

# Changes in Human Resource Management of Women after the 1985 Equal Employment Opportunity Act

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Looking at transitions in the human resource management of women following the Equality Act, this was a period in which the focus shifted from double-tracked personnel management and the career break system to so-called family-friendly systems, which are systems to support achieving compatibility between work and family, such as child care leave systems. Double-tracked personnel management was designed to deal with the disparity between men and women in their separation rates at large corporations, but this disparity is still an issue because the system cannot adapt to changes in people's outlook concerning their life course. The career break system was a system aimed at making effective use of women with children before the child care leave system existed, but rather than being an alternative, the latter has a complementary relationship to the former. The primary focus of family-friendly systems is the child care leave system, but the system of short-time work when raising children is an important point that is linked to the short-time regular employee system. Determining how to evaluate staff members who are on leave or working shorter hours will be the key to ensuring that these systems become firmly established. The operation of these systems in such workplaces will lay the foundations that will enable measures to promote a better work-life balance, which have a broader scope than family-friendly systems, to become firmly established. The human resource management of part-time employees is also linked to issues in the human resource management not only of middle-aged women, but also of workers other than full-time regular employees. Thus, in recent years, the human resource management of women is increasingly encompassing issues common to all employees, whether male or female, full-time or part-time.

## I. Human Resource Management of Women before the Equality Act

Although it is a long-standing challenge, the human resource management of women is an issue at the very forefront of Japanese society. In the modern era, it has increasingly encompassed issues common to all employees, including men. To put it another way, pioneering measures to deal with these issues have come to be incorporated into and practiced in workplaces with a progressive approach to the human resource management of women. Looking at the history of the human resource management of women, it can be said that it has developed in response to changes in the typology of workplaces,<sup>1</sup> as shown in Figure 1. Of course, it can also be said that proactive reforms of human resource management have also brought about a change in the typology of workplaces. This paper examines transitions in the human resource management of women, focusing primarily on the period from the

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<sup>1</sup> See Wakisaka (1998a) regarding the typology of workplaces.

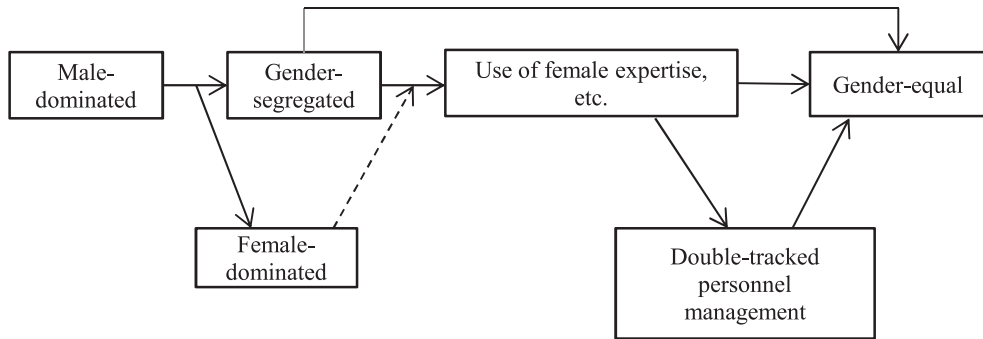


Figure 1. Development Stages in the Use of Women

1986 entry into force of the Equal Employment Opportunity Act (hereinafter referred to as the “Equality Act”). However, it does not touch upon the human resource management of part-time employees or human resource management pertaining to measures to promote a better work-life balance, both of which issues are closely associated with women.

Compared with other developed countries, a high proportion of women in Japan worked in days gone by. This was because many women were self-employed or family workers, working in sectors including agriculture, but it was only after the war that the number of working women employed at companies (and therefore subject to human resource management) increased. Even before the war, there were “*joko* (factory girls),” who were factory workers employed primarily in silk-reeling and spinning plants, and “*shokugyo-fujin* (office girls),” whom in modern times we would describe as white-collar workers.<sup>2</sup> There are many studies concerning the human resource management of factory girls. In addition, as shown below, first-hand accounts from office girls are recorded in the 1926 study entitled *The Lives of Office Girls* carried out by the Hiroshima Municipal Government Department of Social Affairs, from which the types of problem that arose in terms of human resource management can be seen.

“I’d like to be paid a monthly salary, rather than a daily wage, and I long for women to be treated equally in all respects.”

“There is little sense of friendliness between our superiors, such as departmental directors and section chiefs, and us lowly clerks. If we happen to have a bad boss, either our skills aren’t recognized or we frequently end up becoming entangled in unexpected problems, which cause us considerable anguish.”

“Holding lectures and courses—the most embarrassing thing since finding employ-

<sup>2</sup> *Shokugyou-fujin* were not necessarily only white-collar workers and the term was also used when referring to all female employees, but in general it referred to white-collar workers, as the term is used in the modern age. The study concerning office girls carried out by the Hiroshima Municipal Government Department of Social Affairs referred to in this sentence focused on female workers including teachers, clerical workers, typists, telephone operators, midwives and nurses. (*Anthology of Data from Studies of Workers’ Lives*, Vol. 5)

ment is my lack of education and general knowledge. Every time I feel this keenly, I wish that someone would hold truly substantial lectures on such matters as current affairs and ideological issues, or organize appropriate courses that provide a meticulous grounding (in matters that are necessary and important when working)."

"Convenient training centers—more than half of us work in order to earn money to pay for the costs of lessons that we are taking independently, so we want facilities that would enable us to take all our training courses in the same place, in order to save time."

"(Request for) the establishment of baby-minding and childcare facilities (brackets are author's own)."

At the time, most were primarily female-dominated workplaces in which numerous women worked together, but one can detect that the advance of office girls into male-dominated workplace was being seen. During the war, there was a time when female workers advanced into male workplaces in earnest, due to conscription; various conflicts occurred as a result, and problems associated with morals became an issue in human resource management.<sup>3</sup>

The words used to describe female labor in the postwar period changed as pseudo-Anglicisms became more prevalent. The acronym "BG (Business Girl)" was coined by author Chiyo Uno, while the weekly magazine *Josei Jishin* chose the acronym "OL (Office Lady)"; the factor behind the popularization of these terms was the sharp increase in clerical posts.<sup>4</sup> Women undoubtedly advanced into male-dominated workplaces, but in terms of the content of the work and careers within the company, they were mainly gender-segregated workplaces. In terms of the main focus of human resource management of women in large corporations, this was a period in which the main challenge for those in charge of personnel was how best to rotate unmarried women, who would resign upon their marriage.

Even if the workplace environments in which they worked and the skills required differed, the main point in common was the fact that in these workplaces, women were segregated from the work and careers of men. This situation began to change from the latter half of the 1970s. Signs of a change toward so-called "gender-equal" workplaces began to emerge. Having said which, this was not the case in most workplaces.

