

## Introduction

The number of foreign nationals working in Japan has been increasing year after year. At the same time, there have been a number of people obtaining employment through improper channels, such as illegal brokers, and some conflicts have been caused with employers etc. over working conditions due to a lack of knowledge on Japanese labour laws and working practices in Japan. Furthermore, there are cases where foreigners have not been able to obtain proper benefits due to lack of Japanese social insurance and they and their families have not received sufficient medical treatment for diseases.

To avoid these problems and ensure safe and comfortable living conditions, it is necessary for them to have correct knowledge and information on the laws and systems in Japan. In particular, foreigners who are intending to come to Japan should collect sufficient information and prepare themselves in advance.

This booklet consists of basic items for foreign nationals working, or wishing to work in Japan, to know how to get a job through the proper route and being able to work under proper management, providing you with the information you will need to work legally and comfortably in Japan. This booklet will also, hopefully, assist in reducing the time needed to become accustomed to life in Japan and to Japanese culture. May your working career in Japan be a rewarding one.

### 1 Foreign Nationals who are permitted to work in Japan and those who are not

“The Immigration Control and Refugee Recognition Act” (hereinafter referred to as “Immigration Control Act”) prescribes fundamental regulations concerning entry and residence of foreign nationals for the purpose of working in Japan.

Foreign Nationals with the following statuses of residence may work in Japan (\*)

#### **(1) A status of residence with which people are permitted to work regardless of the type of industry or job**

Under the Immigration Control Act, those who have the status of residence of “permanent resident”, “spouse or child of Japanese national”, “spouse or child of permanent resident”, or “long term resident” are completely free to engage in any working activities in Japan, and are free to work in any type of job and change their occupations, as long as there are no regulations under other acts.

#### **(2) Statuses of residence with which people may work limited to certain types of occupations, industries, or job contents**

Those who have the status of residence of “professor”, “artist”, “religious activities”, “journalist”, “investor/business manager”, “legal/accounting services”, “medical services”, “researcher”, “instructor”, “engineer”, “specialist in humanities/international services”, “intra-company transferee”, “entertainer”, “skilled labour”, or “designated activities” permitted to work only in the activities which are specifically designated by the Minister of Justice for foreigners such as those on the working holiday scheme or in technical intern training programs, are only permitted to engage in activities covered by the relevant status.

However, they are required to obtain prior permission from the local immigration office, etc. to engage in extra-status-of residence activities or to change the status of residence, when they engage in these activities of running income-generating business or receiving remuneration in a status other than the relevant residence classification.

(\*) The Alien Registration Act requires any foreign nationals, in principle, to apply for alien registration to the governor of the municipality where they reside when they intend to stay in Japan for 90 days or longer after landing, regardless of whether they are permitted to work. Therefore, all foreign nationals need to register themselves at the city office of the municipality where they reside.

**Statuses of residence with which foreign nationals are not permitted to work without permission of engaging in extra-status-of-residence activities**

Those who have the status of residence of “cultural activities”, “temporary visitor”, “college student”, “pre-college student”, “trainee” or “dependent”.

Those foreign nationals are not permitted to engage in activities of running income-generating business or activities for receiving remuneration, so that they may naturally not be employed or entitled to receive employment services through PESO, etc., in principle.

Therefore, when those having one of these statuses of residence intend to start work, they need to obtain permission to engage in extra-status-of-residence activities beforehand at the local immigration office, etc. This will be permitted only if the amount and scope of such activities are approved as appropriate so as not to hinder their original activities belonging to their statuses of residence.

In principle, those having the status of “college student” or “pre-college student” may take on a part-time job after obtaining comprehensive permission to engage in extra-status-of residence activities within the time limits shown in the table below. Even those who have obtained permission to engage in extra-status-of residence activities may not engage in adult entertainment businesses.

