

Medical (Compensation) Benefits

When a worker is injured or becomes ill as a result of work or commuting and requires medical care, until the relevant injury or disease is *”Cured”, the worker can receive Medical Compensation Benefits (for employment injury) or Medical Treatment Benefits (for commuting injury).

Benefit Details

Medical (Compensation) Benefits consist of “Medical Treatment Benefits” and “Treatment Expense Payment”.

- “Medical Benefits” are benefits in kind where care and medicine can be supplied free of charge at Rosai (Industrial Accident Compensation) hospitals, designated medical facilities and pharmacies, etc.(hereafter referred to as ”designated medical facilities”).
- “Treatment Expense Payments” are capital benefits where expenses incurred for treatment are paid when a worker receives treatment at a medical facility or pharmacy, etc. other than designated medical facilities because such facilities are not located close by or other reasons.

The scope and period of medical treatment covered by the benefits are the same for both.

Medical (Compensation) Benefits include general items required for medical care including treatment costs, (e.g.: treatment cost, hospitalization fees, transportation expenses, etc.)and are provided until injuries or diseases are *cure or symptoms stabilized

◇ What does “Cured” mean?

In Industrial Accident Compensation Insurance “cured” does not refer only to returning the various organs and tissues of the body to their original healthy state, but can also refer to a state where the symptoms of injuries and diseases are stabilized and where no further medical effect can be expected(Note2)even if further generally recognized medical treatment is provided (Note1), referring to a condition of “stabilized symptoms”.

As such, even in situations where some symptoms remain such as “situations where treatment using medical or physical therapy cannot be expected to provide more than temporary recovery”, and if it is determined that no further medical effects can be expected, the situation is treated as “cured” (symptoms stabilized)for the view of Industrial Accident Compensation Insurance, and further Medical (Compensation) Benefits will not be provided.

(Note1) “Generally recognized medical treatment” refers to treatment recognized within the scope of Industrial Accident Compensation Insurance (generally based on health insurance). As such, treatment methods which are still in experimental or research stages are not included in these medical treatments.

(Note2) “No further medical effect can be expected ”refers to a condition where no recovery or improvement of injury or disease symptoms can be expected.

Claim Procedures

●When claiming Medical Treatment Benefits

Submit a Medical Treatment Benefits Claims Form for Medical Compensation Benefits (Form No. 5) or a Medical Treatment Benefits Claims Form for Medical Treatment Benefits (Form No. 16-3) to the chief of the relevant labour standards inspection office through the designated medical facilities.

●When claiming treatment expenses

Submit a Treatment Expense Claims Form for Medical Compensation Benefits (Form No. 7) or a Treatment Expense Claims Form for Medical Treatment Benefits (Form No. 16-5) to the chief of the relevant labour standards inspection office.

In addition, if receiving medication from a pharmacy, submit Form No. 7 (No. 16-5-2), receiving treatment from a judo bonesetter, Form No. 7 (No. 16-5-3), from a acupuncturist, moxa specialist or shiatsu massage therapist, Form No. 7 (No. 16-5-4) or when receiving home nursing from a home nursing company, Form No. 7 (16-5-5).

●Changing designated medical facilities, etc.

When a worker who is already receiving treatment at a designated medical facility, etc. changes designated medical facilities due to returning to their home town or other reasons, a “Registration (of Change) of Designated Medical Facility, etc. where Medical Treatment Benefits for Medical Compensation Benefits are Received” (Form 16) or “Registration (of Change) of Designated Medical Facility, etc. where Medical Treatment Benefits for Medical Treatment Benefits are Received” (Form 16-4) to the chief of the relevant labour standards inspection office through the designated medical facilities, etc after changing.

Transportation Expenses

For hospital travel costs, the distance between worker’s residence or workplace and the medical facility must in principle, be 2km or more. At least one of items following ①②③ is required to be eligible for payment.

①Travel to an appropriate medical facility (*2) within the same village, city or town.

②Travel to an appropriate medical facility in a neighboring village, city or town because none is available within the same village, city or town.(This includes situations where even if there is an appropriate medical facility in the same village, city or town, travel to a facility in a neighboring village, city or town is easier)

③Travel to the nearest possible appropriate medical facility in a village, city or town outside the same or neighboring village, city or town because no such facility exists there.

(*1) Travel costs may be paid in some circumstances even if the distance is less than 2km one-way.

(*2) Appropriate medical facility refers to a medical facility suitable for treatment of the relevant injury or disease.

Statute of Limitations

Because Medical Treatment Benefits are benefits in kind, there are no issues with statute of limitations on claim rights, however if claims are not made within 2 years of the day on which care expenses are paid, claim rights will lapse due to the statute of limitations.

Temporary Absence from Work (Compensation) Benefits

When a worker is injured or becomes ill as a result of work or commuting and is unable to work in order to receive medical treatment, and thus cannot earn wages, they can receive Temporary Absence from Work Compensation Benefits (for employment injury) beginning from the 4th day of the absence from work.

Benefits Details

When a worker fulfills the following 3 conditions, they can receive Temporary Absence from Work (Compensation) Benefits and Temporary Absence from Work Special Allowances beginning from the 4th day of the absence from work.

① receiving medical treatment because of being injured or becoming ill as a result of work or commuting,

② being unable to work

③ being unable to earn wages

• Temporary Absence from Work (Compensation) Benefits = (60% basic daily benefits payment amount) × No. of days of missed work

• Temporary Absence from Work Special Allowances = (20% basic daily benefits payment amount) × No. of days of missed work

The first 3 days of missed work is called the waiting period and according to the Labour Standards Law, for employment injury, during this time the employer shall provide Temporary Absence from Work Compensation (60% of average wages per day).

