

Women at Work: Firms act to up awareness of unfair treatment

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Author: Yukako Fukushi

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EXCERPTS

Companies are increasing their efforts to raise employees' awareness of so-called maternity harassment, the unfair treatment of women in the workplace who are pregnant or have children, under a revised law requiring them to take preventative measures against such harassment (see below) from this month.

Pointing out problematic behavior by superiors is one such effort, but maternity harassment can also occur among coworkers. There are many issues to be resolved to create a comfortable working environment for all employees.

In the autumn of 2015, a 41-year-old woman was surprised during a job interview with Tokyo Star Bank when the interviewer told her, "Let's work together while you raise your children."

The woman was surprised because of her experience at a former workplace — she was assigned less important work when she returned after giving birth to her second child. She was told, "We can't provide you with the same role as before."

Changes to job roles that disadvantage a worker because of pregnancy or childbirth can amount to maternity harassment, which is stipulated in the Equal Employment Opportunity Law.

At Tokyo Star Bank, more than 10 employees take childcare leave every year, and the number of employees who focus on both work and childcare is increasing. The bank has held seminars to disseminate information about maternity harassment throughout the company, using the example of the 2014 Supreme Court ruling that concluded that maternity harassment is illegal.

Many companies made efforts to prevent maternity harassment before the revision of the related laws. In 2016, Sampo Holdings, Inc. revised its "Group Policy for Human Rights," which applies to all employees of group companies, such as Sampo Japan Nipponkoa Insurance Inc. The policy stipulates there should not be unfair treatment for pregnancy-related reasons.

The group also developed a handbook for employees in higher positions on how to treat subordinates who take maternity or childcare leave. The handbook includes examples such as: "It's improper to say to a subordinate before maternity leave, 'You're planning shorter working hours after coming back, aren't you?' because the employee may want to work full-time."

Business owners were already prohibited from firing or demoting employees for childbirth-related reasons before the revision of the related laws. Now the revision also prohibits maternity harassment by superiors and coworkers and obliges companies to take preventive measures.

The bank also prepared a behavioral guideline for employees in managerial positions when communicating with employees with children. It lists problematic behavior such as saying, "We'll have trouble if you take leave during this busy period."

Better working environments

"I expect companies' understanding on maternity harassment to further improve," said Sayaka Osakabe, former head of nonprofit organization Matahara Net.

However, Osakabe pointed out workplaces where colleagues have to work longer hours to cover the workload of staff who take childcare leave or apply for shorter working hours. "If such people get exhausted [with the extra work], discontent will increase at the workplace, which could lead to maternity harassment," Osakabe said.

According to a 2015 survey by the Health, Labor and Welfare Ministry, people who committed maternity harassment were not limited to superiors or men — many of them included coworkers, subordinates and women, highlighting the differences from sexual harassment and "power harassment."

Some companies have begun seeking a more worker-friendly environment that prevents maternity harassment from occurring. At Sampo Japan Nipponkoa Insurance, all members of a section hold a meeting before the return of an employee on childcare leave, discussing measures to improve work productivity and a work style where no staff have to work overtime.

Ryokan Research Institute is a consulting company comprising four members, including executives. All four, except 44-year-old president Masaya Shigematsu, are married women. The company banned overtime work after 5:30 p.m., pursuing work styles that suit the circumstances of each worker. One employee who could not find a childcare facility for her child was allowed to work from home.

Yuka Iwasawa, 34, is a director of the company and in the process of child-rearing.

"We always keep in touch through emails and phone calls over the internet and help each other at work. We know helping others helps ourselves," Iwasawa said.

"The number of employees who have restrictions on the way they work — for reasons such as taking care of their parents or if they suffer from health problems — is expected to increase," said Yukiko Miyaki, an executive researcher at the Dai-ichi Life Research Institute Inc., who specializes in workplace communication.

"Workplaces where maternity harassment occurs cannot last. Companies should also make efforts to tackle the problem of long working hours and foster a culture of good communication, such as verbally expressing gratitude," Miyaki added.

■ Preventive measures against maternity harassment

Companies became obliged to implement measures to prevent maternity harassment when the revised Equal Employment Opportunity Law and revised Child Care and Family Care Leave Law came into effect this month. According to government guidelines, companies should stipulate in their working regulations a strict response to maternity harassment and disseminate these rules to employees, as well as establishing a consultation desk.

[Examples of maternity harassment]

— When a superior tells a pregnant subordinate:

■ "We can't give you maternity leave or childcare leave"

■ "We won't renew your contract" (when the subordinate is on a fixed-term contract or dispatched from a staffing agency)

■ "We want you to become a part-time employee" (when the subordinate is full-time)

— When a pregnant employee is exempted from physically demanding work:

■ Colleagues exclude her, saying, "It's not fair that you get preferential treatment"

— After an employee returns to work:

■ She is assigned to a new position she would not be given in normal circumstances

■ Her salary is reduced

— When an employee works shorter hours:

■ Colleagues repeatedly say, "You're causing trouble by always going home early"

Based on Health, Labor and Welfare Ministry materials

Speech

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