In 1978, the former Ministry of Labour (currently known as the Ministry of Health, Labour and Welfare) carried out a survey of workers who had at least a bachelor's degree. The survey was conducted among 4,700 business establishment, targeting those who had been hired between 1973 and 1977. At the time, although their numbers had increased, the university advancement rate among women was less than 10%, so female university graduates were an elite. Looking at the separation rate among women with five years of continu-

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<sup>3</sup> Wakisaka (1989a, 1989b.) looked at banks as an example of the feminization of the labor market during the war.

<sup>4</sup> For more details concerning the terms BG and OL, see Wakisaka (1997b).

ous service, of the business establishments in which workers had resigned (72%), almost 90% had a separation rate of at least 50%. Moreover, more than one-third of business establishments had a separation rate of at least 90%. In 41.5% of all business establishments, nine out of ten female university graduates resigned within five years. From this fact one can infer that, while there might perhaps have been women who resigned of their own volition due to marriage, it is unlikely that decent human resource management of female university graduates was being carried out at most of these companies. This was the situation during the era when university graduates were an elite minority, even at workplaces where there was considerable potential for gender equality.

Pioneering initiatives focused on creating gender-equal workplaces began to be seen from the latter half of the 1970s, in such environments as the shop floors at General Merchandise Stores (Wakisaka 1986). However, the real factors behind the acceleration in the emergence of gender-equal workplaces were the Equality Act, which entered into force in 1986, and the economic bubble that arose around that time, after Japan broke free from a recession caused by a strong yen. Workplaces emerged in which men and women did the same jobs and this ceased to be unusual. To put it in terms of the expression that became prevalent at the time, these working women were “career women,” and there was an increase in career-focused positions with a prospect of promotion, based on a consciousness of the double-tracked personnel management (DPM) that is described below.

## **II. The Outcomes of the Equal Employment Opportunity Act**

### **1. The Significance of the Equality Act**

Why did gender-segregated workplaces, in which the work and careers of men and women differed, emerge? According to the economic theory of statistical discrimination, which can be used to explain the differences between men and women in terms of work, the reason is as follows. Even if a company is able to gain a complete understanding of a woman's skills, it runs a considerable risk that the majority of women who are hired and entrusted with important work will resign, so it cannot use women. The risk is that if that company alone were to use women, it might lose out in the market to competing companies that only entrust important work to men. If all competitors ran the same risk in regard to the use of women, they would be competing on a level playing field, but the risk is high if just one company does it. Even if commentators say the companies that do not run this risk are not real enterprises, the fact that the majority of women hired resign within five years means that the risk is too great.

In this kind of situation, the law (with its coercive power) has considerable significance. In a situation in which the risk is too great for a single company, making all companies subject to a legally-binding requirement to avoid discriminating between men and women provides companies with the opportunity to employ competent women who will not resign. The Equality Act that entered into force in 1986 did not contain any provisions

Table 1. Outline of the Equal Employment Opportunity Act

Effective year	1999	1986
Official name	Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment	Act on Respecting the <u>Improvement of the Welfare of Women Workers</u> , including the Guarantee of Equal Opportunity and Treatment between Men and Women in Employment
Recruitment	Prohibited	Obligation to make an effort is stipulated
Deployment/Promotion	Prohibited	Obligation to make an effort is stipulated
Education and training	All education and training is covered.	Limited to education and training for providing basic skills (off-JT)
Sexual harrassment	Prohibited	No specific provisions
Positive Action (Positive measures to promote gender equality)	Stipulation of rules (national support for measures taken by employers)	No specific provisions
Obligation for health care before pregnancy and childbirth	Obligation stipulated	Obligation to make an effort is stipulated
Calling of the Conciliation Commission	The Commission may be called when either party applies for conciliation. Any disadvantageous treatment by reason of application for conciliation is prohibited.	Where either party applies for conciliation, the Commission may be called only when the other party gives consent. No specific provisions
Announcement of the names of companies failing to comply with recommendations by the Minister of Labour	Names are announced.	No specific provisions

regarding this, but the revised Equality Act that entered into force in April 1999 stipulated that there must be no discrimination between men and women in any form of education and training. What is called on-the-job training (OJT) is also included in this. OJT is the fundamental element in skills development and, consequently, is the basis that enables employees to demonstrate their abilities, so if disparities between men and women in this area are eliminated, substantial disparities between men and women in terms of deployment will also disappear, thereby speeding up progress along the path toward the full-scale utilization of women.

If the situation were to evolve in this way, the vicious circle of “Most women quit

even if we hire them” → “We can’t entrust important work to women” → “There is no work with any career prospects so women quit” → “So we really can’t entrust important work to women” will be broken and the chicken-and-egg situation of “Is it women or companies who are in the wrong?” can also be eliminated. It was anticipated that the positive action provision incorporated into the revised Equality Act of 1999 would also assist in accelerating equality (see Table 1).

## 2. Effects

Due to the effects of business cycles, it is not easy to ascertain what kind of impact the Equality Act has had on companies and the employment of women. For example, the latter half of the 1980s—the period after the enactment of the Equality Act in 1985—was the middle of the economic bubble. Accordingly, it is difficult to distinguish between the hiring and use of women that occurred because the economy was booming and there was a labor shortage, and that which occurred because of the effect of the law. The best way of gaining an understanding of this is to conduct numerous exhaustive case studies of companies and workplaces. However, it is also necessary to quantify at least some of these for discussion.

The author has carried out the task of compiling the EO points that indicate the level of equality of opportunity between men and women (and, latterly, the FF points in relation to the level of family-friendliness) on an ongoing basis. It is not possible to state objectively how many points are scored for which system and how many points are scored for which kind of situation unless one has amassed a number of studies. However, an academic discussion can be developed by stipulating the method used to compile the index and by interpreting the results of the analysis based on that index. The following provides an introduction to the EO point results using individual responses from the former Ministry of Labour’s Basic Survey on Women’s Employment Management. The EO points referred to here are a scoring system wherein companies that employ only men have a point deducted, while those that employ both men and women are awarded a point (Table 2).