In addition, for example, if the worker misses only a portion of their scheduled working hours for hospital visits, they can receive 60% of the basic daily benefits payment amount for the wages of the missed time.

Claim Procedures

Submit a Temporary Absence from Work Compensation Benefits Claims Form (Form No.8) or a Temporary Absence from Work Benefits Claims Form (Form No.16-6) to the chief of the relevant labour standards inspection office.

Statute of Limitations

Claim rights for Temporary Absence from Work (Compensation) Benefits are earned for each day on which a worker cannot work and earn wages because of medical treatment and if claims are not made within 2 years of the following day, claim rights will lapse due to the statute of limitations.

Injury and Disease (Compensation) Pension

When a worker was injured or became ill due to work-related causes and received medical treatment for 1 year and 6 months, the worker is eligible to receive Injury and Disease Compensation Pension (for employment injury) or Injury and Disease Pension (for commuting injury) from that day. The requirements are the following conditions.

- (1) The injuries or disease have not been cured.
- (2) The severity of disabilities resulting from the injury or disease falls within the Injury and Disease classifications of the Injury and Disease class table.

Benefit Details

Injury and Disease (Compensation) Pension, Injury and Disease Special Allowance and Injury and Disease Special Pension can be provided depending on the class of injury or disease.

Injury/disease class	Injury and Disease (Compensation) Pension	Injury and Disease Special Allowance (lump sum)	Injury and Disease Special Pension
Class 1	313 days of days of basic daily benefit payment amount	1,140,000 yen	313 days of days of basic daily calculation amount
Class 2	277 days of days of basic daily benefit payment amount	1,070,000 yen	277 days of days of basic daily calculation amount
Class 3	245 days of days of basic daily benefit payment amount	1,000,000 yen	245 days of days of basic daily calculation amount

Pension Payment Months

Injury and Disease (Compensation) Pension is paid for amount of the previous 2 months 6 times every year in February, April, June, August, October and December. The payment starts the following month when the above conditions (1) and (2) are met.

※ Workers who have suffered a class 1 or 2 injury or disease and have a thoracoabdominal organ, nervous system or mental disability and who are already receiving nursing care can receive Nursing Care (Compensation) Benefits. (→ P32)

Procedures

Determination of whether Injury and Disease (Compensation) Pension will be provided or not is made under the authority of the chief of the relevant labour standards inspection office, so no claims procedures are required, however if injuries or diseases are not cured within 1 year and 6 months from beginning the care, within 1 month thereafter a “Notification of Injury and Disease Conditions (Form No. 16-2)” must be submitted to the chief of the Labour standards inspection office.

Disability (Compensation) Benefits

When a worker is injured or becomes ill as a result of work or commuting, once the injury or disease is cured (stabilized symptoms), if any disabilities remain, the worker can receive Disability Compensation Benefits (for employment injury) or Disability Benefits (for commuting injury)

Benefit Details

If remaining disabilities fall within the disability classifications listed in the disability classification table, the following benefits can be provided depending on the severity of the disability.

- For class 1 through class 7 disabilities Disability (Compensation) Pension, Disability Special Allowance, Disability Special Pension
- For class 8 through class 14 disabilities Disability (Compensation) Lump Sum, Disability Special Allowance, Disability Special Lump Sum

Disability class	Disability (Compensation) Benefits			Disability Special Allowance(※)		Disability Special Pension			Disability Special Lump Sum	
Class 1	Pension	313 days of days of basic daily benefit payment amount		Lump Sum	3,420,000 yen	Pension	313 days of days of basic daily calculation amount			
Class 2	"	277	"	"	3,200,000 yen	"	277	"		
Class 3	"	245	"	"	3,000,000 yen	"	245	"		
Class 4	"	213	"	"	2,640,000 yen	"	213	"		
Class 5	"	184	"	"	2,250,000 yen	"	184	"		
Class 6	"	156	"	"	1,920,000 yen	"	156	"		
Class 7	"	131	"	"	1,590,000 yen	"	131	"		
Class 8	Lump Sum	503	"	"	650,000 yen				Lump Sum	503 days of days of base daily calculation amount
Class 9	"	391	"	"	500,000 yen				"	391 "
Class 10	"	302	"	"	390,000 yen				"	302 "
Class 11	"	223	"	"	290,000 yen				"	223 "
Class 12	"	156	"	"	200,000 yen				"	156 "
Class 13	"	101	"	"	140,000 yen				"	101 "
Class 14	"	56	"	"	80,000 yen				"	56 "

*If the worker has already received an Injury and Disease Special Allowance for the same accident, it will be subtracted from the amount paid.

*Workers who have suffered a class 1 or 2 injury or disease and have a thoracoabdominal organ, nervous system or mental disability and who are already receiving nursing care can receive Nursing Care (Compensation) Benefits. (→ P32)

Claim Procedures

Submit “Disability Compensation benefits Claims Form” (Form 10) or “Disability benefits Claims Form” (Form 16-7) to the chief of the relevant labour standards inspection office

Statute of Limitations on Claims

If claims for Disability (Compensation) Benefits are not made within 5 years of the following day injuries or diseases are cured(stabilized symptoms), claim rights will lapse due to the statute of limitations.