□ ■ □ Time limits for part-time job by foreign students □ ■ □

		Time limits per week	Time limits during school vacation
College students	Full-time students in college, etc.	28 hours per week	8 hours per day
	Occasional or research students in college, etc.	14 hours per week	
	Students in vocational college, etc.	28 hours per week	
Pre-college students		4 hours per day	

## Illegal working situations

The following constitute violations of the Immigration Control Act, and is subject to deportation or criminal punishment:

- (1) In case a foreign national having the status of residence which permits him to work, has engaged without obtaining permission for an activity of running exclusively an income-generating business or an activity for receiving remuneration, which is outside the scope of activities permitted by his status of residence, and in case a foreign national has, having the status of residence which does not permit him to work and not obtaining the permission of engaging in extra-status-of-residence activities, engaged in an activity of running an income-generating business or an activity for receiving remuneration, he is subject to criminal punishment. If he is engaging in such an activity solely, he is subject to deportation or criminal punishment.
- (2) Those staying illegally are subject to deportation or criminal punishment for illegal stay, and are not permitted to work in any way.

<For further information on statuses of residence, etc., please contact your local Regional Immigration Bureau. ( →34p)>

A foreign national who wants to engage solely in an occupation belonging to any of the other statuses of residence should change his status of residence. (\*)

When a foreign national wants to engage in an occupation belonging to other statuses of residence, he must be approved to change the statuses of residence from the Minister of Justice. Therefore, if he fails to receive such approval and operates business yielding income or conduct activities receiving compensation, such activities are considered to violate Immigration Control Act, and subject to deportation or criminal punishment. This application for change of the statuses of residence shall be conducted before the end of the statuses of residence period. Even applying for before the end of the statuses of residence period, unless such application is approved, the foreign national is not permitted to engage in activities in the range of statuses of residence which he now applies, although he can engage in the activities in a range of statuses of residence which he currently has. He who is engaged in such activities is considered to violate Immigration Control Act.

The procedure to change the statuses of residence is taken at the local Immigration Control Office, etc. He shall submit necessary materials such as documents certifying the details and period of his activities in Japan, or documents certifying his identity.

Those who have the status of residence of “temporary visitor” are not permitted to change their status of residence, except in extraordinary and unavoidable circumstances.

(\*) The Alien Registration Act requires any foreign nationals who change their status of residence to apply for registration of changes in their alien registration card to the governor of the municipality where they reside within 14 days of the day when the changes were made. Therefore, all foreign nationals this applies to need to apply for registration of changes at the city office of the municipality where they reside.

You cannot stay in Japan after the expiration of the residence period. (\*)

If a foreign national intends to continue his activities in Japan after the expiration of the residence period, he should have permission on renewal the residence period by the Minister of Justice. The procedure to renew the period must be done before the end of the statuses of residence period.

If you stay in Japan after the expiration of the residence period without such permission, you are considered to violate Immigration Control Act, and subject to deportation or criminal punishment.

(\*) The Alien Registration Act also requires any foreign nationals who change their period of stay to apply for registration of changes in their alien registration card to the governor of the municipality where they reside within 14 days of the day when the changes were made. Therefore, all foreign nationals need to apply for registration of changes at the city office of the municipality where they reside.

Procedures to change the status of residence from “college student” to “engineer”, “specialist in humanities/international service”, etc. which allows engagement in an occupation

Students of graduate schools, universities, colleges, and vocational colleges who possess the “college student” status of residence may change their status of residence to “engineer”, “specialist in humanities/international service”, or another status that will allow for their engagement in an occupation, provided ① the student is deemed to have the necessary qualifications to be eligible to receive said status of residence, and ② the academic background, etc. of the student satisfies the requirements of said status of residence.

The above is also applied to graduates of special courses in vocational colleges. Among these standards, the requirement related to academic background (university degree, etc.) is not necessary, only if the candidate has ① a title of “specialist”, and ② the chosen occupation is relevant to the study undertaken in that college.

