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研究課題名(和文) Evaluating Work Style Reform: A Workplace-centered Study of Policy Outcomes

研究課題名(英文) Evaluating Work Style Reform: A Workplace-centered Study of Policy Outcomes

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研究成果の概要(和文)：2018年に発足された働き方改革の労働現場における影響を調べるため、問題を抱えるとされている職種を中心に研究を進めてきた。労働者の働きがい、健康、余暇などを確保することが改革の目標と発表されている。まず、改革の対象となる問題のある職場の歴史的背景と近日の実態をしらべた。その後、処方箋として掲げた法改正の影響を図った。これらの研究の成果を国際会議や査読付論文において改革すべき職種にはその成果が必ずしも実現されていないことを示した。医療、運輸、学校教育など、労働状況が深刻である現場には、改革の積極的な影響が見当たらない。一方で改革によって雇用主の権限が強化されていることが明らかになっている。

研究成果の学術的意義や社会的意義

We have shown how labor reforms, assumed to improve working conditions, may not do so. Cosmetic changes tend to enshrine employer rights so that wages and benefits can be suppressed. The 2018 reforms have brought small benefits, but made it hard for workers to gain European style worker protections.

研究成果の概要(英文)：This study of labor market change and working conditions investigated the role of major labor law changes, so-called Work Style Reforms, enacted in 2018. To understand the effects of the reforms, we gathered data on particular occupations and types of employment. We chose occupations and work sites in which the need for reform was great. Long work hours and harsh work conditions resulting in damage to health were announced as important motives for the reforms. In published papers and at international conferences, we presented research findings outlining the conditions that the reforms were purported to address. We also reported on changes brought about by the reforms. A main finding is that 5-year exemptions granted to employers in fields such as medicine, teaching, and trucking mean little has changed in those fields. However, the reforms have encouraged expansion of employment types and reified the basis for legal inequalities in Japan's employment system.

研究分野：Sociology

キーワード：labor reform, Japan equal pay for equal work labor litigation, Japan labor politics, Japan

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1. 研究開始当初の背景

Prime Minister Abe assumed office for his second term in December 2012, and it was in 2015 when he announced the Plan to Realize the Dynamic Engagement of All Citizens (*Ichoku Sōkatsuyasku Puran*). Given the demographic challenge posed by labor shortage, the Abe administration had expressed its renewed commitment to achieve economic growth by promoting higher birthrate, encouraging women and elderly's workplace participation, raising productivity, and correcting the wage gap between regular and non-regular workers. In January 2016, the prime minister caught many by surprise by announcing he would enact equal pay for equal work.

In March 2017, the Council for the Realization of Work Style Reform (*Hatarakikata Kaikaku Jitsugen Kaigi*) issued a report in which the blueprint of the work style reform was publicized. Much of the deliberation focused on two major agenda: regulation of work hours and placing a cap on overtime; legislating equal treatment. After the snap election in October 2017 the Diet deliberated provisions in the bill regarding a High-level Professional Work System (*Kōdo Purofessionaru Rōdōsei*) and expansion of discretionary labor system (*sairyō rōdōsei*) in Spring 2018. The expansion of discretionary labor was dropped, and the bill finally passed the Upper House in June 2018, but there has been great controversy about the supposed aims and efficacy of the new laws.

Studies on work style reform by academics have focused on the policymaking process and policy content, so they tend to be optimistic. Vogel (2018) argues that labor shortages and the need to invite more workers, especially women, into the labor market and raise existing workers' productivity has led the Abe Administration to introduce policies to help workers to balance work, family, and leisure, such as by regulating long work hours and reducing the regular—non-regular pay gap, resulting in a worker-friendly labor reform. Mizumachi (2018), a legal scholar who played a primary role in designing the equal treatment legislation, shows how the Japanese version of “equal pay for equal work” was designed with reference to similar German and French rules for equal treatment.

In contrast, left-wing lawyers and union leaders have produced studies that offer a critical, skeptical assessment of the work style reform policy. The Labour Lawyers Association of Japan (*Nihon Rōdō Bengodan*, 2016, 2017, *Osaka Rōdō Bengodan*, 2018) and Japan Lawyers' Association for Freedom (*Jiyū Hōsōdan*, 2017, 2018) have criticized the regulations on work hours and equal treatment by publicizing their own legislative proposals that involve stronger regulations on work hours and wording that resembles the EU regulations on equal treatment. The National Confederation of Trade Unions (*Zenrōren*) criticizes the reform policies as legalizing life-threatening work hours and justifying entrenched pay inequities.

Neoliberal trends in labor reform policy are common. Notably, France and the US are moving in the direction of greater liberalization and flexibility for employers. Japanese business interests and their political allies have long campaigned for similar loosening of regulations. Deregulation is hailed as liberating the market and promoting growth, but there are fears that some degree of worker health and livelihood stability may be lost in the process. Researchers have identified a clear neoliberal trend in employment-related policymaking (Thelen 2014; and Howell 2017), and Abe's work style reform has been viewed as following this neoliberal trend (e.g. Kojima et al.).