Disability Class Table

Industrial Accident Compensation Insurance Act Enforcement Ordinance
Appendix Table 1 Disability Class Table

Disability class	Benefit Details	Physical Disability	Disability class	Benefit Details	Physical Disability
Class 1	313 days of the basic daily benefits payment amount for 1 year while the disability is present	1 Has lost vision in both eyes 2 Has lost digestive and speech functions 3 Has significant disabilities with nervous system or mental disability and requires constant nursing care 4 A person who has serious obstacles in functioning of his/her organs in the chest and abdomen and, therefore, require continuous care 5. Deleted 6 Has lost both arms above the elbow 7 Has lost use of both arms 8 Has lost both legs above the knee 9 Has lost the use of both legs	Class 4	Same 213 days	1 Vision in both eyes is under 0.06 2 Has significant disability with speech or digestive functions 3 Is completely deaf in both ears 4 Has lost 1 arm above the elbow 5 Has lost 1 leg above the knee 6 Has lost the use of all fingers on both hands 7 Has lost both feet above the Lisfranc joint
Class 2	Same 277 days	1 Has lost vision in 1 eye and vision in other eye is 0.02 or less 2 Vision in both eyes is 0.02 or less 2-2 Has significant disabilities with nervous system or mental disability and requires on call nursing care 2-3 Has significant disability with thoracoabdominal organ function and requires on call nursing care 3 Has lost both arms above the hands 4 Has lost both legs above	Class 5	Same 184 days	1 Has lost vision in 1 eye, and vision in other eye is 0.1 or less 1-2 Has significant disabilities with nervous system or mental disability, and cannot perform any but the simplest of work 1-3 Has significant disabilities with thoracoabdominal organ function, and cannot perform any but the simplest of work 2 Has lost 1 arm above the hand 3 Has lost 1 leg above the foot 4 Has lost use of 1 arm 5 Has lost use of 1 leg 6 Has lost all the toes on both feet
Class 3	Same 245 days	1 Has lost vision in 1 eye and vision in other eye is 0.06 or less 2 Has lost digestive or speech functions 3 Has significant disabilities with nervous system or mental disability and cannot work a lifetime job 4 Has significant disability with thoracoabdominal organ function and cannot work a lifetime job 5 Has lost all fingers on both hands	Class 6	Same 156 days	1 Vision in both eyes is under 0.1 2 Has significant disability with speech or digestive functions 3 Hearing in both ears is such that even loud speaking cannot be heard unless directly near the ear 3-2 Has lost hearing completely in 1 ear and hearing in remaining ear is of a level that it is difficult to hear normal conversation further than 40 centimeters

Disability Class	Benefit Details	Physical Disability
		<p>4 Has significant deformation or mobility impairment in spine</p> <p>5 Has lost use of 2 of the 3 major joints in 1 arm</p> <p>6 Has lost use of 2 of the 3 major joints in 1 leg</p> <p>7 Has lost all 5 fingers or 4 fingers including the thumb on 1 hand</p>
Class 7	Same 131 days	<p>1 Has lost vision in 1 eye and vision in other eye is 0.6 or less</p> <p>2 Hearing in both ears is of a level that it is difficult to hear normal conversation further than 40 centimeters</p> <p>2-2 Has lost hearing completely in 1 ear and hearing in remaining ear is of a level that it is difficult to hear normal conversation further than 1 meter</p> <p>3 Has significant disabilities with nervous system or mental disability, and cannot perform any but the simplest of work</p> <p>4 Deleted</p> <p>5 Has significant disabilities with thoracoabdominal organ function, and cannot perform any but the simplest of work</p> <p>6 Has lost 3 fingers including the thumb or 4 fingers excluding the thumb on 1 hand</p> <p>7 Has lost use of all 5 fingers or 4 fingers including the thumb on 1 hand</p> <p>8 Has lost 1 foot above the Lisfranc joint</p> <p>9 Has pseudoarthrosis and significant mobility impairment in 1 arm</p> <p>10 Has pseudoarthrosis and significant mobility impairment in 1 leg</p> <p>11 Has lost the use of all toes on both feet</p> <p>12 Has significant external appearance issues</p> <p>13 Has lost both testis</p>

Disability Class	Benefit Details	Physical Disability
Class 8	503 days of days of basic daily benefits payment amount	<p>1 Has lost vision in 1 eye or vision in 1 eye is 0.02 or less</p> <p>2 Has mobility impairment in spine</p> <p>3 Has lost 2 fingers including the thumb or 3 fingers excluding the thumb on 1 hand</p> <p>4 Has lost use of 3 fingers including the thumb or 4 fingers excluding the thumb on 1 hand</p> <p>5 1 leg has been shortened by 5 centimeters or more</p> <p>6 Has lost use of 1 of the 3 major joints in 1 arm</p> <p>7 Has lost use of 1 of the 3 major joints in 1 leg</p> <p>8 Has pseudoarthrosis and in 1 arm</p> <p>9 Has pseudoarthrosis and in 1 leg</p> <p>10 Has lost all toes on 1 foot</p>
Class 9	Same 391 days	<p>1 Vision in both eyes is 0.6 or less</p> <p>2 Vision in 1 eye is 0.06 or less</p> <p>3 Has hemiamaurosis, tunnel visions or deformed vision in both eyes</p> <p>4 Has significant impairment in the eyelids of both eyes</p> <p>5 Has lost the nose or has significant impairment in the function of the nose</p> <p>6 Has disability with digestive and speech function</p> <p>6-2 Hearing in both ears is of a level that it is difficult to hear normal conversation further than 1 meter</p> <p>6-3 Hearing in 1 ear is so poor that loud voices cannot be heard even close by and hearing in the remaining ear is of a level that it is difficult to hear normal conversation further than 1 meter</p> <p>7 Has completely lost hearing in 1 ear</p> <p>7-2 Has disabilities with nervous system or mental disability which limits the level of work that can be performed</p>

