

Report on Japan Invitation Program, December 2006
Hosted by Japan International Labour Foundation (JILAF) on the theme:
“HIV/AIDS in the Workplace”

On behalf of the Canadian Labour Congress (CLC), CUPE staff member Corina Crawley, participated in a delegation, representing 11 organizations based in different countries. Zambia, Nimibia, Botswana, Bangladesh, India, Pakistan, IFCTU (Youth), IFCTU APRO (Phillipines) and ICFTU AFRO (Kenya), were all represented, alongside Canada (the CLC).

The two-week program hosted by JILAF, was jam-packed with visits with national and regional trade union and government representatives, and to the Hiroshima Atomic Bomb Museum. The program centred around a one-day symposium on HIV AIDS in the workplace wherein the 11 delegates provided keynote presentations and acted as panelists in a discussion about the role of labour unions in the HIV/AIDS struggle.

The CLC was asked to send a delegate who could report on the Labour Forum on AIDS hosted in August 2006 in Toronto. “Canada” was also asked to participate in a panel discussion responding to questions collected from audience members, most of whom were people working in the labour movement interested in HIV/AIDS.

The content of that presentation at that event can be found at http://www.cupe.ca/globaljustice/CUPE_at_Japanese_Sym

The following is a report on information obtained from the various sessions and meetings held during the course of the program. It is not meant to be a comprehensive overview of these topics in Japan, nor is it necessarily accurate beyond what the speakers wished to convey to participants (and presuming there was not major misinformation due to problems with interpretation.)

TABLE OF CONTENTS:

1. General Insights
2. Japanese Economy
3. RENGO (JTUC)
4. Unions and Unionization in Japan
5. Labour laws
6. Persons with Disabilities Law
7. Culture of Work
8. Gender & Women’s equality
9. Public Services
10. Peace Efforts
11. HIV AIDS in Japan
12. Outcomes/ Lessons Learned
13. Critiques/Concerns

General Insights

JILAF is a foundation established by RENGO, the largest Japanese Trade Union Central. This is a terrific organization and the program was an incredible opportunity. It was very well-organized, the staff are dedicated with an eye to detail and provided very caring, individualized support and friendship to each delegate. They showed us warm hospitality.

It is evident that JILAF's initiative to organize this event was unusual given that the trade union movement in Japan, and Japan in general, are quite behind compared to the rest of the world on acknowledging and addressing the HIV/AIDS crisis.

Japanese Economy

- Japan has a population of 126, 870, 000 people living on only 378 square kilometres of land. Their GNP was \$37,000 US in 2004 and GDP was over \$4.6 trillion.
- Once an economy dominated highly by secondary industry, now the tertiary sector dominates almost 70% of the economy. Their main industries are auto, electric machinery, steel, chemicals, plastics, film, textiles, precision equipment, textiles and others.
- The 1990's saw an economic downturn resulting in numerous layoffs and deregulation.
- Unemployment prior to then had been less than 2% for a long time. The current unemployment rate of 5% is normal for many countries, but in Japan this is seen as a major problem.
- Birthrates are low and Japan traditionally is quite closed to immigration. Concerns about the aging population and low birth rates have led to discussion about extending the age of retirement from 60 to 65 and taking measures to encourage women to have more babies. Discussions about opening up to immigrants from certain countries are ongoing,
- Productivity is now on the rise (GDP to population ratio), but workers are not feeling the benefits.

RENGO (JTUC)

- The Japanese Trade Union Centre (RENGO) is affiliated to the International Trade Union Confederation (ITUC, previously ICFTU). There are 56 industrial federations affiliated to RENGO and 47 regional branches in each of the 47 prefectures of the country.
- There are 54.16 million workers in Japan. Just over 10 million are organized. RENGO represents 6,67 million of those. The two other trade union centrals are Zenronen with 95 thousand and Zerokyo with 16 thousand respectively. We did not learn about these latter 2 organizations.
- RENGO supports the democratic party of Japan and has run candidates in the past. This party has never been in power.
- RENGO has set up a job placement agency/ work contracting firm called "Worknet." Delegates had many questions about placing temporary contract workers alongside union members as this would be a concern in our countries. RENGO insisted that they protect existing workers against any adverse effects of the program.

