

## Abstracts

### The Premiums Collection Law and Its Present Problems

**Kenichiro Nishimura** (Professor Emeritus, Kyoto University)

This paper mainly discusses some senses of “labor insurance” according to the Act on the Collection, etc. of Insurance Premiums of Labor Insurance of 1969 (hereinafter referred to as the “Premiums Collection Law”). According to this law, “labor insurance” refers to two kinds of insurance: industrial accident compensation insurance, and employment insurance (at that time, unemployment insurance). At that time, an important issue to be solved was the application of these two kinds of insurance in small enterprises, in which fewer than five workers were employed. The problem was how to reduce the burden of this extension. The Premiums Collection Law was established for that reason. Furthermore, this paper discusses some of the latest important reforms in the area of industrial accident compensation insurance and employment insurance.

### Labor Insurance for Multiple Jobholders

**Naoko Kono** (Kyoto Prefectural University)

In recent years, there has been a movement to encourage multiple jobholding. This paper focuses on a number of legal issues from the perspective of labor insurance (industrial accident compensation insurance and employment insurance) for multiple jobholders who take a second job and side job. In 2020, the Industrial Accident Compensation Insurance Act was amended to allow multiple jobholders to receive more generous insurance benefits in respect of employment injuries and commuting injuries. On the other hand, there are more complex issues with the Employment Insurance Act when considering benefit requirements and benefits. On a trial basis, the amendment provided job applicant benefits to multiple jobholders over the age of 65 who work for a total of 20 hours a week at part-time jobs. It is necessary to consider whether all multiple jobholders who work at part-time jobs should be insured persons for employment insurance. There is also a view that support should be provided to job seekers who are not eligible for employment insurance, such as the support system for job seekers. In addition, it is important to stabilize the standard of living for multiple jobholders who are not covered by labor insurance, such as freelancers. This is an issue to be considered in the future.

### “Special Insurance” in Workers’ Compensation in Japan: The Relationship between Independent Contractors and Workers’ Compensation

**Ryosuke Jigami** (Osaka University)

The workers’ compensation (WC) system in Japan was established for employees covered by the Labor Standards Act as mandatory social insurance contributed to by employers who are liable for injured employees. Later, some types of independent contractors who ought to be protected in the same manner as employees by taking their actual jobs and probability of suffering injury into consideration were covered by “special insurance” in the WC system. Specifically, it covers independent cab or truck drivers or independent contractors who are engaged in the construction industry. They can be treated in the same manner as employees when they are members of an association of the same type as covered independent contractors and the association has made an application (the “association” system). They are required to pay insurance premiums. Because the special insurance is treated as an exception to the original WC system and independent contractors are not directed or controlled by employers, coverage of independent contractors is limited by law, and administrative agencies and courts often make strict judgments regarding covered independent contractors when they decide whether an injury occurred “in the course of” their business. How their freedom from an employer’s direction or control is taken into consideration to decide whether they were injured “out of” their business is also a difficult question. The association system may be an effective system for avoiding injuries, but it also contains some practical problems. However, these restrictions or problems may be solved, at least in part, if the

absolute view that the special insurance should not be expanded over the original WC system were amended and if some merely technical problems were solved. An analysis of the special insurance is also helpful for planning the construction of a new system to protect more independent contractors.

#### The Effects of Unemployment Insurance: A Review of Recent Research

**Miki Kohara** (Osaka University)

**Yanni Shen** (Osaka University)

This paper discusses the effects of unemployment insurance (UI) on employment outcomes for UI recipients, while reviewing the recent literature in the field of UI. The survey focuses on the following three perspectives. First, we focus on short-term effects during job search periods. Specifically, we summarize how the provision of UI benefits affects recipients' employment rates over unemployment periods. Second, we focus on long-term effects of unemployment benefits after unemployment periods. Specifically, we summarize how the provision of UI benefits affects post-unemployment job quality. Third, we discuss possible job-seeking behaviors behind the short- and long-term effects. Finally, we propose necessary future research topics and statistical evidence in order to design better UI settings in Japan.

#### The Support for Specified Job Seekers Act as a Second Safety Net

**Kosuke Marutani** (Kyushu University)

Ten years have passed since the enactment of the Support for Specified Job Seekers Act, which was enacted in the wake of the 2008 financial crisis. Until the enactment of the Act, income security for the unemployed was a blank zone, with only unemployment insurance benefits provided under the Employment Insurance Act and livelihood support provided under the Public Assistance Act. Many unemployed people were in this vacuum and could not obtain any kind of income security. In some cases these people could not receive appropriate job skills development despite their high motivation and ability to work. Therefore, the Support for Specified Job Seekers Act provides a "second safety net" to fill the void by providing income security benefits to those who take the newly established job seeker support training to make it easier for them to take the training. Ten years after the law was enacted, the current trainees and beneficiaries have changed from what was originally envisioned. This paper proposes to reconstruct the vocational development system and income security system from the perspective of individual rights, referring to the system in the United Kingdom. It is suggested that the system of vocational development should be strengthened from a comprehensive labor market-guided perspective, and that the system of income security should provide detailed support by redefining its ambiguous nature of being neither social insurance nor public assistance in terms of income security, and by creating a system that responds to disincentives to work. Rather than creating a new "second safety net," we should reconfigure the Welfare Protection Law to make it more flexible and easier to use, which has the potential to change the major framework of Japan's social security law.

#### Factors Determining Work Engagement in Jobs Not Based on Employment: Comparative Analysis of Regular Employees and Freelancers

**Nobutaka Ishiyama** (Hosei University)

A work style that does not depend on traditional forms of employment has been receiving attention over the last few years, but its definition is quite ambiguous; this study defines someone who works in this way as being a person who works independently and lends his/her expertise and skills in exchange for compensation and is not committed to any specific employer or an organization. This study concurrently analyzes data on freelancers and workers associated with traditional forms of employment (employees) to compare work engagement levels between the two groups and elucidate the mechanisms among the factors that determine these levels. The results of the analysis indicate that the level of work engagement in freelancers is higher than that in employees after adjustment by propensity score

matching. This difference arises because the determinants of career self-reliance, expertise, and creativity are higher for freelancers than for employees, and not because the mechanisms of work engagement determinants between the two are different. Also, there exists a mechanism that enhances work engagement, and that stems from career self-reliance. Policy-making discussions on freelancers should not only consider protection against insecurity and uncertainty, but also focus on the promotion of mechanisms stemming from career self-reliance.