Disability Class	Benefit Details	Physical Disability	Disability Class	Benefit Details	Physical Disability
		<p>7-3 Has disability with thoracoabdominal organ function which limits the level of work that can be performed</p> <p>8 Has lost thumb or 2 fingers excluding thumb on 1 hand</p> <p>9 Has lost use of 2 fingers including thumb, or 3 fingers excluding thumb on 1 hand</p> <p>10 Has lost 2 or more toes, including big toe on 1 foot</p> <p>11 Has lost use of all toes on 1 foot</p> <p>11-2 Has considerable external appearance issues</p> <p>12 Has significant disability with genitals</p>	Class 11	Same 233 Days	<p>1 Has significant disability with modulation function or mobility impairment in both eyes</p> <p>2 Has significant mobility impairment in the eyelids of both eyes</p> <p>3 Has significant loss of the eyelid of 1 eye</p> <p>3-2 Has dental prosthetics in 10 or more teeth</p> <p>3-3 Hearing in both ears is of a level that it is difficult to hear quiet conversation further than 1 meter</p> <p>4 Hearing in 1 ear is of a level that it is difficult to hear normal conversation further than 40 centimeters</p> <p>5 Has deformation of spine</p> <p>6 Has lost index finger, middle finger or ring finger on 1 hand</p> <p>7 Deleted</p> <p>8 Has lost use of 2 toes including big toe on 1 foot</p> <p>9 Has disability with thoracoabdominal organ function which presents significant impairment to execution of work</p>
Class 10	Same 302 days	<p>1 Vision in 1 eye is 0.1 or less</p> <p>1-2 Has diplopia in vision as frontal vision</p> <p>2 Has disability with digestive or speech functions</p> <p>3 Has dental prosthetics in 14 or more teeth</p> <p>3-2 hearing in both ears is of a level that it is difficult to hear normal conversation further than 1 meter</p> <p>4 Hearing in 1 ear is such that even loud speaking cannot be heard unless directly near the ear</p> <p>5 Deleted</p> <p>6 Has lost use of thumb or 2 fingers excluding thumb on 1 hand</p> <p>7 1 leg has been shortened by 3 centimeters or more</p> <p>8 Has lost big toe or other 4 toes on 1 foot</p> <p>9 Has significant disability in function of 1 of the 3 major joints in 1 arm</p> <p>10 Has significant disability in function of 1 of the 3 major joints in 1 leg</p>	Class 12	Same 156 days	<p>1 Has significant disability with modulation function or mobility impairment in 1 eye</p> <p>2 Has significant mobility impairment in the eyelid of 1 eye</p> <p>3 Has dental prosthetics in 7 or more teeth</p> <p>4 Has lost majority of the auricle the pinna of 1 ear</p> <p>5 Has significant deformation of collarbone, sternum, ribs, shoulder blade or pelvic bone</p> <p>6 Has significant disability of function in 1 of 3 major joints in arm</p> <p>7 Has significant disability of function in 1 of 3 major joints in leg</p> <p>8 Has deformation of long bones</p> <p>8-2 Has lost pinky finger on 1 hand</p> <p>9 Has lost use of index finger, middle finger or ring finger on one hand</p> <p>10 Has lost 2nd toe, has lost 2 toes including 2nd toe or has lost 3 toes excluding 2nd toe on 1 foot</p>

Disability Class	Benefit Details	Physical Disability	Disability Class	Benefit Details	Physical Disability
		11 Has lost use of big toe or 4 other toes on 1 foot 12 Has obstinate localized nervous symptoms 13 Deleted 14 Has external appearance issues	Class 13	Same 101 Days	10 Has lost the use of the second toe of 1 foot, use of 2 toes including the second toe, or those who have lost the use of the three toes other than the big and second toes
Class 13	Same 101 Days	1 Vision in 1 eye is 0.6 or less 2 Has hemiamaurosis, tunnel visions or deformed vision in 1 eye 2-2 Has diplopia in vision other than frontal vision 3 Has partial loss of eyelids or loss of eyelashes in 1 eye 3-2 Has dental prosthetics in 5 or more teeth 3-3 Has disability with thoracoabdominal organ function 4 Has lost use of pinky finger in 1 hand 5 Has lost part of thumb bones in 1 hand 6 Deleted 7 Deleted 8 1 leg has been shortened by 1 centimeter or more 9 Has lost either or both 4th and 5th toes on 1 foot	Class 14	Same 56 Days	1 Has partially lost eyelid but still has eyelashes in 1 eye 2 Has dental prosthetics in 3 or more teeth 2-2 Hearing in one ear is of a level that it is difficult to hear quiet conversation further than 1 meter 3 Has appearance deformity the size of the palm on the exposed surfaces of arms 4 Has appearance deformity the size of the palm on the exposed surfaces of legs 5 Deleted 6 Has lost portion of the bones of 1 finger other than the thumb on 1 hand 7 Has become unable to extend and contract the last joint of any finger, except the thumb, on 1 hand 8 Has lost use of either or both 4th and 5th toes on 1 foot 9 Has localized nervous symptoms 10 Deleted

Notes

1 Vision shall be measured in accordance with international visual acuity measurement standards. The vision of those with some abnormality in refraction shall be measured in relation to corrected vision.

2 "Has lost fingers" means "has lost, for the thumb, the part upward of the thumb joint, and for the other fingers, the parts upward of the first joint".

3 "Has lost the use of fingers" means "has lost half or more of the finger tip" or "has serious mobility impairment to the middle finger joints or the first finger joints (for the thumb, the thumb joint)"

4 "Has lost toes" means having lost all the specified toes.

5 "Has lost the use of the toes" means "has lost, for the big toe, half or more of the tip of the toe, and for the other toes, the part above the toe tip joint", or "has serious mobility impairment in the middle toe joints or the first toe joints (for the big toe, the toe joint)"

Disability (Compensation) Pension Prepaid Lump Sum

Claimant's eligible to receive disability (compensation) pension can opt to receive a 1 time lump sum prepayment instead.

