefit to the mid-400,000s in order to match this reality.

The costs of childbirth are higher in major cities; the average in Tokyo is the highest in the country, at ¥600,000. Some members of the Diet group say that "in the future, the benefit will need to be raised closer to ¥500,000".

(2) Inclusion of freelancers considered, full insurance coverage of all working people aimed for: government's expert panel

The "Meeting on Building a Social Security System for All Generations", a committee set up by the Kishida administration to reform the social security system, was held on the 26th, and approved most parts of an interim report. Referring to the decrease in payers into the system on account of the declining birthrate, the report mainly focuses on "insurance for all working people" to broaden the scope of enrollment in the employees' pension (*Kosei Nenkin*) and health insurance systems, as well as policies to encourage the taking of childcare leave. The plan is to have these included in the *Honebuto no Hoshin*, the economic and fiscal policy plan that the government will draw up in June.

"Insurance for all working people" is the idea of expanding eligibility for health and pension insurance to everyone who works, regardless of their working hours or form of employment. With the recent diversification of work-styles, this idea includes considering taking in those who have so far been left out: not only non-regular employees, but also freelancers and "gig workers" who take on one-off jobs.

However, Ministry of Health, Welfare and Labor (MHWL) leaders say the "hurdles are high" to realizing insurance for all. Since the cost of insurance premiums is shared by the employer, small and mid-size companies are likely to revolt against having to pay. Meanwhile, what to do about premiums for freelancers is only one of the other potential problems.

As for childcare leave, the report calls for measures regarding men, whose rate of taking leave is low, and non-regular workers, who are often ineligible. Starting in April, the amended Childcare and Family Leave Act has been coming into effect in stages: business owners are being required to confirm whether individual employees wish to take leave or not, regardless of their gender. The new system of "Men's Childbirth Leave", which fathers can take when a child is born, will be starting in October. But the report mentions a need for "further steps", such as expanding eligibility for this leave to include non-regular work-

ers who cannot enroll in employment insurance.

“Summary of Arguments”, April 2, 2022: Meeting for the Building of a Social Security System for All Generations (4th mtg.), Cabinet Secretariat

https://www.cas.go.jp/jp/seisaku/zensedai_hosyo/dai4/siryou1.pdf

(3) Chief Cabinet Secretary Matsuno to attend May Day

The government announced on the 28th that Chief Cabinet Secretary Matsuno Hirokazu would be attending the May Day Central Rally to be held by RENGO on the 29th in Tokyo. Usually the Minister of Health, Welfare and Labor represents the government and gives a greeting at May Day. This will be the first time since 2010 (under the then Democratic Party administration) that a Chief Cabinet Secretary has attended. The aim is to make an appeal for the Kishida administration’s policy of pushing to increase wages to redistribute income in the name of “a new capitalism”.

2. Legal Violations/Disputes

(1) Afterschool teacher firings: company settles with payment more than total wages

A settlement has been reached in the Osaka District Court in a lawsuit that was filed by nine afterschool-care teachers in Moriguchi, Osaka. When the teachers’ employment was terminated by the company to which the city outsourced the afterschool care, they sued for confirmation of status claiming their firing was invalid. The company will now pay a settlement that is more than the amount they would have paid in wages if the teachers had worked the rest of the outsourcing contract period (four years). However, the teachers did not win a return to their jobs.

More and more local governments are moving to private outsourcing (*itaku*) to reduce labor costs, not only for afterschool care, but for such things as school lunch preparation and city-hall counter staffing. This has brought worries of worsened work conditions, including layoffs such as this case, as well as pay cuts, etc.

(2) One in six elementary and junior-high teachers asked to under-report work hours

As long working hours continue to be a severe problem, a survey of over 900 teachers has shown that 17%, or one in six, has been asked to re-write reports so as to under-report

their hours. The researcher who conducted the survey points out that this may make it impossible to keep track of the actual situation that work-style reforms are to be based on.

The survey was carried out online in November of last year by Professor Uchida Ryo of Nagoya University Graduate School using national research funds, in an attempt to find out about teachers' real work situation. Answers were received from 924 teachers at public elementary and junior-high schools, all aged between their 20s and their 50s.

Among these respondents, the number who answered that they "did not report precisely" or "were not asked to report" their working hours was a total of 19% for weekdays, and rose to 44% for weekends.

