

## **Comparative Law Study on Work-Life Balance <Final Report> Summary**

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### **Study Period**

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### **Research Objectives**

We have conducted this study as a sub-study under a research project titled "Responses to Diverse Working Styles -- A Survey Research on Desirable Work Environment Development for Realizing Work-Life Balance." This study focuses on the meaning of the "work-life balance" (hereinafter referred to as WLB) concept, which is very ambiguously interpreted at present, from the legal viewpoint to contribute to Japan's future WLB law and policies. Our "Comparative Law Study on Work-Life Balance - Interim Report" (JILPT Research Report No. 116, hereinafter referred to as "the interim report," available only in Japanese) outlined the history and present state of Japan's WLB policies and extracted relevant individual issues. It also overviewed legal systems in Germany, France, the United Kingdom and the United States regarding (1) leaves and relevant economic security systems, (2) working hours (restrictions on long working hours and flexible working hour systems), (3) flexible working styles (employment patterns, teleworking, etc.), (4) economic support including social security and tax measures (excluding those relevant to (1) above), (5) discrimination prohibitions, (6) pregnancy and childbirth protection and (7) childcare services. Also, the interim report took up (8) reassignment, corporate/labor-management/private organization efforts, and capability development/job-finding support as WLB-related matters, as far as possible. The interim report thus attempted to figure out the entire WLB policy pictures in Japan and the four foreign

countries.

In addition, the interim report attempted to extract main WLB challenges under our belief that the WLB in Japan represents a very wide concept covering various problems regarding overall employment and labor law.

As a result, the interim report pointed out that the core of the WLB (the narrowly defined WLB) represents problems of working men and women, particularly women's work problems united indivisibly with the norm consciousness of gender role sharing, or gender equity problems. The interim report then proposed a legal norm theory regarding the WLB by way of experiment.

But we suspect that it may be difficult to get implications for Japan's further promotion of its legal policies regarding WLB in the future without looking into the realities of WLB policy enforcement in foreign countries, including how wide and deep WLB policies have spread and what problems exist behind the failure to spread WLB policies.

Based on the abovementioned point, this final report focuses on (1) childcare and other leaves and relevant economic security, (2) working hour regulations (restrictions on long working hours, etc.), (3) flexible working styles (employment patterns, flexible working hour systems) and (4) childcare services among points left by the interim report for later consideration.

In general discussions, the final report again deliberately considers the four foreign countries' entire WLB policy pictures including backgrounds and reasons for WLB policy problems, WLB policy targets, and employment and labor law systems. In discussions on particular points, this report provides specific cases for legal systems and their enforcement regarding the abovementioned four points based on earlier surveys and literature and considers how WLB policies, systems and efforts have been diffused and used in each country's real business or labor society and what problems exist. Furthermore, it analyzes matters that are apparently implicative for Japan.

This report also makes clear Japan's entire WLB policy picture in comparison with the four foreign countries and proposes by way of experiment the direction for consideration of how to further promote individual WLB policies and systems in Japan in the future, based on the present situation and realities of WLB policies and systems in Japan.

## Overview

### 1. General Discussions

Germany, France and Japan have **introduced and promoted WLB policies from the viewpoint** of taking countermeasures to the declining birthrates. Meanwhile, the United Kingdom and the United States have done so from the viewpoint of labor market policy rather than the birthrate problem. Nevertheless, the two groups have no major difference over the concept of WLB policies designed to secure state power, production capacity and international competitiveness over a medium to long term.

In the five countries, the gender role sharing concept has been recognized behind WLB

policies despite some differences between their specific systems. Although women's labor participation rate does not indicate any M-shaped curve in these countries other than Japan, WLB policies in all these countries had initially focused on women and have expanded their objectives to reform working styles for both women and men, secure human resources in labor markets and prevent retirement due to medium to long-term changes in national consciousness and in family relations, structure or patterns that had been based on a model couple comprising a working husband and a full-time housewife.

