

Labour Standards Bureau

Creating a healthy and comfortable working environment in which people are able to work with enthusiasm

The Labour Standards Bureau takes various measures such as securing and improving working conditions (reducing working hours, etc.), ensuring the safety and health of workers, appropriate provision of workers' compensation, etc. It also promotes comprehensive measures for the improvement of workers' life standards.

Securing and improving working conditions

The mission of the Labour Standards Bureau is to protect worker's lives and health and to ensure appropriate working conditions in which workers are able to work with comfort. It actively works to improve working environments that allow various working styles according to the conditions of the company and employees, as well as working styles with a good work-life balance.

The Labour Standards Bureau is administering supervision and guidance in order to secure legal working conditions, such as a clear indication of working conditions and the management of working hours prescribed in the laws and regulations concerning labour standards.

Laws related to the labour standard administration include the Labor Standards Act; the Industrial Safety and Health Act, the Minimum Wages Act; the Home Work Act; the Act on Security of Wage Payment; the Industrial Accident Compensation Insurance Act; and the Labor Contract Act.

Organizations relating to labour standard administration

As unified national labour standard administrative agencies, the Prefectural Labour Bureaus (47 bureaus) and the Labour Standard Inspection Offices (321 offices plus 4 branches) are established in Japan. The Labour Standard Inspection Office is the lead organization that has direct contacts with workers and businesses. It provides advice on laws and regulations concerning labour standard administration as well as the following services:

1. Supervision and guidance for businesses
2. Judicial punishment against serious and vicious violations of laws
3. Handling of applications for approval, reports, etc., submitted by business operators, etc.
4. Dealing with declarations and consultations
5. Inspection for the safety of manufacturing facilities
6. Carrying out investigations for industrial accidents and giving guidance for recurrence prevention
7. Payment of the industrial accident compensation insurance benefits



Consultation at a Labour Standard Inspection Office ►

Labour Standard System

The Labour Standard System was established in the UK in the 1800s with the aim of ensuring legal working conditions through inspections by administrative agencies. After that, the system was established in many countries based on the International Labor Convention, etc. (Convention concerning Labour Inspection in Industry and Commerce: C081, etc.).

Labour standard inspectors in the Labour Standard Inspection Offices across Japan conduct visitatorial inspections at factories and business offices on a regular basis or when they were consulted about unpaid wages by a worker. These inspections are conducted based on the Labor Standards Act, the Minimum Wages Act, and the Industrial Safety and Health Act in order to secure and improve working conditions. They also question people concerned, examine accounts, machinery, equipment, etc., and if there is any violation, request business owners to correct the violation of laws or restrict the use of machinery, equipment, etc., as administrative penalty. Pursuant to the Code of Criminal Procedure, in cases where an employer, etc., commits a serious/vicious

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violation of law, the staff of the Bureau is able to conduct criminal investigations as a special judicial police official and send the case to the Public Prosecutor's Office.

Project of the reimbursement for unpaid wages

In accordance with the Act on Security of Wage Payment, if workers had to leave the company without having received their wages due to business failures, etc., the national government pays part of the unpaid wages on behalf of their employers.

Clarification of basic rules concerning the employment contract

As diverse employment styles emerge, the working conditions of employees are decided and changed individually. As a result, an increasing number of disputes are occurring between individual workers and business operators with respect to matters concerning labour relationships (hereafter referred to as "individual labour-related disputes"). The trial system is one conclusive resolution of disputes and the labour tribunal system is the other. These, however, cost much time and money.

In order to prevent individual labour-related disputes, the Labor Contract Act took effect in March 2008, which clarifies civil rules concerning labour contracts. The prominent characteristic of the Labor Contract Act is that it is considered a special act of civil code concerning labour contracts.



For the promotion of the resolution of individual labour-related disputes

In order to promote independent efforts of disputers for resolution, the Prefectural Labour Bureaus aim to provide support for the resolution of individual disputes with no charge, and to promote the prevention/prompt resolution of individual labour-related disputes and to promote rapid resolution.

