

Employment agency, worker recruitment, recruitment trustee, worker supply company, etc.
Is equal treatment, clarification of working conditions, handling of personal information of job seekers, etc., employment agency
Guidelines for appropriately dealing with the responsibilities of the contractor, the accurate display of recruitment details, etc.

(1999 Ministry of Labor Notification No. 141)
(Final revision 2017 Ministry of Health, Labor and Welfare Notification No. 210)

First purpose

- This guideline is based on Article 3, Article 5-3, Article 5-4, and 30 of the Employment Security Act (hereinafter referred to as the "law").
- Employment agency, a person who recruits workers, regarding the matters stipulated in Article 3-5 and Article 42, etc.
- It stipulates the matters necessary for the recruitment trustee, worker supplier, etc. to take appropriate measures.
- is there.
- In addition, employment agency, recruitment of workers, recruitment trustees and others pursuant to the provisions of Article 5-4 of the Act.
- Necessary matters regarding measures to be taken by worker supply companies (hereinafter referred to as "employment agency companies, etc.")
- In addition to the above, compliance with the Act on the Protection of Personal Information (Act No. 57 of 2003) is also stipulated.
- It's a mess.

Matters concerning Article 3 of the Second Law (equal treatment)

- Prohibition of discriminatory treatment
 - Ensuring proper operation of employment agency, worker supply company and worker dispatching business and dispatched labor
 - Dispatching labor business prescribed in Article 2, item 4 of the Act on the Protection of Persons (Act No. 88 of 1985)
 - The main (hereinafter referred to as "employee agency, etc.") accepts applications, interviews, etc. for all users.
 - About duties such as guidance and referrals Race, nationality, creed, gender, social status, family origin, previous occupation, labor
 - Do not discriminate on the grounds that you are a member of a working union.
 - In addition, as for the employment agency and the worker supply business, the job seeker or the supplied worker is the 40th Act.
 - Discriminatory taking on the grounds that a declaration was made to the Minister of Health, Labor and Welfare based on Article 8-4, paragraph 1.
 - Do not treat it.
- (ii) Ensuring equal opportunities for men and women regarding recruitment
 - Equal opportunities and treatment for men and women in the field of employment by employment agencies and worker suppliers
 - Recruitment of contents that violate the provisions of Article 5 of the Act on Securing, etc. (Act No. 113 of 1972)
 - For recruitment that accepts the application and introduces the employment to the relevant job, or violates the provisions of the same article
 - It is contrary to the purpose of Article 3 of the Act to supply workers.
- (3) Matters concerning Article 5-3 of the Act and Article 42 of the Act (clarification of working conditions, etc. and accurate table of recruitment contents)
 - Show)
 - Employment agency, etc. are job seekers and workers according to recruitment based on the provisions of Article 5-3, Paragraph 1 of the Act.
 - Engaged by a person who intends to become a worker or a worker to be supplied (hereinafter referred to as "job seeker, etc.")
 - In clarifying the content of work to be done and working conditions (hereinafter referred to as "working conditions, etc."), the following
 - Consider the matters listed in.
 - (f) The specified working conditions, etc. shall not be false or exaggerated.

- (fi) As much as possible, the level, scope, etc. of working conditions, etc. should be understood by job seekers, etc.
- To limit.
- (iii) Regarding the content of work that job seekers should engage in, including the work environment, be as specific and detailed as possible.
- Please specify in detail.
- (iv) Regarding working hours, start and end times, work exceeding the prescribed working hours, breaks, holidays
- Etc. should be clearly stated.
- (5) Regarding wages, wage types (monthly wage, daily wage, hourly wage, etc.), basic wage, and fixed-amount payment
- Clarify matters related to this, commuting allowance, salary increase, etc.
- (Vi) There is a possibility that the contents of the specified working conditions, etc. will differ from the working conditions, etc. at the time of concluding the labor contract.
- If there is, it should be clearly stated, and the working conditions, etc. should be different from those already stated.
- In that case, promptly notify the job seeker, etc. who received the indication.
- (Vii) A person who recruits workers shall specify some of the matters such as working conditions when clarifying the working conditions, etc.
- If it is to be clearly stated separately, it should be clearly stated as well.

