

(tentative translation)

Standards based on Article 4.2 of the Handling Guidelines for Verifying Foreign Juridical Persons that Promote Measures Such as Work-Life Balance

*September 26, 2016*  
Revised on *April 28, 2017*

Decided by the Director of the Promotion Division, Gender Equality Bureau, Cabinet Office

The standards based on Article 4.2 of the Handling Guidelines for Verifying Foreign Juridical Persons that Promote Measures Such as Work-Life Balance (decided by the Director General of the Gender Equality Bureau, Cabinet Office, on September 26, 2016) shall be determined as they are stated in the attachment.

(Attachment)

- 1 With regards to the standard that defines all of the averages for overtime outside of statutory working hours and overtime on statutory holidays to be less than 45 hours for each month of the most recent fiscal year, in the event that the statutory working hours and statutory holidays of the relevant country are different to those of Japan, as described below, the standard shall be based on the condition that the number of total working hours of the workers in each month minus the number of working hours corresponding to the statutory working hours in Japan for each month shall be the working hours, all of which shall be less than 45 hours per month for the most recent fiscal year.  
[ (The total working hours of the relevant workers in each month) – (the working hours corresponding to the statutory working hours in Japan in each month =  $40 \times$  the number of days in each month  $\div 7 \times$  the number of relevant workers)]  $\div$  (the number of relevant workers)
- 2 With regards to the standard defining that there shall be no workers with the average monthly overtime hours being 60 hours or more in the fiscal year, which included the final day of the plan period, in the event that the statutory working hours and statutory holidays of the relevant country are different to those of Japan, as described below, the standard shall be based on the condition that there are no workers who worked 60 hours or more for the number of hours that is obtained by subtracting the average monthly working hours corresponding to the statutory working hours in Japan (173 hours) from the average monthly working hours of each worker.  
(The total annual working hours per year of each worker  $\div 12$  months) – (the working hours corresponding to the statutory working hours in Japan =  $40 \times 365 \div 7 \div 12$  months)
- 3 With regards to the standard defining that the average monthly overtime shall be less than 20 hours, these hours shall be the average monthly working hours that exceed the working hours prescribed by work rules, labor agreements, and other relevant provisions in the relevant country. Provided that, however, in the event that the prescribed working hours in the relevant country exceeds the statutory working hours of Japan, as described below, the standard shall be based on the condition that the number of hours obtained by subtracting the average monthly working hours corresponding to the statutory working hours in Japan (173 hours) from the total of the average monthly working hours of the workers shall be a monthly average of 20 hours or less.  
(The total annual working hours per year of the relevant workers  $\div 12$  months) – [ (the annual working hours corresponding to the statutory working hours in Japan =  $40 \times 365 \div 7 \times$  the number of relevant workers)  $\div 12$  months]
- 4 The standard pertaining to the number of men and women who take childcare leave or the acquisition percentage of this leave shall be determined based on the number of men and women who have taken leave for the purpose of rearing children younger than elementary school age (under 6 years of age), which corresponds to childcare leave, or the acquisition percentage of said leave. With regards to women, it shall be determined based on the acquisition of childcare leave after the end of the period that corresponds to maternity leave in Japan.
- 5 With regards to the standard, which defines the annual average acquisition rate of paid leave as 70% or more or the number of the average annual paid-leave acquisition days as 10 days or more, if the number of holidays corresponding to annual paid leave granted in the relevant country is less than 10 days, the standard shall not refer to the annual average acquisition rate of paid leave, but the number of average annual paid-leave acquisition days of 7 days or more.
- 6 Other than the above, in the event that it is necessary to consider systems and related matters of the country in which the relevant foreign juridical person's head office is located when conducting the verification equivalent to certification, from the perspective of the balance in relation to Japanese juridical persons and non-discriminatory perspective to both domestic and foreign juridical person,

in principle the standards shall be at the same level of the requirements applied to Japanese juridical persons, and based on the conditions at the relevant foreign juridical person, verification shall be conducted to identify foreign juridical persons that fulfill the standards at the same level as the standards that should be fulfilled by Japanese juridical persons..