Unions and Unionization in Japan

- In Japan, most full time or “regular” workers are organized. This is because of a well-established enterprise-based union system, that is very much part of established industrial practice.
- Like in most other countries, though, “irregular workers”, in other words, part-time, temporary, shift work, service industry, workers in the informal economy, and so on, have a very low rate of unionization. Irregular workers represent 30% of the workforce.
- The tertiary sector is growing, where unionization rates are typically low.
- Unionization rate has declined by 18.7% in the past year. There is a need to educate youth about the importance of unions and to strategize to organize part time/ irregular workers to combat this.
- Many industry managers were once union members. This was a concern for many delegates about how free the unions can be.
- In the early 1970’s Japan experienced more than 10, 000 strikes per year. In 2004 there were only 700 strikes. This may be explained by a declining unionization rate and by the slowdown in the economy.
- Pension plans are insecure as the number of payers in decreases compared to the number retiring.
- Each year, since 1955, the labour movement collaborates in what is known as the “Spring Labour Offensive” – a time when issues are discussed and an effort at coordinating requests to take to the bargaining table is made.
- Unions are beginning to see their role as more than bargaining for worker’s advantage but also influencing government policy. This represents a major shift from militarism and the feudal regime in the postwar era.
- A unique feature of the Japanese system is the three party system for resolving labour disputes. Along with employer and worker representatives, dispute panels include a 3rd party person who represents “the public interest”. This can be an academic, lawyer, journalist, etc, who is asked to propose compromises. A growing wealth gap since the economy slowed down in 2000 has meant that their demands are for less and there is a growing wage gap.
- At a meeting with the management and union of “Daishinku Company”, producers of quartz products for telecommunications and information technology, we learned it benefits the company to have one union instead of many. All full time/regular workers are organized but the part time and temporary are not. We hoped to have more time with the union representatives but this was not allowed. Many questions went unanswered.

Labour laws

- Labour laws including health and safety protections, minimum wage guarantees and workers rights came into being in the mid 1970’s and 1980’s.
- Japan has not signed onto a number of ILO conventions including, Convention 105 the prohibits forced labour. This was explained as being due to the inability of public sector workers to strike. Convention 105 prohibits penalties for union activities, but in Japan if a public sector workers initiates a strike they will be penalized under the law.
- RENGO filed an appeal with the ILO against the Japanese government on the issue of the right of public sector workers to strike.
- Equal opportunity law and Child care leave law (see Gender and Women’s Equality below).

Persons with Disabilities Law

- An approach of integration has been taken through policy in Japan. Companies are required to hire a certain ratio of persons with disabilities or pay the government in lieu of compliance (approx \$500/employee per month not hired). This money is used to compensate employers who do not meet the quota to correct the offset the cost of hiring them. Currently only 50% of employers in Japan meet the quota.

Culture of Work

- The word “productivity” came up repeatedly, explaining a culture and ethic of work that keeps people on the job long hours and without vacations that is very commonplace in Japan. The number of hours that Japanese work per year is very high and fewer than half of the allotted vacation days are used annually in Japan.
- The government has actively discouraged use of overtime, but without employer cooperation, workers continue to work overtime unpaid. This is a big problem in Japan.
- There is a term for death from overwork – “Karoshi” – often caused by heart disease, high blood pressure, exhaustion and stress related to long hours of work.
- Many small and medium companies depend on foreign workers at low wages to survive. RENGO is assisting with protections for those workers through proactive labour laws and human rights standards.

Gender & Women’s equality

- Notable is that 70% of non-regular workers are women, while “regular” workers are more likely to be older men.
- A recent survey by the World Economic Forum rates Japan in 79th place for working to close the gender gap, measuring wages, political participation and economic participation.
- In the 1980s, an equal opportunity law was passed that led to some improvements including recognizing the need to accommodate family responsibilities, but the traditional division of labour is still very much intact. It was meant to institute non-discrimination based on gender.
- The number of women in management and of female union officials are still very low in Japan
- 41% of the paid workforce is female. 28.6% of RENGO’s membership are women.
- The Child Care and Leave law from 1991 (revised in 1996 and 2002) provides for 18 months of leave for both men and women with 40% of salary paid by government. Employer top ups are not typical.
- The law also includes support for child rearing by limiting overtime work.
- The government is considering increasing compensation on leave on reducing hours of work until children are in school in response to the low birth rate.
- Men rarely take advantage of parental leave.

Public Services

- Water has never been on the table for privatization in Japan.
- Health care is mostly a private service in Japan.
- Sanitation and waste disposal are often contracted out.
- Electricity, Telecommunications and Railways are all privatized, including the commuter train and metro systems.
- Municipal workers and utility workers are public.

- Public sector workers represent 21% of RENGO's membership. The rest are private.
- The public sector is organized at a rate of more than 50%. This is comparable to the rate of unionization in large industries (1000 employees or more), but unionization in small and medium sized businesses is at less than 1%.
- Public sector workers do not have the right to strike. There was a concern from expressed that in exchange for the right to strike, workers would have to make major concessions in areas like compensation and job security and thus they have not made this a priority.
- In the public sector Japan has an open system, more like the systems in the West, as opposed to the required membership, shop unions of enterprise-based systems.
- RENGO was opposed to the privatization of postal services when this was proposed recently. It has not been privatized yet, nor have there been any job losses. The unions are clear that they will not allow dismissals.
- Speaking to an attendee at the Symposium who works for CHICHIRO, the municipal workers union in Japan, significant privatization of public services is proceeding rapidly in Japan. As a result, CHICHIRO is experiencing a significant membership decrease.

Peace Efforts

- As the only country in the world that has yet experienced an attack by atomic bomb (Hiroshima and Nagasaki on August 6th and 9th, 1945 respectively), Japan has taken the lead, proposing a resolution each year, on the elimination of nuclear weapons at the United Nations General Assembly.
- Japan has national policy that prohibits the production, possession and import of nuclear weapons.
- RENGO is opposed to war of any kind and has taken the lead at the ITUC in the call for the elimination of nuclear weapons. RENGO organizes activities of various kinds on a regular basis to advance this campaign.
- Japanese people know the real impact that nuclear weapons can have with victims suffering generations after the bomb struck. Right not there are about 30, 000 nuclear weapons deployed in the world, enough to destroy the human race several times over. If a nuclear war were to break out today, human kind would most certainly be annihilated.

