

## Abstracts

### A Forth Century of Equal Opportunity and Treatment between Men and Women in Employment Act

**Shozo Yamada** (Chuo University)

The Equal Opportunity and Treatment for Men and Women in Employment Act (EOTA) was enacted in 1985 to abolish discrimination between men and women, except wages, so EOTA has passed a quarter of a century. EOTA had a very important effect on equality for men and women in employment, but this Act had a limited effect because the purpose of the first EOTA was not to forbid sex discrimination but discrimination against women, to give women favorable treatment was legal, and because equal treatment on application, hiring, arrangement, and promotion was only an “effort obligation” by the employer. EOTA was amended in 1977 and 2006. It is highly important that the present EOTA changed the purpose of discrimination against only women to against men and women. In this article, I will inquire into the effects of EOTA on the promotion of equality between men and women by case law and consider the issues of remedies on hiring and promotion, indirect discrimination, unfavorable treatment by reason of pregnancy or childbirth, positive action, and sexual harassment.

### Long-Term Impacts of the Equal Employment Opportunity Law in Japan

**Yukiko Abe** (Hokkaido University)

In this paper, I survey the literature on the impact of the Equal Employment Opportunity Law (EEOL) on labor market outcomes of women in Japan. The findings from the literature are summarized as follows. First, regular employment among highly educated women younger than age 40 rose after the enactment of the EEOL. Second, regular employment did not increase either for married women or for single women, compared with the earlier cohorts of highly educated women. These patterns reflect the fact that the marriage rates of highly educated women fell after the EEOL. Third, the female-to-male wage ratio and the ratio of the average tenure of female workers to that of male workers improved, mainly for less-educated women over age 40 and not for highly educated young women. Finally, there are regional differences in the increases in the regular employment of highly educated women. Specifically, it increased significantly in Tokyo.

### Equal Employment Opportunity Law and Work-Life Balance: Do Work-Family Balance Policies Contribute to the Gender Equalization?

**Akira Kawaguchi** (Doshisha University)

The aim of this paper is twofold. One is to discuss the background of work-life balance policies implemented by the government and private firms ; the other is to investigate the effect of work-life balance policies on gender equalization using statistics and the microdata of firms. We found the following facts. First, the government introduced work-life balance policies mainly as countermeasures to the falling birthrate, and most firms implemented work-life balance programs to contribute to society. At the same time, however, two-thirds of firms expected that the work-life balance programs would contribute to reducing the quit rate of female workers and to increasing their motivation. Second, female attachment to the labor market improved slowly but steadily. Gender equality measured by relative female wages and the proportion of female managers also improved slowly during the last two decades. Thirdly, firms implementing more work-life programs tend to enjoy a higher job retention rate of female employees and attained more gender-equal workplaces.

### Changes of HRM for Women after Equal Employment Law 1985

**Akira Wakisaka** (Gakushuin University)

After the Equal Employment Law of 1985, the double-track system and women rehire system prevailed with regard to human resource management for women. And then, family-friendly policies, such as the child care leave system, appeared in the centre. The

double-track system is a system that deals with the difference between men's and woman's turnover rates in a big enterprise. But the system does not correspond to the change in women's perspectives on the life course, and it is still a problem in the personnel system. The rehire system was designed to utilize women with children when there is no child care leave system. The child care leave system did not substitute, but rather complemented, the rehire system. It is an important point that also connects the child care short-time work system with the short-time regular employee system, although the centre of a family-friendly system is a child care leave system. How the evaluation of workers on leave and those working for a short time is made becomes the important point of the system established. The operation of these systems in workplaces becomes the basis of an established work-life balance measure that is wider than a family-friendly system. HRM for women gradually becomes a common problem to all workers, including men and part-timers.

An International Comparison of Institutional Requisites for Gender Equality: Why Is Japanese Gender Gap So Persistent?

**Estévez-Abe, Margarita** (Syracuse University)

When it comes to gender equality, Japan lags behind other advanced countries despite the introduction of the Equal Employment Opportunity Law in 1985. This article surveys institutional conditions that promote gender equality in the marketplace. Generally speaking, many consider Scandinavian countries as vanguards of gender equality. These countries have adopted extensive policy support enabling mothers to balance work and family. However, mother-friendly policies are not the only factors that explain the relative economic position of men and women. This article refers to the U. S. as representing a different institutional scenario of gender equality. It also highlights the Spanish case. The economic position of Spanish women used to be as low as that in Japan. Yet the position of women in Spain has improved much more quickly than in Japan. This article examines the equalizing effects of the following institutional conditions: (i) strong antidiscrimination laws matched with class-action suits, (ii) the presence of professionally oriented educational systems that allow women with academic abilities entry into high-status occupations; (iii) market conditions that enable women to outsource their unpaid domestic work; and (iv) the availability of contraceptive methods that give women control over their reproductive decisions. This article concludes that Japan lags behind other advanced countries in all institutional dimensions.

A Study of the Employment of University-Educated Women in the Age of Equal Employment

**Shangbo Li** (Oberlin University)

In 1985, the Japanese government passed the Act on the Securing, etc. of Equal Opportunity and Treatment between Men and Women in Employment. In the 25 years since then, it has enacted and amended a set of equal employment laws to secure equal opportunities and treatment in the field of employment. It seems that political barriers for equal opportunity have been gradually removed. The removal of social and intercompany structural barriers, however, is essential for securing promotion opportunities for women and equal pay for equal work for men and women. With regard to social barriers, changes in the social role of female university graduates and in family strategies based on a couple's total income have had a direct transformational impact on Japanese society. In Japan, under the lifetime employment system, employees are promoted based on their success in intracompany competition. Generally speaking, it remains in a difficult situation for women employees, although women in career-oriented jobs have been on the main career track for 25 years and been steadily filtering into Japanese large companies, which were previously male-centered societies. Male-female wage discrepancies, furthermore, have been gradually eliminated during this period. As the main barriers of equal employment are removed, the pathway to achieving social status for women will continue to change in the near future.