Please also note that both students with “college student” status of residence who are enrolled at vocational colleges (in both advanced and regular courses) and those with “pre-college student” status do not satisfy the requirements regarding academic background and therefore cannot engage in any occupation. However, in the situation where the candidate has already obtained a university (bachelor’s) degree, etc. defined in the standard, or if the candidate possesses sufficient professional experience, etc. defined in the standard, permission to work will be granted upon completion of the necessary application procedures.

<For further information on statuses of residence, please contact the nearest Local Immigration Control Office. ( → 34p)>

## 2 When you look for a job

When you look for a job in Japan, please contact the Public Employment Security Offices (PESO).

A Public Employment Security Office (hereinafter referred to as “PESO”) provides foreign nationals with employment services such as vocational counseling, offering information about job, just same as Japanese nationals. There are 584 PESO offices located in major municipalities throughout Japan (including the area offices and branch offices). All offices are connected with an on-line system, enabling you to obtain job vacancy information from any PESO in Japan. Please contact a PESO nearby when you look for a job. Information on job openings can also be obtained from the Hello Work website, where users can carry out searches for the latest job openings. The listings include not only fundamental information such the type of job, income level, and conditions of employment, but also now include (at the request of employers) the employer’s name, location, and telephone number. The site can be viewed at the following URL <http://www.hellowork.go.jp> address (this service is available in Japanese only):

Those who don’t feel at home in the Japanese language can visit “The Employment Service Corner for Foreign Workers” which some PESOs have, where interpreters are assigned. <see 36p> Also, there is “The Employment Service Center for Foreigners” in Tokyo and Osaka for foreign university graduates and foreigners with special knowledge and techniques. <see 43p>

### How to find a job at PESO

PESO is open, in principle, from 8:30 a.m. to 5:15 p.m. (closed for lunch between 0:00 p.m. and 1:00 p.m.) (For those who cannot visit PESO during daytime hours on weekdays, some PESOs provide vocational counseling and placement services during evening hours on weekdays and on Saturdays.). Some PESOs have “The Employment Service Corner for Foreign Workers” where interpreters could help you. However, these interpreters are not always in the office. They attend the corner on determined days and hours . These hours might be subject to change, so that it is advisable for you to ask PESO by phone in advance, or take your family member or a friend who is familiar with Japanese.

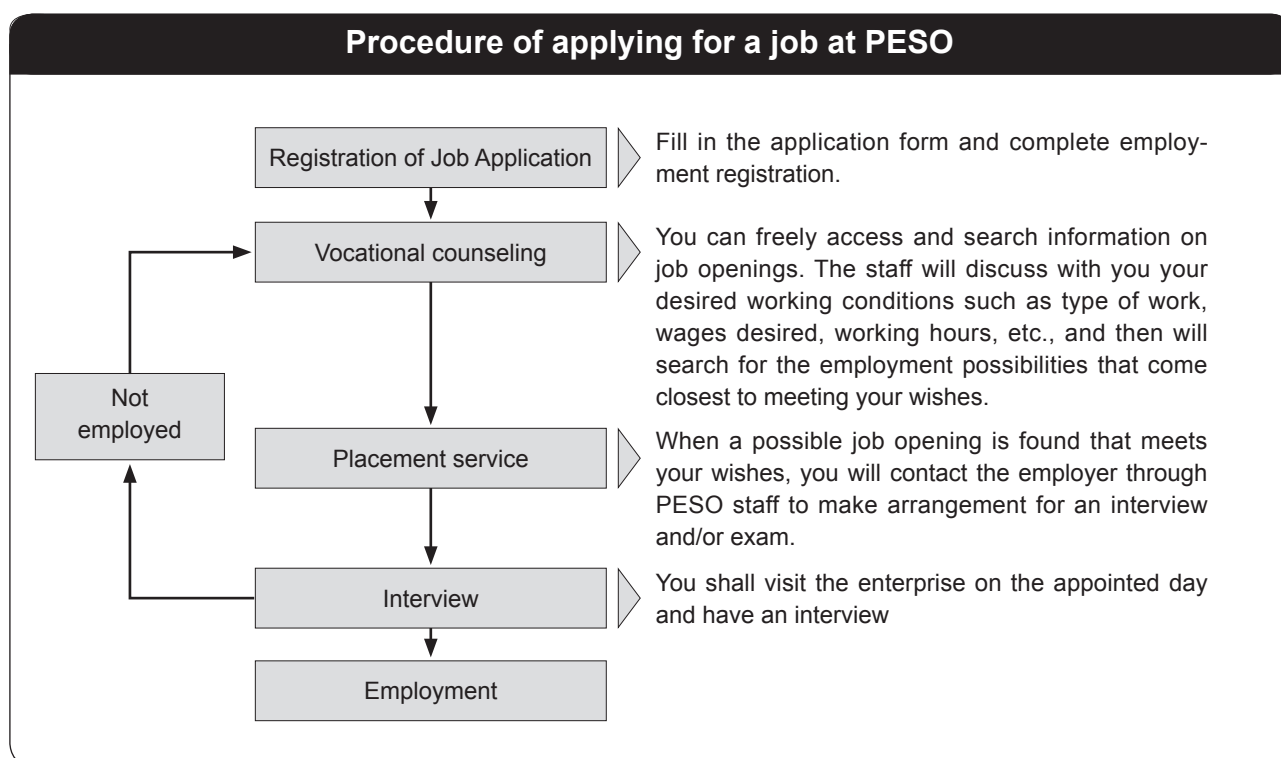
When you visit PESO to find a job at first, please register yourself at “reception”. You fill out a pre-determined “application form” to register. As this form will be used for PESO to provide work-related advice and introduce possible job opportunities to you, please ensure that the form is completed accurately. If there is any question in writing this application, do not hesitate to ask the staff.

