

Discrimination against Women Workers in Japan^{*}

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I . Introduction

This paper aims at discussing causes of discrimination against Japanese women workers. Discrimination based on gender begins when women begin job searching. Discrimination can be found in payment, training, promotion, and fringe benefits. Discrimination based on gender might cause the dilemma of work-life balance because women are expected to do overtime work, night work, and holiday work, while they assume most of family responsibilities such as housework, child care, and family care.

According to the World Economic Forum (WEF), a Swiss-based nonprofit organization which works to improve the state of the world economy, the global gender gap index of Japan for these three years are as follows: the 104th place out of assessed 142 countries in 2014, the 101th out of assessed 145 countries in 2015, and the 111th out of assessed 144 countries in 2016. It was pointed out that disparity in 2015 was prominent in political and economic fields¹⁾, but the ranking in 2016 became even worse for the same reasons²⁾. Needless to say, Japan's rank is always the lowest among major industrialized countries called the Group of Seven³⁾. Does it mean that Japan lacks a legal framework to protect women workers from discrimination?

In July 1985, Japan ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (hereinafter “the CEDAW Convention”), a Convention that demands State Parties to eliminate discrimination of all forms against women in all fields. To

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1) Nippon.com (2016a).

2) Matsuo (2016).

3) Global top ten most gender-equal countries in 2016 are as follows: Iceland (the 1st place), Finland, Norway (2nd), Sweden (3rd), Rwanda (4th), Ireland (5th), Philippines (6th), Slovenia (7th), New Zealand (8th), and Nicaragua (10th). Keith Breene, “The world's 10 most gender-equal countries,” October 26, 2016, The World Economy Forum, <https://www.weforum.org/agenda/2016/10/worlds-most-gender-equal-countries>

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ratify this Convention during the UN Decade of Women (1976–1985), the Japanese National Diet passed the Equal Employment Opportunity Act (EEOA)⁴⁾ in June 1985. This law stipulated equal treatment of women workers with men in all stages of employment and became effective in April 1986. Then why do Japanese women workers continue to face serious discrimination for over 30 years?

To answer this question, I will first review the laws concerning women workers before 1985 and the drafting process of the EEOA. Second, I will illustrate how the EEOA influenced society and how employers coped with the new legislation. Third, I will review the governmental campaigns and programs especially after 2008, a year that the Global Financial Crisis took place, to discuss whether they have effectively reduced discrimination against women workers. Finally, I will propose solutions of discrimination against women workers in Japan.

II. Developing a legal framework on women workers

1) The loophole of the Labor Standards Act

On May 17, 1985, the Lower House of the National Diet passed the Equal Employment Opportunity Act (EEOA), a law that prompts employers to ensure that women are treated equally to men in all stages of employment. It was indeed a turning point in Japanese history. Until then, women were paid less than men with the same educational background due to contradictory articles in the Labor Standards ACT (LSA) of 1947. On one hand, Article 4 of the LSA stipulates that “Employers shall not use the fact that a worker is a woman as a basis for engaging in differential treatment in comparison to men with respect to wages.” On the other hand, Article 3 stipulates as follows:

Employers shall not use the nationality, creed or social status of any workers as a basis for engaging in discriminatory treatment with respect to wages, working hours or other working conditions.

Because Article 3 of the LSA did not prohibit gender-based discrimination, employers were able to pay lower wages to women than men. Women were able to assume less responsibility due to their legal restrictions on overtime work, night work, holiday work and certain types of dangerous work such as mining. In addition, they were not able to accept transfers to offices in

4) The English translation of the law provided by the Japanese government is “The Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment.” However, this translation is not official and the translated law has no legally binding force. See the Ministry of Health Labour and Welfare, “Materials Related to the Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment” (*Danjo koyo kikai kintoho kankei shiryō*), “Provisional translation of the Act on Securing, Etc. of Equal Employment Opportunity and Treatment between Men and Women in Employment” (*Koyo no bunya ni okeru danjo no kinto na kikai oyobitaigu no kakuho to ni kansuru horitsu (eiyaku)*), <http://www.mhlw.go.jp/general/seido/koyou/danjokintou/kankeishiryou.html>.

cases requiring them to relocate their residence because they were strongly expected to assume family responsibilities, such as cooking, cleaning, washing clothes, and child care, rather than pursuing their own careers. Contrary, men were expected to endure long working hours and such transfers in exchange for promotion and life employment.

