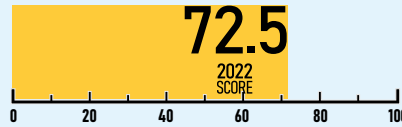




Japan



72.5
2020 SCORE

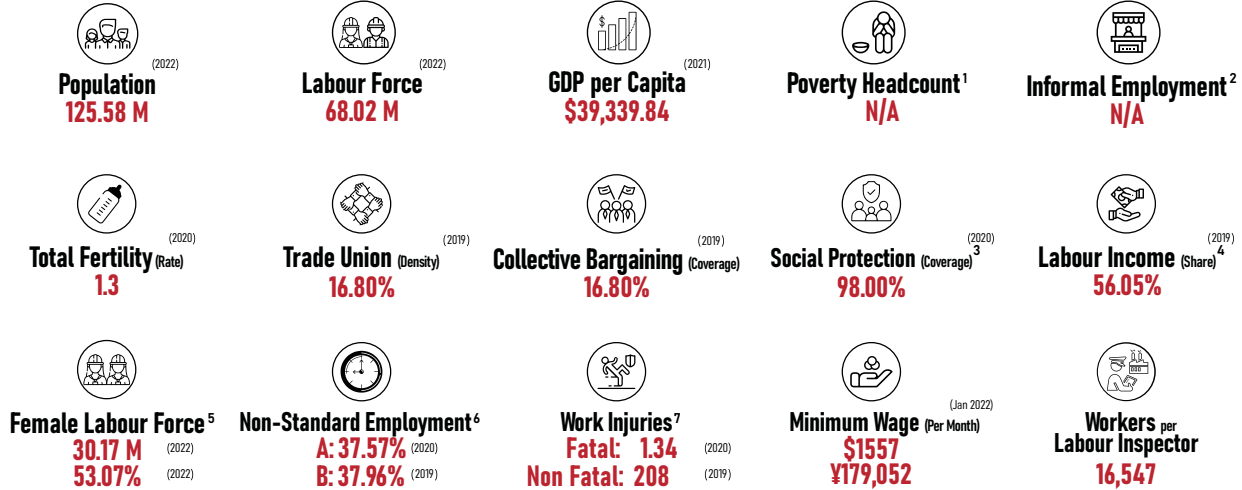
East Asia

High income

Reasonable Access to Decent Work

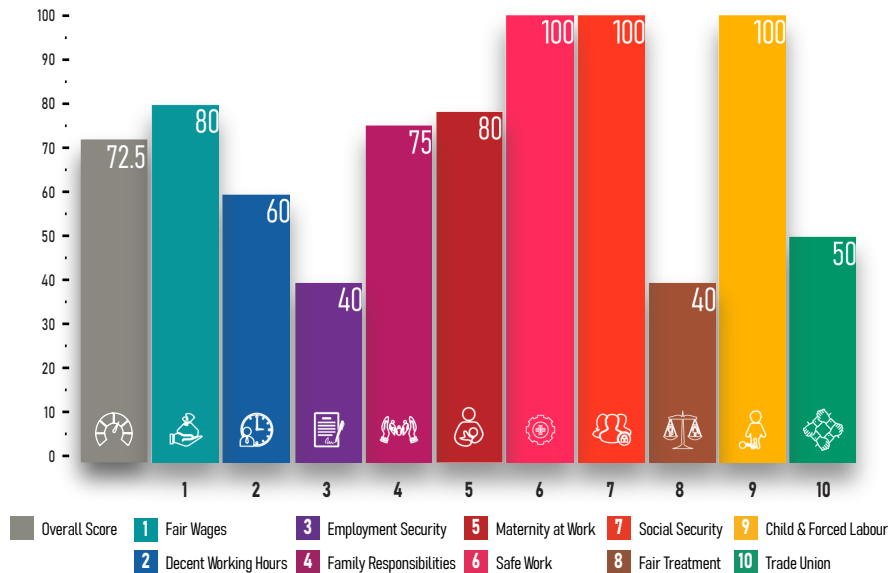


Contextual Indicators



Sources: World Bank
International Labour Organization
WageIndicator Minimum Wages and Living Wages Database
M = Million

Legislative Performance Indicators



Introduction

The Labour Rights Index 2022 (LRI 2022) is a de-jure index covering 135 economies and structured around the working lifespan of a worker. In total, 46 questions or evaluation criteria are scored across 10 indicators. The overall score is calculated by taking the average of each indicator, with 100 being the highest possible score. The Index uses a rating system, ranging from "Total Lack of Decent Work" to "Decent Work". The Labour Rights Index aims at an active contribution to the Sustainable Development Goals, by providing necessary (complementary) insights into de jure provisions on issues covered in particular by SDG8 (Decent Jobs), SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and SDG 16 (Strong Institutions). The Index is based on national labour legislation, applicable on 1 January 2022. The Index does not take into account COVID-19 related labour market measures in its scoring.