Under this scoring system, large-scale companies and the finance and insurance sector have a high EO point score. Looking at changes in responses to the same question from 1989 to 1998 (Figure 2), one can see that the level of equality as expressed in terms of EO points is rising in general, apart from in the areas of recruitment, hiring and training. Scores for recruitment began to rise again in 1998 after a decline, while those for training have remained level. The reason why the EO point scores have fallen in the area of hiring is thought to be that this period was the “lost decade” following the collapse of the economic bubble, so the employment situation was difficult and the number of so-called “companies hiring only men” increased. Incidentally, under this scoring system, there is no change in the EO point scores of companies hiring neither men nor women. However, the fact that EO point scores in areas such as deployment are rising demonstrates that the employees that companies have at present are becoming more equal. This tendency is the same in all of the

Table 2. Compilation of the EO Point Score

Content	Scoring method
<ul style="list-style-type: none"> <li>• New graduates (university)/Recruitment status of clerical and sales staff</li> <li>• New graduates (university)/Recruitment status of technical staff</li> <li>• New graduates (high school)/Recruitment status of clerical and sales staff</li> <li>• New graduates (high school)/Recruitment status of technical staff</li> <li>• Mid-career employment recruitment status</li> </ul>	<p>In the event of the response "Same for all occupations and tracks," 1 point is awarded for the response "Recruiting both men and women," while 1 point is deducted for "Recruiting only women" and "Recruiting only men." In the event of the response "Differs depending on occupation and track," 1 point is awarded for the responses "Recruiting both men and women and recruiting only women," while 1 point is deducted for "Recruiting both men and women and recruiting only men," "Recruiting both men and women, recruiting only women, and recruiting only men" and "Recruiting only women and recruiting only men." 0 points are awarded for "No recruitment."</p>
<ul style="list-style-type: none"> <li>• New graduates (university)/Hiring status of clerical and sales staff</li> <li>• New graduates (university)/Hiring status of technical staff</li> <li>• New graduates (high school)/Hiring status of clerical and sales staff</li> <li>• New graduates (high school)/Hiring status of technical staff</li> <li>• Mid-career employment hiring status</li> </ul>	<p>In the event of the response "Same for all occupations and tracks," 1 point is awarded for the response "Hiring both men and women," while 1 point is deducted for "Hiring only women" and "Hiring only men." In the event of the response "Differs depending on occupation and track," 1 point is awarded for the responses "Hiring both men and women and hiring only women," while 1 point is deducted for "Hiring both men and women and hiring only men," "Hiring both men and women, hiring only women, and hiring only men" and "Hiring only women and hiring only men." 0 points are awarded for "No hiring."</p>
<ul style="list-style-type: none"> <li>• Deployment status in personnel, general affairs and accounting posts</li> <li>• Deployment status in planning, surveying and public relations posts</li> <li>• Deployment status in research, development and design posts</li> <li>• Deployment status in information processing posts</li> <li>• Deployment status in sales posts</li> <li>• Deployment status in retail sales and service posts</li> <li>• Deployment status in production posts</li> <li>• Implementation status of training for new staff</li> <li>• Implementation status of training for those in managerial posts (including those due to be appointed to such posts)</li> <li>• Implementation status of training to provide employees with the abilities required to perform their duties</li> <li>• Implementation status of training other than the above</li> </ul>	<p>1 point is awarded for "Deploying both men and women in all workplaces," while 1 point is deducted for "Have workplaces where only women are deployed" and "Have workplaces where only men are deployed," and 0 points are awarded for "No applicable divisions." (In the case of multiple responses, 1 point is deducted for responses consisting of "Have workplaces where only women are deployed" and "Have workplaces where only men are deployed," while 0 points are awarded for all other responses.)</p> <p>1 point is awarded for "All education and training is conducted for both men and women," while 1 point is deducted for "Some training was conducted solely for women" and "Some training was conducted solely for men," and 0 points are awarded for "No applicable education or training was conducted." (In the case of multiple responses, 1 point is deducted for responses consisting of "Some training was conducted solely for women" and "Some training was conducted solely for men," while 0 points are awarded for all other responses.)</p>

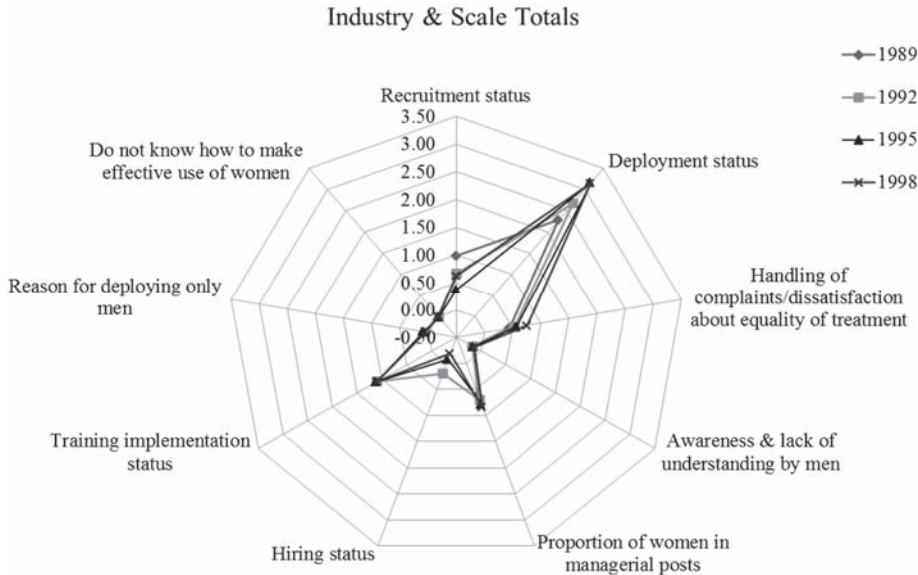


Figure 2. Changes in the EO Point Score

results, irrespective of industry or scale. To summarize, the surveys of companies show that equality progressed overall, at least during this period. Unfortunately, no analysis has been conducted since the revised Equality Act entered into force in 1999, but it is likely that this tendency has continued into the 21st century.

In the surveys of companies, it is possible that the responses show only the official stance, as they are completed by the person in charge of the personnel department, so the author would like to check the results by means of surveys of individuals, but there seem to be no surveys that systematically use the same questions. Let us look at the results of two surveys which have the same survey subjects (narrowed down to university graduates) and seven questions that are more or less the same: the 1991 Basic Survey on Women's Employment: Survey of Female Workers (Ministry of Labour) and the 1995 Survey of Female Workers Concerning Equal Employment Opportunities for Men and Women (Japan Institute of Workers' Evolution) (Wakisaka 2001b). Apart from the category "complaint or sexual harassment,"<sup>5</sup> equality was progressing in a positive direction in all areas. In particular, there was progress in equality in terms of the proportion of those seeking promotion and those who thought they would obtain it, the proportion of those obtaining the training and experience required for promotion, the proportion abiding by the "custom of resignation" (whereby women resign when they marry or have children), and the proportion of those with experience of workplace transfers that do not involve relocation.

<sup>5</sup> The increase in sexual harassment and complaints about gender equality can also be interpreted as demonstrating progress in terms of equality, given that women no longer meekly accept such situations or are no longer oblivious to them.



