

## 6 Mandatory notification of status of foreign workers

The Employment Measures Act was revised and since October 1, 2007, all employers hiring foreigners are required to endeavor to improve management of foreign workers and provide support for foreigners in their new employment. At the same time, they have come to be required to provide notification of the status of their foreign workers.

(1) Outline of the System for provide notification of the status of foreign workers

Since October 1, 2007, all employers are required to, upon hiring foreigners or at the time of their resignation, confirm and notify the name, status of residence, and period of stay of each foreign worker (excluding special permanent residents and those with a status of residence as “diplomat” or “official”) to the Minister of Health, Labour and Welfare. (A fine not exceeding 300 thousand yen will be levied against any party failing to provide notification or who provides false information.)

Therefore, foreigners are to be requested by employers to produce their alien registration certificates or passports when entering employment or resigning from a job.

(2) Obligation to endeavor to improve management of foreign workers and provide support to foreigners in their new employment

Employers are required to endeavor to improve management of foreign workers and provide support to foreigners in their new employment.

Please take a look at the key points of the guideline concerning the improvement of employment management, which are outlined in the “The Employers’ Guideline for Appropriate Approaches to Improving Management of Foreign Workers (excerpt)” and the full text of the guideline that follows. Foreigners are strongly recommended to find jobs at workplaces where employment is managed in a proper manner, in accordance with the guideline.

## The Guideline concerning Appropriate Approaches to Improving Management of Foreign Workers for Employers(excerpt)

### ○ Basic policy

With regard to foreign workers, employers shall take appropriate measures for matters specified by this guideline, so that

- employers should comply with labour- and social insurance-related laws, and
- foreign workers may work in appropriate working conditions and in safe and health environments and **fully exercise their potential within the scope of their status of residence.**

### ○ Measures to be taken by employers concerning the improvement of management of foreign workers

#### Appropriate recruitment and employment of foreign workers

##### 1. Recruitment

When recruiting foreign workers, employers shall clearly indicate the contents and wages pertaining to the duties in question, working hours, locations, labour contract terms, and matters concerning the application of labour and social insurance-related acts by issuing a written document or an e-mail (only when requested). In particular, in the case of foreign nationals residing outside Japan, employers shall endeavor to clarify the details of conditions in advance, such as whether travel expenses are to be borne by the employers or residence in Japan is to be ensured.

When accepting the introduction of foreign workers residing outside Japan, employers shall utilize employment service operators that have obtained a license or have provided notification and shall **refrain from accepting workers from those who violate the Employment Security Act or the Worker Dispatching Act.**

When requesting introductions to workers from employment service operators, employers shall take all precautions **against any discriminatory treatment in relation to nationality, etc.**

##### 2. Employment

Employers shall **confirm that any given foreign national is eligible for the duties in question in terms of the scope of his/her status of residence prior to hiring said foreign national**, and shall not hire ineligible foreign nationals.

Employers shall endeavor to **select foreign workers in a fair manner** so that they may fully exercise their potential within the scope of their status of residence.

When making plans to hire new graduates, employers shall not exclude foreign students. Moreover, they should be aware that **recruiting foreign students** may contribute to revitalize and globalize the company, as they can be expected to offer unique ideas as a result of their divergent educational and cultural background.

## Securing of appropriate working conditions

### 1. Equal treatment

Workers **shall not be treated discriminately based on nationality in terms of working conditions, such as wages and working hours.**

### 2. Clarification of working conditions

When signing labour contracts with foreign workers, employers **shall issue a written document that clarifies fundamental working conditions, such as wages and working hours, in a manner that is easy for the relevant foreign workers to understand.**

### 3. Appropriate management of working hours, etc.

Employers shall **manage working hours appropriately** and prepare workers' name lists, etc. Furthermore, employers **shall not retain the passports, etc.** of foreign workers and shall **return money and goods** to which the relevant foreign workers are rightfully entitled, upon their resignation.