Benefit Details

The amount of the prepaid lump sum can be selected from the fixed amounts below which are established based on the class of the relevant disability (refer to the table below).

If a prepaid lump sum is paid, the monthly disability (compensation) pension payments will cease until such time as they have reached the amount of the prepaid lump sum (lump sums which exceed a single year's portion will be reduced by the amount of 5 % simple interest a year).

Disability Class	Prepaid Lump Sum Amount	
Class 1	basic daily	200 days, 400 days, 600 days, 800 days, 1000 days, 1200 days or 1340 days
	Calculation amount	
Class 2	"	200 days, 400 days, 600 days, 800 days, 1000 days or 1190 days
Class 3	"	200 days, 400 days, 600 days, 800 days, 1000 days or 1050 days
Class 4	"	200 days, 400 days, 600 days, 800 days or 920 days
Class 5	"	200 days, 400 days, 600 days, or 790 days
Class 6	"	200 days, 400 days, 600 days, or 670 days
Class 7	"	200 days, 400 days or 560 days

Claim Procedures

When making a claim for a disability (compensation) pension prepaid lump sum, in principle a "Disability Compensation Pension/Disability Pension Prepaid Lump Sum Claims Form" (Pension Application Form No. 10) should be submitted together with the claim for disability (compensation) pension to the chief of the relevant labour standards inspection office. However, a claim can be made even after receiving disability (compensation) pension payments if the claim is made within one year of the day following receipt of the pension payment determination notice. In this situation, the claim should be for an amount within the scope of an amount where the already paid amount of the pension is subtracted from the maximum possible amount for the relevant disability class.

Statute of Limitations

Note that the statute of limitation of claim right for disability (compensation) pension prepaid lump sum is 2 years after the next day when disease or injury is cured(stabilized symptoms)

Disability (Compensation) Pension	Balance Lump Sum
<p>1. Disability Pension</p> <p>2. Compensation Pension</p>	<p>3. Balance Lump Sum</p>

In the event a person eligible for Disability (Compensation) Pension dies, if the already paid total amount of Disability (Compensation) Pension and Disability (Compensation) Pension Prepaid Lump Sum is lower than the fixed amount set for the relevant disability class, a Disability (Compensation) Pension Balance Lump Sum can be provided to surviving family.

Benefit Details

The amount of the Disability (Compensation) Pension Balance Lump Sum will be an amount from the following table based on the class of disability minus the total amount of Disability (Compensation) Pension Prepaid Lump Sum. In addition, there is a balance lump sum payment system for Disability Special Pension as with the Disability (Compensation) Pension.

Disability Class	Disability (Compensation) Pension Balance Lump Sum	Disability Special Pension Balance Lump Sum
Class 1	basic daily benefits amount × 1,340 days	basic daily calculation amount 1,340 days
Class 2	" 1,190 days	" 1,190 days
Class 3	" 1,050 days	" 1,050 days
Class 4	" 920 days	" 920 days
Class 5	" 790 days	" 790 days
Class 6	" 670 days	" 670 days
Class 7	" 560 days	" 560 days

● **Surviving family which can receive Disability (Compensation) Pension Balance Lump Sum**

The surviving family which can receive Disability (Compensation) Pension Balance Lump Sum must meet the conditions provided in (1) or (2) below, with the priority for reception being the for those listed in (1) and (2)

- (1) Spouse (including those who have not submitted a marriage registration but were engaged in a common law marriage with the worker, this applies for category (2) as well), child, parent, grandchild, grandparent and sibling who depended on the worker's income for their livelihood at the time of the worker's death.
- (2) Spouse, child, parent, grandchild, grandparent and sibling other than those listed above in (1).

Claim Procedures

When making a claim for a disability (compensation) pension balance lump sum, submit a Disability Compensation Pension Balance Lump Sum/Disability Pension Balance Lump Sum Payment.

Claims Form (Form No. 37-2) to the chief of the relevant labour standards inspection office.

● Attachments required when submitting a claim

Station	Attachment
Must be attached in all cases	Family register certified copy or extract or other materials which certify a relationship with the deceased worker
If living in a marriage relationship with the deceased worker but have not filed a marriage registration	Materials proving the relationship and circumstances
If your livelihood was dependent upon the income of the deceased worker	Materials proving the relationship and circumstances

*Submission of materials other than those listed may be required.

Statute of Limitations

If claims for Disability (Compensation) Pension Balance Lump Sum are not made within 5 years of the day following the day the recipient died, claim rights will lapse due to the statute of limitations .

Surviving Family (Compensation) Benefits Funeral Expenses (Funeral Rites Benefits)

When a worker dies as a result of work or commuting, the surviving family can receive Surviving Family (Compensation) Benefits. In addition, Funeral Expenses (Funeral Rites Benefits) can be provided to those holding a funeral for the deceased.

Surviving Family (Compensation) Benefits consist of 2 types, “Surviving Family (Compensation) Pension” and “Surviving Family (Compensation) Lump Sum”.

Surviving Family (Compensation) Pension

Surviving Family (Compensation) Pension is paid to the highest priority member (called the “eligible recipient”) among the “qualified recipients”

Qualified Recipients

Qualified recipients for Surviving Family (Compensation) Pension are spouse, child, parent, grandchild, grandparent and sibling of the worker who depended on the worker’s income for their livelihood at the time of death, however for surviving family other than the wife the individuals must be above or below set ages or suffering from certain disabilities at the time of the worker’s death to be eligible.

In addition, “depended on the worker’s income for their livelihood at the time of death” does not mean only those who were mainly or chiefly supported by the worker’s income, but rather simply having been dependent on the worker’s income for a portion of the livelihood is sufficient, including 2 income families. The order of priority of eligible recipients is as follows.

