

The points of the Equal Employment Opportunity Act

Prohibition on discrimination based on sex
<ul style="list-style-type: none"> ○ Prohibition on discrimination based on sex at each stage of Employment Management <ul style="list-style-type: none"> ▪ Recruitment, employment and disposition (including distribution of works and investment of authority). For promotion, demotion, specified welfare program, changes in occasion and types of employment, renewal of encouragement to retire, retirement age, dismissal and labour contract, discrimination based on sex shall be prohibited. ○ Prohibition on indirect discrimination (Article 7) <ul style="list-style-type: none"> ▪ For measures provided by MHLW on assumption that there might be matters virtually having possibilities of being sex discrimination using other reasons than sex against workers, taking them shall be prohibited unless there are rational reasons. 【Measures provided by MHLW】 ○ To require workers' height, weight and physical strength when recruiting and employing workers ○ To require those who can comply with orders of transfer attendant on moves when recruiting and employing workers as regular positions for employment management according to courses ○ To require experience of transfer when promoting workers <ul style="list-style-type: none"> ※ Although requirements that are not included in the requirements provided by ministerial ordinances are not violation of the Equal Employment Opportunity Act, there are possibilities of being judged as indirect discrimination by trial. ○ Special Measures on measures pertaining to female workers (Article 8) <ul style="list-style-type: none"> ▪ While prohibiting discriminatory treatment in principle due to sex, measure and treatment toward only female on purpose to extinguish difference virtually existing between men and women on employment occasions shall be provided as legality.
Prohibition on disadvantage treatment due to conception and birth, etc (Article 9)
<ul style="list-style-type: none"> ▪ Prohibition on providing marriage, conception and birth as reasons of retirement ▪ Prohibition on dismissal due to marriage ▪ Prohibition on dismissal due to the reasons provided by ministerial ordinance of MHLW such as conception, birth, acquisition of maternity leave and others, and other disadvantage treatment ▪ Dismissal of pregnant workers and dismissal workers within a year after their birth are invalid unless entrepreneurs can prove that these dismissals don't have to do with conception and others
Measures for sexual harassment (Article 11)
<ul style="list-style-type: none"> ▪ Obliging entrepreneurs to take necessary measures for employment management so as to prevent sexual harassment workplaces
Measures for maternal health management (Article 12, 13)
<ul style="list-style-type: none"> ▪ Obliging entrepreneurs to take necessary measures so that pregnant workers and female workers after birth can secure time to take health guidance and medical examination, also so as to follow the relevant clause and guidance matters on the basis of examination