

Policy Can Make a Difference – But Employers Sometimes Need Help Following the Laws in Japan

The Challenge

The Government of Japan facilitates the employment of all citizens, including those with disabilities. It has enacted laws to help people with disabilities prepare for and find stable employment. Indeed, the existence of laws that promote the employment of people with disabilities can open up a wide range of opportunities but only if the laws are enforced and employers are familiar with them. To that end, a semi-government agency, the Japan Association for Employment of Persons with Disabilities (JAED), offers services for people with disabilities with specialized needs and for the employers who hire them. While Japan's laws and policies and a body to implement them form the heart of the Japanese employment system, authorities have come to realize that employers need information, support and assistance in implementing the laws and integrating people with disabilities into the workplace.

How can employers get the support they need to keep abreast of changing policies and the special needs of people with substantial disabilities to ensure their participation in the workplace?

Meeting the Challenge

JAED has evolved into a comprehensive service that provides vocational rehabilitation training, delivers public education activities, engages in international cooperation projects and provides employers with support services and research. This profile focuses on JAED's support services that help employers understand and implement the laws related to the employment of people with disabilities, especially as changes to the Law for Employment Promotion of Persons with Disabilities take effect in 2003.

The Good Practice: A semi-government agency that provides a multidimensional support network for employers and ensures job and training opportunities for people with disabilities.



• Background •

In 1966, Japan adopted an employment quota policy to benefit workers with disabilities. A predecessor of JAED, the Association for Employment of Persons with Disabilities, was established in 1971 as a nonprofit foundation with the voluntary participation of employers. Its aim was to promote the employment of people with disabilities by enhancing public awareness. Initially only a moral obligation, the quota is now a legal responsibility under the amendments to the Law for Employment Promotion of Persons with Disabilities in 1976. Other amendments provide for a levy and grant system (see box). With government support, the organization became the Japan Association for Employment of the Physically Handicapped in 1977 and later JAED.

As of the 1970s, the Government mandated that JAED assume a major role in implementing the nation's policies for people with disabilities, including the levy and grant schemes. Over time, JAED has taken a leadership role among Asian countries in the field of vocational rehabilitation for people with disabilities. As part of the Government's overseas technical cooperation programme, JAED dispatches specialists and accepts trainees for the purpose of developing and establishing vocational rehabilitation systems in developing countries. JAED also conducts surveys of how developed countries promote the employment of people with disabilities through policy directives and legal and systematic means.

JAED conducts research into employment support methods that help people with various disabilities, including those with intellectual and other developmental disabilities such as autism and learning disabilities. It publishes and distributes research reports, bulletins and sets of materials.

Within Japan, JAED now provides vocational rehabilitation services for persons with disabilities through its Local Vocational Centres for Persons with Disabilities. The centres are located in each of the nation's 47 prefectures (provinces). There are also three Regional Vocational Rehabilitation Centres for Persons with Disabilities and a National Institute of Vocational Rehabilitation that functions as the core facility.

Japan's Levy and Grant System

JAED helps employers comply with their responsibilities under the Law for Employment Promotion of Persons with Disabilities, particularly the levy and grant system. Employers are required to satisfy the stipulated employment quota by hiring people with disabilities – 1.8 per cent of each business' workforce. Those who do not hire per the quota pay a levy. Employers who hire people with disabilities may be eligible for grants to alleviate any economic hardships they may incur. A brief summary of the provisions follows:

Levies. The amount of the levy is 50,000 yen (US\$413) per month per person for the number of disabled workers short of the stipulated quota. The levy is not a "fine". Employers are not exempted from the obligation to employ the legally stipulated number of disabled workers even if they have paid the levy. For the time being, the Government does not collect the levy from small and medium-sized companies with fewer than 300 workers.

Allowances and rewards. Incentive funds are paid to employers who hire more workers with disabilities than is legally required. Employers with more than 300 regular workers are paid 25,000 yen (US\$206) as an "allowance" per person per month for the number of disabled employees in excess of the quota. Employers in small and medium-sized enterprises can also receive allowances.

Grants. Employers can receive grants to offset expenses related to hiring workers with disabilities, such as for the following:

- Provision of workplace facilities;
- Workplace attendants for severely disabled persons;
- Transportation expenses, such as the purchase or rental of buses to assist persons with severe disabilities in commuting to and from work; and
- Developing skills of workers with disabilities.

Employers who facilitate the return to work of employees disabled by job-related accidents or injuries can also receive grants for workplace or job accommodations.

