

# A Comparative Study on Employment Policy Target for Persons with Disabilities: Japan, France, and Germany

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In Europe, the statutory employment rate of persons with disabilities in the private sector under the mandatory employment system in 2021 is 6% in France and 5% in Germany. In Asia, it stands at 3.1% in South Korea, 1% in Taiwan, and 1% in Thailand. It has been noted that Japan's statutory employment rate (2.3%) is lower than those of France and Germany, whose systems are modeled on when Japan designed its own system. However, a simple comparison would not be accurate because the size of the disabled population may vary from country to country, and in the first place, the definitions of persons with disabilities differ among countries. This paper estimates the size of the population of those who could potentially be persons with disabilities in Japan, France, and Germany in a manner that allows for meaningful comparison, and then compares these three countries in terms of how they define the persons with disabilities targeted by their employment policies, the policy coverage, and the extent to which those with disabilities are included in the workforce. The results of the comparison reveal that while Japan has a relatively wider range of those who could potentially be persons with disabilities but are not covered by the employment policy, it provides employment opportunities for persons with more severe functional disabilities than France and Germany.

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## I. Introduction

In 1960, Japan introduced a mandatory employment system (a system under which employers with a certain number of regular employees have the duty to employ persons with disabilities at a statutory employment rate) modeled on that of European countries, such as France and Germany, with the aim of expanding the employment of those with disabilities through the mandatory employment approach (Hasegawa 2018, 196). Subsequently, the scope of those with disabilities covered by the mandatory employment system was expanded to include persons with intellectual disabilities (law amendment in 1997) and persons with mental disabilities<sup>1</sup> (law amendment in 2013) in addition to persons with physical disabilities,<sup>2</sup> and the statutory employment rate was successively

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increased accordingly.<sup>3</sup> Furthermore, through the amendment to the Act to Facilitate the Employment of Persons with Disabilities upon the ratification of the Convention on the Rights of Persons with Disabilities, Japan's employment policy for those with disabilities adopted the anti-discrimination approach in addition to the mandatory employment approach.<sup>4</sup> In France and Germany as well, the introduction of the mandatory employment approach preceded the adoption of the anti-discrimination approach, which is a relatively recent development.<sup>5</sup>

On the other hand, the statutory employment rate for persons with disabilities in the private sector differs among countries, standing at 6% in France, 5% in Germany, 3.1% in South Korea, 1% in Taiwan, and 1% in Thailand (Nakagawa 2021, 12n17). Japan's statutory employment rate of 2.3% is lower than the rates in France and Germany, whose systems Japan used as a reference when designing its system. However, it makes no sense to simply compare these rates. The statutory employment rate a country adopts is usually set by taking into consideration the ratio of the disabled population to the labor force participation population in the country. In the first place, the definitions of persons with disabilities differ and consequently the size of the disabled population could vary from country to country.

This paper estimates the size of the population of those who could potentially be persons with disabilities in Japan, France, and Germany in a manner that allows for meaningful comparison, and then compares these three countries in terms of how they define the persons with disabilities targeted by their employment policies, the policy coverage, and the extent to which those with disabilities are included in the workforce. In this paper, the employment policy for persons with disabilities is regarded as consisting of both the mandatory employment approach and the anti-discrimination approach,<sup>6</sup> and those covered by these approaches are defined as "persons with disabilities covered by the policy."

## II. Review of previous studies and analytical model in this study

Kudo (2008, 6) points out that in order to measure the effectiveness of an employment policy for persons with disabilities, it is appropriate to apply the "employment rate of persons with disabilities," with the disabled population during the working-age period as the denominator and the number of employed persons (*shugyo-sha*) with disabilities as the numerator. As the reason for this approach, Kudo states that it is assumed that there are many cases where persons with disabilities are not in the labor force due to a delay in the adjustment of their employment conditions and work environment, and that the labor force participation rate and the unemployment rate are not effective as a basic indicator for identifying the macro conditions of the labor market. Citing the "Survey on the Employment of People with Physical Disabilities, People with Intellectual Disabilities, and People with Mental Disabilities" conducted by the Ministry of Health, Labour and Welfare (MHLW) (2008), Kudo estimates the employment rate for those with disabilities in Japan to be 40.3% and points out that there is no significant difference compared with the rates in other OECD countries (Kudo 2008, 7).

However, the group of persons with disabilities employed in each country may differ due to the difference in the persons with disabilities targeted by the country's employment policy. Nakagawa (2021) assumed that the degree of functional disability of individuals is inversely proportional to their productivity (ability to perform their jobs) and that they are employed in order of productivity. Based on this assumption, he compared three data sets from Japan, France, and Germany, namely, the ratio of the disabled population to the working-age population, the statutory employment rate, and the actual employment rate (the ratio of those with disabilities actually employed by companies), and analyzed which groups are targeted by each country's mandatory employment system and the percentage of them undergo transition to general employment (Nakagawa 2021, 11–13). According to this analysis, the percentage of those with disabilities in the population aged 20–65 in Japan (4.4%) is lower than the percentage in France (16.0%) and Germany (18.0%). On the other hand, the ratio calculated by dividing the statutory employment rate by the percentage of the disabled population is 52.3%, which is higher

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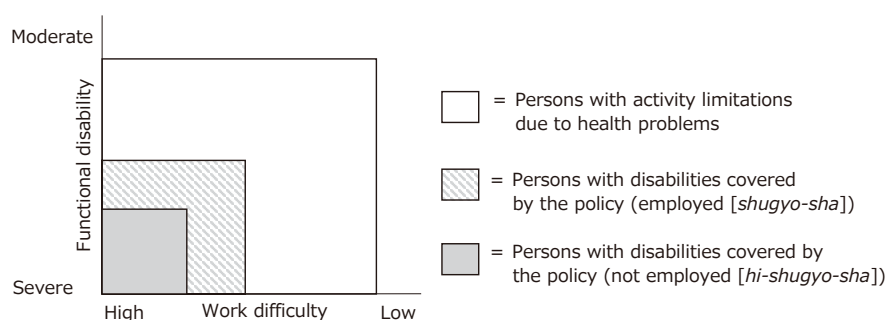
than in France (37.5%) and Germany (27.8%). Based on these facts, Nakagawa points out that Japan's employment policy targets a wider group of persons with disabilities including those with more severe functional disabilities. In addition, he also points out that, as the ratio calculated by dividing the actual employment rate by the percentage of the disabled population is 93.5% in Japan, which is higher than in France (55.0%) and Germany (82.0%), Japan has achieved the transition of a relatively high percentage of persons with disabilities among the targeted groups to general employment. The analytical model presented by Nakagawa (2021) is very suggestive as it successfully visualized the differences in the group of persons with disabilities targeted by each country's policy.

However, as Nakagawa (2021) indicates, this analysis leaves the following issue regarding the statistical data used. Essentially, in order to analyze the scope of persons with disabilities covered by each country's policy, it is necessary to compare the population of those targeted by the policy, rather than the population in statistics (Nakagawa 2021, n18), because not all persons with disabilities in the statistics in a country are targeted by the country's policy.

Furthermore, as in the case of the analysis by Kudo (2008), there is another issue in that different countries have different definitions of persons with disabilities in their statistics, which makes it difficult to compare the disabled population. Looking at the data of disabled population used by Nakagawa, data for France and Germany are cited from Katsumata (2010, 141, table 2). These data are statistics on persons with disabilities based on the subjective evaluation of persons with disabilities. In contrast, the disabled population in Japan is estimated based on a survey of those certified as persons with disabilities, which is not based on the subjective evaluation.<sup>7</sup> For this reason, the percentage of the disabled population in Japan (4.4% of those aged 20–65) is very low compared to France (16.0% of those aged 20–64) and Germany (18.0% of those aged 20–64). In order to compare the extent to which the employment policy covers the disabled population in each country, it would be necessary to align the definitions of persons with disabilities to a comparable degree.

