

Abstracts

Development and Issues of Working Hour Regulations: Focusing on Discretionary Work Schemes

Takashi Araki (The University of Tokyo)

This paper attempts to systematically organize increasingly diverse and complex working hour regulations and review their development from that systematic perspective, examine the current legislative discussion on discretionary work schemes, and consider the future direction of working hour regulations. When the Labor Standards Act was enacted in 1947, working hour regulations were simple “general regulations” applicable to ordinary workers and their “exemptions.” However, due to the diversification of workers and employment patterns, as well as changes in industrial structure, the number of workers to whom it was unreasonable to apply the general regulations increased, necessitating a review of the working hour regulations. After 1987, when the 40-hour workweek was introduced, the general regulations were diversified and made more flexible. Furthermore, “special regulations” such as the off-site work scheme and the discretionary work scheme for professional work were introduced in place of the general regulations regulating actual working hours. Since then, special regulations have been expanded and developed, including the introduction of the discretionary work scheme for planning work and the advanced professional work system. Recently, the Ministry of Health, Labour and Welfare (MHLW) issued a report on the future working hour system based on a survey of discretionary work schemes. At the end of 2022, the Working Conditions Subcommittee of the Labor Policy Council in the MHLW compiled a report on the future working hour system. This paper examines how to envision simple and effective regulations that respond to the diversification of workers and forms of employment through a study of the discretionary work scheme, a representative example of special regulations.

Worker Autonomy and Working Hour Management by the Workplace: From the Perspective of Health Protection

Tomohiro Takami (The Japan Institute for Labour Policy and Training)

This paper examines the issues of working hour management at workplaces from the perspective of preventing overwork. In particular, the discussion focuses on how workplaces manage overtime work arising from necessity in settings where workers have certain responsibilities and discretion to carry out their daily work. Case studies of overwork-related mental disorders were conducted using Investigation Report, a document created by the Labor Standards Inspection Office when making a decision to approve worker compensation, for the analysis. In the cases analyzed, workers worked extended hours based on a recognition of work necessity. This took the form of under-reporting of overtime, working overtime without punching time cards, or working overtime at home, meaning that working hours recorded at the workplace diverged from actual working hours. This study indicates that long working hours can be caused by worker recognition of the necessity of the work, even if they are not instructed to work overtime by their employer. When working hours are not accurately reported by workers, workplaces fail to grasp actual working hours. This indicates the challenges in managing working hours at workplaces with regard to the prevention of overwork.

Factors Behind Overwork in Japan Compared to Other Countries: An Investigation into the Relationship Between Employment Systems, Business Models, and Time Allocation

Hisashi Yamada (The Japan Research Institute, Limited)

In Japan, as new legislation for improving worker autonomy regarding working times is introduced, overtime work and health have become a point of concern. This paper looks at this issue in Japan compared to other countries. The findings are as follows: i) there are factors behind overtime work in Japan other than factors explained in economic theories; ii) the Japanese employment system, in which members tend to work longer because of ambiguities in scope of responsibilities and roles, contributes to overtime

work; iii) the industrial system, which has a comparative advantage in quality of products, causes overtime due to a tendency toward perfectionism; and iv) the Japanese lifestyle, which prioritizes allocating time to work instead of life, especially for men. Taking these findings into account, prerequisite measures such as recording all working hours, improving time management, and checking work environments using labor unions are needed to enforce legislation to improve worker autonomy regarding working time.

Efforts Toward Work Style Reform at Fujitsu

Kozo Kobayashi (Fujitsu Workers Union)

This report focuses on flexible working hours as part of work style reform efforts at Fujitsu. Fujitsu introduced flexible working hours in 1994, and the author explains purpose of introducing this system, who was eligible for flexible working hours and criteria for applicability, treatment and assessment, working hours, and measures to ensure health at the time will be presented. He also mentions the current applicability of the system, efforts to make the system better by the Fujitsu Workers Union and the management. The Workers Union has negotiated with the company when the system was introduced and during revisions. The Workers Union stated its opinions when SPIRIT was introduced in 1994 and when the non-professional work-based SPIRIT system was abolished and the planned work-based SPIRIT system was introduced, striving to reach a consensus between labor and management to create a better system. When the human resource system was revised in 2022, negotiations focused on whether the content of work was suited to the flexible working hour system in deciding the scope of those applicable for SPIRIT under the new system and whether measures to ensure health were sufficient. This system is a way for workers to feel that their job is worth doing and produce even better results. The Fujitsu Workers Union has negotiated in earnest with management to create a system that can achieve the ideas of the employees.

Family Migration and Women's Employment and Wages: Evidence from Japan

Fang He (The Japan Institute for Labour Policy and Training)

This paper investigates the effects of family-related migration on women's employment and wages, using data from the Employment Status Survey conducted by the Statistics Bureau of Japan. The analysis focuses on inter-prefectural migration within the past year and analyzes individuals aged 25 to 59 who were employed the year prior. When examining the reasons for the inter-prefectural migration of employed individuals aged 25 to 59, it was found that 67.8% of married women, 10.5% of unmarried women, 3.3% of married men, and 2.7% of unmarried men had relocated due to family circumstances. Regardless of marital status, about 90% of men relocated due to their own work circumstances. Regression results show that inter-prefectural migration due to family circumstances led to an increased probability of unemployment or non-regular employment and a decrease in wages for women who were regular employees, regardless of marital status. In the sample of men who were regular employees, similar trends in employment were observed as in the case of women, but there was no consistent trend in wages. Although interregional migration due to family circumstances harms employment and wages regardless of gender, the fact that women are more likely to move due to family circumstances suggests that such migration may be one of the reasons for the widening gender wage gap.