Women workers were also expected to quit their jobs after marriage or by ages 30–35, no matter whether they had married or had family responsibilities. Because wages would increase based on workers' ages, employers preferred to hire young women who had just graduated from high schools or junior colleges. Besides, they were able to work a few more years than those who attended four-year colleges before getting married around age 25. Urging women to quit their jobs based on their ages was illegal. Article 90 of the Civil Code stipulates that "A juristic act with any purpose which is against public policy is void." Nonetheless, this kind of practice was widely seen in private sectors for many years⁵⁾.

2) Legislating the Equal Employment Opportunity Act

When the Japanese government was considering the ratification of the CEDAW Convention, the most difficult issue turned out to be Article 11, which requires State Parties to eliminate discrimination against women in employment. Because the LSA includes criminal punishments for violations, the government decided to revise the Working Women's Welfare Law of 1972 into the EEOA without punishment clauses. In the revised law, the government planned to give women the same opportunities as men, but employers were expected to make suitable efforts in most of the stages of employment from hiring to retirement, without sanctions in case of violations⁶⁾.

In October 1983, when the advisory body of the then Ministry of Labour disclosed the major issues of the draft law, society was completely divided. Business leaders were reluctant to treat women workers equally to men. From their point of view, women would quit their jobs in a few years upon marriage or childbirth, and thus it would be pointless to spend money to train them, or to provide generous fringe benefits to them. In exchange of equal treatment of women to men, they demanded that the government abolish the restrictions on women workers provided in the LSA⁷⁾. On the other hand, the labor unions and women's groups demanded strong measures to

5) For court cases regarding women workers seeking equal treatment to men before the introduction of the EEOA, see the Bureau of Industrial and Labor Affairs Employment Division, Tokyo Metropolitan Government, "Tokyo Working Net Material of Court Cases of Women Labor" (*Tokyo hataraku net shiryō josei roudou hanrei*), http://www.hataraku.metro.tokyo.jp/sodan/siryō/2016_09.pdf

6) For the details of the drafting process of the EEOA, see Akamatsu (2003). Ms. Akamatsu was the Director General of the Women and Young Workers Bureau of the then Ministry of Labour, and her bureau became the secretariat of the deliberative council drafting the EEOA.

7) For details, see Akamatsu (1985), pp. 200–210.

ensure equality between women and men⁸⁾. For them, the draft law had no “teeth” to enforce equality in the workplace. Nonetheless, the EEOA was essential to ratify the CEDAW Convention without reservations. The government desperately wanted to have this law so that ratification could be completed before the end of the UN Decade for Women in 1985.

In May 1984, the draft EEOA was submitted to the 101st National Diet. After heated discussions, the House of Representatives passed the law in July 1984. On the following month, the draft law was submitted to the House of Councillors several days before the 101st Session ended. The 102nd National Diet began in December 1984, but discussion of the draft law at the committee level did not begin until April 1985. The House of Councillors passed the law in May 1985, and the ratification process was completed with Japan on June 25, 1985. One month later, the CEDAW Convention became effective with Japan, in accordance with Article 27, Paragraph 2 of the Convention. Indeed, it was one day before closing the Third World Conference on Women in Nairobi, the last major event of the UN Decade for Women. The new EEOA entered into force on April 1, 1986, along with the revised version of the LSA, abolishing many of the restrictions on women workers, such as working hours, overtime work, and holiday work.

3) Employers’ response to the Equal Employment Opportunity Act

The enactment of the EEOA had a positive impact on the entire nation immediately. For example, more women college graduates began to pursue careers. While the ratio of women who began to work upon graduation was 65.7% in 1980, it became 72.4% in 1985, 73.4% in 1986 and 81.0% in 1990⁹⁾. At the same time, more women began to attend four year colleges. While the ratio of women attending four-year colleges from 1975 through 1984 remained about 12%, it became 13.7% in 1985, 13.6% in 1988, and 15.2% in 1990¹⁰⁾.

