

Abstract of Workplace Dispute Resolution in Japan

Yamakawa, R. (2013). Systems and procedures for resolving labor disputes in Japan.

Comparative Labor Law and Policy Journal, a publication of the University of Illinois College of Law, 34(4), 899-928. Retrieved from

http://www.law.illinois.edu/publications/cllpj/archive/vol_34/download?id=562

Abstract:

This chapter, within the comparative labor law journal, describes systems and procedures for resolving employment disputes in Japan. The respective roles of various governmental and non-governmental bodies as dispute resolution systems are examined, as well as the nature of the disputes over which each system has jurisdiction.

As excerpted from the author, “Part one offers a brief overview of the labor dispute systems. Part two focuses on government structures such as the courts, labor commissions and regional labor bureaus. Part three focuses on the underutilized private structures for resolving labor disputes, including the arbitration system.

Japan has no tradition of private labor arbitration, either under collective bargaining disputes or individual employment contracts. In fact, pre-arbitration arbitration agreements of individual disputes are invalid under law, due to the imbalance of bargaining power. Part four concludes by highlighting several features of labor dispute resolution in Japan. In summary, private systems to resolve labor disputes are not well developed in Japan.

To cite this abstract, use the following link:

http://www.law.illinois.edu/publications/cllpj/archive/vol_34/download?id=562

**Hosted by the Asian Labor Arbitration Project
Scheinman Institute on Conflict Resolution
Cornell University**