

## 6. Labor Law

*The Japan Labor Law Association* holds its general meeting twice a year. In 1985, the 69th general meeting was held at Meiji University on May 9, on the topic "Micro-Electronics Technology Innovation and Labor Law". The 70th general meeting was held at Shimane University on Oct. 2, on the topic "An Inquiry Concerning Working Time Legislation". In 1986, the 71st general meeting was held at Doshisha University on May 9, on the topic "Diversification of Employment Conditions and Legislation for the Protection of Workers". The 72nd general meeting was held at Tohoku University on Oct. 10, on the topic "Trade Union Law in Contemporary Perspective". The reports and discussions at the 69th, 70th, 71st and 72nd general meetings appeared in the *Journal of Labor Law*, vols. 66, 67, 68 and 69 respectively.

### 1. The 69th general meeting: Micro-Electronics Technology Innovation and Labor Law

(1) *The Impact of Micro-Electronics on Employment*, by Toshio Konno (Associate Professor, Fukushima University) and Koichi Takagi (Associate Professor, Yamagata University).

(2) *Agency Workers in Information Processing Services*, by Hiroyoshi Ito (Professor, Miyagi University of Education).

(3) *The Effects of Micro-Electronics on Industrial Accidents and Occupational Diseases*, by Hideo Mizutani (Attorney).

The introduction of micro-electronics technology to the office and factory has been spreading throughout Japan. The introduction of such technology is thought to have a great impact on employment. But the extent of the impact is unknown. Micro-electronics technology might replace unskilled workers and deprive them of employment. It might also give rise to new types of industrial accidents and occupational diseases. The discussion at the meeting marks the starting point of the legal consideration of these problems.

## 2. The 70th general meeting: An Inquiry Concerning Working Time Legislation

(1) Reconsideration of the Working Time Policy, by Hiroshi Nozawa (Professor, Kanagawa University).

(2) The Limits of the Present Working Time Legislation with Respect to Its Interpretation and Application, by Seigo Mori (Associate Professor, Hitotsubashi University).

(3) Japanese Working Time System in Light of International Labor Standards, by Kuniyuki Matsuo (Lecturer, Waseda University).

(4) A Legislative Plan for Reducing Working Time, by Masaru Mizuno (Professor, Toyo University).

Japanese legislation on working time has not been modified since 1947. Also, the reduction of working time by means of collective agreements at a national level has not been achieved because in Japan the unionization rate is low and collective agreements are usually made at the enterprise level. So, the level of working time in Japan is much higher than the international level. The Labor Standards Act, 1947, permits 48 hours of work a week and, if the management and the workers' representatives agree, unlimited hours for overtime work. Discussed at the meeting were the necessity of the modification of the Act for the purpose of reducing working time and what amendment should be made.

## 3. The 71st general meeting: Diversification of Employment Conditions and the Legislation for the Protection of Workers

(1) Diversification of Employment Conditions and the Legislative System for the Protection of Workers, by Satoshi Nishitani (Professor, Osaka Municipal University).

(2) Diversification of Employment Conditions and the Legal Concept of Workers, by Mikio Yoshida (Associate Professor, Ritsumeikan University).

(3) Diversification of Employment Conditions and the Legal Control of Working Time, by Hideo Kinoshita (Associate Professor, Ritsumeikan University).

(4) Agency Workers and Legislation for the Protection of

Workers, by Masao Nakajima (Lecturer, Kyoto Prefectural University).

Existing legislation for the protection of workers has lost some of its usefulness because of the diversification of employment conditions (agency workers, part-time workers, self-employed workers, etc.) in recent years. In these circumstances, it is necessary to reconstruct the legislation for the protection of workers. How can the legal means protect workers effectively? This is the question which was at the center of the discussion at the meeting.

#### 4. The 72nd general meeting: Trade Union Law in Contemporary Perspective

(1) The Duty of Fair Representation, by Tetsunari Doko (Professor, Hokkaido University).

(2) A Union's Duty of Fair Representation in the Process of Making a Collective Agreement, by Fumihito Komiyama (Associate Professor, Hokkai Gakuen University).

(3) Deterioration in Working Conditions as a Result of Making a Collective Agreement and the Duty of Fair Representation, by Masaaki Tsujimura (Professor, Hokkai Gakuen Kitami University).

(4) Legal Problems on the Admission to Union Membership, by Yoichi Shimada (Associate Professor, Otaru University of Commerce).

There is a variety of workers in a trade union. And each worker has his own interests. Thus, a trade union contains a variety of interests. Therefore, the union should fairly represent the variety of interests of its members. Such was the reasoning of the reporters at the meeting who suggested "the duty of fair representation". Discussed at the meeting were the effect of the duty and the validity of the idea of such duty, which is closely related to the U.S. system, in Japan.

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