

Japan³⁴²

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For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the [cross-country tables](#) at the front of the review (also available individually on the [Leave Network website](#)). To contact authors of country notes, see the [members](#) page on the Leave Network website.

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*Sanzen-Sango Kyūgyō*, literally 'pre-natal and post-natal leave') (responsibility of the Ministry of Health, Labour and Welfare)

Length of leave (before and after birth)

- Fourteen weeks: 6 weeks before the birth, and 8 weeks after the birth.
- It is obligatory to take 6 weeks of leave.

Payment and funding

- Two-thirds of the mother's average daily earnings, which is calculated by dividing her average monthly earnings for the previous 12 months by 30; up to an upper limit that only affects a very small number. If the mother has been employed for fewer than 12 months, the benefit is the lower of the two figures: her monthly earnings for the insured period, or the average monthly earnings of all those insured.
- Payments are not taxed, and the recipients are exempted from social insurance contributions.
- Funded from the Employees' Health Insurance system, which is financed by equal contributions from employees and employers. The system includes a

³⁴² Please cite as: Nakazato, H., Takezawa, J. and Nishimura, J. (2023) 'Japan country note', in Dobrotić, I., Blum, S., Kaufmann, G., Kosłowski, A., Moss, P. and Valentova, M. (eds.) International Review of Leave Policies and Research 2023. Available at: <https://www.leavenetwork.org/annual-review-reports/>

variety of insurers, and, although there is a statutory requirement of (at least) equal contributions from employers and employees, contributions by the employer can be made higher by collective agreements etc. Depending on the type of insurers, the state subsidises a small proportion of payments and/or administrative expenses.

Flexibility in use

- A woman can return to work 6 weeks after childbirth if a doctor has confirmed that her job will have no adverse effects on her.

Eligibility (e.g., related to employment or family circumstances)

- All female employees are eligible for Maternity leave, but only those covered by the Employees' Health Insurance system are eligible for Maternity benefit payment (*Shussan-teate-kin*). This means that women enrolled in the National Health Insurance system (including special national health insurance societies) - such as self-employed women, or part-time or casual employees - are not eligible for Maternity benefit. Instead, women who are not covered by the Employees' Health Insurance system are exempted from the National Pension System contributions for 4 months, counting from the month before childbirth.
- The eligibility criteria listed above are applicable regardless of citizenship or residency.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to a person other than the mother

- In the case of multiple births, Maternity leave can be taken 14 weeks before birth.

b. Paternity leave (*Shusshōji Ikuji Kyūgyō*, literally 'Childcare Leave at Birth' also called *Sango Papa Ikukyū*, literally 'Postpartum childcare leave for fathers')

Length of leave

- Four weeks, i.e., 28 calendar days.

Payment and funding

- Sixty-seven per cent of daily earnings, up to an upper limit of JPY15,430 [€89.26]³⁴³ per calendar day.

³⁴³Conversion of currency undertaken for 15 June 2024, using: <https://data.ecb.europa.eu/currency-converter>.

- The benefit payment may be reduced or not provided, depending on the amount of the payment from the employer.
- Payments are not taxed, and the recipients are exempted from social insurance contributions.
- Funded from the parental leave section of the employment insurance system, which is financed by contributions from employees and employers, and the state: 0.2 per cent of all wages by employers and 0.2 per cent by employees. 1.25 per cent of the benefit payments is subsidised by the state. Leave benefits for employees in the public sector (national or local) are funded by mutual aid associations.

Flexibility in use

- Leave can be taken during the first 8 weeks after the birth.
- A parent can take Paternity leave in 2 periods.

Eligibility (e.g., related to employment or family circumstances)

- Employees employed on a day-to-day basis are not eligible for Paternity leave.
- Employees employed on a fixed-term contract are eligible only when it is not obvious that their employment contract will end within 8 weeks, and 6 months after the expected date of birth of a child or the date of the actual birth if it is earlier than the expected date.
- Workers may be excluded through the corrective agreement if they have been employed by the employer for less than one year.
- When the persons covered by employment insurance take Paternity leave, they are eligible for a benefit payment if they have contributed to employment insurance for at least 12 months during the two years preceding the date on which the leave started, and if they have worked for 11 or more days in these months.
- Parents are eligible for the benefit payment even when they work during the leave period for a maximum of 10 working days (or 80 hours if they work more than 10 working days) for the 28 calendar day leave period. This limit decreases proportionally to the length of leave actually taken.
- The benefit payment, however, is reduced according to the payment by the employers (see *Payment and funding for details*).
- Self-employed workers are not eligible.
- Same-sex couples are not eligible.
- There are no payments for unemployed parents.
- The eligibility criteria listed above are applicable regardless of citizenship or residency.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to a person other than the parents)

- None.