- ①Wife or a husband who is 60 years or older or suffers from certain disability
- ②Child who has not yet reached the first March 31st after their 18th birthday or who suffers from certain disability
- ③Parent who is 60 years or older or suffers from certain disability
- ④Grandchild who has not yet reached the first March 31st after their 18th birthday or who suffers from certain disability
- ⑤Grandparent who is 60 years or older or suffers from certain disability
- ⑥Sibling who has not yet reached the first March 31st after their 18th birthday, is 60 years or older, or who suffers from certain disability
- ⑦Husband who is between 55 and 60 years old
- ⑧Parent who is between 55 and 60 years old
- ⑨Grandparent who is between 55 and 60 years old
- ⑩Sibling who is between 55 and 60 years old

* Certain disability refers to a physical disability of disability class 5 or higher.

* For spouse this includes those who have not submitted a marriage registration but lived in a marriage relationship with the deceased. In addition, any unborn children at the time of the worker’s death become qualified recipients at birth.

* If the priority recipient dies or remarries, or otherwise loses their right to receive the benefits, the person with the next highest priority becomes the eligible recipient.

* Even if the husband, parent, grandparent or sibling between 55 and 60 years old in items⑦-⑩are the eligible recipients, pension will not be supplied until they reach 60 years old.

Benefit Details

Surviving Family (compensation) pension, surviving Family special allowance and surviving Family special pension can be provided depending on the number of surviving family. If there are 2 or more eligible recipients, the amount received by each recipient will be divided of the total.

No. of surviving family	Surviving family (compensation) pension	Special survivor payment (lump sum)	Special survivor pension
1 persona	153 day s of basic daily benefits payment amount (175 day s of day s of basic daily benefits payment amount for surviving spouse of over 55 years old, or with a designated disability)	3,000,000 yen	153 day s of basic daily calculation amount (175 day s of days of basic daily calculation payment amount for surviving spouse of over 55 years old, or with a designated disability),
2 personas	201 day s of day s of basic daily benefits payment amount		201 day s of days of basic daily calculation amount
3 personas	223 day s of day s of basic daily benefits payment amount		223 day s of days of basic daily calculation amount
Mas de 4 personas	245 day s of day s of basic daily benefits payment amount		245 day s of days of basic daily calculation amount

Claim Procedures

Submit a Surviving Family Compensation Pension Payment Claims Form (Form No. 12) or a Surviving Family Pension Payment Claims Form

(Form No. 16-8) to the chief of the relevant labour standards inspection office.

Application for provision of special allowances should, in principle, be made at the same time as claims for surviving Family (compensation) benefits and use the same form as surviving Family (compensation) benefits.

●Materials required when submitting

*Submission of materials other than those listed may be required.

Situation	Attachments
Must be attached in all cases	Death certificate, postmortem certificate, autopsy report, or certificate of details of such, or other materials which certify the circumstances and date of the worker's death
	Family register certified copy or extract or other materials which certify the relationship between the claimant and other qualified recipients with the deceased worker
	Materials certifying that the claimant or other qualified recipients were dependent upon the income of the deceased worker
If the claimant or another qualified recipient was living in a marriage relationship with the deceased worker but had not filed a marriage registration	Materials proving the relationship and circumstances
If there the claimant or another qualified recipient is a qualified recipient because of certain disabilities	Medical certificate or other materials which certify the relevant person still suffers from the disability after the worker's death
If any of the qualified recipients' livelihoods was tied to that of the deceased worker's	Materials proving the relationship and circumstances
If the worker's wife is disabled	Medical certificate or other materials which certify the wife still suffers from the disability after the worker's death, that the disability began after the worker's death or that the disability is no longer an issue
If receiving surviving Family pension, basic surviving Family pension, widow's pension, etc. for the same reasons	Materials showing the amount of benefits received

Statute of Limitations

If claims for surviving family (compensation) pension are not made within 5 years of the day following the day the recipient died, claim rights will lapse due to the statute of limitations.

Surviving Family (Compensation) Lump Sum

(1) Surviving Family (Compensation) Lump Sum

It will be provided in any of the following circumstances

- ① If no surviving family eligible to receive Surviving Family (Compensation) Pension exists at the time of the worker's death
- ② If all eligible Surviving Family (Compensation) Pension recipients down to those with the lowest priority should lose their claim rights, or if the total amount of pension and surviving Family (compensation) pension prepaid lump sum paid (P29) to eligible surviving family totals less than 1000 days worth of the basic daily benefits amount

(2) Eligible recipient

Eligible recipients for surviving family (compensation) lump sums are those from the following list in order of priority (for ② and ③ the order of priority is child, father, mother, grandchild, grandparent) and if there are 2 or more eligible recipients at the same priority, each will be treated as eligible recipients.

- ① Spouse
- ② Child, parent, grandchild or grandparent who depended on the worker's income for their livelihood at the time of death.
- ③ Other child, parent, grandchild or grandparent
- ④ Sibling

Benefit Details

For situation (1) ① above

1,000 days of the basic daily benefits payment amount will be provided. In addition to 3,000,000 yen being provided as surviving family special allowance, 1,000 days of the basic daily calculation amount will be provided as surviving family special lump sum.

For situation (1) ② above

1,000 days of the basic daily benefits payment minus total amount of Surviving Family Special Pension already paid is provided.

If the total amount of Surviving Family Special Pension paid to all eligible recipients is less than 1000 days worth of the basic daily calculation amount, a Surviving Family Special Lump Sum consisting of an amount equal to 1000 days worth of the basic daily calculation minus the already paid total shall be provided. (Surviving family Special Allowances is not provided in these circumstances.)