Under a **national approach on WLB policies** based on these factors and backgrounds, France and the United States have promoted the WLB concept without any specific WLB policies. Meanwhile, Germany, the United Kingdom and Japan have created their respective specific WLB policies to prevent birthrate declines for maintaining national productivity over a medium to long term or to effectively use human resources for labor market policy objectives. But France and the United States, though having no specific WLB policies, have objectives similar to those of WLB policies in the other countries. Therefore, whether any nation has developed specific WLB policies is not effectively significant. Irrespective of whether any specific WLB policies exist or whether any country is positive or negative about the WLB concept, any country has been implementing WLB support measures in various areas.

WLB policies have been implemented generally under the tripartite labor-management-government partnership particularly in Germany, the United Kingdom and Japan, although such generalization is not necessarily appropriate due to some gaps in degrees. This fact is very interesting and important.

Each country takes legislative actions to create new laws or revise existing ones to implement WLB policies. This may be firmly linked to a government's philosophical or ideological approaches on how to deal with labor and economic markets. While federal WLB law is limited to the Federal Family and Medical Leave Act in the United States, the other countries have implemented various institutional reforms and enacted various new laws in regard to WLB policies.

**Major matters of concern** in the five countries include working parents' responsibility for having and taking care of children and how to secure work's balance with life, home and family especially for women.

**WLB policies** include a law for childcare leaves for working parents, economic security during childcare leaves, and daily working hour regulations, particularly restrictions on long working hours. Also among them is a law to authorize flexible working styles. The flexibility can cover both employment patterns and working hours. Flexible employment patterns and working hours are commonly designed to promote working styles that are different from those based on traditional or fixed working hours or employment patterns. At the same time, it may be important to take some economic security measures to prevent non-traditional working styles from affecting working conditions, particularly economic conditions. On general working conditions and benefits for non-

regular employees, relevant EU directives have had very great impacts in European countries. The directives have had great significance and effects. In addition, childcare services are important as part of support for working parents who have young children.

## **2. Country Discussions**

Germany and France institutionally allow working parents to choose leaves or shorter working hours for childcare purposes. Recently, they have also developed part-time work laws that are originally designed to create jobs but can be interpreted as including WLB support purposes. Meanwhile, the United Kingdom is about to reform childcare and other leaves. Under the previous government, legal and administrative systems were proposed for flexible working styles and hours, including part-time work. These systems' introduction at enterprises has been promoted.

The three European countries may commonly feature WLB systems that have legal grounds, give workers choices meeting their respective needs and provide for their right to apply to employers for choices. While some reasons are authorized for employers to reject applications, the statutory right apparently means that employers are required to seriously consider applications by employees (particularly in Germany and the United Kingdom).

The application right may indicate that applicant employees and employers should have consultations. Basically, the statutory right may be designed for process where employees and employers discuss requests and feasible measures and make mutual concessions for their coordination. This point might have to be backed up by detailed fact-finding surveys. At least, however, the application right might have been designed for such assumed process. Therefore, the application right may be described as a procedural right.

If the right is to be legislated as a substantive right, it may be difficult to provide for such process. This means that any substantive right for some indicates an obligation for others and may eventually become a rigid or inflexible right with applications required to be accepted. In the three European countries (particularly the United Kingdom) where the right to apply for part-time working for childcare and other purposes is statutory, however, individual employees and employers may have been designed to satisfactorily balance work and life through a consultation and coordination process.

From the viewpoint of reforming childcare and working styles from those based on WLB needs, particularly childcare, and the consciousness of role sharing between men and women to those based on the gender equality, individual workers' needs are so diversified that it may be necessary to consider whether any uniform substantive right for legislation is appropriate or not. At the same time, the provision of the application right as a procedural one for workers at each enterprise or business establishment may be expected to allow responses to more various needs and bring about desirable effects including workers' commitment to enterprises or business establishments, good spillover effects for their colleagues and better workplace business efficiency.