Additional note (e.g., if leave payments are often supplemented by collective agreements, employer exclusions or rights to postpone)

- None.

c. Parental leave (*Ikuji Kyūgyō*, literally 'childcare leave') (responsibility of the Ministry of Health, Labour and Welfare)

Length of leave

- Leave can be taken by each parent until a child is 12 months old.
- Leave is an individual, non-transferable entitlement.
- Leave can, however, be extended until the child is 14 months old if both parents take some of the leave, even though each parent is only entitled to 12 months after birth, including the Maternity leave period. A typical situation might be that a mother takes leave until the baby is 12 months old (including 180 calendar days at 67 per cent of earnings, and the remainder at 50 per cent). In this typical situation, the father either starts leave on the same day that the mother finishes or starts his leave some time before that, then returns to work when the baby turns 14 months old. As another example, the mother could take six months' leave after Maternity leave (at 67 per cent of earnings), followed by the father taking another six months (at 67 per cent of earnings), so using the right to take leave up to 14 months after birth if leave is shared.
- A parent who is, or whose spouse is, already on leave can take Parental leave up to the child reaching 18 months of age where (i) admission to a childcare centre had been requested but was not forthcoming; or (ii) the spouse of the employee who was expected to take care of the child was not able to do so for reasons such as death, injury, and illness. A parent can take Parental leave up to the child reaching 24 months of age, if they meet the above condition at the time when the child turns 18 months of age. This extension of leave is an individual entitlement, i.e., both parents can take it for the extent to which they are entitled to usual Parental leave.

Payment and funding

- Sixty-seven per cent of previous earnings³⁴⁴ for the first 180 calendar days of Parental leave taken by each parent with a minimum payment of JPY55,194 [€319.28] per month and a maximum payment of JPY310,143 [€1,794.08] per month; then 50 per cent of earnings with a minimum payment of JPY41,190 [€238.27] per month and a maximum payment of JPY231,450 [€1,338.87] per month. The average monthly earnings³⁴⁵ of permanent, full-time female employees in 2023 were JPY281,800 [€1,630.13], whereas those of their male counterparts were JPY363,600 [€2,103.31].

³⁴⁴ The benefit is calculated based on the earnings in the six months before the leave (bonus is not included in the calculation).

³⁴⁵ Basic Survey on Wage Structure (Chingin Kouzou Kihon Tōkei Chōsa) 2023

- The benefit payment is reduced if the monthly payment from the employer exceeds 13 per cent of the individual's previous monthly earnings (for 180 calendar days from the start of the leave, 30 per cent for the rest).
- Payments are not taxed and the recipients are exempted from social insurance contributions.
- Funded from the Parental leave section of the employment insurance system, which is financed by contributions from employees, employers, and the state: 0.2 per cent of all wages by employers and 0.2 per cent by employees. 1.25 per cent of the benefit payments is subsidised by the state. Leave benefits for employees in the public sector (national or local) are funded by mutual aid associations.

Flexibility in use

- A parent can take Parental leave in 2 periods.
- Both parents can take leave at the same time, with both receiving benefit payments if they are both covered by employment insurance.

Eligibility (e.g., related to employment or family circumstances)

- Parental leave does not apply to an employee employed on a day-to-day basis.
- Parental leave only applies to an employee employed on a fixed-term contract when it is not obvious that their employment contract will end before the child reaches one year and six months of age.
- Workers may be excluded if (i) they have been employed by the employer for less than 1 year; or (ii) their employment is to be terminated within 1 year (or 6 months if leave continues until the child reaches 18 months of age); or (iii) they work 2 days or less per week.
- When a person covered by employment insurance takes Parental leave, they are eligible for a benefit payment if they have contributed to employment insurance for at least 12 months during the 2 years preceding the date on which the leave started, and if they have worked for 11 or more days in those months.
- A parent is eligible for the benefit payments even when they work for 80 hours or less during each payment period (a month). The payments, however, are reduced according to the extent that the total of the earnings and the benefit payments exceed 80 per cent of the earnings prior to leave.
- Adoptive children by 'special adoption' (including those who are being given care by the worker before the completion of the adoption process) are treated in the same way as biological children for the purposes of Parental leave.
- Self-employed workers are not eligible.
- Same-sex couples are not eligible.
- There are no payments for unemployed parents.
- The eligibility criteria listed above are applicable regardless of citizenship or residency.