On the other hand, many employers introduced a new personnel management system to meet the EEOA while maintaining the long-time practice of treating women differently from men. The dual career ladder system, often called the “course-based career management” (*kōsu betsu koyō kanri*), provided two career paths for women who graduated from four-year colleges. One is called a management track position (*sōgō shoku*)¹¹⁾, which requires women to “work like men” to

8) See *ibid.*, pp. 211–216.

9) Mukogawa Women’ University Institute for Education, “Table 26: the number of graduating from colleges and the ratio of those who begin to work and those attending graduate schools” (*Hyo26: Daigaku sotsugyoshasuu to shushokuritsu, daigakuin shingakuritsu no suii*), <http://www.mukogawa-u.ac.jp/~kyoken/26.pdf>

10) *Ibid.*, “Table 13: the ratio attending four-year colleges and the changes of 18-year-old population” (*Hyo13: Yonensei daigaku eno shingakuritsu to juhassai jinko no suii*), <http://www.mukogawa-u.ac.jp/~kyoken/data/13.pdf>

11) For the translation of *sogo shoku*, I referred to Assmann.

pursue careers and seek higher promotions. They should not hesitate to accept long working hours and should experience transfers to different positions and offices. The other path is called a clerical track position (*ippan shoku*)¹²⁾, in which women perform subordinate duties and work fewer hours than employees hired as management track members. In addition, clerical track members would not be asked to transfer an office too distant to keep commuting without relocating their residences. However, men graduating from four-year colleges had no choice: they were hired for the positions of management track members only. In this way, the dual career ladder system maintained the different treatment of women from men without violating the EEOA.

Thanks to the so-called Bubble Economy, an economic boom which began in the late 1980s and lasted through 1991, many employers willingly hired college-educated women for managerial track positions due to the shortage of employees. When the special total fertility rate of 1989 hit the record low of 1.57 per woman—one woman would have 1.57 children in her entire life—the government began to explore measures to encourage women to deliver more babies and thus to increase the future labor force. In 1991, the National Diet passed the Child Care Leave Act, allowing women and men to return to full-time positions after one-year child care leave¹³⁾. Some companies even provided child care facilities within their offices so that their women workers would not have to worry about picking up their children from the nurseries. After the collapse of the economic boom, however, many employers began to fire full-time employees not only women but also men, replacing them with temporary workers. For over the last 20 years, Japan has been suffering deflation, and as of 2014, about 40.5% of the labor force is comprised of part-time or temporary workers¹⁴⁾.

4) Enhancing the Equal Employment Opportunity Act

More than ten years after the first enforcement, the government revised the EEOA to enhance gender equality at work. The revised EEOA of 1997, enacted in April 1999, incorporated important changes. One of them was that it became mandatory for employers to endeavor to prevent and resolve sexual harassment at workplaces. The LSA was also revised to abolish restrictions on women workers, while increasing maternity protection. Maternity leave for women who were pregnant with a twin or more was extended from 10 to 14 weeks. Moreover, workers who are taking care of children or elderly parents can ask their employers for restriction

12) For the translation of *ippan shoku*, see *ibid.*

13) The Child Care Leave Act was also needed for the Japanese government to ratify the ILO's Convention No. 156 (Workers with Family Responsibilities) of 1981. It was later revised to the Child Care and Family Care Leave Law in 1995.

14) Nippon.com (2016b).

of night work¹⁵⁾.

Ten years later, the government revised the legislation once again. The EEOA enacted in April 2007 changed its aim from guaranteeing women the same treatment as men, to preventing discrimination based on the gender of workers. Article 2 stipulates as follows:

The basic principle of this Act is that workers [shall] be enabled to engage in full working lives, with respect for maternity in the case of women workers but without discrimination based on sex for all workers¹⁶⁾.

That is, the EEOA has become the law not only for women but also for men, protecting both from gender-based discrimination.

