



Labor Update No.1 January, 2017

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.

I. Important Law Enforcement Schedule ahead

1. Change of the Labor Contract Act (Effective on April 1st, 2013)

After the fixed-term employment contract has been repeatedly renewed and the total employment period exceeds 5 years, the contract shall be converted to a permanent one upon request of the employee.

Note : Therefore, effects will be felt from April 1st, 2018.

2. New law related to the social insurance system (Effective on October 1st, 2016)

a. Shortening of minimum payment period to be eligible for pension allowance (from 25 years to 10, effective on August 1st, 2017)

b. Easing of requirements for part-timers' eligibility to be enrolled in social insurance (More than 20 hours work a week if company has more than 500 employees)

c. It is written in the Clause 2, Article 2 of Supplementary Provisions that:

The government shall examine and take necessary measures to further ease requirements for part-timers' eligibility to be enrolled in social insurance by September 30th, 2019)

3. Change of law including further easing of requirements for part-timers' eligibility to be enrolled in social insurance

Part-timers with more than 20 hours work a week in a workplace with fewer than 501 employees can be enrolled in social insurance upon agreement between the employer and a representative of a majority of employees. (Effective April 1st, 2017)

II. The 193rd ordinary session of the Diet started on January 20th, 2017 (to be closed June 18th, 2017)

As a union, we will pay attention to the bill for amendment of the Labor Standards Act.

1. Expansion of "Exemption." Workers included in "Exemption" will be paid a fixed amount of Overtime pay regardless of actual working hours.
2. Founding of "Highly professional system" under which there is no regulation of working hours and no overtime pay for the workers regarded as "highly professional."

The main purpose of this amendment seems to be to provide employers with the freedom to make employees work without restriction.

Most opposition parties are against it, calling the bill "Zero overtime pay bill" or "Karoshi (Overwork death) promotion bill."

III. Info GU has been able to dig up

GU dug and found good info related to I-1 above.

On December 9 and 21, 2016, twice, the Ministry of Education, Culture, Sports, Science and Technology sent emails to national universities telling them not to dismiss employees who have worked 5 years under a limited-term contract for the purpose of stopping them from converting their employment contract from definite-term to indefinite.

We have them (although only in Japanese).

As this change of the Labor Contract Act is not only for national universities but applies to any employment, we can use this info as a tool for getting job security, in particular unlimited-term employment contracts.