Variation in leave due to child or family reasons (e.g.. multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to a person other than the parents)

- None.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other types of leave and flexible working

Adoption leave and pay

- Although there are no special leave provisions for adoption, adoptive children by 'special adoption'³⁴⁶ (including those who are being given care by the worker before the completion of the adoption process) are treated in the same way as biological children for the purposes of Paternity and Parental leave. In this case, female workers are eligible for these leaves, but not for Maternity leave.

Time off for the care of dependants

- A short-term family care leave is available for up to five working days (to be taken in daily or hourly units) per parent per year for a child under compulsory school age (6 years of age) if the child is injured, ill, or needs a health examination; or up to 10 working days per year if there are 2 or more children of this age. The leave is unpaid.
- Long-term family care leave can be taken for a spouse (including de facto), parents, children, parents-in-law, grandparents, siblings, and grandchildren for each occurrence of a condition where the family member requires constant care for a period of 2 weeks or more due to serious illness or disability. There is a limit of 93 days over the whole lifetime of each family member in need of this care, which can be divided into 3 periods or fewer. This leave is paid at 67 per cent of earnings.

Specific provision for (breast)feeding

- Women with a child under 12 months of age are entitled to unpaid breaks of at least 30 minutes twice a day; breaks are not specifically for breastfeeding, but can be used for other purposes, e.g., leaving early to pick up children from childcare centres.

³⁴⁶ There are two types of adoption in Japan. 'Special adoption' refers to the case of children aged 6 years or younger whose relationship to their biological parents (as recorded on the family register) is ended through adoption. By contrast, children going through 'ordinary adoption' keep their relationship to their biological parents on the family register; this form of adoption is intended to be used to secure and to provide care for children whose biological parents cannot do so.

Flexible working

- Until a child reaches the age of three years, the employers must provide the parents with the right to reduce their normal working hours to 6 hours per day. There is no payment for working reduced hours. This does not apply to workers excluded by collective labour agreements (e.g., those employed for less than one year, and those with less than 2 scheduled working days per week). Employers are obliged to provide workers excluded by collective labour agreements with the entitlements to other measures, such as flexible working hours.
- Employers may not require an employee with a child below compulsory school age to (1) work more than 24 hours per month or 150 hours per year of overtime; or (2) work night shifts, i.e., between 22:00 and 05:00 – if the employee requests not to work these hours.

Measures to promote leave policy effective in workplaces

- Employers who employ more than 1,000 workers on a regular basis are obliged to publish information on the status of Parental leave take-up.
- Under the Act on the Advancement of Measures to Support Raising the Next Generation of Children (introduced as legislation of specified duration in 2003, and revised in 2014 to be effective from 2015 to 2025), employers were obliged to establish (or to make an effort to establish) action plans for 2015-2025 for improving the employment environment, in order to support balancing work and child-rearing. Under the 2003 Act, employers with more than 100 employees are obliged to establish action plans; while employers with fewer employees are obliged to take steps to establish plans. The government grants certificates to employers whose action plans and achievements meet nine conditions; this allows them to use a certification mark called 'Kurumin' and provides them with preferential tax treatment. These conditions include: at least one male employee took Parental leave during the period of the plan, and the Parental leave uptake rate for female employees during the period of the plan is 75 per cent or over. These conditions are relaxed for smaller companies. Under the revised act, the government grants a special certificate with a certification mark called 'Platinum Kurumin' to employers whose achievements meet higher conditions, including a leave uptake rate of 13 per cent or more among male employees whose partner has given birth. The employers with this special certificate are exempted from establishing action plans, and, instead, obliged to announce their achievements more than once a year.
- Employers who employ more than 1,000 workers on a regular basis are obliged to publicly announce at least once a year the status of the take-up of Parental leave by their employees.
- Employers are prohibited from treating employees disadvantageously for taking Parental or family care leave, and they are obliged to take measures to deter actions by other workers that could harm their working conditions for these reasons.
- When an employee informs the employer that the employee or the employee's spouse is pregnant or has given birth, or other facts equivalent

to it, such as adoption, the employer is obliged to inform the employee of the system concerning Parental leave and other related matters, and to take measures such as interviews to confirm the worker's intention with regard to the Parental leave request. The employer is prohibited from dismissing or otherwise treating the employee disadvantageously because the employee has requested these measures.

- Employers are obliged to take any of the following measures to ensure requests for Parental leave are facilitated:
 - Provide instructions about Parental leave for their employees
 - Establish a consultation system for Parental leave
 - Other measures to improve the employment environment related to childcare leave
- Employers are obliged to make an effort to establish leave entitlement (beyond statutory provision) which can be used for the purpose of childcare so that employees taking care of children younger than school age can take care of their children without difficulties.

