



Labor-Related Macrosocial Forces of Japanese *Karoshi*

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INTRODUCTION

Since World War II, Japanese workers have worked extreme hours with grave consequences. These extreme working hours put stress on their bodies that, over many years, ended in fatal or permanently disabling cardiovascular or cerebral disease. This phenomenon has been dubbed *karoshi* and is currently a major societal issue. Every year for almost the past two decades, approximately 750-950 people per year applied for a Workers' Compensation Claim for work-caused heart and brain failure, the standard method for receiving compensation for *karoshi* (Government of Japan, 2017).

Also directly following World War II, the Labor Standards Law of 1947 (LSL) was one of the pieces of legislation to come out of the American Occupation. This law ensured several basic rights for workers and set rules regarding employment and labor. For example, under the LSL, workers are guaranteed paid leave after working with a company for a certain amount of time. Companies are required to negotiate overtime contracts with employees or a representative body for employees according to guidelines set by the Ministry of Health, Labor and Welfare. The LSL also standardized a 40-hour work week.

One might expect labor unions to fight for decreased working hours; however, there are various issues with Japanese labor unions. Ever since the 70s, labor unions have been getting weaker. Membership has decreased coming into the 21st Century. Systematic changes have brought about ineffective leaders with weak negotiation skills. In addition, the unions themselves are not fighting for decreased working hours but rather protecting employment.

TIME PERIODS OF INTEREST

Post-WWII

- Consequences of American Occupation
- Japan on its own two feet in the 60s
- Weakening labor unions

70s & 80s

- Emergence of *karoshi* on the legal stage
- Medical controversy over *karoshi*

90s & 2000s

- Eyes on the Japanese government for action
- Emerging research on *karoshi*

Modern *Karoshi*

- Decreasing work hours
- Government anti-*karoshi* policies

“Sado logged **159 hours and 37 minutes** in overtime in June and **146 hours and 57 minutes** in May... far exceeding the 100 hours of overtime a month that national guidelines use for determining *karoshi*, Asahi Shimbun reported.” -Chuck, 2017

IMPORTANT LEGISLATION

- **Trade Union Law of December 1945**
 - Provides the right to belong in unions, strike, and collectively bargain
- **Labor Relations Adjustment Act**
 - Forbade management from taking part in unfair practices such as discriminating against union workers or not recognizing unions
- **Labor Standards Law of 1947**
 - Maximum working hours is 48 hours per week, 8 hours per day
 - Changed in 1987 to 40 hours per week, 8 hours per day
 - Ensures paid leave for workers
 - Set guidelines for overtime agreements between employers and employees
 - Changed in 1998 so the Ministry of Health, Labor, and Welfare (MHLW) can set specific regulations/requirements for this agreement
- **Promotion of Anti-Karoshi and Others Prevention Measures Act**
 - Govt. uses investigative research to “promote counter-measures against *karoshi* and others, eliminate *karoshi* and others, harmonize work and private life, and contribute to a healthy and enriched working society” (Government of Japan, 2014).
- **Industrial Safety and Health Law**
 - Revised in 2005 to require employers to arrange for workers who meet certain conditions to me with a doctor for guidance

JAPANESE LABOR UNIONS

The Trade Union Law of December 1945 and Labor Relations Adjustment Act gave crucial protections to unions and their members that encouraged strong involvement with labor unions. According to Alemdar (n.d.), “the number of unionized workers increased from 1,000 at the end of September to more than 450,000 by the year’s end. In 1946, about 500,000 workers were unionized anew each month in January, February, April, and May, and 1 million alone in March 1946.”

For the next two decades, labor-management relations were characterized by fierce conflict. In an effort to increase productivity and rebuild more quickly, the Japan Productivity Center stepped in during the 1950s. Its main goals were “expansion of employment, cooperation between labor and management, and fair distribution of the fruits of productivity... [by the 1970s,] relationships of trust between labor and management had at last been established in Japanese companies (Fujimura, 2012).

Partially as a consequence to this change and partially due to other factors, we see the power of Japanese labor unions decreasing drastically from this point on into the 21st century. As seen in Figure 1, union membership has continued to decline since 2000. Alongside the general downsizing of unions, there is a phenomenon that Fujimura (2012) describes as the “amateurization of union officials” where decreasing tenure length has lead to less time for the next set of officials to learn from their seniors. Thus, labor unions lack the manpower and negotiation skill to push for lower working hours.