Matters concerning Article 5-4 of the Fourth Act (Handling of personal information of job seekers, etc.)

- (i) Collection, storage and use of personal information
 - (1) Employment agency, etc., within the scope of the purpose of the business, personal information of job seekers, etc.
 - It is simply called "personal information".) Will be collected, and the following personal information will be collected.
 - Don't do it. However, there is a special occupational need and other business purposes
 - It is indispensable for the production, and this is not the case when collecting from the person showing the purpose of collection.
 - When.
 - B. Race, ethnicity, social status, family origin, registered domicile, place of birth, and other causes of social discrimination.
 - Matters
 - B Thoughts and beliefs
 - C. Status of participation in the labor union
 - (2) Employment agency, etc. collects personal information directly from the person or the person's personal information.
 - Must be collected by lawful and fair means such as collecting from a person other than the person with consent
 - thing.
 - (3) Employment referral companies, etc. are high schools or secondary schools or junior high schools or compulsory education.
 - When requesting the submission of application documents from a new graduate of the school, please use the documents specified by the Director of the Employment Security Bureau.
 - Request more submissions.
 - (4) The storage or use of personal information shall be limited to the scope of the purpose of collection. However, other storage young
 - Or if the purpose of use is indicated and the consent of the person is obtained, or if other laws stipulate, this
 - Not limited.
- (ii) Appropriate management of personal information
 - (1) Employment agency, etc., regarding personal information related to its storage or use, measures related to the following matters
 - And explain the details of the measures in response to requests from job seekers, etc.
 - Not to be.
 - B. Measures to keep personal information accurate and up-to-date to the extent necessary according to the purpose

- (B) Measures to prevent loss, destruction and falsification of personal information
 - C. Measures to prevent access to personal information by persons without legitimate authority
 - D. To destroy or delete personal information that no longer needs to be stored for the purpose of collection.
 - Measures
 - (2) If the employment agency, etc. becomes aware of the personal information that corresponds to the secret of the job seeker, etc.
 - We must strictly manage personal information so that it will not be known to others without a justifiable reason.
 - Don't be. In addition, paid employment agency companies must perform particularly strict management.
 - When.
 - (3) Employment agency and worker supply company properly manage personal information including the following matters.
 - Must make and comply with the rules regarding.
 - B. Matters concerning the range of persons who can handle personal information
 - (B) Matters concerning education and training such as training for those who handle personal information
 - C. Disclosure or correction (including deletion, the same shall apply hereinafter) of personal information when requested by the person.
 - Matters concerning handling
 - D. Matters concerning the handling of complaints regarding the handling of personal information
 - (4) Employment agency and worker supply company request the disclosure or correction of personal information by the person himself / herself.
 - Do not treat the person unfavorably because of the fact.
- (iii) Compliance with the Act on the Protection of Personal Information, etc.
- In addition to what is provided for in 1 and 2, employment agencies, etc. shall be subject to Article 2 of the Act on the Protection of Personal Information.
- Places that fall under the personal information handling business operator (hereinafter referred to as "personal information handling business operator") specified in paragraph 5.
- In that case, the obligations stipulated in Chapter 4, Section 1 of the Act must be observed. Also, personal information
- Even if it does not correspond to the handling business operator, the personal information is appropriate according to the personal information handling business operator.
- Strive to ensure handling.

Article 5 Matters concerning Article 33-5 of the Act (Obligation of Employment Agency), etc.

- (i) Cooperation with employment security agencies, etc.
- (1) Cooperation with employment security agencies
 - Employment agency, etc. When the business operator finds that the contents of the job offer, job search, etc. are outside the scope of the business.
 - Take appropriate measures such as encouraging the use of Public Employment Security Offices. In addition, employment agencies, etc.
 - Collection of employment information conducted by employment security agencies in order to properly and smoothly adjust the supply and demand of the labor force.
 - We shall endeavor to cooperate with the collection and dissemination of standard occupation names.
- (2) Cooperation with schools
 - Employment agency (Temporary agency business by submitting a notification pursuant to the provisions of Article 33-2, paragraph 1 of the Act
 - Excludes schools.) Is a new graduation plan for high school, secondary school, junior high school or compulsory education school
 - In introducing employment to fixed-term employees, the following matters are limited to cooperation with schools.
 - To mean.
 - B. When providing job information to a student, go through the school where the student is enrolled.
 - To do so.