Japan's overall score is 72.5 out of 100. The overall score for Japan is higher than the regional average observed across East Asia (76.75). Within the Eastern European region, the highest score is observed for Mongolia (82.5).

¹ Proportion of population living below the national poverty line (%), as measured under SDG 1.2.1

² Share of informal employment in total employment (%), as measured under SDG 8.3.1

³ Proportion of the country population covered by social protection floors, as measured under SDG 1.3.1

⁴ Labour income (income of employees + partly income of the self-employed) as a percentage of GDP, as measured under SDG 10.4.1

⁵ The female labour force is shown in absolute number along with the female labour force participation rate

⁶ Non-Standard Employment has been defined as Part-Time Employment (A) and Temporary Employment (B)

⁷ Rate of fatal and non-fatal injuries per 100,000 workers, as measured under SDG 8.8.1

LABOUR RIGHTS INDEX 2022

	Question ⁹	Answer	Legal Basis	Trend ¹²
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	Minimum Wages Act, 1959; §24-27 of the Labour Standards Act, 1947	●
	Does the law require regular payment of wages?	Yes	§11, 24 & 89 of the Labour Standards Act, 1947; §2(3) of the Minimum Wages Act, 1959	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§37 of the Labour Standards Act, 1947	●
	Does the law require additional compensation for working on a weekly rest day?	No	§33(2), 37(1), and 37(2) of the Labour Standards Act, 1947	●
	Does the law require additional compensation for night work?	Yes	§37 & 60-64 of the Labour Standards Act, 1947	●
2. Decent Working Hours	Does the law stipulate general working hours as 48 hours or lower?	Yes	§32-41 and 60-66 of the Labour Standards Act, 1947; §35 of the Labour Contract Act, 2007	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	§36 of the Labour Standards Act, 1947; §16(1) & 18 of the Ordinance for Enforcement of the Labour Standards Act, 1947	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§35 of the Labour Standards Act, 1947; §12-2 of the Ordinance for Enforcement of the Labour Standards Act	●
	Does the law require paid public holidays?	No	The National Holidays Act, 1948	●
	Does the law require at least three working weeks of paid annual leave?	No	§39 of the Labour Standards Act, 1947; §24(3) & 25 of the Ordinance for Enforcement of the Labour Standards Act, 1947	●
3. Employment Security	Does the law require written employment contracts or at least written employment particulars?	Yes	§14, 15 & 89 of the Labour Standards Act, 1947	●
	Does the law restrict the hiring of fixed-term contract workers?	No	§14 of the Labour Standards Act, 1947; §18 & 19 of the Labour Contract Act, 2007	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	No	§ 20 & 21 of the Labour Standards Act, 1947	●
	Does the law require a 30-day notice before contract termination?	Yes	§3, 19-22, and 104 of the Labour Standards Act, 1947; §627 of the Civil Code, 1896	●
	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	No	No applicable legal provisions could be located	●
4. Family Responsibilities	Does the law require parental leave for parents?	Yes	§2-16 & 61 of the Child Care and Family Care Leave Act, 1991; §61-4 to 7 of the Employment Insurance Act, 1974	●
	Does the law require at least one week of paid paternity leave for fathers?	No	No applicable legal provisions could be located	●
	Does the law require flexible work arrangements for workers with family responsibilities?	Yes	§2, 5-10 & 17-29 of the Child Care and Family Care Leave Act, 1991; §12-13 of the Equal Opportunity Act 1985	●
	Does the law require paid nursing breaks?	Yes	§67 of the Labour Standards Act, 1947; §23 of the Child Care and Family Care Leave Act, 1991	●
	Does the law prohibit inquiring about pregnancy during recruitment?	No	§9 & 11 of the Act on Securing Equal Opportunities and Treatment for Men and Women in Employment, 1972	●
5. Maternity at Work	Does the law require paid maternity leave of at least 14 weeks?	Yes	§9 & 65 of the Labour Standards Act, 1947; §5-9 of the Child Care and Family Care Leave Act, 1991	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§6, 8, 61 & 66 of the Employment Insurance Act, 1974; National Health Insurance Law	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§6, 8, 61 & 66 of the Employment Insurance Act, 1974; National Health Insurance Law	●
	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§19 of the Labour Standards Act, 1947; §9 of the Equal Opportunity Act 1972; §10 & 16 of the Child Care and Family Care Leave Act, 1991	●
	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§57-3 & 119 of the Industrial Safety and Health Act, 1972	●
6. Safe Work	Does the law require the employer to train workers on health and safety issues?	Yes	§ 25-2, 59, 69 and 119-120 of the Industrial Safety and Health Act, 1972	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§64-66 of the Labour Standards Act, 1947; §3 of the Industrial Safety and Health Act, 1972	●
	Does the law provide for employment injury benefit?	Yes	§75-77 of the Labour Standards Act, 1947; §14 & Appended Table 1 of the Industrial Accident Compensation Act, 1947	●
	Does the law provide for an old age pension?	Yes	Employees' pension insurance Act, 1954; National Pension Act, 1959	●
	Does the law provide for a dependants/survivors' pension?	Yes	Employees' pension insurance Act, 1954; National Pension Act, 1959	●
7. Social Security	Does the law provide for unemployment benefit?	Yes	§6, 13, 16, 22, 23 of the Employment Insurance Act, 1974	●
	Does the law require paid sick leave for the first 6 months of sickness?	Yes	§19, 75-76 & 81 of the Labour Standards Act, 1947; Employees Health Insurance Act, 1922	●
	Does the law provide for invalidity benefit?	Yes	Employees' pension insurance Act, 1954; National Pension Act, 1959	●
	Does the law require equal remuneration for work of equal value?	No	§3-4 & 119 of the Labour Standards Act, 1947	●
	Does the law prohibit sexual harassment in employment?	No	§715 of the Civil Code; §11 of the Equal Opportunity Act, 1972	●
8. Fair Treatment	Does the law prohibit discrimination in employment matters? ¹⁰	Yes	§14 of the Constitution of Japan, 1947; §3 & 119 of the Labour Standards Act, 1947; §5&6 of the Equal Opportunity Act, 1972	●
	Does the law allow women to do the same jobs as men?	No	§22 of the Constitution of Japan, 1947; §2 of the Equal Opportunity Act, 1972; §2 of the Employment Security Act, 1947	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	National Pension Act (1959:141); ISSA Country Profile for Japan	●
	Does the law prohibit employment of children?	Yes	§56, 58, and 118 of the Labour Standards Act, 1947; §5 & 283 of the Civil Code of Japan, 1896	●
	Does the law set employment entry age equal to or higher than the compulsory schooling age?	Yes	§56, 58, and 118 of the Labour Standards Act, 1947; §5 of the Basic Act on Education, 2006	●
9. Child and Forced Labour	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§61-63 & 118-119 of the Labour Standards Act, 1947	●
	Does the law prohibit forced labour?	Yes	§18 of the Constitution of Japan, 1947; §5 & 117 of the Labour Standards Act, 1947	●
	Does the law allow workers to form and join unions of their own choice?	Yes	§28 of the Constitution of Japan, 1947; §1-7 & 14 of the Labour Union Act, 1949	●
10. Trade Union	Does the law allow workers to bargain collectively with employers through their representative unions?	Yes	§7 & 14-17 of the Labour Union Act, 1949; §92 of the Labour Standards Act, 1947; USDOS CRHRP 2021	●
	Does the law provide for the right to strike?	No	§8 of the Labour Union Act, 1949; §6- 7 & 37-39 of the Labour Relations Adjustment Act, 1946; CEACR C87 Obs. 2021	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	No	§1 & 98 & 110 of National Public Service Act 1947	●