2. Relationship between leave policy and early childhood education and care policy

The maximum period of well-paid, post-natal leave is 14 months (including 2 months of bonus leave if parents share the leave period), which is nearly 8 months for mothers and 6 months for fathers. If fathers do not use their leave entitlement, the maximum period of well-paid leave is just under 8 months. Leave can be extended up to the child reaching 24 months of age, where admission to a childcare centre has been requested but denied for the time being. There is no entitlement to Early Childhood Education and Care (ECEC).

There is an obligation for local authorities to estimate the demand and supply of ECEC for children from birth to school age (six years of age) and to make a plan to close the gap between demand and supply through the approval process for various types of ECEC providers. They also match the childcare needs of each family to providers and subsidise childcare fees. Fees for ECEC services have been fully subsidized since October 2019 for all children aged three to five years (and the children up to 2 years of age in households exempted from local income tax) who are enrolled in these services.

Parents can apply for a childcare place for their children from 8 weeks after their birth (the end of the Maternity leave period) until they are school age if the child needs care because the parents are working³⁴⁷ again, seeking employment, studying, in training, etc. However, there is a significant shortage of childcare places, especially in large cities.

For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' in the [cross-country tables](#) at the front of the review.

³⁴⁷ The definition of 'working' was expanded to include part-time work or other non-standard working styles under the new scheme that started in April 2015.

3. Changes in policy since April 2023 (including proposals currently under discussion)

The following legislative amendments are being debated in the National Diet.

Employment Insurance Act

To ensure stable financial management in relation to Parental leave benefits, the provisional measure (1.25 per cent) to reduce the national contribution to Parental leave benefits will be abolished, and the original 12.5 per cent will be restored. Implementation will be on the day of promulgation.

Child Care and Family Care Leave Act [Expansion of measures to realise flexible working styles in accordance with the age of children].

- i. Employers are obliged to assess the needs of the workplace and provide workers raising a child of 3 years of age or older who has not yet entered primary school with measures to realise flexible working styles (change of starting time, telework, shorter working hours, granting new leave and other measures to facilitate raising a child while working, of which the employer chooses two), and allow them to use these measures at their choice. In addition, they are obliged to provide individual notification and get confirmation of intention to use such measures.
- ii. Expanding the scope of workers subject to exemption from overtime work to include workers raising preschool children (currently up to three years of age).
- iii. A short-term family care leave will be made available for participation in child events, etc., and the scope of eligible children will be expanded to include children in the third grade of primary school (currently, children before primary school age), while the system of excluding workers who have worked for less than 6 months based on a collective agreement will be abolished.
- iv. Telework is added to the measures (obligation to make an effort) to be taken by employers regarding workers raising children up to 3 years of age.
- v. Employers are obliged to listen to and give consideration to the individual wishes of workers regarding balancing work and childcare at the time of pregnancy and childbirth notification and before the child turns 3 years old.

Act on the Advancement of Measures to Support Raising the Next Generation of Children [Expanding the obligation to publicise the status of taking Parental leave and promoting and strengthening measures to support raising the next generation]

- i. Expand the scope of the obligation to publicly announce the status of Parental leave taken to employers with more than 300 full-time workers (currently more than 1,000).
- ii. When formulating an action plan based on the Act on the Advancement of Measures to Support Raising the Next Generation of Children, employers are obligated to monitor and set numerical targets relating to the status of taking parental leave.

Child Care and Family Care Leave Act [Reinforcement of measures to support balancing work and family care to prevent leaving the family care workforce]

- i. Employers are obliged to inform about the support system for balancing work and family care and confirm workers' individual intentions to use it when they report that they are faced with caring for a family member.
- ii. Employers are obliged to provide workers with information on the support system for balancing work and family care at an early stage and to improve the work environment (e.g., training for workers).
- iii. The rule of excluding workers with less than 6 months' service from care leave, based on a collective agreement, will be abolished.
- iv. Telework is to be added to the list of measures (obligation to make an effort) to be taken by employers for workers caring for family members.

The date for implementation of these amendments is 1 April 2025, with some exceptions.

4. Uptake of leave

a. Maternity leave

The figures in this section are taken from the 16th Japanese National Fertility Survey (*Shusshō Doukou Kihon Chōsa*)³⁴⁸ based on a national sample of 547 married women under age 55 who gave birth to their first child in 2015-2018.