### 4. Dissemination of related laws and regulations such as the Labor Standards Act

Employers shall disseminate the contents of related laws and regulations pursuant to such laws and regulations. In such cases, employers shall endeavor to give necessary consideration to the promotion of understanding on the part of foreign workers such as through the use of easy-to-understand explanatory booklets.

## Assurance of safety and health

### 1. Implementation of safety and health education

**Safety and health education** for foreign workers shall be implemented in a manner in which the contents thereof can be easily understood. In particular, employers shall make sure that **usage of the machinery and equipment, safety apparatuses, and protective equipment** used by foreign workers **is fully understood by said workers.**

### 2. Implementation of Japanese language education for the purpose of preventing accidents

Employers shall endeavor to ensure that foreign workers **obtain the necessary Japanese language skills and learn basic signs, etc.** so that they may understand directions, etc. so as to **prevent accidents.**

### 3. Signs and notices, etc. concerning prevention of accidents

Employers shall endeavor to display **signs and notices, etc. concerning the prevention of workplace accidents in a manner easy** for foreign workers **to understand**, such as through the use of charts. Furthermore, employers shall implement **medical checkups** pursuant to the Industrial Safety and Health Act.

### 4. Dissemination of related laws and regulations such as the Industrial Safety and Health Act

Employers shall disseminate the contents of related laws and regulations pursuant to such laws and regulations. In such cases, employers shall endeavor to give necessary consideration to the promotion of understanding on the part of foreign workers such as through the use of easy-to-understand explanatory booklets.

Application of Employment Insurance, Workmen's Accident Compensation Insurance, Health Insurance, and Employees' Pension Insurance

1. Dissemination of systems and necessary procedures

Efforts shall be made to disseminate the contents of the laws and regulations related to Employment Insurance, Workmen's Accident Compensation Insurance, Health Insurance, and Employees' Pension Insurance and insurance claims procedures. Employers shall **take the necessary procedures for applying such insurance systems to covered foreign workers**, pursuant to laws and regulations pertaining to labour and social insurance.

2. Assistance for claiming insurance payments

Upon the resignation of a foreign worker, the employers in question shall take the necessary procedures such as issuing separation notices, introducing service offices for employment benefits by the Public Employment Security Offices, and shall endeavor to provide other necessary assistance to the foreign worker in question.

When a workplace accident involving a foreign worker occurs, employers shall provide consultation to the foreign worker with regard to procedures such as claiming Workmen's Accident Compensation Insurance, carry out said procedures in lieu of him/her, and endeavor to provide other necessary assistance.

Upon the return of a foreign worker who has been covered by Employees' Pension Insurance for six months or more to his/her home country, the employers in question shall **explain that the relevant worker may claim lump-sum withdrawal payments upon his/her departure from Japan**, and shall endeavor to introduce him/her to service offices at related organizations such as Social Insurance Offices.

Appropriate personnel management, educational training, and benefit coverage

1. Appropriate personnel management

Employers shall endeavor to present a picture of the ideal worker by clarifying the required qualifications and capabilities, arrange conditions conducive to smooth workplace communication, and operate systems for evaluating and determining wages, deploying workers, and managing personnel in a transparent fashion so as to **create environment where various types of personnel can fully exercise their respective potential**.

2. Daily life guidance, etc.

Employers shall provide **Japanese language education** and guidance so as to help foreign workers deepen their understanding of Japanese habits, culture, customs, work culture, etc. and shall endeavor to provide foreign workers with **consultation concerning daily life and workplace problems**.

3. Implementation of educational training, etc.

Employers shall endeavor to implement **educational training** and other necessary measures, as well as develop comfortable workplace environments through such means as **establishing systems for the acceptance of complaints and consultation, and providing orientation in foreign workers' mother tongues**.

4. Facilities for welfare

Employers shall endeavor to ensure appropriate **accommodation facilities** and guarantee workers sufficient opportunities to utilize facilities for meals, medical care, general education, culture, athletic activity, and recreation.