Table 3. Workplaces of Female University Graduates

1991 N=2,578 (500 people or more)					1995 N=544				
		Has an atmosphere that makes it difficult to remain					Has an atmosphere that makes it difficult to remain		
		Yes	No				Yes	No	
Has a custom of resignation	Yes	24.9	30.3	55.2	Has a custom of resignation	Yes	17.1	19.5	36.6
	No	7.5	37.4	44.8		No	7.2	56.3	63.4
		32.4	67.7	100.0			24.3	75.7	100.0

Has a custom of resignation and an atmosphere that makes it difficult to remain, by scale of business establishment (1991) (Regular employees only)

	Workplace			
	(a)	(b)	(c)	(d)
Business establishment				
500 people or more	23.5	30.1	8.3	38.1
100-499 people	18.6	26.8	8.0	46.6
30-99 people	18.0	26.9	8.0	47.1

In light of this, let us now look at a cross tabulation of whether or not there is a “custom of resignation” and “an atmosphere that makes it difficult to remain” (when continuing to work even after marriage/childbirth, etc.) (Table 3). The proportion of workplaces that have neither a custom of resignation nor an atmosphere that makes it difficult to remain increased from 37% to 56%. The proportion with both fell from 25% to 17%. However, it is certainly the case that even in 1995, ten years after the Equality Act entered into force, 17% of female university graduates working at large corporations responded that it was difficult to work in their workplace unless one was unmarried.

The results of these company surveys and individual surveys unmistakably demonstrate that equality seems to have progressed since the Equality Act entered into force. One of the contributory factors behind this, from the perspective of human resource management, was the system of double-tracked personnel management.

### 3. Double-Track Personnel Management

The system of double-tracked personnel management was introduced around the time that the Equality Act was enacted, primarily at large corporations. The Equality Act stipulates that there must be no distinction between men and women in hiring, so companies created the two options of “*sogo-shoku*” and “*ippan-shoku*” at the point of hiring, with core jobs being classified as “*sogo-shoku*” and ancillary jobs being classified as “*ippan-shoku*.” In addition, the *sogo-shoku* track was opened up to women, while men were also assigned to the *ippan-shoku* track. In order to cultivate the skills of capable women, those who intended to resign early were offered the *ippan-shoku* path, while those who intended to work

for many years were assigned to *sogo-shoku* posts. It would be fair to say that double-tracked personnel management was partly an attempt by companies to eliminate statistical discrimination.

Double-tracked personnel management as described here refers to the system of different occupational tracks. In practice, double-tracked personnel management is often also combined with such classifications as the place of employment and the potential for intra-company transfer. Typically, it is a category with a mixture of two elements, expressed as follows: “*sogo-shoku* consists of core posts that entail intra-company transfers” and “*ippan-shoku* consists of ancillary posts with no intra-company transfers.” However, there is also a system of limited relocation, in which the content of the work is the same and posts are classified solely according to whether or not the employee is subject to intra-company transfers, so in order to avoid confusion, academically speaking, it would be better to refer to double-tracked personnel management as the “occupational track system.” There is no potential for intra-company transfers at companies that have only one business establishment. However, the various statistics often do not distinguish between occupational track and whether or not there are intra-company transfers.

A detailed analysis of the reasons why companies have introduced double-tracked personnel management, based on survey responses by companies, is provided in Wakisaka (1996, 1997a). Approximately half of companies that had introduced such a system cited the reason for this as being “to respond to the Equality Act,” but more than half cited “other reason(s),” specifically “to make effective use of women” and “to respond to increasingly diverse attitudes.” When utilizing women in earnest, there are two types of situation. There are cases in which new female graduates are targeted and cases in which the focus is on existing female employees. In relation to new female graduates, in order to demolish statistical discrimination, whereby the investment in training is wasted if the company cultivates everyone in the same way, and therefore women can never be used effectively, companies respond to increasingly diverse attitudes among women by dividing them into the *sogo-shoku* staff category and the *ippan-shoku* category of those who are employed purely in support roles. Where the focus is on existing female employees, a path is established for them to switch from being utilized as *ippan-shoku* to being employed in *sogo-shoku* posts. At the risk of being repetitive, double-tracked personnel management has primarily been focused on large corporations. Even looking at the situation from 1995 to 2000, while 40–50% of enterprises with 1,000 or more employees had introduced such a system, only a few small-scale companies had done so. If the sole reason was to respond to the Equality Act, it would seem to be a good idea for small and medium-sized enterprises to introduce double-tracked personnel management as well.<sup>6</sup> Why have so many more large corporations

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<sup>6</sup> The reason why men and women are placed in the same staff category at small and medium-sized enterprises is likely to be either that the company is actually making effective use of women or that the company has no interest in the human resource management of women and it is just too troublesome to use separate staff categories.

Table 4. Separation Rates by Scale and Gender

Scale	Male (M)	Female (F)	F/M
1000–	14.1%	41.5%	2.94
300–999	13.4%	33.3%	2.49
100–299	18.3%	34.0%	1.86
30–99	15.6%	30.2%	1.94
5–29	16.1%	27.0%	1.68
Total	15.3%	31.8%	2.08

Source: Ministry of Health, Labour and Welfare, *Survey on Employment Trends 2009*.

Note: General workers.

Separation rate = Number of workers leaving posts/number of workers as of January 1, 2009.

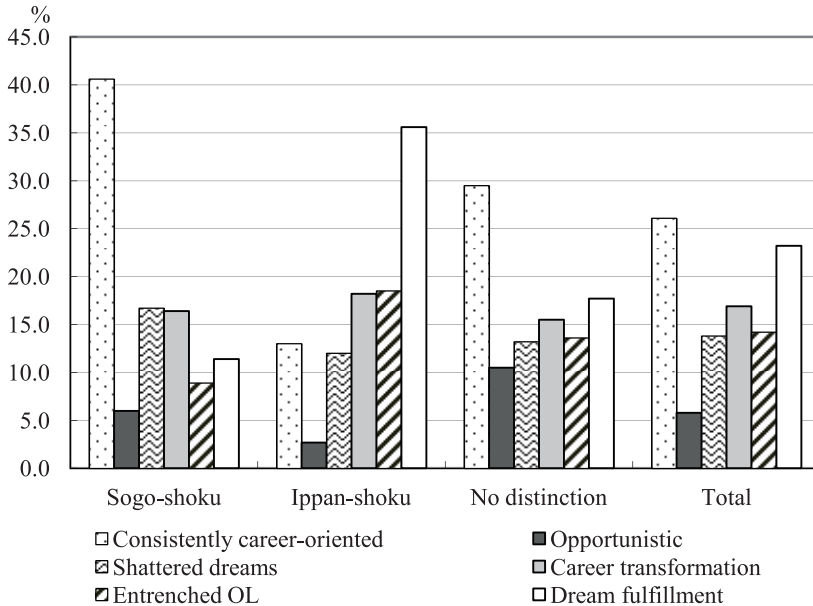
introduced double-tracked personnel management? The reason is thought to be related to the behavior of employees in leaving their jobs, as outlined below.