Based on the information you provide, the staff will discuss with you your future course of employment, taking into consideration factors such as your desired occupation, working conditions, etc. After registration, you will be issued a “PESO Card.” By presenting this card on your subsequent visits, you can receive employment counseling services at any of the PESOs in Japan. Also taking into consideration your abilities (any qualifications or licenses you may have, your professional experience, etc.) and suitability for any given position, PESO staff will help you gain reemployment through the counseling services.

Upon finding a position that is suitable for you, the staff will make the arrangements for you to attend an interview and/or exam with the employer in question. However, the chance may not be given for certain reason, e.g., the enterprise has already employed someone else.

The staff will need to confirm that you are eligible to work in Japan, therefore you will need to bring both your Certificate of Alien Registration and your Passport when initially registering at PESO. Please do not forget to bring these two documents with you.

When the date of interview is fixed, PESO gives you a “letter of introduction”. Check the date, hour and place of interview on the letter. Some employers may ask you to bring other materials to the interview (such as your resume). Please inquire to the staff and confirm what (if any) additional documents you will need to prepare before your interview.



# How to Read the Job Postings

## Place of Employment

The location you would actually be working in the event you are hired. Please make note of the place of employment, as it may differ from the location of the employer/office.

## Length of Employment

In the event that the length of employment is pre-determined, this information will be shown here.

## Required Experience and/or Qualifications

Requirements that the employer has indicated all applicants should possess. If you do not meet these requirements, you may not be able to have an interview by this employer.

## Posting Number

All information regarding this posting will be managed using this number. Make note of this number, as you will need it when inquiring about the position.

## Deadline for Applications

This date is set by the employer. However, as the position may be filled before the deadline, be sure to submit your application as early as possible.

## Working Hours / Shift System

In the event that there is more than one pattern listed in this space, there are two possible scenarios: (1) the applicant will be required to be available to work all of the shifts listed, or (2) the applicant will work one of the shifts from amongst the shifts listed. Please read carefully for full details.

