

### Basic Approach to Employment Measures for Foreigners

Foreign nationals entering and residing in Japan are required to have one of the residence statuses prescribed under the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951). For some of those statuses, the criteria for landing permission is specified in view of an overall consideration of “factors including but not limited to the effects on Japanese industry and public welfare”.

Article 4 of the Employment Measures Act (Act No. 132 of 1966) provides that measures to be taken by the government should include facilitating the employment in Japan of foreigners who have advanced expertise or skills, facilitating improvements in employment management and re-employment of foreigners, and preventing foreigners from engaging in illegal work. Article 28, meanwhile, prescribes that employers must endeavor to facilitate improvements in employment management or re-employment of foreign workers, and must notify their employment status. To clarify specific measures to be taken by employers in this respect, the Ministry of Health, Labour and Welfare (MHLW) has issued “Guidelines for Employers to Take Appropriate Measures concerning the Employment Management Improvement, etc. of Foreign Workers” (MHLW Public Notice No. 276 of August 2007; hereinafter “Guidelines on Foreign Workers”) based on Article 9 of the Act.

The Basic Guidelines on Employment Policy (MHLW Public Notice No. 201 of April 2014), formulated to indicate the directions for employment policy over the medium term of around the next five years, states that it will be important to support the acceptance and stable employment of highly skilled foreign professionals, with a view to revitalizing the Japanese economy and strengthening Japan’s international competitiveness. As such, the government as a whole will make efforts to improve

environments for their working and living in Japan. Also, related institutions, universities and companies are to collaborate in providing effective support for the recruitment and stable employment of foreign students who are expected to be highly skilled foreign professionals. For foreign residents including those of Japanese descent (known as “Nikkei”), meanwhile, “Promotion of Measures for Foreign Residents of Japanese Descent” (formulated in March 2014) states that steps are to be taken to assign interpreters and counselors to Hello Work offices and promote the acquisition of Japanese language skills needed for work, etc.

The “Japan Revitalization Strategy revised in 2014” (approved by the Cabinet on June 24, 2014; hereinafter “Revised Japan Revitalization Strategy”) incorporates measures for reviewing and implementing, for example, the acceptance of foreign workers in the construction and shipbuilding fields, the acceptance in Japan of employees of overseas subsidiaries and others in manufacturing industries, and support for the foreign students who have acquired national care worker qualifications to work in Japan. It is expected that human resources from overseas who have a diversity of values, experience and skills will manifest their abilities in Japan in future.

To achieve growth amid a downward trend in the labor force population in future, it will be important to secure numbers of workers and improve labor productivity. First of all, it is seen as important to enhance the skills of Japanese young people, women, older workers, etc., and to materialize a “Society where everyone participate in social activities” in which they can fully manifest their skills. To this end, expanding the scope of acceptance of unskilled and other foreign workers will need to be studied and debated, taking account of the impact on social security, education, public order and all other aspects of the national way of life, in conjunction with the

desired future image of Japan, from a medium- to long-term perspective, and based on a national consensus. In this regard, the Revised Japan Revitalization Strategy also states that “the Government will undertake comprehensive deliberations regarding approaches to the acceptance of foreign human resources in the medium- to long-term, while seeking to shape the national consensus, taking care to ensure that this is not misconstrued as an immigration policy”.

### **Present Situation regarding Foreign Workers and Issues to Address**

As stated above, making active utilization of highly skilled foreign professionals, and of foreign students who are expected to be highly skilled foreign professionals, is now an important challenge from the viewpoint of revitalizing the Japanese economy and strengthening its international competitiveness. To this end, a “Points-based System for Highly Skilled Foreign Professionals” was introduced in 2012, and preferential immigration control measures were introduced for foreign workers with certain levels of skill. As part of a drive to utilize highly skilled foreign human resources, 2,799 foreign workers had been certified under the system by February 2015. However, there are still not many companies that accept highly skilled foreign professionals in Japan, and the current situation of utilization in companies is that schemes enabling foreign nationals to manifest their particular inventiveness and high levels of expertise remain inadequate. On the other hand, there are currently more than 190,000 foreign students staying in Japan, and around 60% of them wish to take up employment in Japanese companies. In spite of that, however, only 11,647 foreign students or similar were employed by Japanese companies in 2013 (Ministry of Justice, “Employment situation of foreign students, etc., in Japanese companies, etc., in 2013”). Among the barriers to employment in Japanese companies for foreign students, there are few vacancies for foreign students, job hunting activity starts so early in Japan that it is difficult to combine study with such activity, and there is a mismatch between the human resources sought by companies and the skills of foreign

students.