The Act on Promoting the Resolution of Individual Labor-Related Disputes was established to accomplish this, and on the basis of the act, the following services are provided:

1. Provision of information and counseling at the General Counseling Corners
2. Provision of advice and guidance by the chief of the Prefectural Labour Bureau
3. Mediation by Dispute Coordinating Committees

Promotion of labour insurance coverage and appropriate collection of premium

Premium of labour insurance is the financial base for the payment of workers' accident compensation insurance/unemployment benefits, various services for the re-integration into society, employment stabilization services, human resources development services, etc. In order to collect the premiums in a fair and appropriate manner, the Bureau promotes broad awareness of the labour insurance system, elimination of uninsured employment, etc., at the time of labour insurance renewal conducted every fiscal year and during the Labour Insurance Promotion Month held every year in November (*the month changed in fiscal 2009).

Toward the creation of a society in which workers feel truly comfortable and fulfilled

In order to provide workers with a lifestyle with a good work-life balance, comfort, and a sense of security and vitality, the Worker's Life Department implements various measures including those concerning working hours and leaves of absence.

The Department promotes the minimum wage system, which is a safety net to guarantee a lowest limit of workers' wages, and the Smaller Enterprise Retirement Allowance Mutual Aid System for workers at small and medium businesses with a sense of security.

Reviewing the working style to promote a good work-life balance

Realizing a society with a good work-life balance is an issue that should be addressed not only in individual labour relations but also in the entire society. The Department promotes the reduction of working long hours and the use of annual paid holidays by disseminating the Guidelines for the Review of Working Hours.

The Worker's Life Department also promotes telework, a flexible working style using IT, which allows workers to choose where and when to work.

Minimum wage system

Wages, which are one of the most important working conditions, have a lowest limit pursuant to the Minimum Wages Act. Employers, therefore, must pay wages to their employees at an amount higher than the limit.

Minimum wages apply to all employees and employers of a company regardless of employment type (full-time, temporary, part-time, etc.) and with or without a job name.

There are two types of minimum wages: regional minimum wages that apply to all employees in each prefecture, and the specified minimum wages (by industry) that apply to core workers in specific industries.

Various measures for the fulfillment of workers' life

Workers' welfare benefits at small and medium businesses are still insufficient compared with those at large companies. It is important that workers at small and medium businesses are able to work with a sense of security, comfort, and affluence.

In order to realize this, the Smaller Enterprise Retirement Allowance Mutual Aid System was established, paid by contributions from small and medium businesses. This helps promote the welfare gaps between these businesses and large companies and improve workers' welfare at small and medium businesses.

With the cooperation of business owners, the Department promotes workers' independent efforts for property accumulation such as saving money, own their home, etc., through the Workers' Property Accumulation Promotion System financed by the government.

The Charter and Action Guidelines for Work-Life Balance

In order to create a society with the work-life balance prescribed in the Charter for Work-Life Balance, a policy for effective corporate and workers' efforts and national and local government measures has been developed.

Guidelines to set the target figure	Current figure	Target figure	
		Target figure in 5 years (2012)	Target figure in 10 years (2017)
Percentage of employers who have discussed issues concerning working hours with employees	41.5%	60%	100%
Percentage of employers whose employees are working 60 hours or more in a week	10.8%	Decrease by 20%	Decrease by half
Rate of annual paid holidays used	46.6%	60%	Full use * Including reserved holidays by workers' own requests

[Target figures (abstract)]

(Roles that should be played by the national government)

The national government should actively promote and support activities to increase the momentum through national movements, establish a systematic framework, and improve the working environment.

[Charter (abstract)]

(Actions by the national government)

- Promoting people's understandings at national and regional levels and the agreement between the government, employers, and employees
- Providing support for the efforts of businesses toward a good work-life balance by collecting, providing and giving advice on information of good examples of developed companies, and by supporting the improvement of setting working hours etc., in small and medium companies
- Promoting the social evaluation of businesses that make active efforts by supporting award systems and examination/inspection activities of businesses
- Supporting actions by workers and employers toward the improvement of working hours etc., such as the reduction of overworking and promotion of the use of annual paid holidays

[Action Guidelines (abstract)]

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Industrial Safety and Health Department

Ensuring the safety and health of employees

Although the number of industrial accidents has been decreasing in the long term, approximately 550,000 workers per year are still suffering from injury or illness and approximately 1,300 people per year die due to industrial accidents. In response, the Industrial Safety and Health Act, related laws and regulations, and guidelines prescribed measures that should be taken by employers to ensure the safety and health of employees. On the basis of these, the Department actively works to provide guidance and support to employers and organizations in each industry and to take measures for ensuring safety and health in the workplace.