To address these issues, this paper compares the disabled population of persons with disabilities in Japan, France, and Germany according to the definition of “disability” given by the Statistical Office of the European Union (Eurostat) based on the International Classification of Functioning, Disability and Health (ICF). Specifically, it assumes the population of “persons with activity limitations due to health problems” as the maximum value of the disabled population in a country (III) and analyzes how many of those with disabilities are covered by the policy and which groups are employed (IV and V). Statistical data on persons with activity limitations due to health problems in France and Germany can be obtained from the EU Statistics on Income and Living Conditions (EU-SILC) (Eurostat 2017). For Japan, similar data are obtained from the National Institute of Population and Social Security Research (IPSS) “National Survey on Social Security and People's Life” (2017).

Furthermore, referring to the analysis by Nakagawa (2021) above, this paper presents an analytical model as shown in Figure 1, assuming that the degree of functional disability corresponds to the degree of work difficulty, and that persons with disabilities who have the least work difficulty are employed first.<sup>8</sup> This model compares the maximum value of the disabled population in a country, i.e., the population of those with activity limitations due to health problems, with the population of those covered by the country's policy, and the population of those who are employed, by area ratio (i.e., using ratios derived from the areas of corresponding visual representations). Here, since not all persons with activity limitations due to health problems are covered by the policy, the area of the population of those with disabilities covered by the policy is smaller than the area of the population of those with activity limitations due to health problems. Furthermore, since the government focuses on the severity of functional disability or the degree of work difficulty when certifying persons with disabilities to be covered by the policy, the scope of those covered by the policy can be represented by the square placed at the lower left of the figure (the sum of the shaded and hatched areas). Assuming that persons with disabilities who have the least work difficulty are employed first, those who are employed among those with disabilities covered by the policy



Source: Created by the author based on Nakagawa (2021, 13, Figures 5 and 6).

Note: It is assumed that the degree of functional disability (vertical axis) correlates with the degree of work difficulty (horizontal axis).

Figure 1. Analytical model used in this study

are placed at the upper right (the hatched area). The use of this analytical model is expected to clarify the differences in the groups of persons with disabilities covered by the policies in Japan, France, and Germany.

### III. Comparison of statistics on persons with disabilities, focusing on persons with activity limitations due to health problems

In international comparisons of the disabled population, it is important to align as closely as possible the different definitions of “disability” which exist across countries. Eurostat has four different definitions of “disability” based on the concept of the International Classification of Functioning in Living (ICF), one of which is “disability measured through a concept of general activity limitation” (Eurostat 2019). In order to investigate the applicability of this definition, Eurostat asks in the questionnaire: “For at least the past 6 months, to what extent have you been limited because of a health problem in activities people usually do? Would you say you have been... severely limited / limited but not severely or / not limited at all?” (Eurostat 2019; Nomura Research Institute 2020, 15). This question is called Global Activity Limitation Indicator (GALI) question and is used in the EU-SILC to survey the disabled population in EU member states (Eurostat 2017).

On the other hand, in Japan, the IPSS survey (2017) introduced a GALI-type question regarding barriers to daily activities in 2017 (Hayashi 2022,10). The survey asks: “For at least the past 6 months, have you been limited because of your health problem in activities people usually do?... 1. severely limited / 2. limited but not

Table 1. Percentage of “persons with activity limitations due to health problems” (as of 2017)

(Unit: %)

	Total	Severely limited	Limited but not severely	Age group
Japan	15.0	2.8	12.2	Aged 18–64
France	18.0	5.7	12.3	Aged 16–64
Germany	17.5	5.6	12.0	Aged 16–64
(Reference: Total of EU)	17.5	4.6	12.9	Aged 16–64

Source: Data for Japan are from Table 126 in the “National Survey on Social Security and People's Life” (IPSS 2017). Data for France, Germany, and the total of EU are from the “EU Statistics on Income and Living Conditions” (Eurostat 2017).

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severely / 3. not limited at all” (IPSS 2017).

Therefore, the population of persons with activity limitations because of health problems obtained from these two surveys (Eurostat 2017 and IPSS 2017) can be considered as the disabled population according to the common standard in Japan, France, and Germany.

Table 1 summarizes the data. It shows that the percentage of persons with activity limitations due to health problems among the working-age population was 15.0% in Japan, 18.0% in France, and 17.5% in Germany.

## IV. Scope of persons with disabilities covered by employment policies

### 1. Japan

The scope of persons with disabilities covered by the employment policy in Japan is prescribed in the Act to Facilitate the Employment of Persons with Disabilities. Article 37, Paragraph 2 of this Act limits the scope of persons with disabilities covered by the mandatory employment policy to those with physical disabilities, those with intellectual disabilities and those with mental disabilities, and this scope practically corresponds to the scope of disability certificate holders (physical disability certificate, rehabilitation certificate, and certificate of mental disorder) (Hasegawa 2018, 154–155). In issuing a disability certificate, whether a person is disabled or not is determined based on the physician’s diagnosis, depending on whether the person has a specified functional disability and whether the degree of the disability falls under any of the disability grades. On this occasion, the physician makes a judgment and prepares a medical certificate and opinion letter from a medical perspective based on the condition of the individual who applies for a disability certificate. However, when determining the change in the individual’s body part or mental function, the physician does not take into consideration the restrictions due to the environment surrounding the individual, such as daily activities and occupational life (Nakagawa 2018, 267–268). In this regard, France and Germany, which are presented below, have established a mechanism in which the individual may be covered by the mandatory employment system by evaluating the individual’s work difficulty even if an individual cannot be certified as a person with disabilities uniformly based on the degree of functional disability. Japan’s mandatory employment system, on the other hand, certifies an individual as a person with disabilities exclusively based on the degree of functional disability.

Then, what is the size of the population of persons with disabilities covered by the mandatory employment system and what is their employment rate? According to the “Survey on Difficulties in Living” (MHLW 2016), the number of those with disabilities who are covered by the mandatory employment system and who hold a disability certificate is 2,238,000 for those under 65 years of age, accounting for 2.4% of the population of the same age group (Table 2-1). Of those holding disability certificates under 65 years of age, 48.3% are physically disabled, 35.5% are intellectually disabled, and 26.5% are mentally disabled (Table 2-2).

Next, the population size of persons with disabilities who are eligible for measures to prohibit discrimination and provide reasonable accommodation is estimated. The scope of those eligible for these measures is defined under Article 2, item (i) of the Act to Facilitate the Employment of Persons with Disabilities, which includes those who do not hold a disability certificate. According to the guidelines for companies published by the MHLW, whether those who do not hold a disability certificate are eligible for these measures is confirmed based on a claimant’s certificate under the Act on Providing Comprehensive Support for the Daily Life and Life in Society of Persons with Disabilities, a medical care recipient certificate under the Act on Medical Care for Patients with Intractable Diseases, or a physician’s medical certificate indicating the name of disability or disease, such as schizophrenia, bipolar disorder, epilepsy, developmental disorder, higher brain impairment, etc. (MHLW, n.d.) Therefore, the population of “disability certificate holders,” “persons who do not hold a disability certificate but receive payment of independent living benefits,” “persons with developmental disorder,” “persons with higher brain impairment,” and “persons with intractable diseases” in the “Survey on Difficulties in Living” (MHLW

Table 2. Population size, breakdown by type of disability, and employment status of persons with disabilities covered by the policy in Japan

Table 2-1. Population size and certification status of persons with disabilities (2016)

(Unit: 1,000 persons, %)

	Population	Total	Holding a disability certificate	Receiving payment of independent living benefits (Note 1)	Suffering from developmental disorder, higher brain impairment, or intractable diseases (Note 2)
All age groups	127,042	6,344	5,594	338	412
	100.0	5.0	4.4	0.3	0.3
Aged less than 65	92,482	2,591	2,238	145	208
	100.0	2.8	2.4	0.2	0.2

Source: Created by the author based on the *Population Estimates* (Statistics Bureau, Ministry of Internal Affairs and Communications, 2016, Longitudinal data, Table 3), for population, and Tables 1 and 3 of the “Survey on Difficulties in Living (2016)” (MHLW 2016) for the number of persons with disabilities.