In addition to flexible working systems and the right to apply for such systems, the three European countries have secured 11 consecutive hours' rest by taking domestic legislative actions to introduce a relevant EU directive. They also feature legislation to determine benefits for part-time workers in proportion to working hours, while factors for consideration in this respect might differ from country to country. The United States allows annual paid leaves determined by employers to be treated as leaves under the Family and Medical Leave Act that provides for unpaid leaves. This point may become a reference for Japan's possible reform of the paid leave system. All these features may be appreciated as having aspects contributing to WLB purposes.

Childcare services may have a composite significance in a sense that these services are designed to rear and educate children while contributing to working parents' WLB purposes. Institutionally, Germany features government obligations meeting parents' claim for their children's admission into day-care centers. France and the United Kingdom, as well as Germany, legally guarantee preschool education of infants. As far as childcare services for working parents are concerned, however, childcare services are charged, while early infant education is free of charge. In this respect, France might have given greater childcare service support to parents, day-care centers and enterprises than other countries. Regarding the creation of the early childhood benefit program, *prestation d'accueil du jeune enfant (PAJE)*, however, workers should be given options other than 'work or childcare.' This is because we cannot deny the possibility that women might have chosen to take part-time jobs instead of full-time ones in order to use the free early education system rather than the costly childcare services, as seen in the United Kingdom. Similarly, working parents may refrain from choosing full-time jobs in the United States where childcare service fees are reduced for those remaining in poverty (irrespective of whether good quality is guaranteed for childcare services). As well as Germany with the so-called three-year-old myth -the view that mothers should devote themselves to child rearing for the child's first three years-, other countries that have no such myth should also develop infrastructure and human resources for childcare services. From the viewpoint of WLB purposes, however, it is necessary that parents be allowed to retain jobs (regular jobs if possible) while growing their children. As for childcare costs, economic assistance to parents who leave their children in the care of day-care centers should be balanced with aid to day-care centers and enterprises providing their employees with childcare services.

### **3. Comparison between Japan and Four Foreign Countries and Japan's Direction of Policy Considerations**

#### **(1) Leaves and economic security**

##### **a. Childcare leave lengths and how to take leaves**

The maximum childcare leave for mothers in Japan is one year and six months, shorter than three years in Germany and France. In France, however, the maximum childcare leave for fathers is very short and cannot be divided. In the United Kingdom, childcare leaves for parents including

fathers are very short. Rather, a very long childbirth leave works as a childcare leave (but the maximum childbirth leave of 52 weeks may not necessarily be taken fully). In Japan as well as the four foreign countries, husbands cannot take childcare leaves during their wives' pre-childbirth leaves. Unlike France and the United Kingdom, however, Japan allows husbands to take childcare leaves during their wives' post-childbirth leaves, and in this case, husbands can take their childcare leaves once again (a total of twice) during or after their wives' childbirth leaves. The Japanese system can be appreciated as supporting working men and women to balance and harmonize work and family life. In the United States, the maximum childcare leave is limited to only 12 weeks in 12 months. In all five countries, workers can take leaves only after applying for them. Workers are thus left to choose whether to exercise their rights to childcare leaves. Japan's childcare leave system, though including the shorter maximum leave than in Germany and France, is better than in the United Kingdom and the United States. The five countries commonly leave workers to decide whether to take childcare leaves.

In all countries, workers are legally allowed to choose part-time work or shorter working hours during their childcare period. Japan has instituted restrictions on statutory overtime work (overtime work within statutory working hours) and on excess overtime work (overtime work in excess of statutory working hours) and established a requirement for shorter working hours. Like the Western countries, Japan's system effectively allows workers to choose between childcare leaves or shorter working hours.

But Japan's Childcare and Family Care Leave Act (hereinafter referred to as the Childcare Leave Act) provides that employers cannot reject their employees' applications for childcare leaves. From the viewpoints of childcare and flexible working styles, the Japanese system may be appreciated as "a rigid system." This means that workers have the right to take childcare leaves, while employers have the obligation to provide employees with such leaves.