The outcomes of these reforms are, however, less clear. Thus, this research project examines how

the labor reform policies are implemented at the workplace level. With particular foci on the regulations over work hours and equal treatment, this project: (1) investigates how these policies are realized in actual workplaces: the lived experiences of work style reform; and (2) analyzes factors that determine how policies are implemented, i.e. identifies the mechanisms of policy enforcement, such as collective bargaining and lawsuits.

2 . 研究の目的

Long known for the stability of its employment system, Japan faces simultaneously the challenges of a shrinking labor force and (a seller's market for labor) and intensified global competition, which forces employers to hold down wages. Proposed labor reforms under Prime Minister Abe seem designed to help the nation through this period of looming difficulties. But while the effects of these reforms are seen as beneficial for business, their impacts on workers are unknown. We therefore propose to follow the plight of workers in a few specific sites as the reforms are deployed.

This research project is grounded in the assumption that there is frequently a gap between policy and practice. Labor reform is a primary political agenda pursued by the Abe administration. Death from overwork, and precarity experienced by non-regular workers are been a deep-seated social pathologies which have plagued Japanese society for decades. The significance of the proposed research lies in tracking how effective Abe's labor reforms are in solving these issues. This research is also original in analyzing controversial area of how the labor reform policies are enforced. Mizumachi (2018) states "It is each actual work place that will execute the [labor] reform. Those who will be the key to reform are the human resources officers, labor unions, and experts who could offer assistance in labor-management dialogue." This research project will evaluate the impact of reforms on Japan's employment system by examining the workplace level experiences of reform policy implementation and its impact on the workers' lives.

This project identifies the dynamic relationship between policy making, policy implementation and enforcement, and the lived experiences of workers. This project is original also in the sense that it is a collaborative research project based on cross-disciplinary dialogue between the academic fields of political science (Weathers) and sociology (Kojima and North). The project brings together theoretical perspectives on the state's policy making, roles played by meso-level organizations, and the agencies of individual workers.

This project is original and significant based on the team's composition. The group is an international research team constituted of American and Japanese scholars with extensive research experience conducting research in Japan and abroad, with fluency in both English and Japanese. Given the team's global characteristic, findings based on this project will be shared to the global audience through publications in English and presentations at international academic conferences. It is also a good mixture of senior and mid-career researchers.

(1) What we will find out and how; the division of academic labor.

This research will pursue the following points during the grant period:

- (A) Review the policy-making process and create a chronological timetable of legal revisions concerning work hours and equal treatment, leading to the current legislation.
- (B) Elucidate the actual practices of labor reform policy implementation by examining the implementation of the reforms (from April 2019) in selected public and private sector workplaces.
- (C) Evaluate reform influence on work hours and equal treatment. Assess the lived experiences of work

style reform by comparing pre and post-reform work conditions.

- (D) Conduct fieldwork in Germany, a country known for relatively stronger labor statute enforcement in a dual labor market similar to Japan's, to understand how reforms have been introduced and enforced there. We will identify which organizations, institutions, and groups are important and describe what they do in determining the nature of policy enforcement. Comparing the German case with our Japan observations, we will identify areas of concern and hope, especially with regard to enforcement of provisions related to worker wellbeing and equal treatment.
- (E) By analyzing these data, we will identify the mechanisms and power dynamics involved in shaping the introduction and enforcement of new ways of working and say how Japanese working lives may or may not be improved by the reforms.

3 . 研究の方法

In the run-up to the April 2019 implementation of Japan's reforms, we will lay the groundwork for the proposed project. We will review the content of the regulations on overtime work and equal treatment legislation by placing them in the historical context of labor law de/re-regulatory changes. We will also mobilize our contacts from past research to negotiate access to workplaces in Kyushu and the Kansai region to use as enforcement case studies. Other organizations, including Japanese Electronic and Information Union (Denki Rengō), Japanese Association of Metal, Machinery, and Manufacturing Workers (JAM), community unions, such as Kyoto Union and Support Union, and labor lawyer associations in the Kansai region will also be used to gain information and access to workplaces and individual workers. We will also engage with workers and union representatives in public sector workplaces, because these sectors are crucial to the success of the labor reform policies. Public sector workplaces also illustrate the dilemma of the reform well, in that government is keen on implementing shorter work hours and equal pay for equal work policies but these require government spending in a time of tight budgets.

Year 1 (2019.4 - 2020.3)

Legal limits on overtime work hours for large corporations will become effective from April 2019. Therefore, this project will begin by examining work hour management in a large corporation. The choice of the company will be based on preliminary research from the previous academic year.

In the fall to winter of 2019, fieldwork will be conducted in Germany. Kojima has a sabbatical starting in the fall of 2019, and he will spend it in Germany. North, too, is on sabbatical from September to December 2019. If time allows, Weathers will join Kojima and North during the semester break to conduct fieldwork on how work hour regulation and equal treatment legislations are being enforced in Germany. We will meet with scholars, unionists, and government officials, and also visit local companies to learn how equal treatment regulations function and what sorts of issues workers and companies face in following EU regulations.

