

Inconsistencies in treatment between company workers and part-time/fixed-term workers is strictly prohibited.

Revisions to the law stipulate the uniform application of the following regulations ① through ③ for “non-regular workers” (part-time workers, fixed-term workers, dispatch workers*1):

*1 The “Act on Improvement of the Employment Management for Part-Time Workers” now includes fixed-term workers. The title of the act has been changed to the “Act on the Improvement of the Employment Management for Part-Time and Fixed-Term Workers” (also known as the “Part-Time / Fixed-Term Employment Act”).

Enforced from April, 2020. The act will apply to small and medium enterprises from April 1st, 2021 onwards.

① Prohibiting Inconsistencies in Treatment:

Inconsistencies in any and all kinds of treatment between regular company workers and “non-regular workers” within the same company, including an employee’s basic salary and/or bonuses, are strictly prohibited.

This act specifies balanced/equal rules regarding employee treatment, which may be used as the basis for judgement in a court of law.

Guidelines*2 are in place to clarify which differences in treatment are deemed inconsistent.

*2 The line of reasoning illustrating which differences in treatment are deemed consistent or inconsistent is available online. For more details, including examples, please visit: <http://www.mhlw.go.jp/stf/seisakunitsuite/bunya/0000190591.html>.

**Balanced
Treatment Rules**
(No Inconsistencies in
Treatment)



The (1) Job Description*3, the (2) Scope of Job Description and Placement Changes, and (3) Other Circumstances are taken into consideration to prohibit inconsistencies in treatment.

**Equal
Treatment Rules**
(No Discriminatory
Treatment)



If the (1) Job Description*3 and the (2) Scope of Job Description and Placement Changes are the same, any discriminatory treatment is strictly prohibited.

*3 “Job Description” refers to the content of work and the level of responsibility.

For dispatch workers, employers must ensure either of the following:

- 1) The dispatch worker receives the same, balanced and equal treatment as the company workers at the workplace to which they have been assigned, or
- 2) The treatment of the dispatch worker satisfies certain established conditions, in compliance with the Labour-Management Agreement.

※ Business operators who accept dispatch workers are now required to provide information regarding worker treatment to the relevant dispatch company.

[Pre-Revisions → Post-Revisions] ○ : Regulated △ : Considered Regulation × : Not Regulated ◎ : Clarification of Regulations Required

| | Part-Time | Fixed-Term | Dispatch Workers |
|--------------------------|-----------|------------|-------------------------------------|
| Balanced Treatment Rules | ○ → ◎ | ○ → ◎ | △ → ○ + Labour-Management Agreement |
| Equal Treatment Rules | ○ → ○ | × → ○ | × → ○ + Labour-Management Agreement |
| Guidelines | × → ○ | × → ○ | × → ○ |

② Enforcing Accountability with regards to Worker Treatment:

"Non-regular workers" can legally demand that the business operators explain the details of and reasoning behind any inconsistencies in treatment between themselves and regular company workers .

[Pre-Revisions → Post-Revisions] ○ : Accountability Regulated × : Accountability Not Regulated

| | Part-Time | Fixed-Term | Dispatch Workers |
|---|-----------|------------|------------------|
| Details of the Measures Taken for Employment Management ^{*4} (at the Time of Hiring) | ○ → ○ | × → ○ | ○ → ○ |
| Matters Considered in Deciding Treatment (Upon Request) | ○ → ○ | × → ○ | ○ → ○ |
| Details Of and Reasoning Behind Inconsistencies in Treatment (Upon Request) | × → ○ | × → ○ | × → ○ |
| Prohibition of Inconsistencies in Treatment | × → ○ | × → ○ | × → ○ |

^{*4}Including details regarding wages, welfare and benefits, education, and training.

③ Providing Advice and/or Guidance to Business Operators, as well as Alternative Dispute Resolutions (ADRs)^{*5} :

^{*5} the procedure by which disputes between business operators and workers are resolved without a trial.

The Prefectural Labour Bureau will delegate free, private dispute resolution procedures. Alternative Dispute Resolutions are also provided concerning matters of balanced treatment, as well as the details of and reasoning behind any inconsistencies in treatment.

[Pre-Revisions → Post-Revisions] ○ : Regulated △ : Partially Regulated (excl. Balanced Treatment) × : Not Regulated

| | Part-Time | Fixed-Term | Dispatch Workers |
|--|-----------|------------|------------------|
| Provision of Advice and/or Guidance (etc.) | ○ → ○ | × → ○ | ○ → ○ |
| Alternative Dispute Resolutions | △ → ○ | × → ○ | × → ○ |

Inquiries:

- Part-Time/Fixed-Term Employment Act and the Worker Dispatch Law:
Employment Environment and Equal Employment Division/Office, Prefectural Labour Bureau
 (Part-Time/Fixed-Term Employment Act)
Demand and Supply Adjustment Division/Office, Prefectural Labour Bureau
 (Worker Dispatch Law)
<http://www.mhlw.go.jp/kouseiroudoushou/shozaiannai/roudoukyoku/>
- General Inquiries regarding Employment Management Methods:
Work-Style Reform Promotion Support Center
<http://www.mhlw.go.jp/stf/seisakunitsuite/bunya/0000198331.html>



Please Note: Interpreters are not provided. Please be sure to come with someone who can interpret for you.