To see the reasons why large corporations often use double-tracked personnel management, it is helpful to look at the separation rate by establishment size.<sup>7</sup> Let us look at Table 4, which summarizes the 2009 Survey on Employment Trends. Companies are interested in disparities between men and women, and looking at the separation rates for men and women, there is a big disparity between them at large corporations. Consequently, there is an incentive for such companies to separate their occupational tracks.<sup>8</sup>

With regard to the hiring of new female graduates, according to studies carried out hitherto, there is a considerable mismatch in terms of the vocational awareness of women in *sogo-shoku* positions, even at the hiring stage, and, above all, many change their minds along the way. For example, let us look at a study conducted by the author in which he has tabulated a survey especially for this purpose. Looking at the situation seven years after graduation in relation to women who graduated from university in 1987, the largest number of women thoroughly settled in their jobs was accounted for by those in *sogo-shoku* positions, but it is not the case that they were decisively more numerous compared with companies

<sup>7</sup> More precisely, it is better to use the voluntary separation rate (quit rate), which excludes those who leave their jobs due to management circumstances. The quit rate for 1991 is known and is analyzed in Wakisaka (1997a). It is not possible to extract this information alone from the data for the 2000s, so the separation rates for both men and women are compared in Table 4. They have been calculated for 2002, 2005 and 2008, and all demonstrate the same tendency as seen in the figures for 2009.

<sup>8</sup> According to the 2010 Survey of Gender Equality in Employment Management, whereas 31.2% of companies with at least 1,000 employees felt the fact “the length of continuous service of women is short on average” to be a problem in promoting greater participation by women, this became less of a problem as the scale of the company decreased, with 24.0% of companies with 30–99 employees and 19.5% of companies with 10–29 employees stating that this was an issue for them.



Sources: Tokyo Metropolitan Institute of Labor (1994), special tabulation; Wakisaka (1997), table published has been amended.

Note: Classified into 6 categories according to change between job-seeking activities based on desire to continue working and current situation. Wish to work long term includes those who responded “for as long as possible” and “until the mandatory retirement age.” Wish to work short term includes those who responded “for as short a time as possible,” “until marriage” and “until child-birth.”

- Consistently career-oriented: Wish to work long term → Wish to work long term
- Opportunistic: Wish to work long term → Wish to work short term
- Shattered dreams: Wish to work long term → Not employed
- Career transformation: Wish to work short term → Wish to work long term
- Entrenched OL: Wish to work short term → Wish to work short term
- Dream fulfillment: Wish to work short term → Not employed

Figure 3. Changes among Women Who Graduated from University in 1987

without a track-based system. Moreover, in the case of *ippan-shoku* as well, quite a few women had become or were becoming settled in their jobs. Looking at changes in career orientation by type, comparing the situation before finding employment and the situation seven years later (Figure 3), one can see that the attitudes of many women have changed, irrespective of whether they are in *sogo-shoku* or *ippan-shoku* posts. Double-tracked personnel management has the flaw that it cannot respond to this kind of situation. (Wakisaka 1996, 1997a)

#### 4. The Career Break System for Women

The 1985 Equality Act had mechanisms designed to make it possible to guarantee the effectiveness of gender equality (Ministry of Labour Women's Bureau 1986). These were provisions aimed at achieving a balance between family responsibilities and working life; as well as provisions carried over from the Working Women's Welfare Law, such as the child care leave system examined in Part 4, the act also prescribed a new system called the career break system for women, providing for "skills development to support re-employment" in Article 24 and "special measures for re-employment, etc." in Article 25. This imposed on employers the obligation to make efforts to implement a career break system for women, aimed at "women who had resigned due to pregnancy, childbirth, or child rearing."<sup>9</sup> The origins of the career break system for women can be traced back to the 1970s. In the latter half of the 1970s, following the oil crises, a system for opening the way for women who had resigned their posts to be re-employed became the focus of attention as a means of improving morale among existing female staff members, based on the concept of making effective use of women's skills in a way that is tailored to their life-cycle.

However, until the 1985 survey, the rate of introduction of this system was less than 10%. Subsequently, due to the efforts of the government to increase the prevalence of the system, against the background of the entry into force of the Equality Act, the 1988 survey showed that the rate had increased to 17%, but it leveled off in the 1990s and subsequently remained around the 20% level (Sato 2001). The enactment of the Childcare Leave Act and the popularization of the child care leave system were cited as the main reasons why introduction of the system leveled off.

But was this really the case? Looking at the results of analysis based on special tabulation of the 1996 Basic Survey on Women's Employment Management, there are no signs that the introduction of the child care leave system gave rise to a reduction in the rate of introduction of the re-employment system. Indeed, there was actually found to be a complementary relationship between the two systems. If one controls for such factors as the industry dummy, number of employees, proportion of women, and whether or not there is a labor union, there is a significant positive relationship at the 1% level between the child care leave system and the career break system (Career Break System Study Group 1998; Wakisaka 1998b). Moreover, looking at those using the systems at business establishments that have these systems, one can see that business establishments which have more users of the career break system than users of child care leave account for a quarter of the total, so it is certainly not the case that the career break system has been entirely replaced by child care leave.

So what is the complementary relationship in terms of the differences between these two systems? Sato (2001) cites two characteristics of the career break system. One is the

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<sup>9</sup> Incidentally, long-term nursing care was added in the 1995 revision, and the scope was extended to include men as well.

fact that it makes it possible to make effective use of the careers of employees who have to resign for some time due to family responsibilities or other reasons. Using former employees rather than relying on the mid-career employment market enables companies to obtain more accurate information. The second is that, while the introduction of leave not only for child rearing, but also for such purposes as providing long-term nursing care, volunteer activities, or education and training is not possible because there is a risk that the design of institutional arrangements will lose its flexibility, the career break system has the advantage that it can be introduced even if it is unclear when the employee will return. Thus, the child care leave system and the career break system can both be introduced, based on differences in the employees that they target and differences in the reasons for making use of these systems.

Incidentally, the introduction rate of the career break system was 20.7% in the 1996 survey, but by the time of the 2008 one, it had been introduced at 29.9% of business establishments (Ministry of Health, Labour and Welfare, Survey of Gender Equality in Employment Management).

### **III. Family-Friendly Policy**

If one considers that there are differences between the two groups in terms of latent ability and variation in the degree to which they become settled in their jobs, the measures that should form the basis for dismantling statistical discrimination are measures aimed at eliminating those differences. In the case of sexual discrimination, there is believed to be no difference in ability between men and women, so the government implements measures to support continuing employment of women, in order to ensure that the degree to which they become settled in their jobs reaches the same level as that for men. More specifically, these include such support measures as making it easier to take leave for the purposes of child rearing or long-term nursing care and providing subsidies for the development of nurseries for infants and young children. These measures form the path toward overcoming statistical discrimination, which is the root of modern discrimination.