#### 5. Assistance for leaving Japan and changing status of residence

Upon the expiration of foreign workers' period of stay, employers shall terminate the employment relationship and endeavor to provide the relevant worker with consultation on procedures for leaving Japan. When a foreign worker intends to change his/her status of residence, the relevant employers shall give necessary consideration with regard to working hours, etc. so that he/she may undertake the relevant procedures.

#### 6. Notes for employers engaged in worker dispatching business or contracting business

Employers undertaking dispatch shall conduct business appropriately in accordance with the Worker Dispatching Act.

- **Details of work shall be clearly indicated to the foreign worker to be dispatched**, such as the contents of the work, locations, and matters concerning the persons directly overseeing the relevant worker.
- The name of the foreign worker to be dispatched and his/her labour/social insurance status shall be notified to the company accepting the relevant worker.

No company **shall accept foreign workers from those who have not obtained a license or have not provided notification**. Employers who conduct contracting business shall not engaged in the supplying or dispatching of workers under the name of a contracting business, and shall comply with the Employment Security Act and the Worker Dispatching Act.

Employers who conduct contracting business shall, when foreign employees of theirs are employed at an workplace belonging to one of their clients, **elect a person in charge of employment affairs, etc. to perform duties related to personnel management and daily life guidance** at the relevant workplace.

#### Prevention of dismissal and assistance with new employment

When intending to downsize the scale of business activities, etc., employers shall **refrain from dismissing** foreign workers **without careful consideration**. When dismissing foreign workers becomes unavoidable, employers shall endeavor to **provide necessary assistance** for those wishing to find new employment **to find such employment within the scope of their status of residence**, such as through introducing them to related companies, providing them with vocational training or encouraging them to undertake such training, or providing them with job information.

#### ○ Appointment of persons in charge of employment affairs of foreign workers

When regularly hiring ten or more foreign workers, employers shall **appoint persons such as personnel affairs department managers as persons in charge of employment affairs**, and have said persons oversee the implementation of the matters pertaining to the improvement of employment management specified in this guideline.

## The Guideline concerning Appropriate Approaches to Improving Management of Foreign Workers for Employers

### No. 1 Purpose

The purpose of this guideline is to specify the necessary measures to be taken by employers so that they may appropriately cope with the matters prescribed in Article 8 of the Employment Measures Act.

### No. 2 Basic policy for appropriate approaches to improving management of foreign workers

With regard to foreign workers, employers shall comply with labour-related laws, such as the Employment Measures Act, the Employment Security Act (Act No. 141 of 1947), the Act on Securing the Proper Operation of Worker Dispatch Business and Improvement of Working Conditions for Dispatched Workers (Act No. 88 of 1985; hereinafter referred to as the "Worker Dispatching Act"), the Employment Insurance Act (Act No. 116 of 1974), the Labor Standards Act (Act No. 49 of 1947), the Minimum Wages Act (Act No. 137 of 1959), the Industrial Safety and Health Act (Act No. 57 of 1972), the Industrial Accident Compensation Insurance Act (Act No. 50 of 1947), Health Insurance Act (Act No. 70 of 1922), the Pension Insurance Act (Act No. 115 of 1954), and social insurance-related laws (hereinafter referred to as "labour and social insurance-related laws"). At the same time, employers shall take appropriate measures in relation to matters specified in this guideline so as to ensure an environment wherein foreign workers may work in appropriate working conditions and in safe and health environment and fully exercise their potential within the scope of their status of residence.

### No. 3 Definition of foreign workers

The term "foreign nationals" as used in this guideline shall mean persons who do not possess Japanese citizenship, excluding permanent residents and those with "diplomat" or "official" residence status. The term "foreign workers" as used in this guideline shall mean foreign national workers.