HIV AIDS in Japan

- In East Asia, the number of reported HIV patients increased by 20% between 2003 and 2005.
- In Japan there are 12,000 confirmed cases of people living with HIV/AIDS, most of them people of working age. Nine percent of these are the result of sexual contact.
- This is not a high number relative to the population, but the number of new reported cases in Japan has tripled in recent years, multiplying faster than in any other developed country. Now is the time for action to prevent an epidemic in Japan.
- Notably, the slides of one presenter at the Symposium that broke these numbers down by gender told us that of these 12,000, 9750 were women and only about 2300 were men.¹ This was not explored nor explained. He did mention that the numbers are likely to in fact be several times higher than the reported cases.

¹ Presentation from an NGO Trade Union Forum for International Cooperation called IUF JCC formed in 2004 to address the millennium development goals (MDGs). The presenter, Tomoji Musato, did have the most useful analysis of any speaker we had heard, focusing on education for prevention and collaborating with people living with HIV/AIDS in workshop development to correct myths and raise awareness.

- Like in Canada, HIV was first detected among homosexual men, but is now spreading more rapidly among heterosexual people.
- The Ministry of Health Labour and Welfare has issued Guidelines on for employers regarding HIV in the workplace including requirements for no testing on employees without their consent during recruitment and hiring or at any time and no dismissal of workers because of infections.
- Apparently, numerous employers have not headed these last two guidelines. Of those who have reported being carriers of the virus, 36% left their jobs after learning of the infection, more than one third of these were dismissed.
- From what we could gather there does not appear to be any government led public education around HIV AIDS, and employers and unions are only in the initial stages of developing education initiatives.
- In the City of Tokushima, a nurse shared her experience working with HIV infected patients in hospital. She emphasized the need to build trust between staff and HIV patients. There is a need for better training of health care providers, especially since numbers are on the increase.
- An industry federation of RENGO called JEC-RENGO, recognizes that awareness about HIV AIDS is still insufficient in Japan and that we must take various approaches to educate workers, promote prevention and prevent discrimination in the workplace. They intend to organize a seminar on HIV/AIDS in the coming year.
- For RENGO the HIV/AIDS issue is really an area for health and safety and that is the context in which they are most comfortable addressing it. The Japanese do not seem to feel any sense of crisis at all.

Outcomes/ Lessons Learned

- One of the Millennium Development Goals (MDGs) is to reverse the spread of HIV/AIDS by 2015. Prevention programs are the most important tool to do this in a developed country such as Japan, but efforts need to be much more coordinated and proactive to be successful.
- Japanese people understand that condoms can be used to prevent HIV/AIDS, but most do not feel that they are at risk. It is still seen as a disease of gay and very promiscuous people. This misconception is even held among educators. The most important message to get out is that everyone is vulnerable.
- Trade unions in developed countries like Japan and Canada have an important contribution to make to the global pandemic.
 - Assisting with resources through union to union projects and activities
 - Demanding debt relief and increases in transfers of aid money targeted to public health services and HIV/AIDS programming
 - Talking to union partners about their needs and learning from them about what works and what we can do in our own countries.
 - We must demand legal frameworks be adapted to allow the production and dissemination of low cost generic medication.

Critiques/Concerns

This invitation program was well-intentioned. The objective was to garner information and insights into what unions are doing and what Japanese unions could and should be doing to strategically address HIV AIDS in the workplace.

Information was shared by delegates at the symposium but the 2 week program consisted primarily of lectures from high level representatives of government and labour organizations, with little opportunity for discussion and exchange. On the rare occasion that we met with workers, the time allotted for meaningful exchange was so brief that little useful discussion could occur and questions went unanswered.

Our questions for speakers were often intercepted by JILAF staff and deemed inappropriate. This can partly be explained by cultural differences, but for real learning to occur, there must be room for open exchange and dialogue and to challenge the status quo. This is not something usual in the Japanese labour movement.

As I, and others, indicated in our evaluation meeting held on the final day, this was a critical opportunity to build capacity in Japan with the help of willing experts that was not taken. We were disappointed to have been left with the impression that RENGO had little intention to initiate programming regarding HIV/AIDS in the workplace.

Despite recognizing reason to be concerned, there is still little sense of urgency or responsibility on the part of RENGO. That said, we do appreciate that “change happens slowly in Japan” as we heard more than once, and the initiative of the invitation program itself was a significant step for the Japanese Labour movement in terms and creating dialogue around these issues.

Photos from the trip can be viewed at: www.cupe.ca/globaljustice or http://www.cupe.ca/gallery/view_album.php?set_albumName=japanhiv

Report written by Corina Crawley
Senior Officer, International Activities
December 22, 2006
For CUPE and CLC Int'l Dept.