Covid 19 and Labour Market in Japan*

Total Covid Cases	10.46 Million
Total Covid Deaths	31,645
Partial Vaccinated	82.0%
Fully Vaccinated	81.0%

Wage Subsidies	●
Social Security Contributions (deferrals/waivers)	●
Paid Sick Leave	●
Add. Unemployment Benefits	●

Protection from Dismissals	●
Telework/flexible work	●
Improved Health Access	●
Training (activation measures)	●

⁹ The Index has 10 indicators and 46 evaluation criteria or questions.

¹⁰ The prohibited grounds for discrimination are "race, colour, sex, religion, political opinion, national extraction or social origin, age, disability and trade union membership". A score of 1 is assigned only if a country has prohibited discrimination on at least 7 of the above 10 grounds.

¹¹ A country's score on LRI's Trade Union indicator must also be read together SDG indicator 8.8.2 which measures the level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation. It has a range from 0 to 10, with 0 being the best possible score (indicating higher levels of compliance with FACB rights) and 10 the worst (indicating lower levels of compliance with FACB rights). The score of Japan on SDG 8.8.2 is 1.11 (2020)

The Index uses Observations/Direct Requests from ILO CEACR and the US Department of State's Country Reports on Human Rights Practices (US DOS CRHRP) to measure a country's compliance on the Trade Union indicator.

¹² In order to measure the trend in country's legislative performance over the last edition of the Labour Rights Index (2020), the legislative table indicates improvement or worsening of labour rights in country through the following colours.

- Score increase
- Score decrease
- Score adjustment
- No change