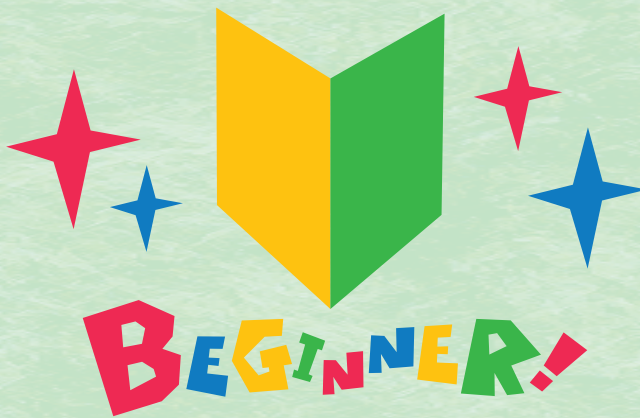


Handbook of Laws in Everyday Life

~English Version~



For new workers in society

Zenkoku-Seinen-Shihoushoshi-Kyougikai
Kusatsu International Friendship Association



This handbook contains information for persons who will become new workers in society.

In this handbook, you can find knowledge related to laws in your daily life.

When you need to check legal matters in your life as a worker in society, please review this handbook.

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Chapter 1

Labor Law

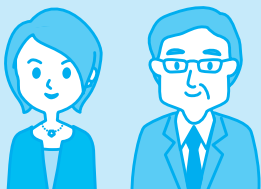
Q What is Labor Law?

A Labor Law consists of rules between employers and their workers. Employers must not make workers work under conditions that are worse than the standards stated in Labor Law. “Labor Law” protects workers from employers.

Q What is the meaning of “workers” in Labor Law?

A Workers are the people who receive wages from an employer. (They include part time and temporary workers.)

“shiyosha” (employers)



Persons who hire workers to operate a business

Q What are the rules regarding wages?

A Employers must pay money to workers in return for their labor. That money is called “wages”. Employers must obey 5 rules when paying wages.

- 1 Employers must pay wages in the form of money, and not in the form of goods.
- 2 Employers must pay wages directly to their workers.
- 3 Employers must pay the whole wage. However Social Insurance fees and taxes are deducted from the worker’s total earnings.
- 4 Employers must pay wages to their workers at least once a month.
- 5 Employers must pay wages on the predetermined date.

“roudousha” (workers)

Protected by Labor-Law



All persons who receive wages

Q What are the rules regarding working hours, break times and days off.

A The rules regarding working hours, breaks and days off are stated in Labor Law. Under this law, working hours are regulated, and must be at most 40 hours a week, 8 hours a day. If an employer intends to make a worker work longer than the prescribed working hours, the employer must conclude an agreement with the worker. When a worker works for longer than the prescribed working hours, the employer must pay higher wages (125%). When the working hours in one day exceed 6 hours, a worker is entitled to a 45 minute break. When the working hours exceed 8 hours, a worker is entitled to a 1 hour break. In addition, a worker can take at least 1 day off a week.

☆ **Special Exception for Foreign Students**

Working hours for foreign students studying in Japan are restricted to a maximum of 28 hours in one week.

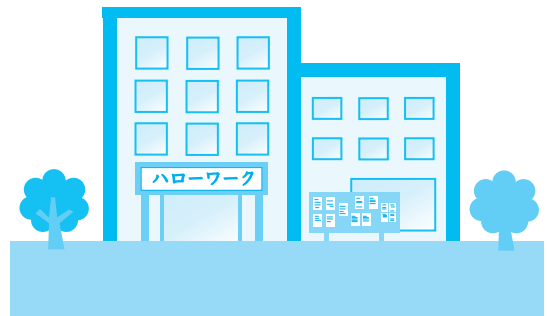


“Hello-Work” and “Roudou-Kijun-Kantoku-Sho” (the Labor Standards Inspection Office)

“Hello-Work” is a governmental office to help find jobs.

The “Roudou-Kijun-Kantoku-Sho” is a governmental office which protects workers.

These two governmental offices are often located in the same building. Please consult these two offices for any trouble related to work.



Q What will happen if I get injured or sick due to work?