求人票 (一般)

17.12.8 18.2.28

61010-60341

6101-911049-0

求人番号 61010-60341	受付開始日 17.12.8	締め切り日 18.2.28	募集区分 8 21 ソフトウェア業	職種 システム開発、設計	職種 事務 不問	採用人数 3人
事業所名 ハローシステム株式会社	所在地 〒123-4567 東京都中央区△△町1-0-7	事業所所在地 同上	雇用形態 正社員	勤務時間 常雇	就業期間 年月日～年月日	
所在地 △△駅から徒歩3分 01-2345-6789 http://www.oo.co.jp hello-aa@oo.co.jp	就業内容 国際的な(主に中国との)経済合作を追求する、国際性と将来性が豊かな新しい成長のある企業です	仕事の内容 コンピュータのアプリケーション開発の支援・運用管理をベースとした技術支援	学歴 理工系大学卒業以上	必要経験 経験者優遇	就業条件 ① 8時30分～18時30分 ② ③	
創業 平成4年	従業員 当事業所 32人 うち女性 14人 企業全体 374人	入居可能住宅 単身用 なし 世帯用 なし	月給制 月額 円～ 円	賞与 毎月20日 円 毎月25日 円	休日 日 日 日 毎週 1日 年 日 休日数	
加入保険等 雇用 労災 健康 厚生 特給	退職金制度 なし	昇進 昇進あり	基本給(月額) 150,000円～350,000円	手当 a 家族手当 10,000円 b 住宅手当 5,000円 c その他手当 5,000円	ボーナス 前年実績 年2回 計 0月分 又は 万円～万円	
選考方法 面接 書類選考	就業場所までの地図 △△市△△区△△町110-7 △△駅 徒歩10分	給与 a 160,000円～360,000円	福利厚生 a 家族手当 10,000円 b 住宅手当 5,000円 c その他手当 5,000円	賞与 前年実績 年2回 計 0月分 又は 万円～万円	実費(上限あり) 毎月50,000円まで	

## Payment of Remuneration

There are generally three types of payment systems: flat monthly salary, day-based pay (paid monthly after calculating number of days worked), and hourly-based pay. Please confirm with the staff if you are unsure of the stipulations.

## Pay Raises / Bonuses

The amount of a pay raise or bonus will always be linked to actual financial performance of the employer over the last fiscal year. As such, pay raises and bonuses may vary and cannot be guaranteed.

## Remuneration

Line "a" gives the basic remuneration for the position. If there is a range of possible remuneration provided in this line, the actual remuneration will be determined based on factors such as your experience. You will need to confirm the actual rate during your interview.

Line "b" provides benefits that the employer will provide irrespective of the applicant. Other lines provide benefits that the employer may provide, but which are subject to change based on the individual eventually hired. Such benefits may include matters such as dependent allowances and commission-based bonuses. Please ensure that you inquire and settle matters regarding transportation costs during your interview.

## Days Off / Five-Day Work Week System

If the employer has already pre-determined what days of the week will be rest days, those days will be shown here. If the position operates on a regular five-day work week, that information will also be shown here. If the company has no such system,無(N/A) will be shown.

## Interview and employment

Most enterprises ask you to prepare “resume” for the interview. The resume is the document that will be used by the prospective employer to gauge your suitability for any given position. As it is a very important document, care must be taken in ensuring that it is completed in a neat and easy-to-read manner. Standardized “resume” form is available at stationers. You have to fill out the resume with black or blue pen or ballpoint pen.

Be careful not to be late for the interview. If an accident prevents you from arriving on time, you have to call the person in charge of interview whose name is indicated on the “letter of introduction”. Also, if you want to cancel the interview, or change the date or hour, you have to call and consult with this person.

After the interview, you might be admitted, or not admitted. Even if you are admitted, you can decline the employment when you are not agreeable. In some cases, the employer might suggest less favorable condition, according to your ability than that indicated in the job application card. If you are to agree to the employment, you should confirm the working condition again with the employer.

If you are declined by that employer, you can consult with PESO again. Please do not hesitate to visit us.

It is illegal to conduct business of dispatching workers to another enterprise or providing placement service without authorization. Please be careful not to fall prey to illegal brokers when looking for a job in Japan.