Previously, Nikkei and other foreign residents could dedicate themselves to their work, because everything in their daily lives including accommodation used to be arranged through support from worker dispatch companies or contractors. At the time of the financial crisis of 2008, however, many of them simultaneously lost their jobs and their accommodation, etc., owing to a rapid deterioration of the employment situation. As a result, many started visiting Hello Work offices in areas with concentrated populations of Nikkei and others. But because many of these people had been employed in unskilled labor for a long time, with the help of interpreters and others assigned by worker dispatch companies, etc., they not only lacked Japanese language proficiency and were ill-informed about Japanese employment practices, but also had not accumulated sufficient skills. This placed them at a distinct disadvantage in terms of finding new employment. And although the economy has returned to a keynote of recovery since then, the number of cases brought for consultation remains at a high level in areas with large Nikkei populations. Moreover, there has been no change in the structure whereby many people are engaged in unstable employment, i.e. dispatch work or contracted labor, and competition with Japanese jobseekers has become another factor exacerbating the difficulty of re-employment for foreign residents. It is important that employment management in companies should be improved, as there have been cases in which these workers are not enrolled in social security due to a lack of awareness or other problem on the employer’s part, cases in which appropriate working conditions have not been secured, and so on. As such, Hello Work offices need to continue to offer guidance to employers on the content of the Guidelines on Foreign Workers.

### **Promotion of Employment of Highly Skilled Foreign Professionals, Improvement of Employment Environment for Nikkei and Other Foreign Residents, and Support in the Event of Job Loss**

Efforts to promote the employment of highly skilled foreign professionals are mainly undertaken

by Employment Service Centers for Foreigners, set up as facilities that specialize in providing vocational counseling and job introductions for these foreigners as well as guidance, assistance and other services on employment management to employers. Besides these, Hello Work offices also make positive efforts to secure job vacancies in businesses that are deemed to be able to accept foreign workers in an appropriate manner.

Meanwhile, given an increase in foreign students wishing to take up employment in Japan after graduating, efforts are being made to actively open up job vacancies for foreign students, provide information to foreign students on job hunting activity and employment support, and promote matching through the use of national networks. These efforts are undertaken in collaboration with New Graduates Support Hello Work offices (International Student Sections) and others, using Employment Service Centers for Foreigners as bases, with a view to steadily lead them to employment. Moreover, as well as internship programs for foreign students designed to enhance mutual understanding between foreign students and companies, further efforts are being made to promote the employment of foreign students in Japan by holding employment guidance and interview sessions.

For Nikkei and other foreign residents, interpreters are assigned to Hello Work offices, mainly in areas

where many of them have settled, while steps are taken to promote their stable employment by providing guidance and advice on career building through individual counseling, etc. to young Nikkei and others and detailed employment support through a caseworker system. Also, in order to provide detailed support to those with difficulty in finding re-employment, interpreters in Spanish, Portuguese and other languages are assigned, while Hello Work and local authorities collaborate in providing information and advice by setting up advice desks where various kinds of advice including advice on living in Japan are provided in a one-stop fashion. Furthermore, as well as providing "Training course for promoting stable employment of foreign residents" to enhance skills including Japanese language proficiency to Nikkei and other foreign residents who seek re-employment in Japan, efforts are being made, in collaboration with local authorities, to secure opportunities for vocational training that can also be attended by foreigners, thus promoting stable employment.

On employment management by companies, Hello Work offices will continue to give accurate advice and guidance based on the Guidelines on Foreign Workers, and steps will thus be taken to promote the employment of foreign workers by improving employment management in companies.

**Figure V-10 Basic Approach to Employment Measures for Foreigners**

