

Chapter 4. Working Hours and Leave

Working hours and leaves of absence are part of working conditions, as is the case with the remuneration of employees. Details of these working conditions are stipulated in the Law concerning Working Hours based on the principle of meeting changing

conditions in Article 28 of the National Public Service Act. The NPA, which is responsible for implementing the law, established the NPA Rule 15-14 (Working Hours, Holidays, and Leaves of Employees) and is making efforts to ensure appropriate working conditions for public employees in cooperation with the Cabinet Office and each Ministry which actually put the system into operation.

According to the Law concerning Working Hours, the NPA shall carry out survey research on the system of working hours and leave, report survey results to the Diet and the Cabinet, and recommend appropriate revisions, if necessary, to change working hours and leaves of absence.

1. Trend of Working Hours

(1) Trend of Predefined Working Hours

Working hours of public employees should be defined as part of the working conditions, considering actual conditions in the private sector and social conditions, etc., surrounding the public administration. According to the 2006 Fact-finding Survey of Job-by-Job Pay Rates in the Private Industry, the average predefined working hours in the private sector was 7 hours and 45 minutes per day and 38 hours and 53 minutes per week. These were 15 minutes per day and 1 hour and 7 minutes per week shorter than working hours of national public employees (8 hours per day and 40 hours per week). The NPA stated in its 2006 Report submitted with the 2006 Remuneration Recommendation that the weekly working hours of public employees need to be reviewed continuously, grasping the trend in the private sector.

(2) Actual Situations of Overtime Work

The 2006 Fact-finding Survey of the Remuneration of National Public Employees found that the average annual overtime work hours was 232.1 hours across the Cabinet Office and Ministries in 2005, an increase of 4.9 hours from 2004 (227.2 hours). By organization, the average annual overtime work hours at the headquarters of the Cabinet Office and Ministries increased to 353.0 hours (345.4 hours in 2004) and the hours at offices other than these headquarters also increased to 213.1 hours (209.3 hours in 2004). By gender, the average annual overtime work hours was 244.0 hours among male employees (238.8 hours in 2004) and 174.3 hours among female employees (169.1 hours in 2004), both increased by 5.2 hours.

Based on the “Guidelines concerning the Reduction of Overtime Work” (notice issued by the Director-General, Bureau of Employee Relations in 1999), which set

360 hours as the approximate ceiling (limit standard) of overtime work in general, an average of 19.5% of employees exceeded the ceiling across the Cabinet Office and Ministries in 2005. Particularly, 42.3% of employees exceeded the ceiling in the headquarters where a large amount of heteronomous duties are handled.

Reduction of overtime work is an urgent issue to maintain employees' mental and physical health, attain fulfilling private lives, avoid a reduction of their vitality, and thereby promote tasks efficiently. To this end, commitment by the entire government is required with multi-dimensional perspectives, such as conducting appropriate reviews of rules on heteronomous duties aimed to reduce the workload of public employees, securing necessary budgets, enhancing the flexibility of working hour systems, implementing stricter measures for overtime work management at each workplaces, and raising awareness of supervisors and employees. The NPA is promoting deliberation for concrete measures in line with its report at the time of the 2006 Remuneration Recommendation. In the report, the NPA referred to the incorporation of clear requirements for overtime work orders, issuance of explicit orders, an approximate indication of the upper limit of overtime work hours at departments with a high percentage of heteronomous duties, etc. into the "Guidelines concerning the Reduction of Overtime Work."

2. Research and Survey of Working Hours and Leave Systems

(1) Survey of Actual Application of the Working Hour and Leave Systems in the Public Administration

The NPA conducts surveys of actual application of the working hours, leaves of absence, child care leave, etc. among national government offices to promote appropriate use of the systems in the public administration and use the survey results as data for deliberation of the systems.

In FY 2006, the NPA surveyed 17 Office and Ministries (including 7 Agencies within the Cabinet Office and Ministries), with a focus on government offices having a department/departments adopting a work shift system. The NPA conducted a field survey of 50 government offices to ascertain the actual application of the working hour and leave systems at these offices and provided guidance and advice for correction when inappropriateness was found in the application of the systems. The NPA also collected opinions and requests on these systems.

The NPA compiled the FY 2005 survey results, created a list of examples of misleading and inappropriate applications which require special attention, and sent

the list to the Cabinet Office and each Ministry to promote thoroughness of appropriate application.

(2) Survey of Private Enterprises' Working Conditions

The NPA conducts the “Survey of Private Enterprises’ Working Conditions” every year to obtain basic data for deliberation of the working conditions and systems of national public employees.

In 2005, the NPA surveyed working conditions and systems as of October 1 at 4,602 enterprises randomly selected from enterprises with 100 or more employees located throughout the country.

According to major survey results related to working hours and leave systems, the average break period was 58 minutes and the most frequently responded break period was 60 minutes (71.7%). Meanwhile, 14.1% enterprises had short breaks while 80.0% did not. As much as 39.4% enterprises had a leave system for employees who cannot come to work due to accidents including disasters and traffic accidents. Of these enterprises, 86.7% responded that they apply the system “when employees come to work from their residence,” 21.0% responded “when employees come to work from the residence of a family member in the case of employees working away from their families.” As much as 45.3% of enterprises had a leave system in the case of loss or destruction of residences with an average of 7.1 days.