III. Expanding institutions and programs on women workers

1) The establishment of the Gender Equality Office

Since the 1990s, the government tried to enhance domestic implementation of the CEDAW Convention. In June 1994, the Japanese government established the Gender Equality Office within the Prime Minister's Office. The Office became responsible for reviewing all issues related to women and coordinating policies among the related Ministries and Agencies. The National Diet passed the Basic Law for a Gender Equal Society of 1999 to enhance equality of women and men in all fields. In January 2001, the Gender Equality Office was changed into a higher organization: the Gender Equality Bureau of the newly established Cabinet Office.

During the first half of the 2000s, the Cabinet Office and the Ministry of Health, Labour and Welfare (MHLW), a ministry that observes the implementation of the EEOA, adopted numerous policies and provided generous subsidies for employers to enable women to continue their careers after marriage or childbirth. At the same time, the government paid more attention to improving the birth rate, and the Act on Advancement of Measures to Support Raising Next-Generation Children (*Jisedai ikusei shien taisaku suishinho*) became effective in July 2003.

In 2005, the special total fertility rate was 1.26, the lowest figure recorded since 1947¹⁷⁾. To prompt women workers to maintain their full-time positions even after childbirth, the Gender Equality Office in July 2007 adopted the Charter of Work-Life-Balance (WLB)¹⁸⁾, campaigning on the basis that WLB would reduce long working hours, allow both women and men to choose ways

15) Akamatsu recalls the revision of the LSA in 1997 as “an ugly duckling became a beautiful swan” because abolishing restrictions on all women but increasing maternity protection were the goals during the legislating the EEOA and revising the LSA in 1985. Akamatsu (2003), p. 222.

16) The English translation of Article 2 of the EEOA of 2006 is quoted from Japanese Law Translation (*Horei Kensaku*), http://www.japaneselawtranslation.go.jp/law/detail_main?id=60

17) The Ministry of Health, Labour and Welfare, “On the special fertility rate” (*Gokei tokushu shusseiritsu ni tsuite*), <http://www.mhlw.go.jp/toukei/saikin/hw/jinkou/kakutei05/sankou.html>

18) For the details of the Charter of WLB, see Ikezoe (2014).

of working based on their life stages, and decide to have more children. In sum, during the early 2000s, the issue of eliminating discrimination against women workers signified not only enhancing the domestic implementation of the CEDAW Convention but also increasing the birth rate and thus the labor force in the future.

2) Governmental campaigns and programs after 2008

In September 2008, Lehman Brothers Holdings in New York City became bankrupt, and the following Global Financial Crisis changed Japan's economic situation completely. Some women workers were strongly recommended to leave their jobs upon pregnancy. Others with infants and toddlers were transferred to offices that would be too far away to commute to. Many complaints were sent to the MHLW, but the situations were not improved¹⁹⁾.

In order to prevent women from losing their jobs due to pregnancy or child care, the Ministry in 2010 launched a new campaign called the "Ikumen Project"²⁰⁾: *ikumen* is a compound word combining the meanings of a good-looking man (*ikemen*) and child care (*ikuji*). Through the campaign, the government expected that by having fathers participate in child care, mothers with young children would be able to maintain their full-time careers without interruption. Two years later, the Ministry of Economy, Trade and Industry (METI) joined these efforts. It addressed the fact that to meet the challenges of the global economy and the decreasing population of young workers, diversity management was imperative. Since 2012, the METI has chosen 100 enterprises every year. These enterprises have successfully introduced diversity management, utilizing not only women but also foreigners, the aged, the handicapped and others²¹⁾.

After 2012, discrimination against Japanese women workers drew keen international attention. It was not from the Committee of the Elimination of Discrimination against Women, a monitoring body of the UN CEDAW Convention²²⁾, but from Washington, D.C. First, two researchers at the International Monetary Fund (IMF) co-authored a paper²³⁾ in 2012, asserting that Japanese

19) The numbers of workers' consultations on disadvantageous treatment due to child care leave were 722 in 2006, 882 in 2007 and 1,107 in 2008. The number of workers' consultations on disadvantageous treatment upon pregnancy or childbirth were 1,166 in 2006, 1,711 in 2007, and 1,806 in 2008. Source: MHLW, "The situations concerning consultations from workers and the ministry's guidance" (*Rōdōsha kara no sōdan oyobi shidō to no jōkyō*), published on March 16, 2009, <http://www.mhlw.go.jp/houdou/2009/03/dl/h0316-2a.pdf>