Notes: 1. Persons who do not hold a disability certificate but receive payment of independent living benefits under the Act on Providing Comprehensive Support for the Daily Life and Life in Society of Persons with Disabilities.

2. Persons who do not hold a disability certificate and not receive payment of independent living benefits, and are diagnosed as suffering from developmental disorder, higher brain impairment, or intractable diseases.

Table 2-2. Breakdown of persons with disabilities by type of disability

(Unit: 1,000 persons, %)

	Holding disability certificates	Physical	Intellectual	Mental
All age groups	5,594	4,287	962	841
	100.0	76.6	17.2	15.0
Aged less than 65	2,238	1,081	794	594
	100.0	48.3	35.5	26.5

Source: Created by the author based on Table 1 of the “Survey on Difficulties in Living (2016)” (MHLW 2016).

2016) may basically match the scope of persons with disabilities eligible for anti-discrimination and reasonable accommodation measures (Hasegawa 2018, 267–268). According to this survey, the population of those with disabilities under the age of 65 who fall within this scope is 2,591,000, accounting for 2.8% of the population of the same age group (Table 2-1).

Next, the employment rate of persons with disabilities covered by the policy is estimated. As mentioned above, in Japan, the scope of persons with disabilities eligible for the anti-discrimination and reasonable accommodation measures is slightly broader and includes those with disabilities covered by the mandatory employment system. Therefore, data was collected on the employment rate of persons with disabilities who are covered by both the mandatory employment system and the anti-discrimination and reasonable accommodation measures, i.e., disability certificate holders. Since Japan’s *Labor Force Survey* (conducted monthly by Statistics Bureau, Ministry of Internal Affairs and Communications, MIC) does not investigate the number of employed persons with disabilities, the percentage of persons with disabilities is estimated according to the “Survey on



Table 2-3. Employment status of persons with disabilities

(Unit: %)

	Disability certificate holder (aged less than 65)
Total	100.0
Employed ( <i>shugyo-sha</i> )	31.6
Regular employees	12.1
Job offering for persons with disabilities	3.5
Job offering for applicants other than persons with disabilities	8.6
Employees other than regular employees	15.5
Job offering for persons with disabilities	6.0
Job offering for applicants other than persons with disabilities	9.5
Self-employed	4.0
Persons other than the employed	68.4

Source: Created by the author based on Table 37 of the “Survey on Difficulties in Living (2016).”

Note: “Employed” above are the respondents who selected the followings when asked how they spend their daytime: “regular employees (job offering for persons with disabilities),” “regular employees (job offering for applicants other than persons with disabilities),” “employees other than regular employees (job offering for persons with disabilities),” “employees other than regular employees (job offering for applicants other than persons with disabilities)” or “self-employed.” “Persons other than the employed” include those who selected “spend time at home” (34.9%), “use day care services for persons with disabilities” (23.7%) (including users of support services for continuous employment services Types A and B), or “go to school” (9.7%).

Difficulties in Living” (MHLW 2016).<sup>9</sup> Based on the Table 37 in this survey, the respondents who selected “regular employees (job offering for persons with disabilities),” “regular employees (job offering for applicants other than persons with disabilities),” “employees other than regular employees (job offering for persons with disabilities),” “employees other than regular employees (job offering for applicants other than persons with disabilities)” or “self-employed” when asked about how they spend their daytime were recorded as employed persons (Table 2-3).<sup>10</sup> Although users of the support services for continuous employment—Type A (with employment contract) or Type B (without employment contract) —may appear to fall under the category of employed persons, they are not included in the employed persons because they are provided with opportunities to work within the framework of welfare services for persons with disabilities which cannot be considered as the effects of the employment policy for persons with disabilities. Based on the above, the employment rate of disability certificate holders (under the age of 65) is 31.6% (Table 2-3).

## 2. France

The scope of persons with disabilities covered by the mandatory employment system in France is defined by the Labor Code (Code du travail).<sup>11</sup> L.5212-13 of the Labor Code defines the following as persons with disabilities covered by the mandatory employment system: (i) people who are granted recognition of disabled worker status by the Commission of Rights and Autonomy of Persons with Disabilities (*Commission des droits et de l'autonomie des personnes handicapées*, CDAPH); (ii) beneficiaries of industrial accident pension; (iii) beneficiaries of disability pension; (iv) beneficiaries of disability military pension; (v) beneficiaries of disability allowance and pension for volunteer firefighters; (vi) disability certificate holders; (vii) beneficiaries of allowance for disabled adults; and (viii) bereaved families of war victims. Disability recognition is granted by the Center for Disabled People (*Maison départementale des personnes handicapées*, MDPH) established in each department. Departmental Centres for Disabled People (*Conseil départemental consultatif des personnes handicapées*, CDCPH) were established in 2005 as one-stop service centers for those with disabilities and are in charge of procedures for all kinds of supports and benefits. (Nagano 2013, 2018). In the disability recognition process, a

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physician at the Departmental Center for Disabled People evaluates the applicant's rate of disability from 0 to 100% according to "Guidelines for Evaluation of Impairment and Disability of People with Disabilities (*Guide-barème pour l'évaluation des déficiences et incapacités des personnes handicapées*)" based on the Code on Social Welfare and Family (*Code de l'action sociale et des familles*), and the Commission of Rights and Autonomy of Persons with Disabilities established in the Center recognizes the disability depending on the necessity of assistance. Beneficiaries of allowance for disabled adults and disability certificate holders<sup>12</sup> are recognized as persons with disabilities unconditionally if their rate of disability is 80% or more. Other people may be covered by the mandatory employment system if they are evaluated as having work difficulty on an individual basis and recognized as "disabled workers"(Haruna et al. 2020, 53–57, 60–66).

L.5213-1 of the Labor Code defines disabled workers as "any person whose possibilities to obtain or maintain employment are effectively reduced because of the impairment in one or more of their physical, sensory, mental, or psychological functions." In most cases, recognition as a disabled worker is granted only through document examination, but in cases where it is difficult to judge, a "multidisciplinary specialist team" consisting of vocational entry specialists, industrial physicians, nurses, and social workers, in addition to physicians affiliated with the Center, examines the applicant's work difficulty on a definite and individual basis, and then recognizes the applicant as a disabled worker (Haruna et al. 2020, 55). The disability recognition process in France is different from Japan's mandatory employment system in that it is based not only on whether an individual has a functional disability but also on whether the individual has work difficulty.

L.1132-1 of the Labor Code provides for the principle of anti-discrimination. This clause prohibits discrimination against people on the basis of their "disability" in addition to discrimination on the basis of their origin, sex, custom, age, family status or pregnancy, ethnicity, nationality or race, political convictions, trade union activities, religion, physical appearance, and gender. Reasonable accommodation is prescribed as "appropriate measures" in L.5213-6 of the Labor Code, and the scope of persons with disabilities eligible for "appropriate measures" coincides with the scope of those with disabilities covered by the mandatory employment system.<sup>13</sup>

What then are the population size and employment rate of persons with disabilities covered by the policy in France? Karube clarified the ratio of those recognized as persons with disabilities to the population and their employment status in France as of 2007 (Karube 2011, 105–110). This paper therefore attempts to update these data.