"Foreign workers" shall include persons pursuing technical internship programs who conduct activities for the purpose of obtaining more practical technique and skills under the employment relationship with "designated activities" residence status (hereinafter referred to as "technical interns").

### No. 4 Necessary measures to be taken by employers concerning the improvement of management of foreign workers

#### 1. Appropriate recruitment and employment of foreign workers

##### (1) Recruitment

When recruiting foreign workers, employers shall clearly indicate the following matters to the foreign national who intends to gain employment: the contents of the duties that the relevant foreign national is to perform after being hired, wages, working hours, locations, length of labour contract, and matters concerning the application of labour and social insurance-related laws (hereinafter referred to as "matters to be clarified" in (1.)). These matters shall be indicated either by issuing a written document containing the contents or by e-mail when requested by the foreign national in question (hereinafter referred to as "clarification methods" in (1.)). In particular, when a foreign national who intends to gain employment is residing outside Japan, the employers in question shall endeavor to clarify the details of conditions in advance, such as whether travel expenses are to be borne by the employers or residence in Japan is to be ensured so as to avoid disputes between labour and management due to mutual misunderstanding of recruitment conditions.

When accepting the introduction of foreign workers residing outside Japan, employers shall utilize employment service operators that have obtained a license or have provided notification pursuant to the Employment Security Act (hereinafter referred to as “employment service operators” in (1.)) and shall refrain from accepting workers from those who violate the Employment Security Act or the Worker Dispatching Act. In this case, employers shall, when requesting introduction of workers, clearly inform employment service operators of all matters to be clarified by way of any of the above-stated clarification methods. Under the Employment Security Act, employment service operators are prohibited from discriminating against foreign nationals on the basis of nationality when conducting employment service. Employers shall also take all precautions against discriminatory treatment in relation to nationality, etc., when requesting for workers from employment service operators.

(2) Employment

When hiring foreign workers, the employers in question shall confirm, in advance through the methods, etc. prescribed in No. 5, that the relevant foreign national is eligible for the duties which he/she is to perform upon gaining employment, in terms of the scope of his/her status of residence. Employers shall not hire ineligible foreign nationals.

Employers shall endeavor to select foreign workers in a fair manner so that they may fully exercise their potential within the scope of their status of residence. In particular, employers shall note that there are no restrictions on activities with regard to permanent residents and long term resident.

When making plans to hire new graduates, employers shall not exclude foreign students. Moreover, they should be aware that recruiting foreign students may contribute to revitalize and globalize the company, as they can be expected to offer unique ideas as a result of their divergent educational and cultural background.

2. Securing of appropriate working conditions

(1) Equal treatment

Workers shall not be treated discriminately based on nationality in terms of working conditions, such as wages and working hours.

(2) Clarification of working conditions

a. Issuance of a written document

When signing labour contracts with foreign workers, employers shall issue a written document that clarifies fundamental working conditions, such as wages and working hours, in a manner that is easy for the relevant foreign workers to understand.

b. Explanation of wages

When clearly indicating wages, employers shall endeavor to clarify the actual amount to be paid to the relevant foreign worker by explaining not only the methods of determining, calculating and paying wages, but also outlining the details of deduction such as taxes, labour and social insurance premium, and other deductions based on the labour management agreement, in an easy-to-understand manner.

(3) Appropriate management of working hours

Employers shall comply with laws pertaining to working hours and manage working hours appropriately by ensuring rest days.

(4) Dissemination of related laws and regulations such as the Labor Standards Act

Employers shall disseminate the contents of related laws and regulations such as the Labor Standards Act, pursuant to such laws and regulations. In such cases, employers shall endeavor to give necessary consideration to the promotion of understanding on the part of foreign workers such as through the use of easy-to-understand explanatory booklets.

(5) Preparation of workers' name lists, etc.

Employers shall prepare workers' name lists and payroll books, pursuant to the Labor Standards Act. In this case, employers shall endeavor to compile the addresses of foreign workers' families and other emergency contact numbers.