Claim Procedures

Submit a Surviving family Compensation Lump Sum Claims Form (Form 15) or Surviving family Lump Sum benefits Claims Form (Form 16-9) to the chief of the relevant labour standards inspection office.

Application for provision of surviving family special pension should, in principle, be made at the same time using the same form as Surviving Family (Compensation) Lump Sum Money.

● Materials required when submitting

Situation	Materials
If living in a marriage relationship with the deceased worker but have not filed a marriage registration	Materials proving the relationship and circumstances
If your livelihood was dependent upon the income of the deceased worker	Materials proving the relationship and circumstances
If there is no surviving family who is qualified to receive Surviving Family Compensation benefits when the worker dies	a. Death certificate, postmortem certificate, autopsy report, or certificate of details of such, or other materials which certify the circumstances and date of the worker's death b. Family register certified copy or extract or other materials which certify the relationship between the claimant and other qualified recipients with the deceased worker
If all eligible surviving family compensation pension recipients down to those with the lowest priority should lose their claim rights, and the total amount of pension and surviving family (compensation) pension prepaid lump sum paid to eligible is less than 1,000 days of the basic daily benefits payment amount	Materials from "b" above

*Submission of materials other than those listed may be

Statute of Limitations on Claims

If claims for surviving Family (compensation) lumps sums are not made within 5 years of the day following the day the recipient died, claim rights will lapse due to the statute of limitations as with surviving Family (compensation) pension

Surviving Family (Compensation) Pension Prepaid Lump Sum

Surviving family's eligible to receive Surviving Family (Compensation) Pension can opt to receive a 1 time lump sum prepayment instead. In addition, individuals who stopped receiving pension payments because they were under pension age, can receive prepayments.

Benefit Details

Prepaid lump sum amounts can be selected from amount 200 days, 400 days, 600 days, 800 days and 1000 days of basic daily benefits amount.

If a prepaid lump sum is paid, the monthly Surviving Family (Compensation) Pension payments will cease until such time as they have reached the amount of the prepaid lump sum (lump sums which exceed a single year's portion will be reduced by the amount of 5 % simple interest a year).

Claim Procedures

When making a claim for a Surviving Family (Compensation) Pension, in principle a "Surviving Family Pension/ Surviving Family Pension Prepaid Lump Sum Claims Form" (Pension Application Form No. 1) should be submitted together with the claim for Surviving Family (Compensation) Pension to the chief of the relevant labour standards inspection office. However, a claim can be made even after receiving Surviving Family (Compensation) Pension payments if the claim is made within one year of the day following receipt of the pension payment determination notice. In this situation, the claim should be for an amount within the scope of an amount where the already paid amount of the pension is subtracted from 1000 days of the basic daily benefits payment amount.

Statute of limitation

If claims for Surviving Family (Compensation) Pension Prepaid Lump Sum are not made within 2 years of the day following the day the victim died, claim rights will lapse due to the statute of limitations.

Surviving Family (Compensation) Pension Recipient Changes

If the eligible recipient of surviving family (compensation) pension becomes ineligible to receive the benefits for the following reasons, the payment of the benefits will move to the next surviving family member in order of priority.

- (1) The recipient dies
- (2) The recipient weds (For those who have not submitted a marriage registration but lived in a marriage relationship with the deceased)
- (3) If the recipient is adopted by someone other than a direct relation (Including situations where no registration is filed but the recipient lives in situation equivalent to being adopted)
- (4) If the recipient's position as a member of the family of the deceased worker ends due to divorce, etc.
- (5) If the recipient is a child, grandchild or sibling and reaches the first March 31st after they turn 18 years old (excluding those who have a regular disability from the time the worker died)
- (6) The need for assistance for the recipient (a husband, child, parent, grandchild, grandparent or sibling with certain disability) does not exist any more.

Claim Procedures

Submit a Surviving Family Compensation Pension/Surviving Family Pension Payment Claims Form (Form No. 13) to the chief of the relevant labour standards inspection office.

Application for provision of surviving Family special pension should, in principle, be made at the same time using the same form.

● Materials required when submitting

Situation	Attachments
Must be attached in all case	Family register certified copy or extract or other materials which certify the relationship between the claimant and other qualified recipients whose livelihood is the same as the claimant showing the relationship with the deceased worker
If the claimant or another qualified recipient whose livelihood is the same as the claimant is a qualified recipient because of regular disabilities	Medical certificate or other materials which certify the relevant person still suffers from the disability after the worker's death
If any of the qualified recipients' livelihoods was tied to that of the deceased worker's	Materials proving the relationship and circumstances

*Submission of materials other than those listed may be required.

Funeral Expenses (Funeral Rites Benefits)

Funeral expenses (Funeral Rites Benefits) are not necessarily available only to surviving family, but generally reserved for surviving family who hold a funeral for the deceased. If there is no surviving family to hold a funeral but a company funeral is held by the deceased's company instead, the funeral expenses (Funeral Rites Benefits) can be paid to the company

Benefit Details

Funeral expenses (Funeral Rites Benefits) amounts are 315,000 yen plus 30 days of the basic daily benefits payment amount. However if this amount is less than 60 days of the basic daily benefits payment amount, an amount equal to 60 days of the basic daily benefits payment amount will be provided.

Claim Procedures

Submit a Funeral Expense Claims Form (Form No. 16) or a Funeral Rites Benefits Claims Form (Form No. 16-10) to the chief of the relevant labour standards inspection office.

● Materials required when submitting

Death certificate, postmortem certificate, autopsy report, or certificate of details of such, or other materials which certify the circumstances and date of the worker's death.

(If the materials have already been submitted together with a surviving family (compensation) allowance claims form, they are not needed)

Statute of Limitations on Claims

If claims for Funeral Expenses (Funeral Rites Benefits) are not made within 2 years of the day following the day the worker died, claim rights will lapse due to the statute of limitations.