Assessing the Effects of Upper Limits on Overtime Work: One Example Using Data to Promote Evidence-Based Policy Making

Akihito Toda (Ministry of Health, Labour and Welfare)

The effects of reducing overtime work through the adoption of upper limits to overtime work by major companies in April 2019 were analyzed using the concept of regression discontinuity design. Due to limited data availability, we focused on capital, which is used as a way to define major companies and SMEs. In 2019, the ratio of full-time employees working over 45 hours per month of overtime (estimated) tended to be lower in major companies above the capital threshold than in SMEs below the capital threshold. Meanwhile, no changes to this ratio were observed in 2016, the year before the creation

of the Action Plan for the Realization of Work Style Reform (March 28, 2017), or in 2020, when upper limits to overtime work were applied across the board. Attempting to estimate a model through linear regression rather than a graph also revealed that coefficients corresponding to the different threshold levels were significant in 2019 only. The fact that these results show a difference in threshold levels in 2019 only suggests that this was the effect of the application of upper limits to overtime work in April 2019.

Critical Requirements of the Job-Based Labor Market: Suggestions from the Temporary Staffing System

Akie Nakamura (JTUC Research Institute for Advancement of Living Standards)

The Japanese government has announced plans for integrated labor market reform aimed at structural wage increase through (1) a shift to job evaluated pay, (2) expansion of reskilling measures, and (3) facilitation of labor mobility. However, it is unlikely that these three things alone will increase wages, where wages have remained stagnant despite the increased prevalence of job/role evaluated pay and employment fluidity. In fact, previous studies on labor markets indicate that haphazard transitioning from the internal labor market (ILM) leads to a secondary labor market (SLM) with poor working conditions. For this reason, we extracted labor market conditions under which wages would increase, with a focus on the temporary staffing labor market, which has seen wage system changes, mandated education and training, and legal reforms on labor mobility after termination of contracts since the 2010s. Investigation and quantitative analysis revealed that wage increases in the temporary labor market are structured when the synergistic function of the following factors is achieved: (a) transparency of market wage rates, (b) raising minimum (lower limit) wage, (c) mechanisms for reflecting skills in wages, (d) expansion of skill building programs, (e) transitioning to external jobs with higher wages, and (f) worker involvement in creating rules for determining wages. While the temporary labor market can be regarded as undergoing a transition from SLM to occupational labor market (OLM), it differs from the ideals of OLM in that it lacks involvement of worker representatives in the creation of rules and assessment of skills. This difference stems from differences in social systems, and despite government labor market reform, there is a need to develop ways to assess skills and reflect them in wages and labor-management relations specifically for Japan.

Ability Development and Career Formation of Technical Book Editors

Masao Yamasaki (Hiroshima City University)

This study examines the ability development and career formation of technical book editors. In previous studies, there has been an accumulation of research on professionals and publishing editors. Nevertheless, theorizing about ability development and career creation remains an ongoing process. Further, whether we will be able to continue publishing books with social significance is a significant issue. Technical book editors must develop new skills in response to the changes in the market caused by digitization; however, if these skills are given too much attention, editors may lose the ability to continue publishing works with social significance. As a result, the abilities required of technical book editors need to be understood. Accordingly, the research question is “What are the abilities required from editors to generate socially meaningful books?” This question can be addressed as follows. The most important ability is being aware of the customer (reader) and considering their demands as well as the author’s assertions. Daily training is needed to develop this ability such that a combination of required manners can be realized. Additionally, experimenting is required. The purpose can be achieved if a “sense of mission” and “fate (humanity)” is incorporated after learning such manners and demonstrated as ability.

Ways for Companies and Line Managers to Support the Workload of Women Employees Undergoing Infertility Treatment

Asami Tochio (Chuo University)

Hiroki Sato (Chuo University)

In this paper, we examine effective approaches for companies and line managers to

provide support for women employees concerning managing workload and infertility treatment—an issue more women employers are likely to face in the future. We did this by analysing a survey conducted on women employees with a continuing contract aged 26 to 55 with a university degree in white-collar jobs. Two cohorts—those who had undergone infertility treatments (n=305) and those who had not (n=1,309) —were compared to identify perceived factors that contributed to creating a work environment conducive to infertility treatment. A multiple regression analysis found that “being able to step out of work when necessary” and “being able to take paid leave” were statistically significant for women with infertility treatment experience in predicting a work environment conducive to infertility. For the cohort without infertility treatment experience, while these two factors were also statistically significant, they also assessed four additional factors to be contributing to a work environment conducive to and infertility treatment: “having a work-life balance manager”, “having paid annual leave that can be taken in units of half-days or hours for infertility treatment”, “special leave/leave systems for infertility treatment”, and “availability of occupational health physicians or consultation booths for managing work while undergoing infertility treatment”. The results showed that those with infertility treatment experience perceived being able to step out of work or take paid leave for hospital appointments as effective in creating a work environment conducive to infertility treatment. Given women employers undergoing fertility treatment are expected to increase in the future, this finding suggests that creating a work environment that makes it easy to step out of work or take paid leave are effective ways in which companies can retain women employees wishing to undergo infertility treatment.