(6) Return of money and goods, etc.

Employers shall not retain foreign workers' passports, etc. and shall return money and goods to which the relevant foreign workers are rightfully entitled, upon their resignation, pursuant to the Labor Standards Act. When a foreign worker leaves Japan within seven days of making a claim for the return of money or goods, these shall be returned prior to the departure of the foreign worker in question.

3 Assurance of safety and health

(1) Implementation of safety and health education

Employers shall implement safety and health education for foreign workers in a manner in which the contents thereof can be easily understood. In particular, employers shall make sure that usage of machinery and equipment, safety apparatuses, and protective equipment used by foreign workers is fully understood by said workers.

(2) Implementation of Japanese language education for the purpose of preventing accidents

Employers shall endeavor to ensure that foreign workers obtain necessary Japanese language skills and learn basic signs, etc. so that they may understand directions, etc. so as to prevent accidents.

(3) Signs and notices, etc. concerning prevention of accidents

Employers shall endeavor to display signs and notices, etc. concerning the prevention of workplace accidents in a manner easy for foreign workers to understand, such as through the use of charts.

(4) Implementation of medical checkups

Employers shall implement medical checkups for foreign workers, pursuant to the Industrial Safety and Health Act. When implementing medical checkups, employers shall endeavor to explain the purpose and contents of said checkups in an easy-to-understand manner. When intending to take any follow-up measures based on the results of medical checkups, employers shall endeavor to explain the results of said checkups, as well as the necessity and contents of the follow-up measures, to the relevant foreign workers in an easy-to-understand manner.

(5) Implementation of health guidance and consultation

Employers shall endeavor to provide foreign workers with health guidance and consultation by fully utilizing the services of industrial physicians and health supervisors.

(6) Dissemination of related laws and regulations such as the Industrial Safety and Health Act

Employers shall disseminate the contents of related laws and regulations such as the Industrial Safety and Health Act pursuant to such laws and regulations. In such cases, employers shall endeavor to give necessary consideration to the promotion of understanding on the part of foreign workers such as through the use of easy-to-understand explanatory booklets.



4. Application of Employment Insurance, Workmen's Accident Compensation Insurance, Health Insurance, and Employees' Pension Insurance

(1) Dissemination of Systems and necessary procedures

Employers shall endeavor to inform foreign workers of the contents of laws and regulations related to Employment Insurance, Workmen's Accident Compensation Insurance, Health Insurance, and Employees' Pension Insurance (hereinafter referred to as "labour and social insurance") and procedures for claiming insurance payments, such as through providing said workers with easy explanations upon their recruitment. Employers shall also take the necessary procedures for applying such insurance Systems to covered foreign workers, pursuant to laws and regulations pertaining to labour and social insurance.

(2) Assistance for claiming insurance payments

Upon the resignation of a foreign worker, the employers in question shall take the necessary procedures such as issuing separation notices, introducing service offices for employment benefits of the Public Employment Security Offices(PESO), and shall endeavor to provide other necessary assistance to the foreign worker in question.

When a workplace accident involving a foreign worker occurs, employers shall provide consultation to the foreign worker with regard to procedures such as claiming Workmen's Accident Compensation Insurance, carry out the procedures in lieu of him/her, and endeavor to provide other necessary assistance.

Upon the return of a foreign worker who has been covered by Employees' Pension Insurance for six months or more to his/her home country, the employers in question shall explain that the relevant worker may claim lump-sum withdrawal payments upon his/her departure from Japan, and shall endeavor to introduce him/her to service offices at related organizations such as Social Insurance Offices.