Nursing Care (Compensation) Benefits

All class 1 recipients of Disability (Compensation) Pension and class 2 recipients who have mental, nerve or thoracoabdominal organ disabilities and who are already receiving nursing care can receive Nursing Care Compensation Benefits (for employment injury) or Nursing Care Benefits (for commuting injury).

Payment Conditions

1 Must have a regular disability.

Nursing care (compensation) benefits are divided into those who require constant nursing care and those who require on call nursing care according to the severity of disabilities. The disability conditions for constant nursing care and on call nursing care are as follows.

	Detailed Disability Conditions of Relevant Person
Constant Nursing Care	<p>① person with nervous system or thoracoabdominal organ disabilities and are in a condition which requires constant nursing (Disability class 1 category 3 and 4, injury and illness class 1 category 1 and 2)</p> <p>② {</p> <ul style="list-style-type: none"> • Those who have lost sight in both eyes in addition to other class 1 or class 2 disabilities, injuries or illness • Those who have lost both upper or lower limbs and require care <p>Others who require the same degree of nursing care as those in ①</p>
On Call Nursing Care	<p>① Victims with nervous system or thoracoabdominal organ disabilities and are in a condition which requires on call nursing (Disability class 2 category 2-2 and 2-3, injury and illness class 2 category 1 and 2)</p> <p>② Those who are disability class 1 or equivalent but do not require constant nursing care</p>

2 Already receiving nursing care

If currently receiving nursing care from a private sector for-profit nursing service or from family, friends or acquaintances.

3 Not currently hospitalized in a hospital or a clinic

4 Not currently admitted to an elderly healthcare facility, disability support center (limited only to those cases receiving assisted living care), special elderly nursing home or special nursing home for atomic bomb victims.

If admitted to one of these facilities, it is considered that the victim is receiving sufficient care at the facility and is thus not eligible.

Payment Conditions

Nursing Care (Compensation) Benefits payment amounts are as follows (as of March 1, 2020).

(1) For constant nursing care

- ① If not receiving nursing care from family, friends or acquaintances, the amount paid for nursing care expenses will be provided (with a maximum limit of 165,150 yen).
- ② If receiving nursing care from family, friends or acquaintances:
 - I. If no expenses are paid for nursing care, a flat rate of 70,790 yen will be paid.
 - II. If expenses are paid for nursing care and are under a total of 70,790 yen, a flat rate of 70,790 yen will be paid.
 - III. If expenses are paid for nursing care, and are over 70,790 yen, that amount will be paid (with a maximum limit of 165,150 yen).

(2) For on call nursing

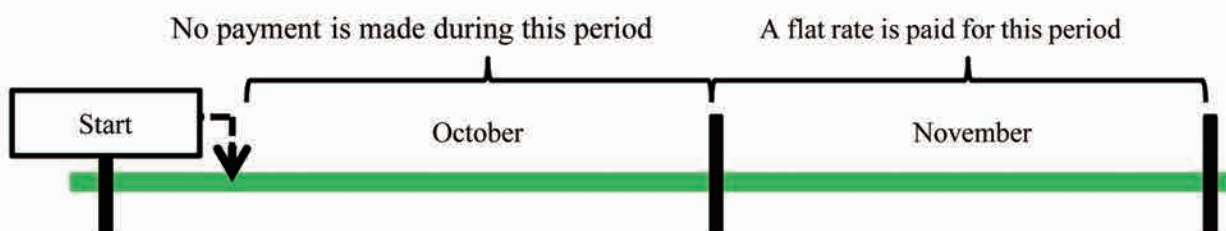
- ① If not receiving nursing care from family, friends or acquaintances, the amount paid for nursing care expenses will be provided (with an maximum limit of 82,580 yen).
- ② If receiving nursing care from family, friends or acquaintances:
 - I. If no expenses are paid for nursing care, a flat rate of 35,400 yen will be paid.
 - II. If expenses are paid for nursing care and are under a total of 35,400 yen, a flat rate of 35,400 yen will be paid.
 - III. If expenses are paid for nursing care, and are over 35,400 yen, that amount will be paid (with a maximum limit of 82,580 yen).

If nursing care begins part way through the month

- ① If paid nursing care begins part way through the month →
Nursing care expenses will be paid up to the maximum amount.

- ② If unpaid nursing care by family etc. begins part way through the month →
No payment will be made for the concerned month.

(Ex.) In a case where unpaid nursing care by family etc. is started in October of the year



Even in this situation, in the “Claims Month” field on the claims form the date that nursing care started should be noted (The month would be October in this example).

Claim Procedures

When making a claim for nursing care (compensation) benefits, submit a Nursing Care Compensation Payment•Nursing Care Payment Claims Form (Form No. 16-2-2) to the chief of the relevant labour standards inspection office.

● Materials required when submitting

Situation	Detailed Disability Conditions of Relevant Victim
Must be attached in all cases	Medical certificate from doctor or dentist
If paying nursing care expenses	Materials which certify the number of days of nursing care and expenses

※ Submission of materials other than those listed may be required.

Those receiving Injury and Disease (Compensation) pensions and those with class 1 category 3 or 4 or class 2 category 2-2 or 2-3 do not need to attach a medical certificate.

A medical certificate does not need to be attached from the second submission of a nursing care (compensation) claims form onward. Claims for nursing care (compensation) benefits are handled in 1 month units, however up to 3 months worth of claims can be submitted at one time.

Statute of Limitations on Claims

If claims for nursing care (compensation) benefits are not made within 2 years of the first day of the month following the month nursing care was received, claim rights will lapse due to the statute of limitations.