Actually, consultations, dialogue and coordination (integrated into "communications" hereinafter) at companies or workplaces may be required as a process to secure a WLB system that allows workers to flexibly work while taking care of their children. But the Japanese Childcare Leave Act or the guideline for the Act has no provision for such process. This fact may be related to the rigidness of Japan's childcare leave system. We have no intent to neglect the right to childcare leaves. But we believe that WLB approaches and problems regarding the balance and harmony between childcare and work as the key policy challenge may differ from worker to worker or may be very diverse. Workplaces may also be diverse. Given these conditions, workplace communications are apparently important. Some earlier empirical studies made this point. Unlike the three European countries' legal systems providing for flexible working styles, the Japanese system might have fallen short of securing such communications at workplaces.

In this way, Japan's childcare leave act may be interpreted as failing to achieve its objective of promoting women's job continuity and as allowing the role sharing between men and women to

be fixed by leading men to hesitate to apply for childcare leaves. The latest revision to the act might have failed to be appreciated as achieving a system making it easier for men to take childcare leaves. Such system is one of the objectives for the revision. Even after the latest revision, therefore, the challenge to promote or secure labor-management communications on childcare leave applications might have still been left.

#### **b. Economic security during childcare leaves**

As for economic security during childcare leaves, Germany requires 67% of an average wage to be paid for 14 months. France features relatively sufficient income security, including infant acceptance allowances for first and later children, temporary maternity benefits, three years of basic allowances giving considerations to disposable income for 90% of households, and supplementary benefits for free work choices over six months after childbirth leaves. In the United Kingdom, 90% of an average wage is paid for the first six weeks of a childbirth leave interpreted as being substituted for a childcare leave and the lower of an equivalent of about 15,000 yen per week or 90% of the average wage for the later 33 weeks (statutory maternity benefits). Fathers on leaves are given statutory maternity benefits at the same amount or rate, though for a shorter period of two weeks. In the United Kingdom, however, parental leaves are unpaid, failing to be interpreted as contributing directly to WLB purposes. (But the present government is likely to reform these leaves in the near future). In the United States, family leaves under the relevant law are unpaid. Only some states have created a family leave insurance that guarantees income with all premiums paid by workers.

In Japan, the employment insurance account is used for paying 50% of earlier wages as childcare leave benefits. Although any strict comparison cannot be done due to exchange rate and other problems, the Japanese benefit level may look slightly lower than 67% of average wages for 14 months in Germany and benefits under diverse, sufficient income guarantee and cost subsidy systems in France. But the Japanese level may be almost equal to the U.K. level and far higher than the U.S. level. Given that the Childcare Leave Act's objective is specifically provided as "job continuity," the present benefit level may not be necessarily low.

The problem of childcare leave benefit may essentially be linked to gender wage gaps. Wage levels before childcare leaves are very important because income secured during childcare leaves is set as a percentage rate of wage levels. A gender gap in full-time workers' median income in 2006 came to 23% in Germany, around 20% in the United Kingdom and the United States and 12% in France. In Japan, the gap was as wide as 33%. Under such situation, household income during the wife's childcare leave may be far lower unless she works as a full-time employee receiving as much wage as a man. Furthermore, the husband's choice to take a childcare leave may be economically unreasonable. Therefore, the elimination of the gender wage gap is thought to be a very important policy challenge for promoting equal childcare sharing between men and women and husbands' childcare leaves for WLB purposes.

## **(2) Restricting long working hours**

### **a. Basic approaches on restricting long working hours**

Japan's principle on working hours is provided by Article 32 of the Labor Standards Act. But the principle is not necessarily maintained strictly in the law. This is because Article 36 of the act tolerates exceptions to the statutory working hours as far as an employer concludes an agreement (Article 36 agreement) on specific exceptions with a trade union or a representative for a majority of employees in one establishment and submits the agreement to a relevant administrative office.