While the government indicates the general direction that it wishes companies to take, it does not itself implement specific measures. Companies that voluntarily implement measures are known as “family-friendly” companies. These are companies that aim to enable employees to demonstrate their abilities, thereby improving productivity, by implementing measures that take employees’ family responsibilities into consideration.

The “family-friendly” concept began to be propounded by international organizations at the end of the 1970s, in connection with the equality of employment opportunities for men and women, and gradually spread throughout the EU (EC) and the USA. The background to the emergence of the “family-friendly” concept is the same in Japan as well, and in 1999, the then Ministry of Labour held the first Family-Friendly Companies Awards (Women’s Bureau, Ministry of Labour 1999). Family-friendliness began to become a cor-

nerstone of human resource management at the end of the 20th century and subsequently evolved into measures to promote a better work-life balance (WLB).

Family-friendly measures and equality measures in both Japan and the USA have become a corporate strategy aimed at improving productivity, at least in the long term. This is because taking such measures (as opposed to not taking them) entails the possibility that companies will hire and make effective use of good employees and that employee performance will improve as a result. Studies showing that measures aimed at achieving compatibility between work and family life increased productivity were carried out first in the USA and the UK, with a body of research on this topic later being accumulated in Japan as well.<sup>10</sup>

Looking at the results obtained by assigning scores for the level of family-friendliness (FF points), compiled in the same way as the EO points in Section II-2, large-scale business establishments, the electricity, gas, heat, and water supply sector, and the finance and insurance sector had high scores, while small-scale business establishments and the construction sector had low scores. This FF point score takes into consideration not only whether or not these systems exist, but also what the utilization rate of each type of family-friendly system was during the 1990s; many business establishments scored zero, because nobody was using the systems. The scoring system gave large corporations an advantage, as there is a strong likelihood of various family-friendly systems being required at large corporations, which have many employees.

Looking at the situation by industry, although at first glance the results appear to be the same for the EO point and FF point scores, closer scrutiny reveals differences between them. Although the electricity, gas, heat, and water supply sector emerges as the top sector by a long way in terms of the family-friendliness index, it is only just above average in terms of the equality index. Moreover, while the family-friendliness index scores for the wholesale and retail sector, catering establishments, the real estate sector and the service industry are just about average, these sectors receive high scores in the equality index.<sup>11</sup>

## **IV. The Importance of the Child Care Leave System**

### **1. The System and Its Use**

The child care leave system is a key point in situations in which women's (and men's) career development is interspersed with time spent bringing up children; it tests the very essence of family-friendly companies and is also an important part of WLB measures.

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<sup>10</sup> Matsubara and Wakisaka (2005, 2006a, 2006b) provide summaries of the status of such studies up to around 2005. Subsequently, numerous studies were published in Japan as well, including the Economic and Social Research Institute, Cabinet Office (2009), Sato and Takeishi (2008), and Yamamoto and Matsuura (2011).

<sup>11</sup> Wakisaka (2001a) made it easier to obtain information by using the EO and FF point scores to analyze the situation.

However, as it has come to be perceived as entailing high costs for companies,<sup>12</sup> child care leave did not become prevalent at workplaces until the Childcare Leave Act entered into force in 1992. Looking at transitions in the popularization of the child care leave system, it became prevalent at quite a few business establishments, due in part to the influence of the Childcare Leave Act that entered into force in 1992 and the revised Child Care and Family Care Leave Act of 1999. As of 2010, 68.3% of business establishments had a child care leave system (at business establishments with at least five employees; the proportion was 90.0% among those with at least 30 employees). Larger business establishments are more likely to have this system, and it was in place among all business establishments with at least 500 employees.

Looking at the results for fiscal 1996, for which a special tabulation has been compiled focusing on the differences in child care leave take-up rate according to whether or not the company has a child care leave system, there is a considerable difference between the two, with a take-up rate of 68.2% among companies with such a system, and 37.2% among those without. Thus, one can see that although it is not the case that it is completely impossible to take child care leave without a system in place, it is much easier to take it if such a system exists. Even in more rigorous analysis, it is clear from the author's research that the existence of a child care leave system increases the child care leave utilization rate (Wakisaka 2001a).

The child care leave utilization rate (number of women taking child care leave/number of women giving birth) has risen rapidly, increasing from 49.1% in 1996 to 70.6% in 2004, and reaching 83.7% (at business establishments with at least five employees) in 2010. The utilization rate among men is low, but it has risen sharply from 0.12% in 1996 to 1.38% in 2010.<sup>13</sup> However, only the proportion of women making use of child care leave and continuing to work has increased, while there has been no change in the proportion of women continuing to work after marriage/childbirth (proportion continuing their employment) (Figure 4), so the female labor force participation rate by age is still an M-shaped curve (Figure 5). The reason why the proportion continuing their employment remains unchanged even though the female child care leave take-up rate is rising is that 70–80% of women resign before becoming pregnant or giving birth.<sup>14</sup>

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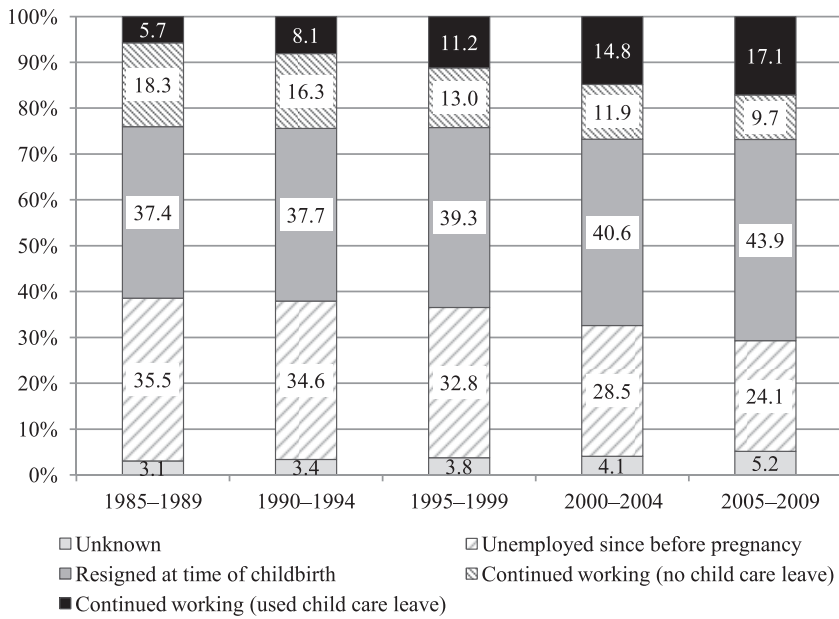
<sup>12</sup> As it is a system of unpaid leave, there are no labor costs involved. Social insurance premiums are also waived basically in most cases. The main cost relates to finding someone to take over the duties of the person on leave, but this is the same whether an employee is absent from work or resigns.