Out of the available data, the data as of 2015, which is relatively close in time, is used from the perspective of comparison with Japan. The population and employment status of persons with disabilities in France as of 2015 can be identified from the "Employment Survey" (*Enquête emploi*) conducted by the National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques*, INSEE) and the Directorate of Research, Economic Studies and Statistics (*Direction de l'animation, de la recherche, des études et des statistiques*, DARES). The "Employment Survey" uses two definitions: "persons with disabilities having an administrative recognition," who may be covered by the mandatory employment system, and "persons having a lasting health problem associated with the difficulty in daily activities," regardless of whether they have been granted an administrative recognition (DARES 2017, 8).

It should be noted that the number of "persons with disabilities having an administrative recognition" here includes those receiving disability compensation benefits (*prestation de compensation du handicap*, PCH) who are not covered by the mandatory employment system, so the number of "persons with disabilities having an administrative recognition" does not necessarily correspond to the size of the actual scope of those covered by the mandatory employment system (DARES 2017, 2). Although the specific type of "administrative recognition" cannot be ascertained in the "2015 Employment Survey," the difference between the number of "persons with disabilities having an administrative recognition" and the number of persons with disabilities covered by the



mandatory employment system is estimated to be about 200,000 according to the supplementary module of the “2011 Employment Survey” (DARES 2017, 2).

As of 2015, the number of “persons with disabilities having an administrative recognition” (aged 15–64) was 2,665,000, which is 6.6% of the population (Table 3-1). If the number of those not covered by the mandatory employment system included in this figure is assumed to be 200,000 (estimated as of 2011) and this number is excluded, the ratio of those with disabilities covered by the system to the population is approximately 6.1% (Table 3-1). Thus, the size of the population of those with disabilities covered by the policy in France can be estimated to be about 6.1%.

In addition, as of 2015, there were 938,000 employed persons among “persons with disabilities having an administrative recognition” and the employment rate was 35.2% (Table 3-2). The employment rate for these employed persons excluding those who are not covered by the mandatory employment system is unknown. The definition of an employed person is in accordance with the ILO, i.e. “a person who has worked at least one hour during the week covered by the survey” (DARES 2017, 10). Therefore, it is not limited to those who are employed under an employment contract, but also includes self-employed persons. It is not clear whether employed persons include persons with disabilities who are engaged in employment under the welfare scheme.

Table 3. Population size and employment status of persons with disabilities covered by the policy in France

Table 3-1. Population size and recognition status of persons with disabilities (2015)

(Unit: 1,000 persons, %)

	2015				
	Population	Persons with disabilities having an administrative recognition		Persons with disabilities covered by the mandatory employment system (estimate)	
			Ratio to population		Ratio to population
Aged 15–64	40,558	2,665	6.6	2,465	6.1

Source: Created by the author based on the Employment Survey (*Enquête employ*) (INSEE 2015) and DARES (2017, 2, Table 1).

Note: “Persons with disabilities covered by the mandatory employment system (estimate)” is “persons with disabilities having an administrative recognition” excluding an error of 200,000 persons (estimated as of 2011) who are not covered by the system.

Table 3-2. Employment status of persons with disabilities (2015)

(Unit: 1,000 persons, %)

	2015
Persons with disabilities having an administrative recognition (aged 15–64) (a)	2,665
Of which, labor force participation population (b)	1,152
Labor force participation rate (b / a)	43.2
Of which, employed (c)	938
Employment rate (c / a)	35.2
Unemployed persons in labor force participation population (d)	214
Unemployment rate (d / b)	18.6

Source: Created by the author based on the Employment Survey (*Enquête employ*) (INSEE 2015) and DARES (2017, 2, Tables 1; 4, Table 4; 7, Table 9).

### 3. Germany

The scope of persons with disabilities covered by the policy in Germany is defined in Book IX of the Social Code (Sozialgesetzbuch Neuntes Buch, SGB IX) (Bundesagentur für Arbeit 2022). Section 2 in this Book defines disability in three categories: (i) people with disabilities; (ii) severely disabled people with a disability rate of at least 50; and (iii) people with disabilities equivalent to severely disabled people (*gleichgestellte behinderte Menschen*). Among these, (ii) and (iii) are covered by the mandatory employment system (Section 151(1) and Section 154(1) of the same Book IX). The disability rate is certified based on a diagnosis given by a physician at the municipal assisting authority, and is expressed as a numerical value from 0 to 100. This certification is based on the ICF classification of body functions and body structures and is exhaustive, including pain, internal disability, systemic impairment, and impairment of skin and external appearance (Haruna et al. 2020, 52).

Those who are certified as having a disability rate of 50 or more are recognized as severely disabled persons and covered by the mandatory employment system. In addition, those with a disability rate of 30 or more but less than 50 who need support services (for new employment or continuous employment) may receive vocational rehabilitation (career support in cooperation with schools, job consultation, job training, and job placement) by Employment Agencies.<sup>14</sup> In this process, if the mandatory employment system is judged to be effective, they may be certified as “persons with disabilities equivalent to severely disabled persons” and covered by the mandatory employment system (Haruna et al. 2020, 66). Miner’s pension certificate holders are also counted as persons covered by the mandatory employment system (Section 158(5) of the same Book).

Reasonable accommodation measures are defined in Section 164(4) of the same Book as various claims against their employer (Takahashi 2011, 49). The following five items may be claimed: (i) utilization of skills and knowledge; (ii) preferential consideration in internal vocational training; (iii) facilitation for participation in external vocational training; (iv) maintenance of a disability-friendly workplace; and (v) equipping the workplace with the necessary technical work aids (Matsui 2013, 70). Those who may claim reasonable accommodation measures are severely disabled persons and those equivalent to severely disabled persons (Section 151(1) and Section 164(4) of the same Book), which corresponds to the scope of those with disabilities covered by the mandatory employment system.<sup>15</sup>

What then are the population size and employment rate of persons with disabilities covered by the policy in Germany? Karube (2011) clarified the ratio of severely disabled persons to the population and their labor force participation rate in Germany as of 2007 (Karube 2011, 70–74). This paper therefore attempts to update these data. Out of the available data, the data as of 2017, which is relatively close in time, is used from the perspective of comparison with Japan. Disability statistics in Germany consist of the Statistics of Severely Disabled Persons (Statistik der schwerbehinderten Menschen) compiled by the Federal Statistical Office (*Statistisches Bundesamt*) and the Statistics of the Federal Employment Agency (*Statistik der Bundesagentur für Arbeit*) compiled by the

Table 4. Population size and breakdown by disability type of persons with disabilities covered by the policy in Germany

Table 4-1. Population size of persons with disabilities (2017)

	2017	
	Severely disabled person	Ratio to population
Aged 15–64	3,254,905	6.0

Source: Created by the author based on the “Statistics of Severely Disabled People” (Statistisches Bundesamt 2017) and Bundesagentur für Arbeit (2019a, 7, Table 1.1).

Note: The number indicated above is “severely disabled persons” aged 15–64. Note that it does not include persons with disabilities equivalent to severely disabled persons or persons covered by other mandatory employment system.

Table 4-2. Breakdown by type of disability

(Unit: persons, %)

Severely disabled persons (total)	3,254,905	100.0
Physical disability	1,570,823	48.3
Loss or partial loss of upper or lower limbs	22,250	0.7
Functional limitations of upper or lower limbs	256,726	7.9
Functional limitations of the spine and trunk, thoracic deformation	215,923	6.6
Blindness and visual impairment	95,071	2.9
Speech or language disorder, hearing impairment, disorder of equilibrium	113,815	3.5
Loss of one or both breasts, disfigurement, etc.	82,676	2.5
Dysfunction of an organ or organ system	784,362	24.1
Mental or intellectual disability	988,620	30.4
Paraplegia	11,008	0.3
Cerebral seizures without neurological disorders of the musculoskeletal system (with mental disorders)	60,238	1.9
Organic seizures of the brain with neurological disorders of the musculoskeletal system (with mental disorders)	32,846	1.0
Cerebral mental syndrome without neurological deficits of the musculoskeletal system (brain dysfunction, organic personality changes), and symptomatic mental disorders	80,362	2.5
Cerebral mental syndrome with neurological disorders of the musculoskeletal system (brain dysfunction, organic personality changes)	112,185	3.4
Intellectual and developmental disabilities (learning disabilities, intellectual disabilities, etc.)	240,379	7.4
Endogenous mental disorders (schizophrenia, affective disorders)	153,970	4.7
Neurosis, personality disorders	255,097	7.8
Addictions	42,535	1.3
Others/ Unknown	695,462	21.4

Source: Created by the author based on the “Statistics of Severely Disabled People” (Statistisches Bundesamt 2017) and Statistisches Bundesamt (2018, 7-8, Table 2.1).

