

VLT Quarterly Legal Update

January 2022

Amendments to Act on Comprehensive Promotion of Labor Measures

On June 5, 2019, the Act on Comprehensive Promotion of Labor Measures was amended, and as of June 1, 2020, large companies became obligated to implement measures to prevent power harassment. As of April 1, 2022, these obligations will be extended to companies of all sizes.

Definition of Power Harassment

Article 30-2 of the Act states that an employer must take measures against “any behavior that is based on dominant relationships in the workplace and exceeds the scope necessary and reasonable in the course of business from damaging the work environment of the employer's workers”. According to the guidance published by the government, power harassment includes (i) physical abuse, (ii) mental abuse, (iii) separation from colleagues, (iv) excessive demands, (v) insufficient demands and (vi) invasion into private matters.

Company Obligations

The changes in the law require that companies:

1. (i) Clarify the company’s policy and make employees aware of the policy and (ii) clarify that harassment will be severely treated and such treatment will be reflected in the Rules of Employment,
2. (i) Establish a system enabling employees to consult on and/or report power harassment issues and make employees aware of this system and (ii) implement a system in which the person in charge of the consultation is able to take appropriate action with regard to any harassment claims,
3. (i) promptly and accurately confirm any facts surrounding any harassment claims raised, (ii) take appropriate measures with regard to the harassed employee, (iii) after conducting fact-finding, take appropriate measures with regard to the harasser, (iv) take measures to prevent any reoccurrence of such harassment and
4. (i) take measures to protect the privacy of any person who consulted on or reported harassment, (ii) explicitly state that disadvantageous treatment including termination against those who consult on or report any harassment is prohibited and make employees aware that such disadvantageous treatment is prohibited.

Recommended Actions

Companies should revise their “Rules of Employment” or “No (Power) Harassment Policy” to reflect the amendments to the Act. In addition, in order to establish the appropriate employment environment, employers may implement several measures including providing power harassment training to employees and especially to managers.

Additional Links

- [MHLW Flyer on Strengthening Power Harassment Measures \(Japanese Only\)](#)
- [MHLW Page Providing Links to Information on Workplace Harassment \(Japanese Only\)](#)