

## Abstracts

### Impact of Hiring History on the Career Development of Young Regular Employees

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The labor-intensive interpersonal service industry, which has developed in post-industrial society, is expanding its employment of young people. However, employment quality problems exist when compared to conventional industries and emerging knowledge-intensive service industries. This study examines whether atypical workers who become regular employees after unemployment or non-regular jobs post-graduation tend to enter industries with inferior employment quality, or face a disadvantageous career development situation even if they enter industries with high employment quality, compared to newly graduated job seekers in Japan, with its deeply rooted custom of batch hiring new graduates. First, many atypical workers are employed in industries with few newly graduated job seekers having the same educational background, and in many such industries, employment quality is low for non-university graduates. Second, atypical workers tended to enter employment with lower skill levels and entry barriers than newly graduated job seekers. This was observed in men in the manufacturing industry and women who graduated from specialized training colleges, junior colleges, or universities in the medical/hygiene industry. Third, atypical workers tended to have less training experience. This was observed in those who took jobs in industries with high skill levels and entry barriers that center recruitment management on new graduates. The birthrate is progressively declining in Japan, and society will face difficulties surviving if young people cannot fully demonstrate their abilities. More in-depth discussions are necessary on the advantages and disadvantages of entrusting young people with jobs that are indispensable to the world but which have low employment quality and skill levels.

### The Legal Character and Legal Regulation of Probation Periods

**Shinpei Ishida** (Senshu University)

Probation periods can be approached from the following three perspectives. From the first perspective, a probation period is viewed as a unilateral termination right that an employer reserves in the employment contract. In this perspective, a probation period is recognized as stipulated in an indefinite employment contract, but from the second perspective, we can regard a probation period as a fixed-term contract. In this second perspective, there are two different types of employment contracts: one is a fixed-term employment contract, and the other is an indefinite employment contract. Furthermore, from the third perspective, a probation period is regarded as a training contract, such as an internship, which is not an employment contract. This paper explores what criteria should be applied to distinguish between the first and second perspectives and the second and third. Regarding the distinction between the first and second perspectives, the Supreme Court in the Kobe Koryo Gakuen case stated that a fixed-term contract for probation should be regarded as a probation period in which an employer reserves a unilateral termination right except where there is a definite agreement between the parties about the expiry of the term of the contract. This paper studies whether this Supreme Court ruling is appropriate. In addition, regarding the distinction between the second and third perspectives, this paper discusses the primary beneficiary test, which is applied in American employment law with regard to whether interns and sports athletes are employees.

### The Reality and Challenges of the Temp-to-Perm System in Japan

**Hiroko Takekawa** (Hyogo University)

The Temp-to-Perm (temporary staffing to permanent employment) system in Japan is a scheme in which it is assumed that temporary workers will be directly employed by the client companies they are dispatched to within six months. It was implemented in December 2000. This system is expected to bring about benefits such as stability in employment, improvement in working conditions, continued career development, and prevention of job mismatches through pre-employment as dispatch workers. It has been over 20 years since the implementation of this system, and although its usage initially

increased, it has shown a decreasing trend over the past 10 years. In order to investigate the reasons for the lack of increase in usage, I conducted a literature review and examined three case studies to identify the challenges and issues associated with it. As a result, the following reasons for the insufficient increase in the utilization of this system were identified: first, the actual conversion rate to direct employment after temporary work is less than 60% on average; second, there is also a high turnover rate after direct employment; and third, from the perspective of businesses utilizing the system, factors such as high introduction fees and high hourly wages during the temporary period are believed to hinder an increase in usage.

#### Transition of the Yōseikō System and Roles of Yōseikō in Japan

**Takahiro Oba** (Soka University)

In Japan, there is a category of workers referred to as “Yōseikō”: technical workers who have received special training at private companies’ in-house training institutions. The purpose of this paper is to review the transition of the Yōseikō system and clarify the roles of Yōseikō in order to examine the characteristics, significance, and challenges of the Yōseikō system in Japan from a historical perspective. This paper discusses the history of the Yōseikō system from the prewar period to the present and clarifies two important roles played by Yōseikō based on a case study of Toyota Motor Corporation. On the basis of this discussion and analysis, this paper examines the characteristics of the Japanese Yōseikō system, focusing on the intentions of companies to start Yōseikō education, relevant legal systems, the impact of technological innovation, and the development of the Yōseikō system, and it concludes that the significance of the Yōseikō system was that it provided workers who were responsible for developing new products and for engaging in manufacturing operations in factories. This paper also points out issues to be addressed by the Yōseikō system, including responding to changes in labor demand at factories as a result of technological innovation, the cost burdens on companies, and securing Yōseikō applicants.

#### Vocational Education in Sweden during the High-growth Period

**Shunji Ishihara** (The University of Tokyo)

The vocational education system in Sweden during the high-growth period developed as part of the Swedish model: a system of centralized collective bargaining agreements. These institutional developments reflected efforts by labor and management to form and maintain an orderly labor market while avoiding direct intervention by the state. However, Sweden’s corporate training system failed to gain the confidence of stakeholders. Therefore, in the end, they had no choice but to shift the focus from corporate education to vocational education within the framework of the school system. In this way, the vocational education system was left out of the Swedish model.

#### Skill Acquisition and Vocational Training Policies in Britain: The Past and Present of Apprenticeship

**Kentaro Saito** (Kyoto Sangyo University)

Since the nineteenth century, vocational training in Britain has been formed through the voluntarism of employers and employees against the background of a free market in labor. Apprenticeship was continually central to skill formation and remained intact while being used flexibly for centuries. Companies and trade unions together dealt with apprenticeship according to the expediency of production and collective bargaining rather than investing in young workers’ skills. Although the state rarely intervened in vocational education until the middle of the twentieth century, since the 1960s, policies in the welfare state led governments to mediate in the area of vocational training. However, this British model was reversed by Thatcherism and market-oriented neoliberalism, and the early 1990s saw the revival of voluntarism with a reinvented traditional vocational training system called “Modern Apprenticeship.” The “New Labour” government from 1997 undid the framework of vocational training established by its predecessor and tried to expand the number of apprentices, but the quality of apprenticeship worsened in practice. Although Conservative governments since 2010 have tried to increase the

number of higher-level apprentices with expanding financial support from companies, their prospects are still unclear. With new technologies and changes in society, vocational policies in Britain are confronted with many difficulties.