Foreign countries have also statutory provisions on the maximum daily or weekly working hours. Particularly, however, the three European countries effectively tolerate collective or individual agreements on exceptions to or deviations from such provisions. In this sense, their working hour regulations are almost similar to the Japanese regulations. While Germany's working hour law can be appreciated as including some WLB viewpoint into the objectives of working hour regulations, regulations on the maximum working hours in the other countries generally have no WLB-related objectives.

### **b. Exploring non-traditional approaches on restricting long working hours**

Rest hour regulations in the three European countries can be cited particularly as regulations that are not seen in Japan. Japan has statutory provisions on a standard limit on overtime work. But labor-management agreements for overtime work exceeding the limit are not interpreted as illegal or invalid (lack of binding power or civil law effectiveness). Rather, the statutory standard is interpreted as enhancing administrative guidance on labor-management agreements to correct overtime work. The conclusion and submission of Article 36 agreements do not lead to any requirement for workers to work overtime but relieve working hour principle violators under the Labor Standards Act of punishment. Given the law structure, loose conditions for overtime work orders under work rules or collective agreements are thought to be triggering long working hours.

Given the legal stability and practices at enterprises, including the standard limit into the Labor Standards Act may be viewed as one of options. On the other hand, from the viewpoint of comparative law, statutory provisions on rest hours may be considered as one of options for working hour regulations contributing to WLB purposes. From the viewpoint of contributions to WLB purposes, appropriate rest length needs to be considered along with technical matters such as how to introduce rest hour regulations into individual workplaces.

Measures may also be considered to further utilize the Act on Special Measures Concerning the Improvement of Establishing Working Hours, etc. (hereinafter referred to as the Working Hour Improvement Act). The act has "the realization of workers' wholesome, fulfilling life" as one of its purposes (Article 1). It also provides that employers should endeavor to improve the establishment of working hours in consideration of family-related responsibilities (Paragraph 2 of Article 2).

Employers should also endeavor to prepare necessary systems including a committee of labor and management representatives about improving the establishment of working hours (Article 6). Furthermore, a guideline for the Working Hour Improvement Act gives specific measures including voluntary labor-management efforts and undertakings based on labor-management talks.

The present Working Hour Improvement Act, though providing for employers' duties to endeavor, can be expected to become a base for serious enterprises to voluntarily promote WLB support measures including working hour improvements. Given that the key to WLB promotion includes climate reforms and promoting understanding at individual workplaces and that labor-management communications are put into WLB-related law in foreign countries, measures may be considered to more effectively utilize the present Working Hour Improvement Act for WLB promotion.

### **(3) Flexible working styles (part-time working, flexible working hours)**

#### **a. Part-time working**

In domestic laws based on EU directives, the three European countries have established the principle of part-time workers' benefits proportionate to working hours. The principle may be viewed as equal treatment.

When Japan's Act on Improvement, etc. of Employment Management for Part-time Workers (hereinafter referred to as the Part-time Employment Act) was revised, a ban on discriminatory treatments in Article 8 apparently attracted attention. The significance of the ban on discriminatory treatments in the article is seemingly not different from that in the three European countries. But the scope of application of Article 8 is extremely narrow, leading the ban's effective significance to be appreciated as poor. In this respect, therefore, the government may have to consider easing requirements after continuously and deliberately surveying actual situation of part-time employment.

The narrowness of the application scope can also be pointed out for the Part-time Employment Act's Article 9, Paragraph 2 providing that employers should endeavor to determine wages for part-timers in the same way as for regular workers if the same human resources utilization system is used for both regular workers and part-timers over a certain period of time. Generally, the same human resources utilization system cannot be assumed for regular workers subjected to unlimited employment duration and non-regular workers including part-timers, while some exceptions can be expected. Considering that Article 9, Paragraph 2 provides for duties to endeavor, conditions for the same way for determining wages may have to be limited to the equal job contents between regular workers and part-timers.

