

Deregulation and Women's Labor:

The Need for Structural Change in the Corporation-Oriented, Gender-Role-Defined Society

The Fourth World Conference on Women in Beijing adopted the Platform for Action to eliminate gender-based discrimination and create an equal society. This remains an important issue today in Japan, even as the government has set a goal of promoting gender equality in society by outgrowing the present company-oriented social structure. The male-oriented Japanese corporate structure has to be changed into one which is more human. The initial idea of revising the Equal Employment Opportunity Law might have come from this. On the other hand, global economic restructuring has had a devastating impact on women. Not only in developing countries but also in developed countries, women are increasingly exposed to unemployment and poverty.

For ten years, economic deregulation has been under way in Japan. Deregulation in such spheres as agricultural product imports, retail sales transactions and distribution system has forced companies to face tougher competition. Eventually, every company has had to become more efficient.

In due course, the permanent employment system and integrated collective bargaining (*Shunto*, Spring Labour Offensive), have come to be regarded as elements that limit the competitiveness of Japanese companies. The Hashimoto administration, which was sensitive to such industry trends, decided to enhance deregulation in the labour sphere by advocating a new labour framework as one of the structural reforms of the Japanese system.

A dramatic change is going to take place in the rules of the

protection rule for women in the workplace. Revision of the Equal Employment Opportunity Law is accompanied by removal of the protection given to women under the Labour Standards Law particularly with regard to limits on overtime, working on holidays, and the night shift. Deregulation in labour is overall and systematic:

(1) It eliminates the rule on working hours - A flexible time system will be introduced. Workers under this system would be required to work according to the demands of employer or clients, without additional payment;

(2) Labour contract flexibility - The maximum one-year term for a nonregular employment contract will be raised to from three years to five years, while existing discrimination between regular and nonregular

employees will remain untouched;

(3) Labour market flexibility - The area of employment agencies and suppliers of temporary manpower will be liberalised in principle, though it was previously limited to specialists and special types of professions;

(4) Destruction of existing labour-management relations - Shifting from integrated collective bargaining by *Shunto* to bargaining by each company or division or even by individuals will be introduced under the pretext of individualisation, diversification and employment mobility.

In addition to the above-mentioned circumstances, the recent constricted employment situation is advantageous to employers. Management is allowed to abuse its authority. The new work rules threaten women's human rights and lives.

A SHARP BLOW TO WOMEN

Typical of the abuse of authority is sexual harassment of female graduating students at recruitment interviews. The recent introduction of contract-basis employment for flight attendants, a profession primarily filled by women, is another example. Airlines want to reduce their labour costs in order to win the airfare wars created by deregulation. Regular, full-time contract employment opportunities are diminishing, and are being replaced by an increase in short-term contracts.

Various steps have been taken to decrease the number of permanent employees, such as (1) enforcing retirement by transfer and/or bullying, (2) dismissal, and (3) enforcing a

switch to nonregular employment by threatening dismissal. The primary targets of such measures are working women in their thirties who bear the responsibilities of child care and household maintenance. To pressure them to quit, orders are increasingly issued to them to do difficult work that they've not been trained for or to transfer to a post that requires a very long commute. Sometimes a manager uses subordinates of the employee to make her feel isolated and

subordinates. The dismissed woman, whether she is forced to leave or makes the decision by herself, does not say much about the contradiction in the workplace to the management or to her colleagues. When female co-workers do not ask a woman why she is leaving, they share part of the blame for their lack of consideration and solidarity.

A typical form of gender discrimination is to demote a woman to nonregular employment. Women accept the



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Yoshiko Kitani, with her fiancé, Masanori Kawashima, in a Tokyo coffee shop, typifies a growing number of Japanese. She left a secure job seven years ago and has been a temporary worker ever since.

cornered to quit. There are also many cases of people who leave their jobs because of sexual harassment.

Inhuman dismissal for pregnancy, miscarriage and maternal leave are also prevalent. Workers go to the office in spite of poor health because they are afraid of becoming the target of personnel cuts. They comply with the illogical instructions of the bullying employer.

On the other side of the coin, women sometimes become aggressive toward their

transfer for fear of dismissal, though they know it means lower wages and loss of permanent employment. They decide to take the nonregular position because it is better than no job at all.

Nonregular employment is also increasing because of outsourcing. After being dismissed, many women choose to start working on a temporary basis. The business intern system, which is for graduating university students, will also become widely implemented this year. In one surprising

case, a worker was sent to a company from which she had been dismissed, and put in charge of the same work she had done in her previous position. Managers favour such outsourcing because they can use the workforce without or with negligible legal responsibilities and obligations. Dispatched workers' complaints center on discrimination, constraints and subordination.

Although nonregular employees are demanding better working conditions, the reality is inconsistent. Increasingly, contracts are renewed but with worse conditions. A decrease in working hours is combined with a shorter contract so that the management can rid itself of responsibilities for dismissal, paid holidays and social benefits such as employment insurance and medical coverage. Even though the short-term contract is legally one year, there are many cases of workers being given contracts of only one month or two.

In many circumstances, women have become poorer than before. Many divorced women and widows support families. However, under severe pressure, they sometimes have to work two or three jobs to earn 2.4 million yen per year, which is the amount of welfare for a mother and her child. To earn its equivalent as salary, a woman has to work 3,000 hours per year if she is paid 800 yen per hour, or 2,400 hours, if paid 1,000 yen per hour. As she has several employers and works a short time in each office she has neither social insurance nor unemployment insurance.

FUTURE OF FEMALE WORKFORCE

A report, "Japanese Management in a New Era," by

Nikkeiren (Japan Federation of Employers' Associations) presents three objectives of a new management ideal, placing priority on diversification and employment mobility.

The first objective is to create a small group of permanent employees who are

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supported in their pursuit of long-term career development and the eventual move to management. Workers with special skills and those on flexible schedules are classified in another group. A different wage system will apply to each group, with specialists being paid on the basis of an annual salary, while the other workers are paid by the hour. If a woman wants to make her job compatible with her home life and sells her labour by the hour, she has less job security and fewer benefits. Although work styles have been diversifying over the past ten years, women who want to work outside the home tend to choose flexible employment. It is suspected that the female workforce will be taken advantage of for this reason. The female

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Deregulation will bring an overall change in the labour system, as outlined in the Nikkeiren report. Employers hope to change all rules governing working hours and wages, which are the main factors shaping the life of a person. They also want to change labour market conditions, which control people's access to employment, and the present labour-management relations, which have been the basis of employees' representation in agreements on working conditions.

Will hopes for gender equality in the 21st century be whittled away by restructuring and deregulation? Economic globalisation has brought severe working conditions over the past 15 years and no one can stop the economy from becoming more global. However, something has to be done to protect workers' rights. In order to change discriminatory and exploitative conditions in Japan, labour rights have to be recast so as to put an emphasis on corporate responsibility. Gender equality in employment should be recognised so that all workers can balance their corporate and private lives.

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