20) The Ministry of Health, Labour and Welfare, "Ikumen Project," <http://ikumen-project.jp/index.html>

21) The Ministry of Trade, Economy, and Industry, "2015 New Diversity Management Enterprises 100," <http://www.meti.go.jp/policy/economy/jinzai/diversity/kigyō100sen/>

22) The Committee considered the Japanese reports in 2003, 2009, and 2016, raising the question of discrimination against women workers. The reports of the Japanese government and are posted within the official website of the Ministry of Foreign Affairs, "The Convention on the Elimination of Discrimination against Women" (*Joshi sabetsu teppai jōyaku*), <http://www.mofa.go.jp/mofaj/gaiko/josi/>. The Concluding Observations of the CEDAW Committee are available at the Gender Equality Bureau, http://www.gender.go.jp/international/int_kaigi/int_teppei/index.html

women workers could save Japan and Asia if they were able to continue working after childbirth and that Japan would not be able to revive its economy and reduce its huge national debt otherwise. Second, in October 2012, IMF Managing Director Ms. Christine Lagarde visited Japan and appeared on NHK's program, entitled "Closing up Today" (*Crôzu appu gendai*). It was a special version of 75-minute broadcast, three times longer than the regular program²⁴. Third, in March 2015, the US Department of State chose Ms. Sayaka Osakabe, the founder of an NGO that fights against harassment of women workers due to pregnancy or child care, as one of the recipients of the 2015 International Women of Courage Award²⁵. Ms. Osakabe, 37, was once harassed by a former employer during her pregnancy and lost her baby due to miscarriage²⁶. These events seemed to be a clear message from the US government to the Japanese government and business leaders to improve the working environment of Japanese women workers for the sake of Japanese economy and thus the world economy.

Actually, Prime Minister Shinzo Abe, who assumed the office in December 2012, chose women's issues in his major domestic policies. One of such policies became a campaign entitled "Creating a society in which all women can shine" (*Subeteno josei ga kagayaku shakai zukuri*)²⁷. On April 1, 2016, the Act of Promotion of Women's Participation and Advancement in the Workplace (*Josei Katsuyaku Suishin Ho*) became effective. The law intends to encourage employers to develop women's abilities and to increase their opportunities. Among its ambitious aims, it plans to increase the number of female corporate board members to 30% by 2020, which is often called "202030". Another major policy has become a campaign entitled "Work Style Reform" (*hatarakikata kaikaku*)²⁸. The prime minister established the Secretariat for Promoting the Realization of Work Style Reform on September 2, 2016, and the first meeting of the Council for the Realization of Work Style Reform (*hatarakikata kaikaku jitsugen kaigi*) was held on September 27. During the meeting, Abe stressed that reducing long working hours would improve work-life balance of workers and that more women and aged people can work²⁹.

23) Steinberg and Nakane (2012).

24) NHK Online, Close-Up Gendai, "Can Women Save Japan? (*Josei ga nihon wo sukuu?*)", October 17, 2015, http://www.nhk.or.jp/gendai/kiroku/detail02_3261_all.html

25) The Embassy of the United States Tokyo--Japan, "Osakabe Wins the Secretary of State's International Women of Courage Award," <http://japan.usembassy.gov/e/p/tp-20150305-01.html>

26) Devin Stewart, the senior program director, senior fellow of the Carnegie Council for Ethics and International Affairs, has been following the issue of discrimination against women in Japan. His interview with Ms. Osakabe is printed in his article, Stewart (2015).