A In some cases, you can receive money from *"Rousai-Hoken" (Industrial Accident Compensation Insurance). If you are injured at work or on your way to work, or if you become sick due to your work, you can receive compensation from Industrial Accident Compensation Insurance. In these cases, you can receive compensation even when you work as a part-time worker. If you get injured or sick due to work, consult with your employer or "Roudou-Kijun-Kantoku-Sho".

*"Rousai-Hoken" (Industrial Accident Compensation Insurance): A public insurance system based on the Industrial Accident Compensation Insurance Act



Q What is a "black company" and a "black part-time job"?

A A company or job that does not comply with the rules of labor law. The following are examples.

- ① The company refuses or neglects to pay salaries on the date which was agreed upon in the labor contract.
- ② Wages are lower than initially agreed.
- ③ Breaks or vacations are not given.

Please consult "Roudou-kijun-kantoku-sho" or "Hello-work" in the case of trouble at the company.



Chapter 2

Information About Contracts

Chapter 1

Chapter 2

Chapter 3

Chapter 4

Chapter 5

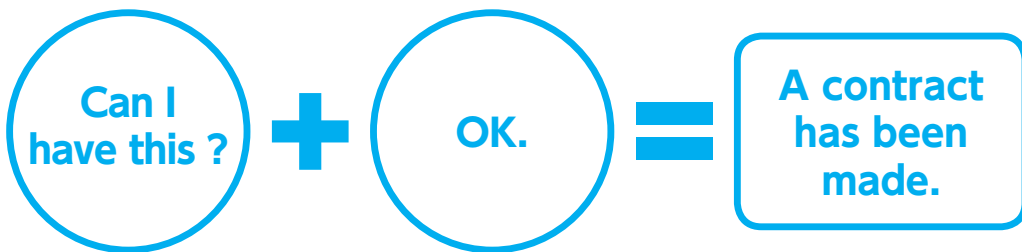
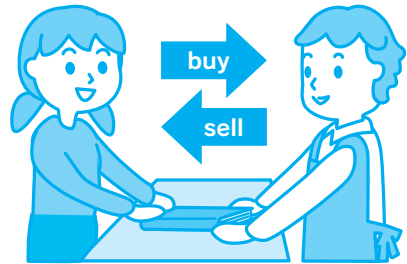
1 What is a “contract”?

A contract is an agreement protected by law.

A contract is made when buying goods, or when making promises to give/receive goods, or when renting an apartment.

Can I have this ?

OK.



Familiar Contracts



Buying a book



renting a DVD



giving someone a watch



getting an aesthetic treatment



eating in a restaurant



buying a smartphone



downloading music



renting a house/ apartment

There is a principle known as “freedom of contract”.

1 We can decide the way to make a contract.

- We can make a contract verbally.
- We can make a contract in writing.

2 We can choose whether or not to agree on a contract.

- To make or not to make a contract.
- To choose the entity with whom to make a contract.
- To decide the details of a contract.

3 We must abide by our contracts.



Before making a contract

You must think carefully about the following.

Can you pay the money ?

Is it necessary to make a contract ?

Can you keep your promise ?



Can you trust your contract partner ?

Be sure to always keep your promises.

2

Cancellation of contracts

A contract is an agreement between you and the other party. When a contract is made both parties are required to obey their commitments.

However in some cases, you can cancel or revoke a contract.

Sample cases when you can cancel or revoke a contract

A contract made with a *minor without the approval of his or her **“houtei-dairinin” (a statutory agent) may be canceled.

However, there are some exceptions.

*In Japan, a minor is a person who is less than 20 years of age. A minor is one type of person whose actions are restricted by civil law.

**“houtei-dairinin” is a statutory agent who is appointed based on the provisions of law and not on the intentions of the individual.

There are 2 types of statutory agent for a minor

1. “shinkensha” : one who has parental authority over the minors such as a parent.
2. “koukennin” : one who is appointed by family court when the minor does not have a “shinkensha”.

Both of the statutory agents have authority to administer assets for the minor before he or she comes of age.



Examples of fraudulent business practices

A person who attempts to gain money by deceiving people is known as a fraudulent business operator.

Attempting to deceive people in order to sell products or services is known as a fraudulent business practice.

1 Appointment sales

A person calls you by phone, or approaches you through SNS, and tells you that “you were the only one to be selected” or “you have won a prize”. He or she invites you to meet and attempts to sell you goods or services.

2 Qualification sales

A person repeatedly makes unsolicited phone calls to notify you of a qualification or license. You are forced to buy products such as education materials and pay for course fees in order to obtain the qualification or license.

