



Labor Update No. 85 April 17, 2020

*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) “About Delivery of the Q&A Relating to the Reopening, etc., of Educational Activities in Elementary Schools, Middle Schools, High Schools and Special Needs Schools Responding to Novel Coronavirus Disease (as of April 15)”

[https://www.mext.go.jp/content/20200415-mxt\\_kouhou02-000006156\\_01.pdf](https://www.mext.go.jp/content/20200415-mxt_kouhou02-000006156_01.pdf)

(2) Bill to start pension at 75: Diet deliberation starts on the 14<sup>th</sup>, even amid “state of emergency”

A bill to amend the pension system, making it possible to delay the start of receiving one’s pension until age 75, entered deliberation in plenary session in the lower house of the Diet on April 14. Since the Ministry of Health, Welfare and Labor (MHWL), which has charge of the pension system, is busy dealing with the novel coronavirus, some opinions in the Ministry had favored postponing deliberation of this bill in order to free up personnel from Diet duties and assign them to coronavirus measures. However, the deliberations began according to plan.

One top Ministry official laments that “We don’t have enough people. I wish we could turn at least some of the personnel being spared for Diet duties to coronavirus response measures instead. Can’t they postpone the bill?” On the coronavirus front, tasks are piling up that need to be done: coordination with local governments covered by the state of emergency, securing of necessary materials for medical treatment, and other such things. If deliberations on this bill start now, there will also be a need to spare people to compose Diet answers and so on too.

(3) “Q&A Regarding Novel Coronavirus Disease (COVID-19) (Concerning Worker Dispatch)”--MHWL

<https://www.mhlw.go.jp/content/000620318.pdf>

(4) “Concerning the Situation for Starting the New School Term in Regard to Novel Coronavirus (COVID-19) Response Measures” as of 21:30, April 10, 2020--MEXT

[https://www.mext.go.jp/content/20200413-mxt\\_kouhou01-000006421\\_1.pdf](https://www.mext.go.jp/content/20200413-mxt_kouhou01-000006421_1.pdf)

(5) Government hurries coordination of concrete system planning to distribute across-the-board ¥100,000 payments

The government is putting together a supplementary budget including economic measures in response to the spread of COVID-19. In place of the previous plan to distribute ¥300,000 cash to households that lost income, the new plan is to distribute ¥100,000 per person to everyone. They will hurry to design a concrete system for this.

An across-the-board payment of ¥100,000 per person will add up to about ¥12 trillion; it will be necessary to issue additional deficit-covering bonds to deal with this.

(6) “State of emergency” extended to whole country; 13 prefectures under “special caution”

Under the special-measures law passed to deal with the coronavirus pandemic, a state of emergency was declared for seven prefectures including Tokyo. With infection spreading in other areas as well, the government has now officially decided to extend that emergency declaration to cover the entire country.

Furthermore, a total of thirteen prefectures--the seven covered by the original declaration, plus Hokkaido, Ibaraki, Ishikawa, Gifu, Aichi, and Kyoto--have been declared as areas for “special caution”, where there is especially urgent need for steps to prevent spreading the virus.

## **2. Legal Violations/Disputes**

(1) Insurance examiner overrules LSIO decision, grants compensation for overwork suicide

The suicide in May of 2016 of a researcher who worked at a chemical company’s factory in Isesaki, Gunma, was caused by a mental disorder provoked by long working hours, according to a workers’-accident compensation insurance examiner at the Gunma Labor Bureau, who has granted recognition of a work accident. This overrules a previous decision by the Maebashi Labor Standards Inspection Office to deny compensation.

The examiner’s written decision acknowledges that the researcher constantly worked long overtime hours (about 100 hours per month), and points out that the mental burden of this was heavy. It says that “a mental disorder due to work causes grew gradually more and more severe, and led to the suicide”, concluding that there was a cause-and-effect relationship between the mental disorder, caused by long work hours, and the suicide.

(2) Prospective employee kills self because of harassment: Panasonic subsidiary admits “excessive”

A male fourth-year university student has committed suicide two months before he was to start work, having been subjected to “power harassment” (*pawahara*) by the director of personnel at the company that had offered him the job, according to

lawyers for his surviving family who have announced it in a press conference. It is said that the personnel director, brandishing his power over job assignments, forced the new hires to post to a social-networking site every day. The company has admitted to reporters that “some actions were excessive”.

When newly-hired prospective employees are subjected to harassment by the company before beginning the job, under current law they are not covered by workers’ compensation insurance. On the other hand, supplementary resolutions to the “*Pawahara Prevention Act*” that obligates large companies to take steps against workplace harassment also call for measures against harassment of job-seeking students.

### (3) Masks and sanitizer for delivery workers: Uber Eats Union sends demands

It has become known that Uber Eats Union, a union of Uber Eats workers, has submitted demands to the company that runs Uber Eats for coronavirus protection measures.

The demands call for masks and sanitizer to be distributed to delivery staff, and for ¥300 hazard pay per delivery. They say there has not been any reply yet from the company.

### (4) Drivers demand withdrawal of mass firings at Tokyo taxi company

Saying business has suffered due to people refraining from going out since the spread of COVID-19, Tokyo taxi company Royal Limousine announced a plan to terminate the employment of all their 600 drivers, including those at group companies. Now some of the drivers have demanded collective bargaining, seeking a withdrawal of the mass firing.