Note: Same as Table 4-1.

Federal Employment Agency (*Bundesagentur für Arbeit*) (Bundesagentur für Arbeit 2019a, 6). “Severely disabled persons” in the Statistics of Severely Disabled Persons, refers to severely disabled persons with a disability rate of 50 or more, and does not include those equivalent to severely disabled persons or other persons covered by the mandatory employment system. On the other hand, in the Statistics of the Federal Employment Agency, “severely disabled persons” includes severely disabled persons with a disability rate of 50 or more as well as those equivalent to severely disabled persons and others covered by the mandatory employment system (Bundesagentur für Arbeit 2019a, 5–6). Bundesagentur für Arbeit (2019a) clarifies the population of severely disabled persons as of 2017 based on the Statistics of Severely Disabled People (Bundesagentur für Arbeit 2019a, 7 figure 1.1). According to this material, the population of severely disabled persons aged 15–64 was 3,254,905, which represents 6.0% of the population aged 15–64 (Table 4-1). Therefore, it can be said that the ratio of persons with disabilities covered by the policy to the population in Germany is at least 6.0%. However, as mentioned above, the severely disabled persons in the Statistics of Severely Disabled People do not include those equivalent to severely disabled persons or others covered by the mandatory employment system. Thus, the population size of those covered by the policy may be larger than this. The breakdown of the severely disabled persons by type of disability is as shown in Table 4-2 (Statistisches Bundesamt 2018, 7–8 figure 2.1). Although a simple comparison cannot be made because the classification of disabilities in Germany differs from that in

Japan, it can be said that the percentage of those classified as physically disabled persons in Germany (48.3%) is generally comparable to the percentage of physical disability certificate holders in Japan (48.3%, Table 2-2).

Next, Federal Employment Agency (2019b) used the Statistics of the Federal Employment Agency to clarify the employment status of severely disabled persons (including those equivalent to severely disabled persons and other people covered by the mandatory employment system) as of 2017 (Bundesagentur für Arbeit 2019b, 175 table IV.G.8a). According to this material, the labor force participation population of severely disabled persons (including those equivalent to severely disabled persons and other persons covered by the mandatory employment system) was 1,403,714 persons, of which 1,241,341 persons were employed and 162,373 persons were unemployed, and the labor force participation rate (the ratio of the labor force participation population of severely disabled persons to the population of severely disabled persons) was 43.1% (Table 5-1). Employed persons are defined as workers and civil servants subject to social insurance contributions (Bundesagentur für Arbeit 2019b, 175 figure IV.G.8a n1). It is unclear whether persons with disabilities who are engaged in employment under the welfare scheme are included. Note that the Federal Employment Agency uses the data from the Statistics of the Federal Employment Agency (including those equivalent to severely disabled persons, etc.) for the labor force participation population of severely disabled persons (b in Table 5-1), while it uses the data from the Statistics of Severely Disabled People (excluding those equivalent to severely disabled persons, etc.) for the population of severely disabled persons (a in Table 5-1), which serves as the denominator (Bundesagentur für Arbeit 2019b, 175, table IV.G.8a 5). Therefore, the labor force participation rate may be higher than it actually is. The employment rate of severely disabled persons is 38.1% when calculated in the same way (Table 5-1). Therefore, the employment rate of those with disabilities covered by the policy in Germany may be estimated to be 38.1%. However, as in the case of the labor force participation rate, it should be noted that this figure is larger than the actual rate. Table 5-2 shows the number of employed persons by qualification under the mandatory employment system. It indicates that approximately 15% are covered by the system with qualifications other than “severely disabled persons” such as those equivalent to severely disabled persons, young disabled persons undergoing vocational training, and miner’s pension certificate holders (Bundesagentur für Arbeit 2019a, 15 figure 3.1).

Table 5. Employment status of persons with disabilities covered by the policy and breakdown of the employed by qualification in Germany

Table 5-1. Employment status of persons with disabilities (2017)

	(Unit: persons, %)
	2017
Population of severely disabled persons (a)	3,254,905
Labor force participation population of severely disabled persons (b)	1,403,714
Labor force participation rate (b / a)	43.1
Of which, employed (c)	1,241,341
Employment rate (c / a)	38.1
Of which, unemployed	162,373
Unemployment rate (Note 2)	11.7

Source: Created by the author based on the “Statistics of Severely Disabled People” (Statisches Bundesamt 2017) for (a), and the Statistics of the Federal Employment Agency (Bundesagentur für Arbeit 2017) and Bundesagentur für Arbeit (2019b, 175, Table IV.G.8a) for (b), (c), and (d).

Notes: 1. The number indicated above is “severely disabled persons” aged 15–64. Note that (a) does not include persons with disabilities equivalent to severely disabled persons or persons covered by other mandatory employment system, whereas (b), (c), and (d) include persons with disabilities equivalent to severely disabled persons and persons covered by the other mandatory employment system.

2. The ratio of the number of unemployed persons in 2017 to the labor force participation population in the previous year.

Table 5-2. Breakdown of the employed (“c” in Table 5-1) by qualification under the mandatory employment system

(Unit: persons, %)

Total	1,241,341	100.0
Persons employed by an employer with 20 or more employees	1,073,641	86.5
Severely disabled persons	882,454	71.1
Persons with disabilities equivalent to severely disabled persons	182,033	14.7
Job trainees	7,548	0.6
Miner’s pension certificate holders, qualification unknown	1,607	0.1
Persons employed by an employer with less than 20 employees	167,700	13.5

Source: Created by the author based on Statistics of the Federal Employment Agency (2017) and Bundesagentur für Arbeit (2019a, 15, Table 3.1).

## V. Comparison among Japan, France, and Germany, and consideration

Table 6 summarizes the ratio of “persons with activity limitations due to health problems” to the working-age population, and the ratio of persons with disabilities covered by the policy to the working-age population and their employment rate in Japan, France, and Germany. As to the employment rate, the employment rate of disability certificate holders was used for Japan, the employment rate of “persons with disabilities having an administrative recognition” was used for France, and the employment rate of severely disabled persons (including those equivalent to severely disabled persons and others covered by the mandatory employment system) was used for Germany, respectively. Based on this, the percentage of those with disabilities covered by the policy in the case where the percentage of persons with activity limitations due to health problems in the relevant country is 100% and the percentage of those employed are calculated (Table 7). Furthermore, when these figures are applied to the analytical model examined in section II above (Figure 1), Figure 2 is obtained.

Figure 2 shows that the area of persons with disabilities covered by the policy in Japan is smaller than that in France and Germany, visually revealing that Japan targets those with more severe degrees of functional disability compared with other two countries. It also shows that the group of employed persons (hatched area in the figure) is different among these countries. In other words, it is highly likely that those who are covered by the policy and employed in Japan may not be employed in France and Germany. It can be said that Japan provides employment opportunities for persons with more severe disability than France and Germany. On the other hand, there is a

Table 6. Comparison among Japan, France, and Germany

(Unit: %)

	Ratio of persons with activity limitations due to health problems to the working-age population	Ratio of “persons with disabilities covered by the policy” to the working-age population		Employment rate of “persons with disabilities covered by the policy”
		Reasonable accommodation	Duty to employ	
Japan	15.0	Japan 2.8	2.4	Japan 31.6
France	18.0	France Same as right	6.1	France 35.2
Germany	17.5	Germany Same as right	6.0	Germany 38.1

Source: Same as Table 1.