Prevention of industrial accidents

In order to prevent industrial accidents, the Department actively implements the following measures:

- Preventive measures for industrial accidents by industry (manufacturing, construction industries, etc.)
- Large-scale promotion of preventive measures for specific industrial accidents such as machinery accidents, transport labour accidents, etc., and the promotion of employers' voluntary activities for industrial safety and health
- Promotion of the implementation of measures based on the investigation (Risk Assessment) of risk/hazard levels and promotion of the implementation of measures based on the results
- Promotion of the Occupational Health and Safety Management System (OHSMS) that is used to manage industrial safety and health on a systematic and ongoing basis

Prevention of occupational diseases

Although the number of workers suffering from occupational diseases is decreasing in the medium and long term, many are still suffering lower back pain, pneumoconiosis, etc. Moreover, there are repeated occurrences of anoxia, organic solvent poisoning, carbon monoxide poisoning, etc. The Industrial Safety and Health Department is therefore taking measures against various occupational diseases.

The Department actively promotes measures such as the prevention of health problems caused by breathing asbestos dust while demolishing buildings, etc., and health management measures for asbestos-related workers (including retired workers).

Furthermore, the Department promotes the improvement of the MSDS (Material Safety Data Sheet) system, implementation of risk assessment, etc., in order to ensure safe and appropriate management of chemicals.