According to the survey conducted in 2021, 43.3 per cent of mothers who gave birth in 2015-2018 took maternity leave.

b. Paternity leave

According to the Monthly Report on Employment Insurance (*Koyō Hoken Jigyō Nenpō*) and the Monthly Report on Vital Statistics (*Jinkō Dotai Tōkei*)³⁴⁹, 8.7 fathers per 100 live births in 2023 received Parental leave benefits as 'Childcare Leave at Birth' (*Shusshōji Ikuji Kyūgyō*).

c. Parental leave

The figures in this section, unless otherwise noted, are taken from the 2022 Basic Survey of Gender Equality in Employment Management (*Koyō-kinto Kihon*

³⁴⁸ National Institute of Population and Social Security Research (2022) the 16th Japanese National Fertility Survey. Available at: https://www.ipss.go.jp/ps-doukou/e/doukou16/Nfs16_gaiyoEng.html

³⁴⁹ Author's calculation using Ministry of Health, Labour and Welfare (2023-2024) *Monthly Report on Employment Insurance*. Available at: <https://www.mhlw.go.jp/toukei/list/150-1.html> and Ministry of Health, Labour and Welfare (2023-2024) *Monthly Report on Vital Statistics*. Available at: <https://www.mhlw.go.jp/toukei/list/81-1.html>.

Chōsa),³⁵⁰ based on a national sample of 3,683 private sector workplaces that employed five or more regular employees.

A large proportion (80.2 per cent) of female workers who had given birth between 1 October 2020 and 30 September 2021 had started or applied for Parental leave by 1 October 2022. The proportion had decreased by 4.9 per cent points from the previous year (85.1 per cent).

The proportion of men was much lower: 17.13 per cent of male workers whose spouse had given birth between 1 October 2020 and 30 September 2021 had started or applied for Parental leave by 1 October 2022. The proportion increased by 3.16 percentage points from the previous year (13.97 per cent).

According to a survey conducted in 2021,³⁵¹ nearly a third (30.0 per cent) of female workers who returned to work from leave between 1 April 2020 and 31 March 2021 had taken 10 to 12 months of leave, and 34.0 per cent had taken 12 to 18 months of leave. Among male workers who returned to work after taking leave in the same period, more than 65 per cent took less than 1 month of leave, and 26.5 per cent took 5 days to 2 weeks, 25.0 per cent took under 5 days.

The figures above do not take into account the number of female workers who had quit their jobs before the birth of their child. According to the Annual Report on Employment Insurance (*Koyō Hoken Jigyō Nenpō*) and the Annual Report on Vital Statistics (*Jinkō Dotai Tōkei*),³⁵² 49.4 mothers per 100 live births in 2022 received parental leave benefits, 14.2 for fathers.

d. Other types of leave and flexible working

The 2022 Basic Survey of Gender Equality in Employment Management (*Koyō-kinto Kihon Chōsa*) shows the following proportion of workplaces providing other employment-related measures: reduced working hours (71.6 per cent); exemption from overtime work (67.1 per cent); flextime for childcare (15.2 per cent); starting/finishing work earlier/later (41.5 per cent); providing on-site childcare centre (4.0 per cent); subsidising childcare costs (7.0 per cent); and telework (11.5 per cent). The practical application of these measures varies between workplaces.

As for the use of these measures in the 2021 survey of Gender Equality in Employment Management (*Koyō-kinto Kihon Chōsa*), there are striking differences between how male and female workers used the options available to them. In 16.1 per cent of workplaces providing the reduced working hour's option, only female workers used this measure, while just 0.6 per cent of both female and male workers used it. In 5.9 per cent of workplaces providing on-site childcare centres,

³⁵⁰ Ministry of Health, Labour and Welfare (2023) *2022 Basic Survey of Gender Equality in Employment Management*. Available at: <https://www.mhlw.go.jp/toukei/list/dl/71-r04/03.pdf>

³⁵¹ Ministry of Health, Labour and Welfare (2022) *2021 Basic Survey of Gender Equality in Employment Management*. Available at: <https://www.mhlw.go.jp/toukei/list/dl/71-r03/03.pdf>

³⁵² Author's calculation using Ministry of Health, Labour and Welfare (2023) *2022 Annual Report on Employment Insurance*. Available at: <https://www.mhlw.go.jp/toukei/list/150-1.html> and Ministry of Health, Labour and Welfare (2023) *Annual Report on Vital Statistics*. Available at: <https://www.mhlw.go.jp/toukei/list/81-1.html>.

only female workers used them, while 1.5 per cent of both female and male workers used them. In 7.2 per cent of workplaces providing flextime for childcare, only female workers used this measure, while just 2.0 per cent of both female and male workers used it. In 13.4 per cent of workplaces providing telework, only female workers used them, while 6.6 per cent of both female and male workers used them.