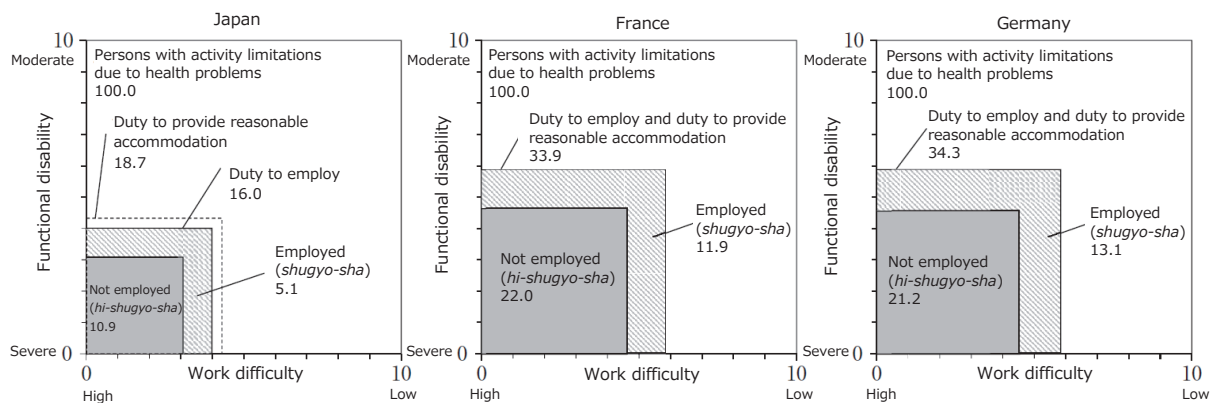
Source: Same as Tables 2-1, 3-1, and 4-1.

Source: Same as Tables 2-3, 3-2, and 5-1.

Table 7. Percentage of each group of persons with disabilities in the case where the percentage of persons with activity limitations due to health problems is 100%

(Unit: %)

	Persons with activity limitations due to health problems	Persons with disabilities covered by the policy		Those employed among persons with disabilities covered by the policy
		Reasonable accommodation	Duty to employ	
Japan	100.0	18.7	16.0	5.1
France	100.0	Same as right	33.9	11.9
Germany	100.0	Same as right	34.3	13.1



Notes: 1. The figures in Table 7 are applied to the analytical model in Figure 1.  
2. It is assumed that the degree of functional disability correlates with the degree of work difficulty.

Figure 2. Comparison of groups of persons with disabilities covered by policies in Japan, France, and Germany

possibility that those who could potentially be persons with disabilities but are not covered by the policy in Japan may be covered by the policy in France and Germany, depending on their degree of functional disability or work difficulty.

In light of the above, we may see the issue of the relatively large group of people who could potentially be persons with disabilities but are not covered by the policy in Japan. In this respect, Momose (2022), by analyzing the questionnaire of the IPSS survey (IPSS 2017) mentioned above, points out that people in the “gray area,” who do not hold a disability certificate but have health problems, may be at a disadvantage compared to persons with mild disabilities who hold a disability certificate, and they may be excluded from the labor market or have poor working conditions, suffering deprivation, and socially excluded (Momose 2022, 191–192). However, she also points out that it is not clear whether those in the “gray area” can make up for their disadvantage by holding a disability certificate (Momose 2022, 192).

This paper has compared the population of those who could potentially be persons with disabilities with the population of those with disabilities targeted by the policy based on the assumption that the degree of functional disability is proportional to the work difficulty. However, such a correlation is not necessarily valid at the individual level. For a more detailed analysis, it would be necessary to investigate what specific functional disabilities persons with activity limitations due to health problems who are not targeted by the policy have, and what barriers they face in actual employment settings. This paper has focused on the scope of persons with



disabilities covered by the policy and the method of certification. However, there are various other factors that could affect the effectiveness of an employment policy, such as the level of the statutory employment rate under the mandatory employment system, the means of achieving the statutory employment rate, and the income security status of those with disabilities under the social security policy. Analyzing the effects of these factors is also a subject for future research.

This is based on the authors' paper "Shogaisha koyo seisaku no taisho to naru shogaisha so no hikaku: Nihon, furansu, Doitsu" [A comparative study of persons with disabilities targeted by employment policies] submitted to and published in the *Japanese Journal of Labour Studies* 65 (11), (November 2023): 61–73. <https://www.jil.go.jp/institute/zassi/backnumber/2023/11/pdf/061-073.pdf> with additions and amendments in line with the gist of *Japan Labor Issues*.

## Notes

1. The 1976 amendment, which preceded the 1997 amendment to include persons with intellectual disabilities in the scope of those covered by the duty to employ, established a mechanism to reduce the amount of persons with disabilities employment levy collected in the event that an employer fails to achieve the statutory employment rate, by deeming persons with intellectual disabilities employed by the employer to be physically disabled persons who are employed. A similar mechanism was also introduced for persons with mental disabilities by the 2005 amendment (Hasegawa 2018, 201–211).
2. When the former Act to Facilitate the Employment of Persons with Physical Disabilities was enacted in 1960, the duty to employ was imposed only on the public service sector, and employers in the private sector were only required to endeavor to employ persons with physical disabilities. Subsequently, in 1976, it was made obligatory for employers in the private sector as well to employ persons with physical disabilities, and the scope of persons with physical disabilities covered by the duty to employ was adjusted to be identical with the scope of persons with physical disabilities under the Act on Welfare of Physically Disabled Persons (Hasegawa 2018, 198–200).
3. The statutory employment rate is set based on the percentage of the total number of workers with disabilities covered by the mandatory employment system to the total number of workers in the labor market (Article 43, paragraph (2) of the Act to Facilitate the Employment of Persons with Disabilities). The actual statutory employment rate in the private sector is as follows: 1.5% (October 1, 1976), 1.6% (April 1, 1988), 1.8% (July 1, 1998), 2.0% (April 1, 2013), 2.2% (April 1, 2018), and 2.3% (March 1, 2021).
4. Amendment to the Act to Facilitate the Employment of Persons with Disabilities in 2013.
5. In France, a law was enacted in 1990 to prohibit discrimination on the grounds of disability and health conditions; also, the concept of "appropriate measures" that constitute reasonable accommodation was introduced in 2005 in order to make the EC Directive (2000) into national law. Germany prohibited discrimination on the grounds of disability through the General Equal Treatment Act (*Allgemeines Gleichbehandlungsgesetz*) enacted in 2006 (Hasegawa 2018, 13–16).
6. Originally, employment policies for persons with disabilities include not only the mandatory employment approach and the anti-discrimination approach, which are regulations applicable to companies, but also benefits for individuals, such as various vocational rehabilitation measures provided by public employment security offices (*Hello Work*), and other employment support organizations, and preferential treatment under the employment insurance system. However, in order to analyze the differences in the effects of employment policies for persons with disabilities in Japan, France, and Germany based on the ratio to population and employment rate of persons with disabilities in the labor market, this paper focuses on the mandatory employment approach and the anti-discrimination approach, which are regulations for companies.
7. Nakagawa (2021) cites the ratio of persons with disabilities to the working-age population in Japan, France, and Germany from Katsumata (2010, 141, 143) (Nakagawa 2021, 17n19).
8. The analytical model was created with reference to Nakagawa (2021, 13, figures 5 and 6). However, while Nakagawa expresses the level of ability to perform jobs of persons with disabilities as "productivity," this paper uses the term "work difficulty," which means the ease or difficulty of finding employment from the perspective of individuals with disabilities.
9. The definition of employed persons in the labor force surveys of major countries conforms to the international standards adopted by the 13th International Conference of Labour Statisticians (1982) of the International Labor Organization, ILO (according to MIC Statistics Bureau, "Commentary on the *Labor Force Survey* [5th Edition]"). Specifically, "persons who during the reference period performed some work (worked for at least one hour) for wage or salary" are defined as "persons at work" (in Japanese, *jugyo-sha*), and "persons who have a job but were temporarily not at work during the reference period because of illness or injury, holiday or vacation, etc." are defined as "persons with a job but not at work" (*kyugyo-sha*), and the total of these are defined as "employed" (*shugyo-sha*). "Employed" includes those in paid employment and those in self-employment. However, since it is not possible to collect data on those who fall under the category of "persons with a job but not at work" from the survey items in the "Survey on Difficulties in Living" (MHLW 2016), only those who fall under the category of "persons at work" are defined as "employee" in this paper for the sake of convenience.
10. Although people employed in response to "job offering for applicants other than persons with disabilities" and "self-employed persons" may not directly benefit from the mandatory employment system, they are likely to experience the positive effects of the development of employment policies for persons with disabilities, including the anti-discrimination approach, such as an improved work environment

and a wider understanding of the employment of those with disabilities.