Year 2 (2020.4 - 2021.3)

Legal regulations on work hours for small to medium sized corporations, and equal treatment regulations for large companies will become effective from April 2020. Our research will choose a large corporation and study the introduction of the equal pay principle there as well as specific impacts it may have on the workers. In addition, we will investigate how work hour reforms, particularly the establishment of legal limits on overtime work, are playing out in our corporate and public sector sites. During this year, the team will visit a large corporation and a public institution to interview human resources officers, labor

union representatives, and a handful of employees to gain diverse perspectives on how the regulations were implemented, and experienced by workers. We will examine the effects on regular and non-regular workers.

We will present our preliminary findings at the European Association for Japanese Studies to be held in Ghent, Belgium in 2020. We also contemplate participating in the International Sociological Association meeting to be held in Brazil in 2020.

Year 3 (2021.4 - 2022.3)

In April 2021, equal treatment regulation for small to medium sized workplaces will become effective. We will replicate our earlier interviews in a medium sized corporation and conduct interviews interview the human resources officers, labor union representative, and a handful of employees to see how exactly the regulations were implemented and gauge their impact on the workers.

This final year of research will be used to compile a final analysis of our data, conducting follow-up research when necessary. We will also organize a panel at the Association for Asian Studies meeting and present our findings to an international audience as a prelude to preparing articles for publication in journals concerned with work and labor, areas studies (especially Japanese studies), and labor politics.

4 . 研究成果

2018年に発足された働き方改革の労働現場における影響を調べるため、問題を抱える

とされている職種を中心に研究を進めてきた。労働者の働きがい、健康、余暇などを確保することが改革の目標と発表されている。まず、改革の対象となる問題のある職場の歴史的背景と近日の実態をしらべた。その後、処方箋として掲げた法改正の影響を図った。これらの研究の成果を国際会議や査読付論文において改革すべき職種にはその成果が必ずしも実現されていないことを示した。医療、運転、学校教育など、労働状況が深刻である現場には、改革の積極的な影響が見当たらない。一方で改革によって雇用主の権限が強化されていることが明らかになっている。

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We have shown how labor reforms, assumed to improve working conditions, may not do so. Cosmetic changes tend to enshrine employer rights so that wages and benefits can be suppressed. The 2018 reforms have brought small benefits, but made it hard for workers to gain European style worker protections. Several papers are still in progress: on trucking and driving, on teaching, on physicians work hours, and on labor unions and the reforms. Some of our subject populations will not feel the full effect of the reforms until 2024, so our work will continue even after funding stops.

5. 主な発表論文等

〔雑誌論文〕 計1件（うち査読付論文 0件/うち国際共著 0件/うちオープンアクセス 0件）

| | |
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| 1. 著者名 スコット・ノース | 4. 巻 46, no 1 |
| 2. 論文標題 過労死防止対策としての働き方改革を問う：矛盾だらけの施策の批評 | 5. 発行年 2020年 |
| 3. 雑誌名 労働と健康 | 6. 最初と最後の頁 9-11. |
| 掲載論文のDOI（デジタルオブジェクト識別子） なし | 査読の有無 無 |
| オープンアクセス オープンアクセスではない、又はオープンアクセスが困難 | 国際共著 - |

〔学会発表〕 計5件（うち招待講演 0件/うち国際学会 5件）

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| 1. 発表者名 Charles Weathers |
| 2. 発表標題 Japan's Non-regular Civil Servants and the Contradictions of Labor Reform |
| 3. 学会等名 International Conference of Asia Scholars (国際学会) |
| 4. 発表年 2021年 |

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| 1. 発表者名 Scott North |
| 2. 発表標題 Japan's Drivers and Doctors Laboring in the Shadow of Reform |
| 3. 学会等名 International Conference of Asia Scholars (国際学会) |
| 4. 発表年 2021年 |

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| 1. 発表者名 Shinji Kojima |
| 2. 発表標題 Closing the Wage Gap: Equal Pay for Equal Work in Post-reform Japan |
| 3. 学会等名 International Conference of Asia Scholars (国際学会) |
| 4. 発表年 2021年 |

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| 1. 発表者名 Scott North |
| 2. 発表標題 Japan's Work Style Reform Consensus and Its Contradictions |
| 3. 学会等名 Society for Socio-Economics, 31st Annual Meeting (国際学会) |
| 4. 発表年 2020年 |

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|---|
| 1. 発表者名 Charles Weathers |
| 2. 発表標題 The Changing Political Economy of Work and Wages in Japan: A Polanyian Perspective |
| 3. 学会等名 Society for Socio-Economics, 31st Annual Meeting (国際学会) |
| 4. 発表年 2020年 |

〔図書〕 計0件

〔産業財産権〕

〔その他〕

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6. 研究組織

| | 氏名 (ローマ字氏名) (研究者番号) | 所属研究機関・部局・職 (機関番号) | 備考 |
|-------|--|---|----|
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| 研究分担者 | 大谷 順子 (Otani Junko) (90403930) | 大阪大学・人間科学研究科・教授 (14401) | |

7. 科研費を使用して開催した国際研究集会

〔国際研究集会〕 計0件

8 . 本研究に関連して実施した国際共同研究の実施状況

| 共同研究相手国 | 相手方研究機関 |
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