If you do not explicitly refuse those offers, the person will continue to send more unsolicited materials to you.

3 Date sales

A person tries to approach you through dating websites or SNS.

After several dates with the person, he or she will ask you to buy expensive goods or services. After you buy them, you will be unable to get in contact with him or her.

4 Catch sales

In a busy place, a person will ask you to fill out a questionnaire, and will take you to a cafe or office where you will not be allowed to leave until you sign the contract.

5 Multilevel marketing

A multilevel marketing trader will make you buy a bulk of goods, stating that a portion of the sales you make will become your profit. You are also told that if you invite friends and acquaintances to also sell the goods, a portion of their sales will also become your profit. However, in many cases, goods remain unsold and it is very difficult to make a profit.

6 SF (Hypnotism) marketing

You get a phone call or a SNS message such as “Congratulations! You have been selected as the winner”. When you go to the designated meeting place, you are given some goods for free. Immoral traders will then try to sell you expensive goods by depriving you of your ability to make rational decisions.

7 Home-visit buying method

A dishonest trader will come to your house and ask if you want to sell things that you do not need. He or she will try to deceive you and buy your jewelry, such as rings, that you did not intend to sell at a cheap price.

3 Information about cooling off


Cooling off is a rule which enables you to cancel or revoke a contract for any reason.

Cooling off must be done in writing, such as by using a postcard.

Cooling off period

● Home-visit sales, catch sales, appointment sales etc.	8 days
● Sales by phone	8 days
● Home-visit buying method	8 days
● Multilevel marketing	20 days

You can cancel or revoke the agreement by mailing a “cooling off” postcard or other document within the cooling off period, including the contract date.

 **When in trouble, please consult with the Consumer Hotline (188) or a legal professional.**

 **Cases where cooling off is not possible.**

- When you intentionally walked into a store and bought something, or when you bought something online.
- When you bought consumables such as cosmetics or detergent, and have opened the package of those goods
- When you bought goods using cash for a price of less than 3000 yen

★ Be aware that there are some exceptions, such as when the cover or box was opened by the shop staff.

Chapter 3

Information About Money

1 Taxes

Taxes are money that you pay to national or municipal governments. It is a duty for all citizens and residents in Japan who earns wages to pay taxes.

If you work, you must pay income tax and resident tax.

Income tax is a tax which is paid in the same year that you receive money from the company.

On the other hand, resident tax is paid in the following year.

If income tax was deducted from your salary and your annual income is less than 1,030,000 yen, you can file a tax return at the local “Zeimusho” (Tax office). The deducted tax will be refunded.

If you are a student who is a part-time employee, and your annual income is less than 1,300,000 yen, you do not have to pay income tax.

Owning a car or a motorcycle

When you own a car or a motorcycle, you must enroll in automobile liability insurance.

This mandatory insurance is for payment of damage compensation to the other party in the case of injury or death caused by traffic accidents.

Be aware that the amount of damage compensation provided by this automobile liability insurance is limited. In many cases, the amount of damages will exceed this amount. To avoid this, it is best for you to enroll in optional insurance.

When you own a car or a motorcycle with an engine larger than 250 cc, you have to apply for “sha-ken” (vehicle registration and automobile inspection).

2 Credit cards

What will happen if you choose Revolving Payment with your credit card?

Revolving payment is one of the payment options when using credit cards. With this option, the amount of money you have to pay in each month is a fixed predetermined amount. If the total amount of your purchases in a month exceeds the amount of your revolving payment, the excess portion of the bill must be paid in the following months. In addition, you have to pay a processing fee.

Since the amount of money you have to pay in each month is fixed, you may not be aware of how much you are in debt and may continue to buy products that exceed your income. This often keeps you in debt forever.

About “hoshounin” (guarantors)

A “hoshounin” (guarantor) is a person who makes an agreement with a creditor to repay debt on behalf of a debtor in case where the debtor does not repay the debt.

If you agree to be a guarantor for a friend, you will have to repay your friend’s debt if the friend does not repay the debt on their own.

Please think carefully if you are asked to be a guarantor, and please be careful about asking someone to be a guarantor for you.



1 Common problems

Case

1

Money problem

Money lent to a friend is not paid back.