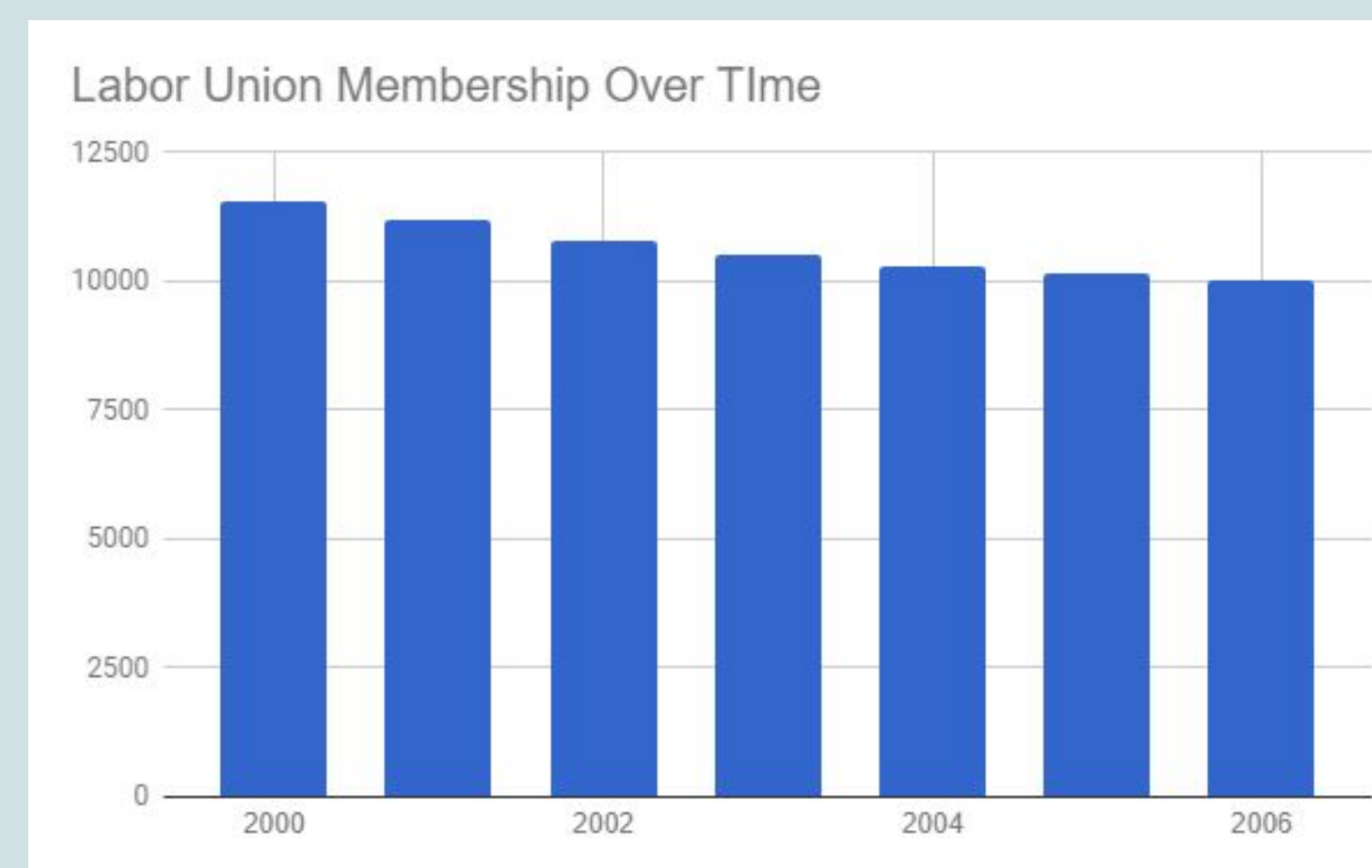


Figure 1: Labor union membership in Japan from 2000 to 2006. Membership has decreased about 16 percent, from around 12,000 to 10,000 (Benson, 2008).

CURRENT MITIGATION TACTICS

- **Premium Fridays**
 - on the last Friday of each month, companies are encouraged to release their employees early and encourage spending
 - supposed to decrease working hours in a busy part of the month and increase GDP
- **Promotion of Anti-Karoshi and Others Prevention Measures Act**
 - investigative research
 - understand factors surrounding workplace and workers + their connections -> develop protective measures
 - “enlightenment”/spreading correct information
 - various advertising for general public, employers, employees; seminars for students
 - maintenance of a consultation system
 - installing phone lines for mental health/rules of employment consultation
 - supporting activities of pertinent non-government orgs
 - hold symposium regarding Promotion of Anti-Karoshi... support similar NGO events



Figure 2: Average yearly working hours in Japan. For reference, 1800 hours per year is considered normal. Some countries in Europe work closer to 1400 hours per year (Organization for Economic Cooperation and Development, 2017).

CONCLUSIONS, IMPLICATIONS, AND NEXT STEPS

It is clear that the government is making moves to decrease the occurrence of *karoshi*. Decreasing working hours is also an objective, as long working hours are a direct factor in causing *karoshi*; however, a big-picture resolvable source for these long working hours has not been investigated. In order to decrease the occurrence of *karoshi*, we must continue to investigate why people work long hours and examine methods to decrease working hours. The Promotion of Anti-Karoshi and Others Prevention Measures Act promotes such research.

The above act seems to take a solid approach to the *karoshi* issue. It raises awareness among the younger generation while encouraging openness through consultation support and support of NGOs fighting against *karoshi*. In the long-run, research will shed light on the most impactful causes of *karoshi*, and the government can continue to design better policies to prevent those causes as more information is gathered.

This attitude from the government also enables labor unions. Should labor unions shift their focus to decreasing working hours, their goals would fall in line with the government. Coupled onto the government raising general awareness regarding *karoshi*, management and labor unions will share mutual interests, and, through the relationships of trust in place since the 1970s, management and labor unions can work together to decrease working hours. It would be good to look for such developments early in the next decade.

As to how effective this approach will be, we have yet to see. The Japanese government wishes to decrease the amount of employers working their employees for more than 60 hours per week to less than 5% and increase the occurrence of paid leave taken to above 70% by 2020. This will certainly prove difficult in such a short time span as there is not enough time for new policies to show their effects. It is also difficult to assess the current effectiveness of recent policies as not enough time has passed for data to show a significant trend. Future studies regarding *karoshi* should look to evaluate the effects of current policies and suggest adjustments accordingly, creating a feedback cycle within the framework that the Japanese government has proposed to bring down *karoshi* rates.

Plan of Attack and Moving Forward

Research

Investigate the primary causes of long working hours

Government

The Japanese Government devises an appropriate plan of attack based off of the causes of long working hours to decrease working hours

Unions

Labor unions cooperate with the government and management to decrease the occurrence of *karoshi*

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