Many teachers' unions say they hear consultations almost every year from teachers saying they "may have had their hours falsified by administration".

3. Situation/Statistics

(1) Population totals 125.5 million, a decline of 640,000--2021 shows highest rate of decline ever

On the 15th, the Interior Ministry released an estimate of the country's population as of October 1, 2021. The total population (including foreign nationals) was 125,502,000. This is 644,000 fewer than in October of 2020. It is the eleventh year in a row to show a decrease. The rate of decrease (from the previous year) was 0.51%, which is the largest decline since 1950 when these statistics began to be kept.

The "working-age population", the number of people aged 15-64, was 74,504,000, a decrease of 584,000. The proportion of these ages to the total population was 59.4%, a new low record. In recent years, the labor shortage has been addressed by by making it easier for women and the elderly to work. But the situation is now growing harder nonetheless.

There is no stopping the decline in the birthrate or the aging of the population. The number of persons aged 65 or older was 36,214,000. This was 28.9% of the total population, the highest proportion ever. If social security costs--such as pensions, healthcare, and elder-care--grow, it could cause financial difficulties for the government.

The number of births was 831,000. This is 40,000 fewer than the previous year. The number of deaths, meanwhile, was 1,440,000, which is 68,000 more than the year be-

fore. This marks fifteen years in a row of attrition (a lower number of births than deaths).

Among the contributing causes of the accelerated rate of decline was the decrease in number of people entering from other countries, on account of entry restrictions put in place to deal with the COVID-19 pandemic. In regard to foreign nationals, there was “social attrition”, with 28,000 more people leaving the country than entering. This is the first time in nine years that the number of foreign nationals in Japan declined.

“Population Estimates (Confirmed Figures for October, Reiwa 3 (2021), and Estimated Figures for March, Reiwa 4 (2022)). Apr. 15, 2022, Interior Ministry Statistics Bureau

<https://www.stat.go.jp/data/jinsui/new.html>

(2) LDP vice-president Aso: “stronger relations with RENGO in order to realize policies”

In regard to relations with labor unions, the Liberal Democratic Party (LDP)’s vice-president Aso Taro--saying it is the LDP that is pushing businesses to raise wages-- has expressed a wish to strengthen ties with RENGO in order to work on realizing the party’s policies.

In this context, Aso has said in a speech he gave at a gathering in Fukuoka that “Right now, it is the LDP that is first in standing with workers to say to management, ‘Raise our wages, we have to increase the labor share’. To RENGO, we are asking them head-on, ‘won’t you come study labor policy together with the LDP? The LDP is number one in getting policies into practice”.

(3) ¥420,000 childbirth benefit “not enough”: private group’s survey says only 7% could cover costs

“The birth costs were so high, it had a big effect on my life afterward”. “When I saw the cost of giving birth, I wondered whether or not I should have a second child”. These are some of the answers received by an organization that makes recommendations on childcare support, when it carried out a survey on the costs of giving birth. Only 7% of respondents said they were able to cover their costs with the ¥420,000 “Childbirth and Childcare Lump-Sum Benefit” provided by health insurance.

Of those answering the survey, 47.3% said their costs were ¥610,000 or more, while 25.7% said ¥710,000 or more. The proportion was especially high in the capital-region prefectures of Tokyo, Chiba, Kanagawa and Saitama. There were even said to be cases where costs were inflated by having charges for such things as “beauty treatments” or “massage” included as a package with the birthing costs, even when the person in ques-

tion did not want them.

Since birth is not covered by health insurance, in principle the pregnant woman is responsible for the costs herself. The Lump-Sum Benefit was established in order to lessen the burden on those giving birth. According to MHWL documents, the amount of this benefit is set based on the average cost for giving birth in a public hospital. On the other hand, according to the MHWL's own investigation, the costs of giving birth have been going up year by year. In 2019, the average was ¥524,182 (including separate room charges, etc.) While patients can choose what medical institution they go to, the number of places with obstetrics/gynecology doctors who can deliver babies is decreasing, so many are unable to choose as freely as they might wish.

Sato Takuyo, joint representative of the same project that did the survey, says that "in most other countries, childbirth is covered by health insurance. I wish the national government would discuss whether it is appropriate to have birth costs be out-of-pocket".