A lender lending money to a borrower who pledges to repay the money, is called a “loan agreement”. A loan agreement is a type of contract when promises are made to pay back money when lending /borrowing money.

If the borrower refuses to pay the money back in spite of the lender’s repeated requests for repayment, the lender is entitled to file a lawsuit against the borrower.

Case

2

Problems regarding online shopping

A product purchased online does not arrive.

A sale agreement is an agreement to exchange goods for money. When shopping on the internet, there are some cases when the buyer pays the money but thereafter is unable to contact the seller and never receives the product. This is a kind of fraud.

Case

3

Causing injury to another person

Injuring another person while you are riding a bicycle.

Under the Road Traffic Act, a bicycle is regarded as one type of vehicle. If you injure someone while riding a bicycle, you will be liable for fines and compensation for damages.

2 Ask a legal professional for help

- If you experience trouble because you were deceived when buying or selling goods
- If you have any questions about legal matters etc……
 - ① Consult with a legal professional (See the last page.)
 - ② You might hesitate to ask, but please have the courage to consult with someone.
 - ③ When a friend asks you for help, please introduce a suitable entity for consultation to the friend.



Chapter 5

About Lifestyle Support Systems

◆ “Kenkou-Hoken” (Health Insurance)

“Kenkou-Hoken” (Health Insurance) is insurance for sickness and injury. Medical expenses at the hospital will be cheaper, if you are enrolled in health insurance. A portion of medical cost will be paid by the health insurance if insurance payments are up to date.

There are two types of health insurance. One is company health insurance and the other is National Health Insurance. Company health insurance fees are deducted from your salary.

National Health Insurance fees are paid to the local government offices of your city or town.

If you cannot pay the National Health Insurance fee, please go to the service counter of your local government office in your city or town and ask for help. Depending on circumstances, reduction of or exemption from payment of the fee may be available.

◆ “Nenkin” (Pension System)

People who reside in Japan are required to enroll in “Nenkin” system. There are 2 types of “Nenkin”; “Kokumin-Nenkin” (the National pension) and “Kousei-Nenkin” (the Employee’s pension). If you reside in Japan and are between 20 and 60 years old, you will enroll in the National Pension. If you are an employee of a company or working as a civil servant or similar position, you are to participate in two pension systems, the National Pension and the Employee’s Pension.

You can enroll in the National Pension at the local government office.

You can enroll in the Employee’s Pension at your workplace. If you work at a company, the insurance fees for these two types of pensions will be deducted from your salary.

The company pays half of the Employee’s Pension fees for the employees, meaning you only pay half of the Employee’s Pension fees.

If you pay the fees of both pensions, you will be able to receive more benefits when you become a beneficiary.

If you want to receive a pension, you must pay the fees for at least 10 years during the 40 years between the ages of 20 and 60.

If you pay the insurance fees, you can receive a disability pension in case you become disabled (mental or physical function disability).

Please do not forget to pay the pension fees.

◆ “Shitsugyou-Hoken” (Unemployment Insurance)

Employees are enrolled in “Koyou-Hoken” (Employment Insurance). “Shitsugyou-Hoken” (Unemployment Insurance) is a part of this employment insurance.

Employees can receive Unemployment Insurance after leaving company employment.

The company pays half of the insurance fee, and you have to pay the other half. Your portion of employment insurance is deducted from your salary.

The period that you can receive the unemployment insurance depends on the period of work and the reason for leaving employment.

Please check your pay slips to confirm whether you are enrolled in employment insurance.

In order to receive unemployment insurance, you have to get a “Rishokuhyou” (a letter of resignation) from the company you left.

Please take the “Rishokuhyou” to the Hello Work office to apply to receive unemployment insurance.

◆ “Rousai-Hoken” and “Kyuugyou-Hoshou” (Compensation for Industrial Accident and Absence from Work)

Industrial accident refers to cases when an employee becomes injured at work or on the way to work, or becomes sick due to work. Insurance to compensate for industrial accidents and sickness is called “Rousai-Hoken”.

If you are absent from work and cannot receive a salary because of an industrial accident, there are cases when you can receive “Kyuugyou-Hoshou” (compensation for absence from work) by filing for payment of the insurance at the local “Roudo-Kijun-Kantokusho” (Labor Standards Office).

Even if “Rousai-Hoken” is not stated on your pay slip, it is at the cost of the company to pay the full sum of the insurance.