5. Appropriate personnel management, educational training, and welfare

(1) Appropriate personnel management

Employers shall endeavor to present a picture of the ideal worker by clarifying the required qualifications and capabilities, arrange conditions conducive to smooth workplace communication, and operate Systems for evaluating and determining wages, deploying workers, and managing personnel in a transparent fashion so that foreign workers can easily adjust and begin working with a full understanding of what is expected of them and of their working conditions. Employers shall thereby endeavor to create an environment wherein various types of personnel can fully exercise their respective potential. In the process, business persons shall fully adopt advice and guidance concerning employment management provided by the PESO for the purpose of ensuring appropriate approaches.

(2) Daily life guidance, etc.

In order to ensure foreign workers' smooth adaptation to Japanese society, employers shall provide Japanese language education and guidance so as to help foreign workers deepen their understanding of Japanese habits, culture, customs, work practices, etc. and shall endeavor to provide foreign workers with consultation concerning daily life and workplace problems.

(3) Implementation of educational training, etc.

Employers shall endeavor to implement educational training and other necessary measures, as well as develop comfortable workplace environments through such means as establishing Systems for the acceptance of complaints and consultation, and providing orientation in foreign workers' mother tongues so that foreign workers can work by fully exercising their potential within the scope of their status of residence.

(4) Facilities for welfare

Employers shall endeavor to ensure appropriate accommodation facilities and guarantee workers sufficient opportunities to utilize facilities for meals, medical care, general education, culture, athletic activity, and recreation.

(5) Assistance for leaving Japan and changing status of residence

a. Upon the expiration of foreign workers' period of stay, employers shall terminate the employment relationship and endeavor to provide the relevant worker with consultation on procedures for leaving Japan.

b. When a foreign worker intends to change his/her status of residence, the relevant employers shall give necessary consideration with regard to working hours, etc. so that he/she may undertake the relevant procedures.

(6) Notes for employers engaged in worker dispatching business or contracting business

Employers engaged in the dispatching of foreign workers shall conduct business appropriately in accordance with the Worker Dispatching Act by clearly indicating details of the work in question to the foreign workers to be dispatched, such as the contents of the work, locations, and matters concerning persons directly overseeing the relevant worker and providing notification of the names of foreign workers to be dispatched and their labour/social insurance status to the company accepting the relevant worker. No company shall accept foreign workers from employers that have not obtained a license or have not provided notification. Employers who conduct contracting business shall not engage in the supplying or dispatching of workers under the name of contracting business, and shall comply with the Employment Security Act and the Worker Dispatching Act.

Employers who conduct contracting business shall, when foreign employees of theirs are employed at an establishment belonging to one of their clients, elect a person in charge of employment affairs, etc., to perform duties related to personnel management and daily life guidance at the relevant establishment, pursuant to No. 6.

6. Prevention of dismissal and assistance with new employment

When intending to downsize the scale of business activities, etc., employers shall refrain from dismissing foreign workers without careful consideration. When dismissing foreign workers becomes unavoidable, employers shall endeavor to provide necessary assistance for those wishing to find new employment to find such employment within the scope of their status of residence, such as through introducing them to related companies, providing them with vocational training or encouraging them to undertake such training, or providing them with job information. In this case, employers shall closely cooperate with the PESO and fully adopt advice and guidance concerning assistance in new employment provided by the PESO for the purpose of ensuring appropriate approaches.

No. 5 Notification of status of foreign workers

Pursuant to the provisions of Article 28, paragraph 1 of the Employment Measures Act and Article 2, paragraph 1 of the Supplementary Provisions, when an employer newly hires a foreign worker or when a foreign worker resigns, and if the employer has already hired foreign workers as of October 1, 2007, the employer shall confirm the matters listed in 1., such as the name, status of residence, period of stay of the relevant foreign worker, by any of the methods listed in 2., and provide notification of such matters to the director of the PESO governing the location of the relevant employer's establishment by any of the methods and deadlines listed in 3. Notes for making confirmation shall be as prescribed in 4.

1. Matters to be confirmed and notified

- a. Regarding foreign workers covered by the Employment Insurance System (excluding those falling under c.)