<sup>13</sup> For further details concerning child care leave for men, see Sato and Takeishi (2004), as well as Wakisaka (2010).

<sup>14</sup> Consequently, in Wakisaka (2001a), the number of female employees is used as the denominator for the child care leave utilization rate, rather than the number of women giving birth.

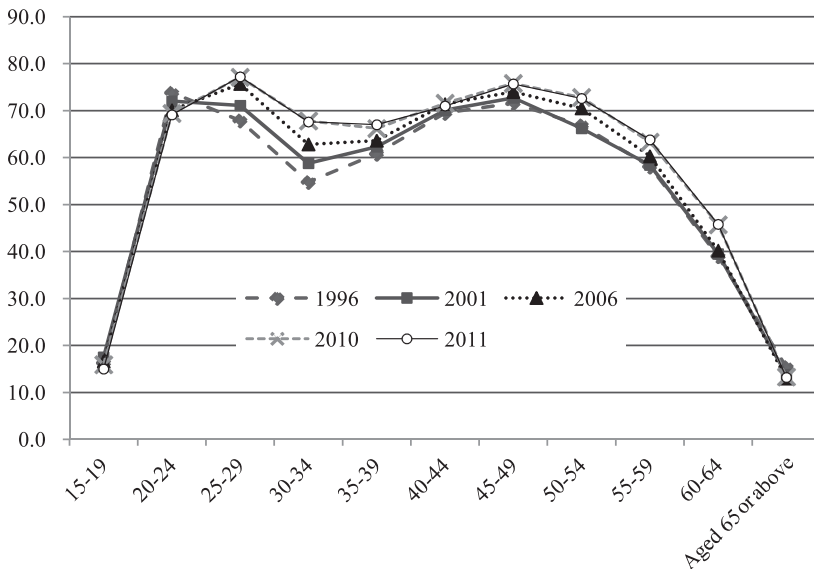


# Changes in Human Resource Management of Women after the 1985 EEOA



Source: Compiled from National Institute of Population and Social Security Research, *14th Japanese National Fertility Survey (Survey of Married Couples) 2011*.

Figure 4. Employment Status at the Time of the Birth of Their First Child among Women with Experience of Working before Giving Birth (by Year of Childbirth).



Source: Compiled from Ministry of Internal Affairs and Communications, *Labour Force Survey*.

Figure 5. Women's Labor Force Participation Rate by Age Group

## 2. The Issue of Replacement Personnel

The challenges that arise from child care leave are (i) replacement personnel, (ii) income while on leave, and (iii) the deterioration of skill while on leave. According to a survey conducted in 2000 by the Japan Association for the Advancement of Working Women, “difficulty in securing replacement personnel” and “handling of replacement personnel after the original staff member returns to the workplace” were the main problems, accounting for 40–50% of responses. The second problem is in the process of being resolved. From April 1995, employment insurance paid a benefit equivalent to 25% of the wages of those taking child care leave; this figure was increased to 40% in 2001 and 50% (provisionally) from 2007.

Let us look at the first problem. What is done about replacement personnel in workplaces with people using child care leave? The examples of replacement personnel utilized hitherto during child care leave—including that taken by the author himself—can be broadly classified into the “Share Method” and the “Forward Rotation Method (Domino Method).”<sup>15</sup>

The method that involves sharing the work with the individual’s colleagues and increasing each person’s workload by small amount is called the Share Method. When the individual concerned returns to work, the situation returns to normal. The other involves serial movements of employees when a staff member takes leave. Let us call this the Forward Rotation Method. If a woman takes child care leave, the man or woman doing the next-easiest work to her is assigned her job to do. The original work of her successor is then assigned to the person doing the next-easiest work. In other words, in this workplace, each person is transferred in sequence to doing more advanced work. That is how this method works.

In order to gain a better understanding of the crucial issues of leave and making up for the absence of a staff member, let us look at the advantages and disadvantages of the Share Method and the Forward Rotation Method. The Share Method involves more intense labor if the workplace has only a few personnel among whom the work can be shared, so

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<sup>15</sup> See Wakisaka (2002). Although not numerous, there are two kinds of case that do not fall into either category. One is the method used at one company that provides a service delivering semi-prepared side dishes to people’s homes. It constantly maintains personnel who are not out on deliveries, in order to deal with staff members’ needs in relation to their children, for example. This is similar to the so-called “relief staff” or “utility staff” workers found at production sites. Accordingly, let us call this the “Relief Staff Method.” It is necessary for these relief staff to be thoroughly conversant with all matters, such as the various routes used by each of the staff members delivering to a certain region. This is a job that can be done only by workers with a certain level of experience and knowledge. The other involves a situation that is the reverse of the Forward Rotation Method (Domino Method). In the construction industry, for example, it is often the case that one cannot do a job unless one has an official qualification. Consequently, in the construction industry, which has a particularly large number of small and medium-sized enterprises, when a staff member with an official qualification takes child care leave, if none of the people below him/her have that qualification, it will become necessary for that person’s boss to do the work of the person taking child care leave.

having a certain number of people is a prerequisite. The conditions for the smooth implementation of this method are the fulfillment of this prerequisite and staff members helping each other out in the course of their work under normal circumstances. If there is an awareness that “it could be me,” with staff members thinking that they might have to take time off work for child rearing or long-term nursing care purposes one day, this will go even more smoothly, but one cannot expect employees with no prospects or plans for taking such leave to think this way. Consequently, although it is a good method for maintaining (or improving) productivity in the short term, there is little potential for it to lead to productivity improvements in the medium to long term.

The Forward Rotation Method accepts a minimum level of productivity decline in the short term (because workers are appointed to jobs to which they are unaccustomed), but aims for long-term improvements in workplace productivity. Looking at the situation in terms of its employee career development and skills development aspects, this is a good training opportunity because taking leave triggers the appointment of staff to more highly-skilled jobs. In order for this to work smoothly, it is important for the company or workplace to have at least a broad framework for a career path.

A survey conducted by the Economic and Social Research Institute, Cabinet Office and the Research Institute of Economy, Trade and Industry compared responses to those taking leave for at least six months in Japan, the UK and Germany. “Adjustment of the working hours of existing permanent employees” was the most common response adopted in Japan, cited by 47–51% of respondents. This was followed by “Revision of the content of duties based on existing staffing levels” at 32–34%, and “Adjustment based on interdepartmental transfer of permanent employees” at 31–33%. “Revision of the workload based on existing staffing levels” was in fourth place, at 23–27%. In contrast, in both Germany and the UK, “Revision of the workload” was top, at 41–54%.