27) See Prime Minister of Japan and His Cabinet, "Creating a society in which all women can shine" (*Subeteno josei ga kagayaku shakai zukuri*), http://www.kantei.go.jp/jp/headline/josei_link.html

28) See Prime Minister of Japan and His Cabinet, "A meeting to realize reforming working style" (*Hatarakikata kaikaku jitsugen kaigi*), <http://www.kantei.go.jp/jp/singi/hatarakikata/>

29) Prime Minister of Japan and His Cabinet, the Council for the Realization of Work Style Reform, September 27, 2016, http://www.kantei.go.jp/jp/97_abe/actions/201609/27hatarakikata.html

IV. Scholars' analyses on discrimination against women workers

Despite all these campaigns and programs, about 60% of women still give up their full-time jobs after their first pregnancy, and only 2.65% of working fathers took child care leave in 2015³⁰. The fact that women quit full-time jobs within several years is one of the major reasons that employers hesitate to hire women for managerial track positions because employers do not want to spend much money for training and education. Hence, many companies introduced a dual career ladder system when the EEOA was enacted in 1986. After thirty years of introducing the EEOA, the situation does not seem to have changed much.

On the other hand, the issue of women workers has been studied by scholars of various fields, including sociology, demography, economics, labor economics, and diversity management. According to them, Japanese women workers discontinue their careers during pregnancy or after childbirth because of long working hours, the shortage of child care facilities, the expensive cost of child care, lower pay for women than men on average, the increase of temporary positions and the decrease of income, and the social expectation that women should assume family responsibilities rather than work³¹.

Scholars agree in particular to two points: long working hours and gender-based roles for women. One reason for long working hours is that Japanese companies tend to adjust the amount of work by having full-time workers do overtime work rather than by hiring new employees so that they can save the costs of social security and training. Another reason is a perspective of employees: staying in the office for overtime work is often evaluated positively by one's superiors. Overtime work does not mean ineffectiveness or low productivity in Japan; rather, spending long hours at the office is regarded as a dedicated worker³².

But long working hours drain both women and men, and women are more likely to quit full-time jobs or switch to temporary positions³³. Moreover, workers may have to do overtime work without payment. According to a survey by the Japanese Trade Union Confederation (*Rengō*) conducted in the fall of 2014, the average working hours per day of a full-time worker was 8.9 hours, the average overtime work per month was 20.5 hours per for each non-managerial worker, and about 40% of workers were forced to do overtime work without pay for an average of 18.6 hours per month³⁴. Overtime work without pay may reflect the situation that employees must

30) The MHLW, "The ratio of workers taking child care leave," July 28, 2016, from "The Summary of the Basic Research of the Equal Employment for FY 2017," <http://www.mhlw.go.jp/toukei/list/dl/71-27-07.pdf>.

31) For example, see Ikezoe (2014), Iwata et al. (2015), Kawaguchi (2008), Kopp (2015), Otsuki (2015), Japan Institute for Women's Empowerment & Diversity Management (2013), *ibid.* (2015).

32) See, for example, Kopp (2015), pp. 119-120.

33) See, *ibid.*, Chapter 4.

endure it in exchange of job security.

A strong view on gender-based roles also prevents women from pursuing careers and men from assuming family responsibilities. Male workers taking child care leave are likely to receive negative evaluations by their superiors because they could not devote themselves sufficiently to their work³⁵⁾. To change the situation, in February 2014, a new project called the “IkuBosu Project” was launched by an NGO named “Fathering Japan”. “Iku” comes from *ikuji* (child care) and “bosu” comes from bosses at work. This campaign aims at increasing superiors who understand the importance of taking child care leave for both women and men³⁶⁾. Nonetheless, as of 2015, less than 3% of men take child care leave. This figure suggests that gender-based roles is yet very difficult to eliminate.

V. Conclusion

Since the ratification of the UN Convention on Women in 1985 and the introduction of the Equal Employment Opportunity Act in 1986, the Japanese government has developed a legal framework aiming at eliminating discrimination against women workers. The EEOA was revised twice in 1997 and 2007 to increase maternity protection and to abolish restrictions on women workers. Laws relating to child care and family care guarantee that both women and men maintain their full-time jobs. Overall, Japan has established a legal framework to protect women workers from discrimination. In addition, the Japanese government launched a numerous campaigns and programs, especially after 2008, to reduce working hours and to change the stereotype of gender roles so that both women and men could pursue careers while sharing family responsibilities, such as work-life balance and the *Ikumen* Project.