- (B) Employment agency provides employment agency to public employment security offices and schools for new school graduation
 - Make sure that the schedule of employment agency for fixed-term employees is in line, and about student employment selection
 - Take the necessary consideration.
 - C. Other necessary consideration should be given so as not to interfere with the smooth implementation of school education.
 - (ii) Promotion of introduction of occupations that match the abilities of job seekers
 - Employment agency is a job seeker so that he can introduce a job that suits the job seeker's ability.
 - While striving to accurately grasp the abilities, within the scope of the work, as wide a range of job offers as possible
 - Strive to secure.
 - (iii) Appropriate handling of complaints from job seekers, etc.
 - Employment agency, etc. cooperates with employment security agencies, specific local public organizations, other employment agency, etc.
 - Establishing a system to handle complaints from job seekers, etc. related to the business promptly and appropriately
 - And strive for improvement.
 - (iv) Acquisition of appropriate permission for employment agency business
 - We search for job seekers to introduce them to job seekers and encourage them to find employment.
 - When conducting a so-called scouting act to mediate a person who has applied for a job, a job
 - It is included in the business introduction business, and in order to carry out the business, obtain a permit for the employment introduction business.
 - What you need to do. Also, in the so-called outplacement business, education and training, consultation, advice
 - In addition to the above, the business that introduces employment corresponds to the employment agency business, and the business is carried out.
 - In order to do so, it is necessary to obtain a permit for the employment agency business.
 - (V) Matters concerning employment agency that provides reemployment support
 - (1) Employment agency that provides reemployment support to the workers employed by the employer at the request of the employer.
 - (Hereinafter referred to as "reemployment support business operator") directly infringes the rights of the worker or illegally
 - Promote or induce illegal infringement of the worker's rights by the employer:
 - It is not allowed to do any act.
 - B. Forced retirement of the worker (retirement that hinders the free decision-making of the recommended person)
 - It is a recommendation of the above and is illegal in a civil lawsuit. same as below.) Can be
 - To do the act directly.
 - (B) Withdrawal, such as creating a manual, etc. that encourages or induces forced retirement and provides it to business owners.
 - Providing employers with objects or services that encourage or induce extortion of jobs.
 - (2) It is inappropriate for the reemployment support business operator to perform the following acts.
 - B. Directly encourage the worker to retire (excluding forced retirement).
 - (B) Proactively propose to employers to encourage their employers to retire.
 - When.
- (Vi) Matters concerning employment agencies that have agreed to the conditions for subsidy payment
 - Employment Insurance Law Enforcement Regulations (Ministry of Labor Ordinance No. 3 of 1975) Article 102-5, Paragraph 2, Item 1 (a), Item 100
 - Article 10, Paragraph 2, Item 1 (a), Paragraph 7, Item 1 (a), Paragraph 9, Item 1 (a), Paragraph 11, Item 1 (a) and Paragraph 12 (12)
 - Item 1 (a), Article 110-3, paragraph (2), item (i), paragraph (3), item (i) and Article 112, paragraph (2), item (i) (c).
 - Item 2 c and item 3 a (3) and Article 15-5, paragraph 2 item 1 a, paragraph 6 item 1 and item 9 of the Supplementary Provisions

- Paragraph 1 (a) and Article 16, Paragraph 1, Item 3 regarding the provision of subsidies, Director of the Employment Security Bureau
- Employment agency that agrees to the conditions stipulated by the company shall comply with the agreed conditions.
- thing.
- (Vii) Appropriate presentation of the reasons prescribed in Article 20, paragraph 1 of the Act on Stabilization of Employment of Elderly Persons, etc.
- Employment agency, recruitment trustee and labor supply company are related to the stability of employment of elderly people, etc.
- Law Enforcement Regulations (Ministry of Labor Ordinance No. 24, 1969) Article 6-5, Paragraph 2 Documents
- Is based on electromagnetic records, the Act on Stabilization of Employment of Elderly Persons, etc. (Act No. 68 of 1969)
- No.) When the reason prescribed in Article 20, paragraph 1 is presented, the reason is given to the job seeker, etc.
- What should be presented appropriately.