

Dobashi (Associate Professor, Aoyama Gakuin University).

(5) Duty of Directors Not to Compete with the Corporation, by Masashi Kitamura (Associate Professor, Osaka Municipal University).

**Prof. TAKAYASU OKUSHIMA**  
**NOBUO NAKAMURA**

## **7. Labor Law**

*The Japan Labor Law Association* holds its general meeting twice a year. In 1989, the 77th General Meeting was held at Hokkaido University on May 28 on the topic "the New Working Hours Law". The 78th General Meeting was held at Kobe University on October 8 on the topic "Internationalization and Labor Law". The reports and discussions of the 77th and 78th meetings appeared in the *Journal of Labor Law*, Nos. 74 and 75 respectively.

### **1. The 77th General Meeting: the New Working Hours Law.**

(1) Introduction of New Working Hours Rules at the Establishment, by Hajime Wada (Associate Professor, Nagoya University).

(2) Establishment-Level Agreement on the Flexible Organization of Working Hours, by Kazuhiro Tonai (Associate Professor, Okayama University).

(3) Elasticity of Regulations of Working Hours, by Takayoshi Yoroi (Professor, Ryukoku University).

(4) Scheduled Annual Vacation with Pay, by Michitaka Nako (Associate Professor, Kanazawa University).

### ***[Comment]***

In 1987, Japanese working time legislation (Chapter IV of the Labor Standards Act) was amended to a great extent. The amended

Act came into effect on April 1, 1988. The amendment is characterized by the reduction of normal working hours per week and by the legalization of several ways of flexible working time organization. If an employer introduces the newly legalized way of working time organization, the employer shall conclude an agreement with an employees' representative at the establishment, i.e., a trade union which organizes the majority of employees or, in case there is not such a union, a person who represents the majority of employees. The Act does not provide how the employees' representative shall be elected when there is not a representative union at the establishment. In the light of the small percentage of unionized workers in Japan, an employees' "representative" may be a person who does not really represent the interest of the employees.

What effect does the agreement have? Is each employee bound by the agreement? These were the most controversial issues discussed at the symposium.

## 2. The 78th General Meeting: Internationalization and Labor Law.

(1) Some Issues concerning Migrant Workers, by Junryo Honda (Professor, Osaka University of Economics and Law).

(2) Administration of International Migration, by Toshikazu Nagayama (Professor, Nihon University).

(3) Migrant Workers' Rights under the Japanese Labor Legislation, by Hiroshi Murashita (Associate Professor, Osaka University of Economics and Law).

(4) Some Problems of the Remedies for the Violated Rights of Migrant Workers, by Katsuko Terasawa (Attorney).

### *[Comment]*

In Japan, the Immigration Act, in principle, does not permit foreign nationals to be engaged in a gainful activity unless the activity requires some special skill of the worker. The number of migrants working unlawfully in Japan is, however, increasing rapidly in recent years. Working conditions of these migrant workers are bad in most cases.

Discussed at the symposium were what migration policy Japan

should take in the near future and how we should protect the rights of unlawfully working migrants.

**Prof. KAZUHISA NAKAYAMA**  
**MADOKA SAITO**

## **8. Legal History, Sociology of Law and Legal Philosophy**

### **a. Legal History**

*The Japan Legal History Association* held its 41st General Meeting at Hitotsubashi University on April 3 and 4, 1989. The Association also held its 37th Study Meeting at Aichi Gakuin University on October 14 and 15, 1989. The programs of these meetings were as follows.

#### **[The 41st General Meeting]**

The First Day:

(1) The Impeachment System and Direct Democracy in Classical Athens, by Yuzuru Hashiba (LL.M., Tokyo University).

(2) On the *Yi*, Discussion, under the Six Dynasties, by Keiji Nakamura (Osaka Municipal University).

(3) Christianity in the Tokugawa Period and the Discriminated Community, by Arikazu Fujiwara (Kansai University).

(4) Maitland's Concept of the Legal Person, by Hideo Ohno (Lecturer, Tokyo Rika University).

(5) Comparative Study of Embezzlement of Pig and Deer by Supervisory Officials among Three Codes of Tang, Taiho and Yoro, by Mitsuo Riko (Professor, Keio Gijuku University).

The Second Day:

(1) Some Aspects of the Relationship between the *Bakufu*, the