



Labour Update

労組周辺動向 No. 158



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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) Public pensions to shrink in real terms in fiscal 2023: increase amounts revised for first time in 3 years

The Ministry of Health, Welfare and Labor (MHWL) announced on the 20th that public pension amounts for fiscal year 2023 would be raised by 2.2%. It is the first time in three years that the amount of increase has been revised; with the “macro-economic slide” (which curbs pension amounts to keep pace with the declining birthrate) being applied for the first time in three years, the amount of pension benefits will increase less than the cost of living, meaning that in real terms it will be reduced.

“Notice Regarding Revisions to Pension Amounts in Reiwa 5 [2023]” Jan. 20, 2023, MHWL

<https://www.mhlw.go.jp/content/12502000/001040881.pdf>

(2) Bonuses to be fully provided for limited-term public servants: Interior Ministry to submit legislation aimed at rectifying disparity

The Ministry of Internal Affairs and Communications (MIC) has settled on a plan to expand bonuses for non-regular public servants who work for local municipalities on one-year contracts (fiscal-yearly appointees). Public servants' bonuses are made up of a term-end allowance and a diligence allowance. Fiscal-yearly appointed local government workers, however, are not paid a term-end allowance. The new policy would allow the payment of both allowances, just as for regular full-time public servants and for national government employees (even non-regular). The goal is to rectify disparity. A bill will be submitted to the regular session of the Diet to amend the Local Government Act, and to bring it into effect as early as fiscal year 2024, announced a Ministry spokesperson on the 22nd.

As of April 2020, there were about 620,000 fiscal-yearly appointed local government employees. Their duties cover a wide range of tasks, including dealing with the COVID-19 pandemic, and they are an indispensable part of local governments.

(3) COVID-19 to be changed to "Class 5" on May 8, government decides

The government's COVID-19 Task Force held a meeting on the 27th at the Prime Minister's official residence and decided that, barring any unforeseen circumstances, the disease will be reclassified as Class 5 on May 8. Prime Minister Kishida Fumio stated that "we based [the decision] on experts' opinion that about three months will be needed for the health care system to make a smooth transition and for local governments to make their preparations".

In regard to the burden of treatment costs, the Prime Minister explained that "to prevent a sudden increase in the cost burden, a certain amount of public-funded support will be carried on, for a limited period. The details will be worked out in the near future". Concerning the health-care system, he said that "while continuing to take infection precautions necessary so that COVID-19 patients can receive treatment at a wide range of medical facilities, we will make the transition in stages".

Regarding the wearing of masks, the Prime Minister clarified that "whether indoors or outdoors, this will basically be up to the judgement of the individual. The government will consider ways of keeping people informed as to when and where it is effective to wear them, and indicate the results of this promptly, including with regard to timing". About vaccines, he explained that "experts are still discussing this, but we will continue making it possible for everyone to get the necessary vaccinations at no cost to themselves".

2. Legal Violations/Disputes

(1) Strikes and demonstrations all across France opposing pension reform: more than 1 million participate

Strikes and demonstrations were carried out all over France on the 19th to protest against

the pension system reforms proposed by the administration of president Emmanuel Macron. The strikes had widespread effects on transport, schools and public services. Over 1 million people across the country participated in demonstration marches. In Paris, some protesters clashed with police.

The reform bill includes a provision to raise the age for starting to receive a pension. The majority of the French people oppose this. The Interior Ministry has stated that the number of people participating in marches was 1.1 million nationwide, and 80,000 in Paris. The General Confederation of Labor (Confédération Générale du Travail, CGT), meanwhile, says that there were two million participants across the country and 400,000 in Paris.

(2) Expense deduction without consent illegal: saleswoman's claim partially upheld

A saleswoman working for the Kyoto branch of Sumitomo Life Insurance, who claimed that it was unfair to have expenses deducted from her salary for the calendars, candies and other items she distributed to customers, had her claim partially upheld by the Kyoto District Court on the 26th. She had sued the company seeking approximately ¥2.35 million. The court ordered them to pay her about ¥350,000.