The name, status of residence (when hiring workers with permission for activities outside the scope of their status of residence, including whether or not the relevant person has obtained permission for said activities; the same shall apply in b.), period of stay, birth date, sex, and nationality, as well as the matters pertaining to foreign workers' registration for eligibility for Employment insurance or to have such qualification revoked, such as type of job, wages, and address

- b. Regarding foreign workers not covered by the Employment Insurance System (excluding those falling under c.)

The name, status of residence, period of stay, birth date, sex, and nationality

- c. Regarding foreign workers already hired as of October 1, 2007

Name, status of residence, period of stay, birth date, sex, and nationality

2. Methods for confirmation

- a. Regarding foreign workers not falling under b.

Foreign workers are requested to produce their passport or Certificate of Alien Registration in order to confirm matters for notification.

- b. Regarding foreign workers permitted to engage in activities outside the scope of their status of residence

Foreign workers are requested to produce their passport, Certificate of Alien Registration, permission to engage in activities outside the scope of their status of residence, or certificate of eligibility to work in Japan in order to confirm the matters for notification.

3. Notification methods and deadlines

- a. Regarding foreign workers covered by the Employment Insurance System (excluding those falling under c.)

Notification pertaining to recruitment shall be made by the 10th of the month following recruitment by way of providing notification of the necessary matters so as to obtain qualification for Employment Insurance. Notification pertaining to resignation shall be made within 10 days of the date of resignation by providing notification of the necessary matters so as to annul qualification for Employment Insurance.

- b. Regarding foreign workers not covered by the Employment Insurance System (excluding those falling under c.)

Notification pertaining to both recruitment and resignation shall be made by the final day of the month following recruitment or resignation by way of filling in the necessary matters on Form No. 3 of the Ordinance for Enforcement of the Employment Measures Act (Ordinance of the Ministry of Labour No. 23 of 1966) (hereinafter referred to as "Form No. 3").

- c. Regarding foreign workers already hired as of October 1, 2007

Notification shall be made by October 1, 2008 by filling in the necessary matters on Form No. 3. However, upon the resignation of the person to whom notification pertains, notification shall be made by either of the methods and deadlines outlined in a. and b.

4. Notes regarding confirmation

Employers shall confirm the matters listed in 1. concerning persons who they intend to hire (including persons already hired as of October 1, 2007) in the case where they are able to ascertain that the persons in question are foreign nationals with ordinary powers of attention. Cases where employers can deem the relevant persons to be foreign nationals with ordinary powers of attention represent the case where it is generally clear that the relevant persons are foreign nationals on the basis of their name or native language without conducting any special investigations. Therefore, when a foreign worker usually uses a Japanese name and is fluent in Japanese and when it is impossible to determine whether or not the person in question is a foreign national with ordinary powers of attention, confirmation is not required. Confirmation or notification of any matters other than those listed in 1 is not required. This point shall also be noted from the viewpoint of protecting the privacy of foreign workers.

No. 6 Appointment of a person in charge of employment affairs of foreign workers

When regularly hiring ten or more foreign workers, employers shall appoint persons such as personnel affairs department managers as persons in charge of employment affairs, and have said persons manage the matters specified in No. 4 of this guideline.

No. 7 Matters concerning technical interns

Technical interns, who are included in the category of foreign workers, shall be treated in accordance with the matters covered in No. 4 to No.6. Employers shall endeavor to help technical interns obtain practical technique and skills in an effective manner, in accordance with the methods for accepting interns, the matters to be noted in implementing technical training, and the measures to be taken in cases where it becomes impossible to continue technical training as prescribed in the Basic guideline for Operation of the Technical Internship Program (issued by the Minister of Labour on April 5, 1993).

No. 8 Assistance and cooperation on the part of related administrative organs such as employment security offices and labour standards inspection offices

Employers shall implement matters specified by this guideline by obtaining the necessary assistance and cooperation of related administrative organs such as employment security offices and labour standards inspection offices.