

Labour and Welfare Ministry says that whether a part-time worker works overtime is also one factor to be considered for comparison. However, overtime work supposed to be originally an exception to work should not be a factor in deciding treatment. Furthermore, the “system of human resources exploitation and its operation, etc. (presence or absence of personnel shifts to part-time workers and its scope)” shown in (2) is a requirement bringing about disparate effects on female workers. Hence, the requirement should not be among the factors unless the necessity of personnel shifts or presence or absence of possible alternatives to be taken is considered. And, the presence or absence of a contract period shown in (3) is originally unrelated to equal treatment. The Ministry explains that only 3 or 4 percent of part-time workers fall under the three requirements. Accordingly, the extent of the provision of discriminatory treatment is remarkably narrow. Since the primary aim of the revised Law is still to realize balanced treatment through the employer’s duty of endeavour, the revised Law is not enough to carry out the correction of differences between part-time workers and regular workers.

Considering that this revision is the first step, at what level and how the guarantee of rights of part-time workers including equal treatment is formed legally is a big challenge for the future for the construction of labour law or legislation.

9. International Law and Organizations

Multilateral:

| Date Coming into Force with Respect to Japan | Date of Adoption | Title of Treaties and Agreements |
|--|------------------|--|
| Jun. 24, 2008 | Nov. 24, 2006 | Instrument d’amendement à la constitution de l’union internationale des télécommunications (Genève, 1992) tell qu’amendée par la Conférence de plénipotentiaires (Kyoto, 1994), par la |

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| | | Conférence de plénipotentiaires (Minneapolis, 1998) , et par la Conférence de plénipotentiaires (Marrakech, 2002) |
| Jul. 1, 2008 | Jan. 22, 2008 | Schedules of Tariff Concessions to the General Agreement on Tarrif and Trade 1994 |
| | | Certification of Modifications and Rectifications, Schedule XXXVIII-Japan |
| Sep. 17, 2008 | Oct. 5, 2001 | International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001 |
| Dec. 1, 2008 | Mar. 28 to Apr.1, 2008 | Agreement on Comprehensive Economic Partnership among Japan and Member States of the Association of Southeast Asian Nations |
| Dec. 7, 2008 | Nov. 7, 1991 | Amendments to the Convention on the International Maritime Organization (Institutionalization of the Facilitation Committee) |

Bilateral:

| Date Effective | Date Signed | The Other Party | Title of Treaties and Agreements |
|----------------|---------------|--------------------------|---|
| Jan. 1, 2008 | Feb. 16, 2007 | United States of America | Agreement on Mutual Recognition of Results of Conformity Assessment Procedures between Japan and the United States of America |
| Mar. 1, 2008 | Feb. 15, 2006 | Canada | Agreement between Japan and Canada on Social Security |
| May 1, 2008 | Jan. 25, 2008 | United States | Agreement between Japan |

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| | | of America | and the United States of America concerning New Special Measures relating to Article XXIV of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between Japan and the United States of America, regarding Facilities and Areas and the Status of United States Armed Forces in Japan |
| Jul. 1, 2008 | Aug. 20, 2007 | Republic of Indonesia | Agreement between Japan and the Republic of Indonesia for an Economic Partnership |
| Jul. 31, 2008 | Jun. 18, 2007 | Brunei Darussalam | Agreement between Japan and Brunei Darussalam for an Economic Partnership |
| Jul. 31, 2008 | Jun. 14, 2007 | Kingdom of Cambodia | Agreement between Japan and the Kingdom of Cambodia for the Liberalization, Promotion and Protection of Investment |
| Aug. 3, 2008 | Jan. 16, 2008 | Lao People's Democratic Republic | Agreement between Japan and the Lao People's Democratic Republic for the Liberalization, Promotion and Protection of Investment |
| Nov. 9, 2008 | Jan. 23, 2008 | Islamic Republic of Pakistan | Convention between Japan and the Islamic Republic of Pakistan for |

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| | | | the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income |
| Nov. 23, 2008 | Dec. 1, 2007 | People's Republic of China | Treaty between Japan and the People's Republic of China on Mutual Legal Assistance in Criminal Matters |
| Dec. 3, 2008 | Jan. 31, 2008 | Australia | Convention between Japan and Australia for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income |
| Dec. 5, 2008 | Dec. 9, 2006 | Republic of the Philippines | Protocol Amending the Convention between Japan and the Republic of the Philippines for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income |
| Dec. 11, 2008 | Sep. 9, 2006 | Republic of the Philippines | Agreement between Japan and the Republic of the Philippines for an Economic Partnership |