According to the verdict, since October of 2010, the woman had borne the cost of purchasing chocolates with the company's name on them to hand out to customers, as well as such expenses as paying to print the documents necessary to explain insurance products to them. Until December of 2018, she expressed to the company that "I cannot consent to deduction of the expenses", but the deductions continued nevertheless.

(3) Postponement of collective bargaining by Seven-Eleven Japan an unfair labor practice: Nagano Pref. Labor Commission issues relief order--bargaining planned seeking abandonment of 24-hour opening

The Prefectural Labor Commission in Nagano issued a relief order on the 26th saying that Seven-Eleven Japan (Tokyo), by unilaterally postponing collective bargaining with Kombini Kanren Union (a union of the company's employees and convenience-store managers, based in Chikuma, Nagano), committed an unfair labor practice. This granted a part of the union's claims against the company. The union had at the time been planning collective bargaining to call for to abandon their requirement for stores to be open 24 hours.

According to the Commission's order, the bargaining was planned for early July, 2019, but the company postponed it at the last minute. The company has not answered requests for bargaining since then; the union filed its complaint later that same month.

The Prefectural Labor Commission on the 26th also granted the claim that the company's disciplinary demotion of the union chair for criticizing the company in the media was another unfair labor practice.

(4) "Trust was important to me at Nagasaki U.": assistant professor chokes on his words--verdict voids layoff

The Nagasaki District Court has ruled in favor of a Belgian man who taught as an assistant professor at Nagasaki University, and who claimed he was let go from his job unfairly just before he could gain the right to unlimited-term employment (after five years working on limited-term contracts). He had sued the university seeking confirmation of employment status; in its ruling on the 30th, the Court (Amakawa Hiroyoshi presiding) recognized the man's right to unlimited employment, saying the termination was "lacking in reasonableness". The verdict acknowledges that the man had "a reasonable expectation of a continuing contract", and that the University's action was "lacking appropriateness by the norms of society". The District Court also ordered back-payment of the man's salary since the time he was let go.

3. Situation/Statistics

(1) Consumer prices up 4.0% in December 2022--largest rise in 41 years

The consumer price index (CPI, 2020=100) for December of 2022, released on the 20th by the MIC, was 104.1 (excluding fresh foods, which fluctuate widely). This is a 4.0% increase over the same month of the previous year; it is the largest year-on-year increase in 41 years, or since December 1981, when prices went up due to the influence of the second oil crisis. The figure for 2022 overall, excluding fresh foods, was 102.1, or a 2.3% increase over the previous year.

"Consumer Price Index, 2020 Base" Jan. 20, 2023, MIC

<https://www.stat.go.jp/data/cpi/sokuhou/tsuki/pdf/zenkoku.pdf>

(2) About 30% of freelancers have experienced "harassment or mental or physical violence from customers or business owners"

The Japanese Trade Union Confederation (JTUC/RENGO) recently carried out a "Survey On Freelance Contracts 2023", aimed at gaining information on the awareness and situation of contracts for people doing freelance work. This survey has made it clear that approximately 30% of freelancers have experienced "harassment, or mental or physical violence, from customers or business owners".

"Survey On Freelance Contracts 2023" Jan. 23, 2023, RENGO

<https://www.jtuc-rengo.or.jp/info/chousa/data/20230123.pdf?7783>

(3) January price index for the wards of Tokyo up 4.3% year-on-year: highest level in 41 years and eight months

The MIC released consumer price index figures--indicating changes in prices of goods and services consumed by households--for the 23 wards of Tokyo on January 27, ahead of re-

leasing the figures for the whole country.

The consumer price index for January, excluding fresh foodstuffs (which see large fluctuations due to weather conditions) was 4.3% higher than the number for the same month of last year.

This is the second month in a row (after December) to see a year-on-year increase of over 4%. It is the highest level of increase since May 1981, 41 years and eight months ago.