In Japan, there are the following regulations on the recruitment of workers, employment placement business, worker dispatch business and so on.

### (1) On recruiting workers

Employers are allowed to recruit workers through their own efforts or those of their employees, or by putting ads in newspapers, etc. An employer who intends to entrust brokers, instead of his/her own employees, to recruit workers must obtain permission from- or notify the Minister of Health, Labour and Welfare or the Director General of Prefectural Labour Bureau pursuant to the Employment Security Act.

### (2) On the employment placement business

The Employment Security Act authorizes the operation of employment services under the permission of the Minister of Health, Labour and Welfare.

But the operation of fee-charging employment services concerning the harbor express and construction is not permitted.

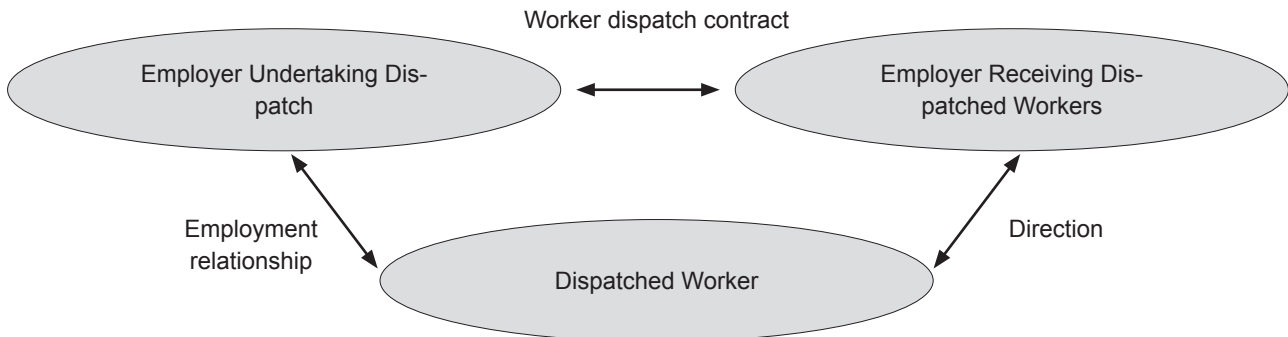
### (3) Prohibition of labour supply business

The Employment Security Act in principle prohibits labour supply services which dispatch employees to work for other people and for the purposes of having them work under someone else's authority, with the exception of the following system of dispatching workers. However, when labour unions, etc. may conduct labour supply services free of charge following the obtaining of permission from the Minister of Health, Labour and Welfare.



(4) On the worker dispatch business

The Worker Dispatching Act prescribes that an employer has to obtain the license from, or report to the Minister of Health, Labour and Welfare, when the employer dispatches a worker employed by the employer to be engaged in work for another person under the direction of that person. It is illegal to conduct worker dispatching business without license or report.



The dispatching of workers is prohibited in the following work categories, which are excluded under the Worker Dispatching Act: port and harbor transport work, construction work, security work, and medically-related work at hospitals, etc. (excluding cases where workers are dispatched for prospective placement regarding relevant work categories, where the relevant work consists of duties of workers taking maternity leave, childcare leave, or nursing leave, and doctors' work that dispatched workers undertake in isolated districts (as of September 1, 2007)).

The number of illegal brokers who violate the Employment Security Act and the Worker Dispatching Act has been brought damages such as intermediary exploitation or vile dismissal of foreign nationals who contracted the brokers in order to find jobs, as the number of foreign nationals working in Japan increases. Furthermore, when such illegal brokers are arrested, foreign nationals who had worked under contract with them may have difficulty maintaining employment.

When you look for a job, you should be careful not to contact illegal brokers, but go through official channels, such as PESO, fee-charging employment service operators or worker dispatching service operators.

When you would like to know if the employer has authorization of fee-charging employment services or worker dispatching services, please ask the staff of Prefectural Labour Bureau.