11. For the clauses of the Labor Code, reference was made to the website of the French government, légifrance, “Code du travail,” [https://www.legifrance.gouv.fr/codes/texte\\_lc/LEGITEXT000006072050/](https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000006072050/) (Accessed on May 23, 2023).
12. According to Haruna, et al. (2020, 55), disability certificates in France are cards to be presented mainly for receiving support for transport and they are currently called *Carte Mobilité Inclusion* (CMI) (mobility inclusion card).
13. Among persons with disabilities covered by the mandatory employment system, bereaved families of war victims are not eligible for “appropriate measures.”
14. In Germany, a corporation under public law called Bundesagentur für Arbeit (Federal Employment Agency) is established as an employment security agency under the supervision of Bundesministerium für Arbeit und Soziales (Federal Ministry of Labour and Social Affairs). Employment agencies are local offices of the Federal Employment Agency (Iida 2015, 25).
15. Among those covered by the mandatory employment system, miner’s pension certificate holders are not stipulated as those who may claim reasonable accommodation measures.

## References

- Bundesagentur für Arbeit (Federal Employment Agency). 2022. Sozialgesetzbuch (SGB) Neuntes Buch (IX): Rehabilitation und Teilhabe von Menschen mit Behinderungen (SGB IX) [Social Code (SGB) Ninth Book (IX): Rehabilitation and Participation of Persons with Disabilities (SGBIX)]. In Sozialgesetzbuch [German Social Code]. Accessed May 22, 2023. <https://www.arbeitsagentur.de/ueber-uns/veroeffentlichungen/gesetze>.
- . 2019a. Arbeitsmarkt für Menschen mit Behinderung (Jahreszahlen) Deutschland 2018 [Labor Market for Persons with Disabilities (annual figures) Germany 2018]. Accessed May 22, 2023. [https://statistik.arbeitsagentur.de/Statistikdaten/Detail/201812/analyse/analyse-arbeitsmarkt-schwerbehinderte/analyse-arbeitsmarkt-schwerbehinderte-d-0-201812-pdf.pdf?\\_\\_blob=publicationFile](https://statistik.arbeitsagentur.de/Statistikdaten/Detail/201812/analyse/analyse-arbeitsmarkt-schwerbehinderte/analyse-arbeitsmarkt-schwerbehinderte-d-0-201812-pdf.pdf?__blob=publicationFile).
- . 2019b. Der Arbeitsmarkt in Deutschland 2018 [The Labor Market in Germany in 2018]. Accessed May 22, 2023. [https://statistik.arbeitsagentur.de/Statistikdaten/Detail/201812/ama/heft-arbeitsmarkt/arbeitsmarkt-d-0-201812-pdf.pdf?\\_\\_blob=publicationFile](https://statistik.arbeitsagentur.de/Statistikdaten/Detail/201812/ama/heft-arbeitsmarkt/arbeitsmarkt-d-0-201812-pdf.pdf?__blob=publicationFile).
- DARES (*Direction de l’animation, de la recherche, des études et des statistiques*) (Directorate of Research, Economic Studies and Statistics). 2017. “Travailleurs handicapés: Quel accès à l’emploi en 2015?” [Disabled workers: How to find a job in 2015?]. *DARES analyses*, no. 032. <https://dares.travail-emploi.gouv.fr/sites/default/files/pdf/2017-032.pdf>.
- Eurostat. 2019. Glossary: Disability. Accessed May 13, 2023. <https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Disability>.
- . 2017. Level of disability (activity limitation) by sex, age and educational attainment level, EU Statistics on Income and Living Conditions (EU-SILC). Accessed May 12, 2023. [https://ec.europa.eu/eurostat/databrowser/view/HLTH\\_SILC\\_07\\_\\_custom\\_6172512/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/HLTH_SILC_07__custom_6172512/default/table?lang=en).
- Haruna, Yuichiro, Makoto Ozawa, Maya Ishida, and Reiko Nagashima. 2020. “Shokugyo rihabiriteshon jitsumu to ittai-tekina shogai nintei” [Disability accreditation integrated with vocational rehabilitation practices]. In *Shogai nintei oyobi shuro kon’nan-sei no hantei ni kakaru shogaikoku no guteiteki jitsumu jokyō-to ni kansuru chosa kenkyū: Furansu Doitsu no torikumi* [Survey and Research on Specific Practices on Disability Accreditation and Assessment of Work Disabilities in Foreign Countries: Focusing on France and Germany], edited by National Institute of Vocational Rehabilitation, JEED survey research report no.154, 39–104. Chiba: National Institute of Vocational Rehabilitation, Japan Organization for Employment of the Elderly Persons with disabilities and Job Seekers. <https://www.nivr.jeed.go.jp/research/report/houkoku/p8ocur0000008xz0-att/report154.pdf>.
- Hasegawa, Tamako. 2018. *Shogaishakōyo to gori-teki hairyo: Nichi-Bei no hikaku-ho kenkyū* [Employment of persons with disabilities and reasonable consideration: Comparative legal studies of Japan and the United States] Tokyo: Nippon Hyoron sha.
- Hayashi, Reiko. 2022. “Shogai tokei no bunseki: Fukusu no shihyo to sono suii” [Analysis of disability statistics: Multiple indicators and their trends] in *Cho choju shakai ni okeru jinko keizai shakai no moderingu to sogo bunseki: 2021-nendo hokoku-sho* [Modeling and comprehensive analysis of population economy, and society in a society of super-longevity FY 2021 report], IPSS research report 97, 43–68. Tokyo: National Institute of Population and Social Security Research.
- Iida, Keiko. 2015. “Doitsu” [Germany]. In *Shogaikoku no kokyo shokugyo antei kikan: Igrisu, doitsu, furansu amerika* [Public employment security agencies in four countries: UK, Germany, France, and the US], edited by Japan Institute for Labour Policy and Training (JILPT). JILPT research material series no. 150: 25–38. Tokyo: JILPT. [https://www.jil.go.jp/institute/siryō/2015/documents/0150\\_02.pdf](https://www.jil.go.jp/institute/siryō/2015/documents/0150_02.pdf).
- INSEE (National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques*)). 2015. *Enquête employ* [Employment survey]. <https://www.insee.fr/en/metadonnees/source/operation/s1082/presentation>.
- IPSS (National Institute of Population and Social Security Research). 2017. *2017-nen shakai hoshō jinkomondai kihon chosa seikatsu to sasae ai ni kansuru chosa hokoku-sho* [Population and social security surveys in 2017: National survey on social security and people’s life]. Tokyo: IPSS. [https://www.ipss.go.jp/ss-seikatsu/j/2017/seikatsu2017\\_kekka.pdf](https://www.ipss.go.jp/ss-seikatsu/j/2017/seikatsu2017_kekka.pdf).
- Karube, Takashi. 2011. “Shogai sha no jyokyo” [Situation of persons with disabilities]. In *Obei no shogaisha koyo hōsei oyobi shisaku no genjō* [Current situation on laws and measures for employment of persons with disabilities in Europe and the United States], edited by National Institute of Vocational Rehabilitation, JEED Material series no.58, 69–74 and 105–110. Chiba: National Institute of Vocational