However, these measure are not effective as the government might have expected even when considering the recession during the 1990s and the chaos that the Global Financial Crisis had created. Currently, about 60% of women workers still quit jobs after the first childbirth, prompting employers not to hire women for full-time positions, especially for managerial tracks. The sense of job insecurity also makes it difficult to reduce working hours because staying at the office after five o'clock usually demonstrates dedication of workers although overtime work might not be paid.

What kind of measures could effectively eliminate discrimination against Japanese women workers? One solution is companies' own efforts to change the behaviors of their employees. For example, Itochu, one of the leading trading companies in Japan, now provides a free breakfast for

34) Rengo (2015).

35) See, Kawaguchi (2013), Chapters 4-6, and Iwata, Chapter 1.

36) For further details, see Gender Equality Bureau, Cabinet Office, “Ikubosu towa” (*what is ikubosu*), <http://www.gender.go.jp/public/event/2014/zenkoku/pdf/fathering.pdf>

early comers, and is improving the ways that meetings are organized, allowing some employees to work at home, and reducing overtime work³⁷). Another example is Shiseido, one of the leading cosmetic companies in Japan. In November 2015, it announced that women workers working less hours because of their young children would be working on the evenings of weekdays and during weekends, intending to promote women workers' ability to pursue their careers and to change male workers' patterns of work³⁸).

One should not forget, however, that people can work for full-time positions while having young children only when they find child care facilities affordable and located close to their residences. There are many mothers and fathers who cannot find any vacancy of nursing schools in their local communities. On February 15, 2016, an anonymous blogger wrote a blog entitled "My baby did not get into any nursery school; Japan sucks!" (*Hoikuen ochita nihon shine!*)³⁹). It sparked a heated discussion nation-wide that resulted in petitions to the National Diet to increase the number of nursery schools.

Moreover, the government recently changed the rule concerning social security. As of October 1, 2016, part-time workers who work more than 20 hours per week at companies with more than 501 employees must pay social security taxes if their incomes exceed 1,060,000 yen per year, instead of the former figure of 1,300,000 yen per year. It is estimated that 250,000 women part-time workers are affected by this change, but critics think that most women would prefer to earn less than 1,030,000 yen per year, an amount that one can remain their spouses' dependents so that they do not have to pay social security or income taxes⁴⁰). This change might prompt women to stay at home or remain as part-time workers whose income do not exceed 1,030,000 yen per year.

Finally, the Japanese government has already established a legal framework to prevent discrimination against women workers. What it needs to do is to maintain a strong political will to implement policies consistently. It looks contradictory to encourage women to work full-time while leaving the shortage of nursing schools and raising the social security taxes. Reducing working hours of both women and men and providing affordable child care will prompt parents to share family responsibilities and enable women to maintain their jobs, thus eliminating discrimination against women workers in Japan.

37) Itochu (2015).

38) Matsuura (2016).

39) Anonymous blog, <http://anond.hatelabo.jp/20160215171759>.

40) *Nikkei Shimbun*, "Part-time workers pensions will change like this; what is the "wall of 1,060,000 yen"?" (*Pato no nenkin ko kowaru: '106manen no kabe' tte nani?*), February 9, 2014, <http://www.nikkei.com/article/DGXZZO66388790V00C14A2000000/?df=2>

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Discrimination against Women Workers in Japan

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This paper discusses discrimination against women workers in Japan. Japan ratified the UN Convention on the Elimination of All Forms of Discrimination against Women in 1985. In April 1986, the Equal Employment Opportunity Act (EEOA), a law which stipulates equal treatment of women workers with men, became effective. The law was a major condition which enabled the Japanese government to ratify the UN Convention.

More than thirty years have passed since then; however, women workers in Japan continue to face serious discrimination in the workplaces. To examine the causes of gender-based discrimination, I will first review the laws concerning women workers before 1985 and the drafting process of the EEOA. Second, I will illustrate how the EEOA influenced society and how employers have coped with the new legislation. Third, I will review the governmental campaigns and programs after 2008, a year that the Global Financial Crisis took place, to discuss whether they have effectively reduced discrimination against women workers. Finally, I will discuss a possible solution of discrimination against women workers in Japan.