By the way, the word "endeavor" seen in Article 9 of the Part-time Employment Act may be interpreted as representing arrangements for labor-management communications. The interpretation can be viewed as possible, given that the guideline for the Part-time Employment Act explicitly provides for "the promotion of labor-management talks." As discussed earlier from the viewpoint of

comparative law, labor-management communications are very important as a policy for promoting WLB. As seen in foreign countries, women account for a large share of part-timers in Japan. Furthermore, the existing consciousness of traditional gender role sharing and the wide gender wage gap leave women responsible for taking care of children in Japan. In view of these points, a legal policy should be developed to enable realistic efforts at enterprises or workplaces if women workers, enterprises and the entire country are to improve productivity. Therefore, the abovementioned interpretation may be considered.

The problem of workers' acceptance or understanding beyond labor-management communications may also be very important. According to earlier studies, part-timers relatively frequently cited subjective satisfaction indicators such as the appropriate evaluation and reflection of job details and work performance, and explanations by enterprises or supervisors as acceptable factors behind their wage gap with regular employees. In this respect, the Part-time Employment Act requires employers to explain factors taken into account in determining wages for part-timers, if requested by them (Article 13). But the administrative sector's interpretation says that Article 13 of the Part-time Employment Act has no concern with workers' acceptance.

Given that "explanations" provided in the Part-time Employment Act can represent labor-management communications and be expected to prevent disputes over wages and other treatment, more acceptable "explanations" may be considered. From the viewpoint of comparative law, we believe that the "explanation requirement" might have a potential to bring about sincere labor-management consultations and can be considered to be a useful measure.

#### **b. Flexible working hour system**

In Germany, a flex-time system based on collective agreements can be expected to contribute to WLB purposes in that the system provides workers with their discretion over distributing working hours. Also, the working time accounts system which enables the flexible organization of working hours, has a potential to make contributions to WLB purposes. The flex-time system can be introduced based on collective agreements in France and workers are left free to use the system. This point is expected to enable working hour distributions that match individuals' needs. Particularly, the United Kingdom features a statutory right to apply for using the flexible working hour system, allowing for diverse working hour distributions and various working styles. This fact is very implicative.

Under the flexible working hour system as provided in Japan's Labor Standards Act, the several working hours averaging schemes results in a difference between working hours in busy and non-busy seasons and does not seem to be contributing directly to WLB purposes. But the system may not necessarily be interpreted as making no contribution to WLB purposes in that the system allows measures to be taken in advance to address relatively longer working hours in a busy season. The flex-time system only allows the start and finish times at work to be set freely and cannot necessarily viewed as contributing to WLB purposes as workers are still required to fulfill the total

scheduled working hours determined in advance for each settlement period. But the system secures flexible working hour distributions and may be useful for those whose needs are met by the system. The flex-time system, if coupled with shorter working hours, may be able to contribute much to WLB purposes. Then, Japan's flexible working hour system would be viewed as not so different from foreign systems, particularly those in the three European countries.

However, the flexible working hour system under the Labor Standards Act was originally enacted in a manner to meet the government's policy of promoting shorter working hours and enterprises' needs responding to the service sector's growing presence in the economy. Therefore, the system has apparently been aimed to secure business administration flexibility. In this way, Japan's flexible working hour system cannot necessarily be viewed as securing flexibility for workers. In this sense, we believe that if the flexible working hour system under the Labor Standards Act is to be used for promoting WLB purposes, the system may have to be diffused and used in a manner to contribute to the WLB promotion. This means that the key challenge will be how to secure flexibility in employees' working styles rather than in employers' employment styles.

Japan's flexible working hour system is provided for in the Labor Standards Act as a compulsive or hard law with punitive provisions and interpreted as having no WLB purposes. How to overcome this point will be a key challenge. If it is impossible, there will be an option to address the issue by effectively using the Working Hour Improvement Act for WLB purposes.