- Rehabilitation, Japan Organization for Employment of the Elderly, Persons with disabilities and Job Seekers. <https://www.nivr.jeed.go.jp/english/researches/reports/series3.html>.
- Katsumata, Yukiko. 2010. “Kokusai hikaku kara mita Nihon no shogai-sha seisaku no ichidzuke: Kokusai hikaku kenkyu to hiyo tokei hikaku kara no kosatsu” [The position of Japan’s policies for persons with disabilities from the perspective of international comparisons: Considerations from international comparative studies and cost statistical comparisons]. *Journal of Social Security Research* 44, no.2: 138–149. <https://www.ipss.go.jp/syoushika/bunken/data/pdf/18879202.pdf>.
- Kudo, Tadashi. 2008. “Shogaisha koyo no genjo to kadai” [The current state and problems regarding the employment of people with disabilities]. *Japanese Journal of Labour Studies* 50, no.9 (September):4–16.
- Légifrance (Le service public de la diffusion du droit). Code du travail [French labor law]. Accessed May 22, 2023. [https://www.legifrance.gouv.fr/codes/texte\\_lc/LEGITEXT000006072050?init=true&page=1&query=Code+du+travail&searchField=ALL&tab\\_selection=all](https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000006072050?init=true&page=1&query=Code+du+travail&searchField=ALL&tab_selection=all).
- Matsui, Yoshikazu. 2013. “Horei” [Laws and regulations]. In *Obei ni okeru shogaisha koyo sabetsu kinshi-ho seido dai 2 bunsatsu: Doitsu, Furansu, EU-hen* [Laws and regulations for anti-discrimination on employment of persons with disabilities in Europe and the United States, Part 2: Germany, France, and the EU], edited by National Institute of Vocational Rehabilitation, JEED Material series no.73–2, 31–125. Chiba: National Institute of Vocational Rehabilitation, Japan Organization for Employment of the Elderly Persons with disabilities and Job Seekers. <https://www.nivr.jeed.go.jp/english/researches/reports/series4.html>.
- MHLW (Ministry of Health, Labor and Welfare). 2016. *Heisei 28-nen seikatsu no shidzura-sa nado ni kansuru chosa (Zenkoku zaitaku shogai-ji to zaitaku shogai-sha-to jittai chosa)* [2016 Survey on Difficulties in Living (Nationwide Survey on Actual Conditions of Children and Adults with Disabilities Living at Home)]. Tokyo: Department of Health and Welfare for Persons with disabilities, Social Welfare and War Victims' Relief Bureau of MHLW. [https://www.mhlw.go.jp.translate.goog/toukei/list/seikatsu\\_chousa\\_h28.html?\\_x\\_tr\\_sl=ja&\\_x\\_tr\\_tl=en&\\_x\\_tr\\_hl=en&\\_x\\_tr\\_pto=sc](https://www.mhlw.go.jp.translate.goog/toukei/list/seikatsu_chousa_h28.html?_x_tr_sl=ja&_x_tr_tl=en&_x_tr_hl=en&_x_tr_pto=sc).
- . n.d. *Shogai-sha-koyo sokushinho ni motodzuku shogai-sha sabetsu kinshi /gori-teki hairyo ni kansuru Q&A (dai ni han)* [Q & A regarding the Prohibition of discrimination against persons with disabilities and reasonable accommodation based on the Act on Facilitate the Employment of Persons with Disabilities (2nd ed.)]. Tokyo: MHLW. <https://www.mhlw.go.jp/tenji/dl/file13-04.pdf>.
- MIC (Ministry of Internal Affairs and Communications). 2022. Population Estimates (Longitudinal data), Table 3, Population by Age (Five-Year Groups and 3 Groups) and Sex (as of October 1 of Each Year) : Total population, Japanese population (from 2000 to 2020). <https://www.e-stat.go.jp/en/stat-search/files?page=1&layout=datalist&toukei=00200524&tstat=000000090001&cycle=0&tclass1=000000090004&tclass2=000001051180&tclass3val=0>.
- Momose, Yurie. 2022. “Shogai-sha demo korei-sha demo nai kenko-jo no mondai ga aru mono no iki zura-sa” [Difficulties in life for persons with health problems who are neither disabled nor older]. In *Seikatsu fuan no jittai to shakai hoshō: Atarashi sefutinetto no kochiku ni mukete* [Precarious lives and social security in Japan: Constructing a new safety net system], compiled by Kuniaki Tanabe and Yukimitsu Nishimura, and edited by National Institute of Population and Social Security Research. 173–194. Tokyo: National Institute of Population and Social Security Research.
- Nagano, Hitomi. 2011. “Furansu” [France]. In *Obei no shogaisha koyo hōsei oyobi shisaku no genjo* [Current status of laws and policies for employment of persons with disabilities in Europe and the United States], edited by National Institute of Vocational Rehabilitation, JEED Material series no.58, 76–112. Chiba: National Institute of Vocational Rehabilitation, Japan Organization for Employment of the Elderly Persons with Disabilities and Job Seekers. <https://www.nivr.jeed.go.jp/research/report/shiryō/p80cur00000013rz-att/shiryō58.pdf>.
- . 2013. *Shogai-sha no koyo to shotoku hoshō: Furansu-ho o tegakari to shita kiso-teki kosatsu* [Employment and income security for persons with disabilities: Basic considerations with reference to French laws]. Tokyo: Shinzansha.
- Nakagawa, Jun. 2018. “Sabetsu kinshi no taisho to naru shogai-sha” [Target persons with disabilities under anti-discrimination legislation]. In *Shosetsu shogaisha koyo sokushin ho: Aratana byōdo shakai no jitsugen ni mukete* [A detailed explanation of the Act to Facilitate the Employment of Persons with Disabilities: Towards the realization of a new equal society], edited by Hitomi Nagano, Tamako Hasegawa, and Koichi Tominaga. 153–169. Tokyo: Kobundo.
- . 2021. “Nihon no shogaisha koyo seisaku no tokucho : Shogaikoku to no hikaku” [Modules to Drive Disability Employment Policy: Some Features of Japanese Policy from Comparative Perspectives]. In *Shogai-ho* [Disability law], edited by Japan Association for Disability Law 5 (November): 3–18.
- NRI (Nomura Research Institute). 2020. *Reiwa gannendo shogaisha tokei no jūjitsu ni kakawaru chosa kenkyū jigō hokokusho* [Report on survey and research project for the improvement of statistics on persons with disabilities for the fiscal year 2019]. Tokyo: <https://www8.cao.go.jp/shougai/suishin/tyosa/r01toukei/pdf/print.pdf>.
- Statistisches Bundesamt [German Federal Statistical Office]. 2018. Statistik der schwerbehinderten Menschen 2017 [Statistics of Severely Disabled People]. <https://www-genesis.destatis.de/datenbank/online/statistik/22711/details>
- Takahashi, Kenji. 2011. “Doitsu” [Doitsu]. In *Obei no shogaisha koyo hōsei oyobi shisaku no genjo* [Current situation on laws and measures for employment of persons with disabilities in Europe and the United States], edited by National Institute of Vocational Rehabilitation, JEED Material series no.58, 39–75. Chiba: National Institute of Vocational Rehabilitation, Japan Organization for Employment of the Elderly Persons with disabilities and Job Seekers. <https://www.nivr.jeed.go.jp/english/researches/reports/series3.html>.

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