### 3. The Deterioration of Skills While on Leave and Assessment of Staff on Leave

There is the question of the kind of disadvantages that taking leave can entail for the individual in question. Answering this question will enable us to understand the fundamental reasons why more men do not take child care leave.

One reason is the risk that the skills of the individual concerned will decline and become outdated while on leave. This is because this issue has an impact on the individual’s subsequent career. It differs depending on the occupation, but the question of how long a leave period—that is to say, how big a gap—has an adverse impact on one’s career is an important issue, both in research and practical terms. What is even more important than that is how to prevent this happening. The measures taken to avoid being behind the times include sending the individual concerned the company newsletter at regular intervals. However, a more crucial measure is perhaps to send them various communications and information from their colleagues and bosses.

Table 5. Assessment Method Used for Those Taking Child Care Leave and Their Assessment Results

	Assessment results of those taking child care leave			Total
	Above average	About average	Below average	
Conduct assessments of performance during the period after returning to work	6 4.7%	90 70.9%	31 24.4%	127 100.0%
Conduct assessments of performance during the whole period, including the period of leave	0 0.0%	30 31.3%	66 68.8%	96 100.0%
Conduct assessments based on ability at the current point in time	6 8.8%	52 76.5%	10 14.7%	68 100.0%
Use the mean value for all staff	0 0.0%	7 100.0%	0 0.0%	7 100.0%
Use the assessment immediately before they took leave	0 0.0%	12 75.0%	4 25.0%	16 100.0%
Use the lowest assessment score for the period of leave	0 0.0%	0 0.0%	25 100.0%	25 100.0%
Other	0 0.0%	7 46.7%	8 53.3%	15 100.0%
Total	12 3.1%	223 57.8%	151 39.1%	386 100.0%

According to a 2006 survey of members of the Japanese Electrical Electronic & Information Union (JEIU), 64.1% received company newsletters, 12.1% information from bosses, and 52.2% communications from colleagues.<sup>16</sup> However, the figures differ between the survey of those in managerial posts and the survey of individuals, so there is a possibility that information is not necessarily being shared.<sup>17</sup>

What is important from the perspective of the impact on an employee's career is

<sup>16</sup> In the results concerning a question about the support that 504 people who had returned from child care leave had received during their time away from work, 17.5% responded that they had received no particular support. However, it must be borne in mind that this was a sample that contained many companies with a history of providing child care leave under the umbrella of the JEIU.

<sup>17</sup> In the 2006 survey by the JEIU, the same questions were asked of union members who had returned to work after taking child care leave and those in managerial posts at the time of their return, so it provides valuable matched data. In terms of the things that 501 bosses of those who had taken child care leave had done during the leave period, 29.3% responded that they had "provided regular information about the company and/or work."

whether or not the period of leave is subject to assessment. Logic would suggest that this period should not be subject to such assessment, as the individual is not working, but there are quite a few cases in which it is included, due to the mechanical operation of the assessment system and distorted performance-based assessment. Let us compare the results of assessment of subordinates by managers who do include the leave period in the assessment and assessment by those who do not. As is evident from the results shown in Table 5, the assessments by managers who do not include the leave period in their appraisals are higher. Only managers who stated that they “conduct assessments based on skill at the current point in time” or “conduct assessments for the period after returning to work” gave assessment scores that were higher than average. On the other hand, 68.8%—over two-thirds—of managers who conducted assessments that included the leave period gave lower assessment scores than average.

## **V. Short-Time Work: Workload, Job Content and Assessment**

Based on the same 2006 survey by the JEIU, let us look at the work done by 216 people (mainly women) who were doing short-time work after returning to work following child care leave. The survey asked about whether the content of each respondent’s work had changed or was the same, compared to the situation before taking child care leave, and whether the workload was the same or had decreased. Looking at the results, 94 responded that their workload had decreased, fewer than the 103 who responded that it had not changed. 106 responded that the content of their work remained unchanged, which suggests that work content had changed in many cases.

Let us look at the relationship between the content of employees’ work, their workload, and assessment. Those who responded that “the content of my work has changed, but the workload is the same” compared with the situation before taking child care leave obtained the best assessment scores. The reason for this is unknown. The next-highest scores were obtained by those who responded “the content of my work is the same, but my workload has decreased.”

Next, let us examine the relationship between the method of assessment used for short-time workers and the actual assessment results (Table 6). In all eight cases in which the employees had obtained higher assessment scores than the average for that workplace, their boss had carried out “assessment based on performance per hour worked.” Bosses who rated “less flexibility,” “easier content” and “reduced workload” negatively also gave lower scores in the actual assessment. The method and operation of assessments of this short-time work system for child rearing is a crucial issue to be tackled when seeking to popularize the short-time regular employee system in areas other than child rearing and long-term nursing care. According to the 2010 Survey of Gender Equality in Employment Management, 13.4% of business establishments employed short-time regular employees, and there was not a great difference in terms of scale between the proportions of business establishments

Table 6. Assessment Methods and Assessment Results for Short-Time Workers

	Above average	About average	Below average	Total
Assessment based on performance per hour worked	8 7.1%	73 64.6%	32 28.3%	113 100.0%
Having less flexibility is rated negatively	0 0.0%	12 54.5%	10 45.5%	22 100.0%
Having easier work content is rated negatively	0 0.0%	0 0.0%	6 100.0%	6 100.0%
Having a reduced workload is rated negatively	0 0.0%	10 45.5%	12 54.5%	22 100.0%
Other	0 8.0%	11 128.0%	6 73.0%	17 207.0%
Total	3.3%	60.3%	35.3%	100.0%

employing such workers.<sup>18</sup>

## VI. Conclusion

Looking at the history of the human resource management of women, the use of part-time workers and WLB measures have developed an increasingly important relationship in recent years. It has not been possible to expand upon this here, due to space constraints, but many studies of this topic have been carried out, including by the author (Wakisaka 1997c; Wakisaka and Matsubara 2003; Gakushuin University Research Institute for Economics and Management 2008, etc.). In the future, the former will be relevant not only to women, but also to casual work by men and short-time work by elderly people, while the latter will be relevant to reforms of men's working style. Consequently, it seems likely that the human resource management of all workers, including men, will progress along a similar path to that along which the human resource management of women has already traveled.

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<sup>18</sup> Matsubara (2004, 2012) contains detailed descriptions of the short-time regular employee system. In addition, the Ministry of Health, Labour and Welfare website carries the Support Guide for the Introduction of the Short-Time Regular Employee System, which provides a detailed guide to business cases and key points to bear in mind when introducing such a system.

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