"Consumer Price Index, 2020 Base, Tokyo Special Wards, January, 2023 (Reiwa 5) (Mid-Month Preliminary Figures) Jan. 27, 2023, MIC

<https://www.stat.go.jp/data/cpi/sokuhou/tsuki/pdf/kubu.pdf>

(4) Worldwide COVID-19 infections top 750 million; deaths increase suddenly--WHO updates preliminary report

The World Health Organization has revised their preliminary reporting of the numbers of COVID-19 cases and deaths up to the 28th, adding in the newly reported numbers from China. The total number of persons that have been infected is more than 752,500,000. The number of deaths is approximately 6.8 million, a sudden rise.

"WHO Coronavirus (COVID-19) Dashboard" WHO

<https://covid19.who.int/>

(5) WHO plans to continue state of emergency, considered too soon to end

The World Health Organization (WHO, headquartered in Geneva) announced on the 30th that it intends to continue the "public health emergency of international concern" declared in January of 2020 due to COVID-19. In response to developments including the spread of the disease in China, it seems the WHO judged it too soon to lift the emergency declaration.

The WHO held a meeting of the expert Emergency Committee on the 27th to discuss the emergency declaration and criteria for lifting it. According to British media, as a result of the discussions, the committee agreed unanimously that COVID-19 remains a dangerous disease with the possibility to cause grave harm to health and to the medical system. Based on the committee's advice, WHO director Tedros has decided to continue the emergency declaration.

"Statement on the fourteenth meeting of the International Health Regulations (2005) Emergency Committee regarding the coronavirus disease (COVID-19) pandemic" Jan. 30, 2023, World Health Organization

[https://www.who.int/news/item/30-01-2023-statement-on-the-fourteenth-meeting-of-the-international-health-regulations-\(2005\)-emergency-committee-regarding-the-](https://www.who.int/news/item/30-01-2023-statement-on-the-fourteenth-meeting-of-the-international-health-regulations-(2005)-emergency-committee-regarding-the-)

(6) World growth 2.9% in 2023: IMF prediction revised upward after China's shift away from "zero COVID"; weak yen favorable for Japan

The International Monetary Fund (IMF) released their World Economic Outlook Update in the 31st, in which the worldwide economic growth rate predicted for 2023 was 2.9%. This is an upward revision of 0.2 percentage points compared to the prediction released last October. Behind this revision is the full reopening of economic activity in China after their government shifted away from the "zero COVID" policy, as well as economic trends being stronger than predicted in many other countries. The prediction for 2024 was lowered by 0.1 point, to 3.1%.

"WORLD ECONOMIC OUTLOOK UPDATE: INFLATION PEAKING AMID LOW GROWTH" Jan. 31, 2023, International Monetary Fund

<https://www.imf.org/en/Publications/WEO/Issues/2023/01/31/world-economic-outlook-update-january-2023>

(7) Number of welfare applications increases for seventh month in a row: MHWL

The MHWL announced on the 1st that the number of welfare benefit applications last November was 21,433, up 1.6% from the same month of the year before. It was the seventh month in a row for this number to be up year-on-year.

"Welfare Benefit Recipients Survey (November, Reiwa 4 [2022], Approximate Figures) Results Announced" Feb. 1, 2023, MHWL

<https://www.mhlw.go.jp/toukei/saikin/hw/hihogosya/m2022/dl/11-01.pdf>

(8) Aeon raises part-timers' wages by 7%: 400,000 workers to see pay raises, wage increase trend strengthens

Aeon made clear on the 1st that the approximately 400,000 part-time employees working for their group companies all across the country would see their wages increased by an average of 7%. Raises will be carried out starting this spring. Since the average hourly pay is about ¥1,000, this means on average a raise of ¥70 per hour. Aeon has branches all over Japan, and is said to have the largest number of part-time employees in the country, meaning this move will give strength to the gathering movement in industry to raise wages for part-time and other non-regular workers. The 7% raise will be higher than the recent 4% increase in the consumer price index.