

Outline of the NPA's Opinion on the Revision of the Childcare Leave Act and Recommendation of the Revision of the Act on Working Hours

- Main points of the Opinion on the Revision of the Childcare Leave Act and Recommendation of the Revision of the Act on Working Hours

Review in accordance with the content of the revision of the labor legislation
in the private sector (to be enforced from January 2017)

- (1) Divide of Family Care Leave (available up to three periods of Leaves)
- (2) Introduction of Family Care Hours (up to two hours a day and three years in a row)
- (3) Expansion of the range of children to whom Childcare Leave, etc. pertain. (Addition of the children in an employee's custody period for a special adoption, etc.)

*"Childcare Leave Act" refers to "the Law Concerning the Childcare Leave, etc. of the National Public Employees," and "Act on Working Hours" refers to "the Law Concerning Working Hours, Leave of Absence, etc. of National Public Employees in Regular Service."

1. Overview of the Revisions

(1) Divide of the Family Care Leave

- The heads of ministries and agencies should specify the designated periods (the periods during which employees can take Family Care Leave after receiving the approval from the heads of ministries and agencies) based on the applications filed by the employees concerned.
- The designated period should be specified within a range not exceeding three times for one care-requiring condition and not exceeding six months in total, pursuant to rules of the NPA.
- Transitional measures should be taken to enable employees who have taken Family Care Leave for less than six months since the initial date of the leave as of the date of the revision, to divide and acquire the remaining period after the date of the revision.

(2) Introduction of Family Care Hours

- In order to meet the daily needs for family care, a system should be introduced for the heads of ministries and agencies to give approval for employees to be exempt from work for up to two hours a day and for three years in a row (Family Care Hours) if it is found appropriate for the employees concerned to be off duty in

order to take care of their family members. (Approval for the Family Care Hours may not be provided for a time period, for which the approval is found to impede the operation of public service.)

- The employees concerned should be unpaid for the time period during which they are not on duty in order to take the Family Care Hours approved for them. Utilization of the Family Care Hours will not immediately have an adverse impact on pay step increase or Diligence Allowance; the same applies to taking Family Care Leave, Childcare Leave, etc.

(3) Expansion of the Range of Children to whom Childcare Leave, etc. pertain.

- The range of the children to whom Childcare Leave and Childcare Short-time Work pertain should be expanded to include the following children who are in a relationship similar to a legal child-parent relationship with the employees concerned: (i) a child in an employee's custody, aiming at establishing a special adoption; (ii) a child entrusted to an employee who is his/her foster parent and wishes to become his/her adoptive parent through adoption procedure (after April 1, 2017, a child entrusted to an employee who is expected to become an adoptive parent); and (iii) a child specified by rules of the NPA who is in a position similar to the aforementioned child.
- The special measure for days off given to employees under the Flexitime System should be applied to employees with non-legal children who should be treated in the same way as employees' legal children.

2. Enforcement Date

January 1, 2017 (The revision relating to employees who are expected to become an adoptive parent is scheduled to take place on April 1, 2017.)

3. Others (The Revisions of the NPA Rules in Conjunction with the above, etc.)

In accordance with the content of the revision of labor legislation in the private sector, measures including the following should be taken: (i) elimination of the requirement of living together to be eligible for the acquisition of Family Care Leave etc., for grandparents, grandchildren, brothers or sisters, (ii) exemption of the employees taking care of their family from overtime work (iii) prevention of "maternity harassment," etc., from superiors, coworkers, etc. and (iv) easing of the requirements for part-time employees to acquire Childcare Leave and Family Care Leave.