Ten drivers, including union members, went to Royal Limousine Tokyo to demand explanation. The company stated clearly that they would pay the wages for March, but when asked “are you going to fire us?”, are said to have given no clear answer.

### (5) Worried about COVID-19, high-school students in Ibaraki Prefecture go on strike, demand closing of prefectural schools

Voices of worry concerning the spreading novel coronavirus disease (COVID-19) are being heard more and more, even among high school students, in Ibaraki. With prefectural public high schools located in ten cities and towns, including Tsuchiura, to close temporarily starting on the 8<sup>th</sup>, some third-year students at Hitachi Daiichi High have gone on “strike”, staying home from school, to demand that all prefectural high schools be closed. On the 9<sup>th</sup>, about eighty students--or one-third of the senior class--stayed home in support. They have sent a “notice” of the strike to the prefectural Board of education and to their school. The students insist that “Protecting everyone involved at school is clearly an urgent concern”.

The organizing students, using the chat app LINE, called for support from the third-year class at the school. They sent their strike notice to the BoE by fax on the 7<sup>th</sup>. 30 students stayed home to support the strike on the 8<sup>th</sup>; on the 9<sup>th</sup>, this number grew to 80. A representative of the students says that “unless it comes with online lessons or the like, there’s no choice but to go to school even if we’re afraid. People’s lives are at stake, so we had to take the step of going on strike.”

(6) “Hazard pay” for doctors: union sends demands to MHWL

With the spread of COVID-19 forcing doctors into overwork, a union of doctors has sent demands to the Ministry of Health, Welfare and Labor (MHWL) seeking to have hazard bonuses paid.

The written demand, saying that not enough masks or other medical supplies are reaching doctors who face high infection risk, asks not only for a structure to be created that would provide the necessary amount of these supplies, but also for special hazard bonuses and work-accident compensation to be paid.

(7) Hazard pay for nurses: Japanese Nursing Association submits demand

With the spreading of COVID-19 and the increased need to treat infected patients in hospitals, the Japanese Nursing Association (JNA) has submitted a demand to Kato Katsunobu, Minister of Health, Welfare and Labor. The demand calls for hazard bonuses, among other things, to be paid to nurses and others.

The written demand complains that people in nursing-care jobs, including public health nurses and regular nurses, are working in fear of becoming infected themselves. It also explains how those at medical facilities that have COVID-19 patients are being subjected to baseless mistreatment, such as having day nurseries refuse to admit their children, or having taxi drivers refuse them rides when they try to go home from work.

With all of this, the demand calls for hazard bonuses to be paid to those who treat people infected (or suspected to be infected) with the coronavirus, and for assistance to cover the cost of staying in hotels, etc., when they are unable to return home.

### **3. Situation/Statistics**

(1) World has 6 million fewer nurses than needed: WHO report

With the COVID-19 pandemic spreading around the world, the World Health Organization (WHO) has warned that the number of nurses worldwide is nearly 6 million short.

According to the report, the total number of nurses in the world is less than 28 million. This number had increased by 4.7 million over 5 years as of 2018, but the WHO warns that “even so, that still means a worldwide shortage of 5.9 million”. The report also points out that in particular Africa, Southeast Asia, the Middle East, and some of the

poorer parts of South America have an especially large gap between the number of nurses they have and the number they need.

"First ever State of the World's Nursing report launched amid COVID19 pandemic"

<https://www.who.int/news-room/detail/06-04-2020-world-health-worker-week-2020>

(2) 195 million jobs' worth of work to be lost in second quarter due to coronavirus: ILO

The International Labor Organization (ILO) has announced their estimate that, due to the spread of the coronavirus, the total amount of hours of work worldwide will decrease by 6.7% in the second quarter of this year. These lost hours of work are said to add up to the equivalent of 195 million full-time jobs.

According to the ILO report, of the work hours to be lost in the second quarter, 125 million full-time jobs' worth of work will be lost in the Asia/Pacific region. The four industry categories most heavily affected by the spread of the new virus are hospitality and dining; manufacturing; retail; and company services and administrative activities.

"ILO: COVID-19 causes devastating losses in working hours and employment"

[https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_740893/lang--en/index.htm](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_740893/lang--en/index.htm)

(3) "When This Happens: What Support Systems Are There?"

<https://www3.nhk.or.jp/news/special/coronavirus/management/?tab=1>

(4) IMF Report: world economy in 2020 to see biggest recession since Great Depression--minus 3%

"World Economic Outlook, April 2020--The Great Lockdown"

[https://www.dropbox.com/s/08zm6pb78hzsbgg/20200414 IMF Report The Great L ockdown.pdf?dl=0](https://www.dropbox.com/s/08zm6pb78hzsbgg/20200414%20IMF%20Report%20The%20Great%20Lockdown.pdf?dl=0)

(5) Japan's population declines for ninth year in a row; percent decline the largest ever

The Interior Ministry has released their population estimates as of October 1, 2019. The total population figure (including foreign nationals) was 126,167,000: a decrease of 276,000 compared to the previous year, and the ninth year in a row of decreases. The rate of decline was 0.22%; when rates of population change are broken down by prefecture, Tokyo was highest with an increase of 0.71%. Forty of the forty-seven prefectures had a decrease. Among these Akita was the worst, with a 1.48% decline.

"Population Statistics (as of October 1, 2019 (Reiwa 1))" Statistics Bureau, Office of the Prime Minister

<https://www.stat.go.jp/data/jinsui/2019np/index.html>