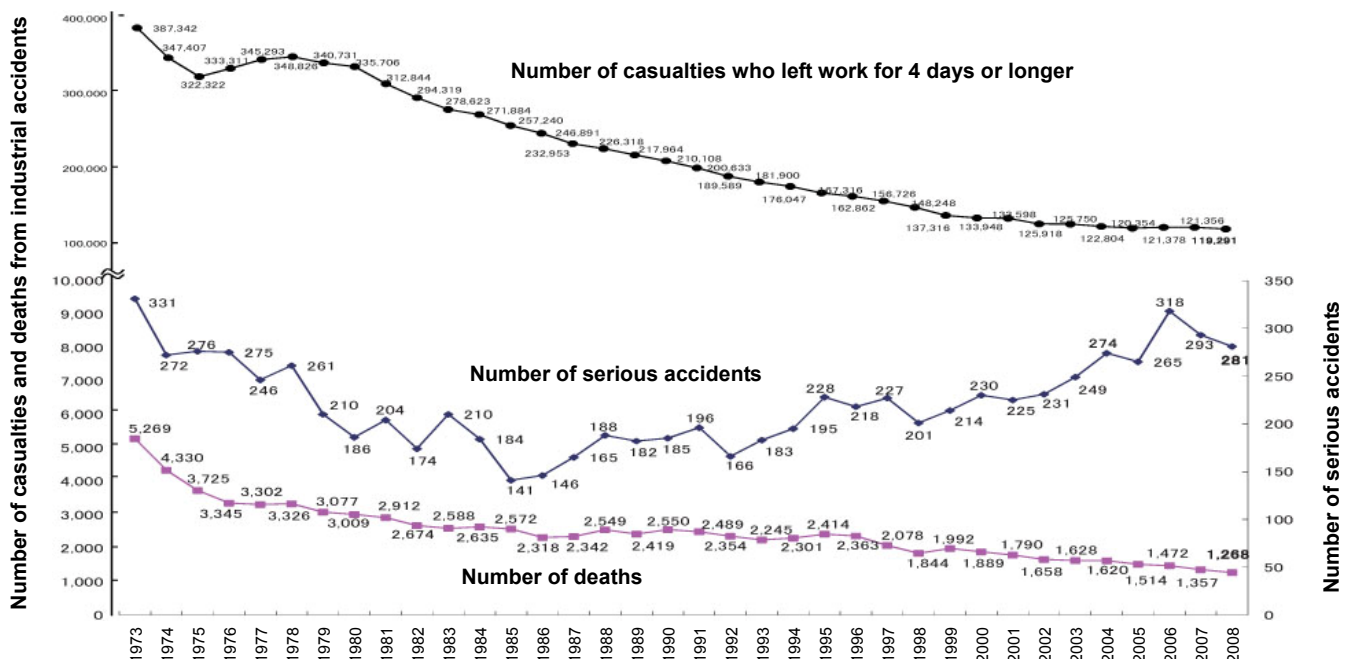
Promotion of good health

In recent years, an increasing number of workers are suffering health problems from working long hours or feeling strong anxiety/stress in the workplace. The Department focuses on the promotion of workers' mental health in the workplace and the preventive measures for health problems caused by overworking.

The Industrial Safety and Health Department is pushing ahead with support for the improvement of the functions of local industrial health centers in order to improve workers' health management systems that are still weak in small-sized businesses.

It also provides support for creating a comfortable working environment by further promoting passive smoking measures in the workplace, etc.

Changes in the incidence of industrial accidents occurred



Workers' Compensation Department

Implementation of appropriate worker's compensation

The Worker's Compensation Department strives to make prompt and adequate payment of insurance benefits to those who have unfortunately had industrial accidents and their surviving family members under the workers' accident compensation insurance system.

The Department comprehensively promotes social rehabilitation measures of afflicted workers as well as nursing care services for seriously-afflicted workers.

Purpose of the industrial accident compensation insurance

The purposes of the industrial accident compensation insurance include: granting necessary insurance benefits to workers in order to provide them with prompt and fair protection against injury, disease, disability, death or the like resulting from an employment-related cause or commuting; promoting the social rehabilitation of workers who have suffered an industrial accident; assisting those workers and their surviving family members; and securing the safety and health of workers or the like, thereby contributing to the promotion of the welfare of such workers

Application

In general, the industrial accident compensation insurance applies to businesses that employ a worker or workers in Japan (applicable businesses). Insurance benefits are paid for industrial accidents of workers who are employed by the applicable businesses.

A special system to join the insurance scheme applies to small and medium business owners, the self-employed who do not have employees, and workers assigned to overseas jobs.

Categories of insurance benefits

Insurance benefits are classified into the following categories:

- 1) Medical compensation benefits (medical treatment benefits) Benefit for medical treatment (benefit in kind) or payment for medical expenses
- 2) Temporary absence from work compensation benefits (temporary absence from work benefits) 60 percent of the basic daily benefit amount (the basic daily benefit amount is equivalent to average wages in principle (hereafter applies the same))
- 3) Injury and disease compensation pension (injury and disease pension) Pension equivalent to the basic daily benefit amount × 313 to 245 days
- 4) Disability compensation benefits (disability benefits) Pension equivalent to the basic daily benefit amount × 313 to 131 days or lump sum payment equivalent to the basic daily benefit amount × 503 to 56 days
- 5) Compensation benefits for surviving family (benefits for surviving family) Pension equivalent to the basic daily benefit amount × 245 to 153 days or lump sum payment equivalent to the basic daily benefit amount × 1,000 days
- 6) Funeral expenses (funeral rites benefits) 315,000 yen + (basic daily benefit amount × 30 days) or (basic daily benefit amount × 60 days) whichever is more
- 7) Nursing care compensation benefits (nursing care benefits) Payment of actual nursing care expenses incurred (up to the upper limit) or a fixed amount across the board
- 8) Follow-up medical examination benefits Payment of expenses for follow-up medical examination and specific health guidance

Benefits in brackets are insurance benefits for accidents that occurred during commuting.

Social rehabilitation promotion services

The Worker's Compensation Department works on the following social rehabilitation promotion services:

- 1) Promotion of workers' return to society Establishment and operation of hospitals for industrial accidents (30 hospitals)
- 2) Support for the victims of industrial accidents Payment of special benefits and allowances to help the victims with school expenses for their children and other needs
- 3) Services to ensure industrial safety and health Implementation of industrial accident prevention measures, promotion of industrial health, etc.