

iGlobal Law 2021 Annual Alert : Japan

Legal Change	Effective Date	Action required
<p>Amendments to the Act on Stabilization of Employment of Elderly Persons</p> <p>An employer is encouraged to take any of the following measures to secure employment opportunities until employees reach the age of 70:</p> <ul style="list-style-type: none"> (i) to extend mandatory retirement to the age of 70; (ii) to abolish mandatory retirement age; (iii) to introduce a system to continue an employment until the age of 70; (iv) to conclude a service agreement as an independent contractor until the age of 70; or (v) to introduce a system that employees may engage with social contribution activities operated or funded by the employer. <p>As for the measures (iv) and (v), a consent from a union (with the majority of employees) or an employees' representative representing the majority of employees is required.</p>	April 1 st , 2021	An employer is required to make efforts to take any of the listed measures to provide employment opportunities until the age of 70, but the obligation is not mandatory.
<p>Amendments to Child Care and Family Care Leave Act</p> <p>The Child Care and Family Care Leave Act was amended to enable employees to take days-off for nursing sick/injured child or family on an hourly unit basis.</p>	January 1 st , 2021	Amendments to relevant rules of employment will be required.
<p>Amendments to Act on Improvement of Employment Management for Part-time and Fixed-Term Workers ("Equal Pay for Equal Work")</p> <p>An employer is prohibited from creating an unreasonable difference of working conditions such as base salary and bonus between regular workers and part-time or fixed-term workers, in light of employees' duties and responsibilities. Further, in the case where part-time or fixed-term workers' duties and responsibilities are deemed to be equivalent to those of regular workers, an employer is prohibited from making a discriminatory treatment.</p>	April 1 st 2021 (for SMEs) and April 1 st , 2020 (for large enterprises)	An employer should review working conditions of part-time/fixed-term workers, compared to regular workers.
<p>Amendments to Act on Employment Promotion of Persons with Disabilities</p> <p>Under the Act, an employer is required to hire person(s) with disabilities. In the private sector, the mandatory employment quota for persons with disabilities will be increased from 2.2% to 2.3%.</p>	March 1 st , 2021	Due to the amendments, an employer hiring 43.5 employees or more is required to hire persons with disabilities.
<p>Amendments to Whistleblower Protection Act</p> <p>Under the amended act, an employer with more than 300 employees is required to establish a system for responding to whistleblowing.</p>	To be confirmed	An employer should establish a system to respond to whistleblowing, such as setting up a whistleblowing hotline and investigation procedure, in accordance with the guideline to be issued.