#### **(4) Childcare services**

Based on comparison between Japanese and foreign childcare services, we have reached the following conclusion:

First, Japan like foreign countries have developed very diverse childcare services. They range from *Ninka-hoikusho* (day-care centers), based on the Children's Welfare Act, licensed by Local Government, and *Ninsho-hoikusho* (day-care centers), basically based on Local Governments' regulation, certified by Local Government, to at-home childcare (childcare mom) services, based on Local Governments' regulation, certified by Local Government, non-licensed day-care centers (including in-house day-care facilities at enterprises, for example), kindergartens' temporary childcare services, based on the specific Act, certified by Local Government as *Nintei-kodomoen* (integrated preschools for early childhood education and childcare, but its services are divided in several types), and *Gakudo-club* (after-school care programs for younger schoolchildren, basically less than ten years old) based on the Children's Welfare Act. The number of locations for each category of childcare services has increased, catching up with demand. In urban regions, however, there are children still on the waiting list for vacancies at childcare facilities amid an apparent mismatch between supply and demand. Therefore, the government may have to consider how and whether it can solve the problem of children on the waiting list in urban regions while maintaining and developing the diverse childcare services. In addition, factors behind the mismatch may have to

be analyzed in detail.

Second, there are some relations between childcare service cost burdens on parents and their work behaviors. In France, particularly, WLB support for mothers with children has been cited as an objective of the introduction of a childcare service subsidy system. The subsidy system has been designed to help women participate in the labor market again. The development of such systems is very interesting. In other countries where childcare systems overlap free-of-charge early education systems for infants, mothers particularly in the low-wage or poverty group may choose to use free-of-charge early education systems and assume part-time jobs, instead of paying for childcare services while working as full-time employees. In this way, these mothers may restrict themselves from taking full-time jobs (remaining in the low-wage or poverty group). France's creation of the childcare subsidy system to support mothers' free choices regarding work and childcare might be interpreted as a measure to avoid restrictions on work.

In Japan childcare service cost burdens are determined according to household income, and some local governments put caps on childcare service fees at non-licensed childcare facilities. This indicates that measures have been taken to avoid restrictions on work. However, particularly at non-licensed childcare service facilities, stakeholders are allowed in principle to freely set fees amid the liberalization of welfare policies and the market-opening trend while these facilities are required to report their creation to the prefectural governor and comply with the administrative sector's guidance and supervision standards. The effectiveness of the requirement and measures to this end may have to be enhanced. Some system similar to France's childcare service subsidy may be considered to guarantee working parents' free choices among work, childcare and both, and set detailed standards for reducing childcare service cost burdens on parents. Regarding the administrative sector's guidance and supervision, it may be needless to say that childcare service facilities are growingly required to improve their service quality. They may have to consider responding to diverse needs including childcare service hours meeting working hours of parents. At the same time, the diffusion and promotion of flexible working hour systems including those for shortening or restricting working hours seems to be essential in line with the childcare service policy.

Third, economic support is given to childcare service providers and enterprises. European countries, particularly Germany and France, provide incentives for the creation and management of childcare service facilities, including subsidies and tax incentives for local governments and other childcare service providers. Similar economic support has been provided in Japan as well. No general recommendations can be given for such economic support that is closely linked to the overall public finance problem, but the government should continuously consider details of such support in a bid to further expand diverse childcare facilities.

Regarding the expansion of enterprises' in-house childcare service facilities, we may not be able to simply compare Japanese and foreign societies due to a familiar fact that commuters mainly use trains in Japan and cars in foreign countries. Childcare services at enterprises or business

establishments may be useful in some cases but not in other cases. At least, however, enterprises may have to figure out needs for childcare services and other in-house means for WLB support by promoting their communications with employees through supervisors, workplaces or human resources divisions. Based on such needs, childcare services and other child-raising support measures may have to be taken to meet real conditions at business establishments or enterprises. The government or administrative sector may have to consider not only the abovementioned economic incentives but also support measures to secure the promotion of such communications.

As discussed simply earlier, childcare service policies are closely linked to education policies. The recently introduced policy of diffusing and promoting certified *Kodomoen* (integrated preschools) is going on along with new childcare system policies. There may be other opportunities to consider such childcare service policies that have more educational aspects than earlier policies. In the future, however, we may have to at least figure out realities and consider anew what impacts the trend and implementation of such policies would exert on the WLB concept.