Please go to “Roudou-Kijun-Kantokusyo” for details.

Applicant : Employees of a company, including part-time and temporary workers

Situation : At work, on your way to work, due to work

The result of the accident : injury, illness, disability, death



◆ “Seikatsu-Hogo” (Welfare Assistance)

Financial support that you can receive from the government if you experience economic difficulty in daily life is called “Seikatsu-Hogo”(Welfare).

“Economic difficulty” means that the total income of a household (income of all family members) is lower than the “Minimum Cost of Living” which is decided by the national government.

As for foreigners, those with a residence status (Permanent Resident, Long-term Resident, Spouse of a Japanese, Spouse of a Permanent Resident, Special Permanent Resident, or Recognized Refugee) can receive Welfare.

Even when you are working, there are cases when you can receive Welfare if your salary is very low.

Please go to the local government office for consultation if you experience difficulty in daily life.



Seikatsu-Hogo



List of consultation services

Nationwide consultation

The name	Phone number	Reception date/time	Main consultation content
National Youth Judicial Scrivener Association Hotline “Zenkoku-Seinen-*Shihoushoshi-Kyougikai-Hotline”	03-3359-3639	Monday - Friday 14:00~18:00	Free telephone consultation concerning legal troubles about money, unpaid wages, etc... *shihoushoshi : a judicial scrivener, one type of legal professionals
Japan Legal Support Center “Hou-Terrace”	0570-078374	On weekdays 9:00~21:00 Saturday 9:00~17:00	Legal troubles
National Consumer Affairs Center of Japan “Kokumin-Seikatsu-Center”	03-3446-0999	On weekdays 10:00~12:00 13:00~16:00	Consumer problems General complaints related to products and consumer services etc.
Consumer Hotline “Shouhisha-Hotline”	188 03-3446-1623	On weekdays 10:00~12:00 13:00~16:00	Guidance to your local consumer affairs center

Website address where you can search for each regional consultation

The name	Home page address	Main consultation content
Judicial Scriveners and Counseling Center “Shihoushoshi-Sougou-Soudan-Center”	http://www.shiho-shoshi.or.jp/activity/center_list.html	Legal troubles *shihoushoshi : a judicial scrivener, one type of legal professionals.
Japan Legal Support Center “Hou-Terrace”	http://www.houterasu.or.jp/sp/chihoujimusho/index.html	Legal troubles
National Consumer Affairs Center of Japan “Shouhi-Seikatsu-Center”	http://www.kokusen.go.jp/map/	Consumer problems General consumer lives consulting
Labor consultation Center “Sougou-Roudou-Soudan-Corner”	http://www.mhlw.go.jp/general/seid0/chihou/kaiketu/Soudan.html	Labor issues

Person to consult in your region(Please fill for emergency use)

The name	Phone number	Reception date/time	Main consultation content
Judicial scriveners and Counseling Center "Shihousyoshi-Sougou-Soudan-Center"			
Japan Legal Support Center "Hou-Terrace"			
National Consumer Affairs Center of Japan "Shouhi-Seikatsu-Center"			
Labor consultation Center "Sougou-Roudou-Soudan-Corner"			
Local government Office such as "Shiyakusho" "Machiyakuba" "Kuyakusho"			
The Welfare Office "Fukushi-Jimusyo"			
Public Employment Security office "Hello-Work"			
Police Department Life safety Division "Keisatsu-Seikatsu-Anzenka"			



Afterword

Thank you for reading this handbook.

Was the handbook of help to you?

When there is something you do not understand, do not suffer about it on your own.

Be sure to consult with someone.

If you have no one to talk with, please make a consultation at one of the services listed.

Handbook of Laws in Everyday Life

For new workers in society

Contacts regarding this book

● **“Zenkoku-Seinen-Shihoushoshi-Kyougikai”** (National Youth Judicial Scrivener Association)

Room 505, Okamotobiru 5F, 2chome 8banchi, Yotsuya, Shinjukuku, Tokyo, 160-0004
TEL:03-3359-3513 FAX:03-3359-3527 E-Mail:info@zenseishi.com

● **Kusatsu International Friendship Association**

3-13-30, Kusatsu, Kusatsu-shi, Shiga, 525-8588
TEL:077-561-2322 FAX:077-561-2482 E-Mail:kifa-japan@coda.ocn.ne.jp