Changes in the Law. To expand employment opportunities and further improve its support network, the Government of Japan revised its Law for Employment Promotion of Persons with Disabilities and made five important changes that take effect in 2003. Some expand services such as the requirement that local vocational centres must provide job-coaching services to help workers adapt to the workplace. Other stipulations relate to changes in requirements for how people with disabilities are counted in the quota system. Employers need to be educated about the specific changes and benefits that result from the amendments.

The local vocational centres offer a variety of services, including the following:

- Evaluation and guidance to ensure a person's suitability to a job or workplace;
- Referrals – along with medical, education and welfare organizations, the local vocational centre pinpoints appropriate vocational rehabilitation services for both challenged persons and their employers;
- Work preparation training – an eight-week course at a training site recreates workplace conditions to help participants with motivation, physical strengthening, social abilities and work habits;
- Vocational courses – in basic computer operation and other technical skills for persons with physical disabilities, such as visual impairments and cerebral palsy;
- Work experience and job coaching – to provide a smooth transition to work for intellectually disabled persons; and
- Coordination of job placement and support services – for the person with a disability and his or her employer. The official placement procedure is the responsibility of the Public Employment Security Office (PESO). Most though not all PESO offices employ special job placement officers who work with people with disabilities.

PESO's coordination with JAED for job placement can take several paths. A person with a disability might go directly to PESO. If the PESO officer is unable to help that person, the officer refers the client to the local vocational centre, where a counsellor will conduct an evaluation. Depending on his or her abilities, the client may be introduced to the centre's training services or to a sheltered workshop. If the client can be placed directly in open employment and the centre counsellor is aware of a position, the counsellor contacts the PESO officer with the details. For any placement of JAED clients, PESO officers work with the vocational counsellors and conduct all discussions and negotiations with the prospective employer.

• JAED's Support Services for Employers •

Support begins before employers accept workers with disabilities and continues after hiring. Employment advisers, guidance officers and vocational counsellors provide:

Seminars and study courses. JAED conducts employment support seminars and study courses for employers and human resources personnel. To help develop expertise in employment management, the seminars and courses introduce good practices and successful cases in the hiring of disabled workers. Guidebooks are issued as course materials.

Counselling to employers. For employers who have never before hired workers with disabilities, JAED's vocational counsellors demonstrate how employers can help employees adjust to their new job. The counsellors explain the Law for Employment Promotion for Persons with Disabilities and its various components, what the law means to employers and how employers can make any needed adjustments to their workplace or jobs to accommodate the specific needs of workers with disabilities.

Employment management support programme. Staff of local vocational centres, including vocational counsellors, advisors and specialists in the fields of medicine, social education, social welfare, psychiatry, vocational skills training, engineering and employment management, facilitate the integration or employment of disabled workers by advising employers about techniques such as job analysis, the use of assistive devices, training approaches and workplace improvements.

Job coach programme. In addition to supporting workers with disabilities once they are hired, job coaches provide support and advice in the following areas to employers who attend meetings at local vocational centres:

- Understanding different types of disabilities and associated assistive measures;
- Adapting work content, processes, tools and equipment;
- Creating effective instruction methods;
- Giving job direction, feedback and recognition; and
- Suggesting activities for nonworking hours and methods of communication with family members.

For the employer, the purpose of job coaching is to assist the disabled worker in learning her or his job and to ensure the employees' satisfactory adjustment to the workplace. Typically, coaching is available for two to four months, with eight months the maximum. The JAED job coach gradually transfers coaching activities to individuals in each workplace. Those individuals assume responsibility for maintaining any support the disabled worker may require. However, the job coach provides periodic follow-up, even after conclusion of the period of official job coaching. Examples of support provided by job coaches to workers with disabilities include helping the worker learn the job, making any necessary adaptations to the workplace and assisting with social integration and workplace communication.

Support for setting up an in-house advisory team to help persons with disabilities adjust to their jobs. JAED encourages employers hiring five or more people with disabilities to set up an in-house team that consists of an employer, disabled worker(s) and a vocational life consultant who is assigned by the employer to provide consultation and guidance to workers with disabilities on their overall vocational life. The purpose of the team is to foster creation of a workplace where workers with disabilities can realize their potential, contribute to the workplace and adapt to their jobs. JAED provides advice to employers when they set up a team and offers follow-up counselling and materials on how to manage the team successfully.

Follow-up service to employers. The follow-up service for employers receiving grants aims at improving the workplace environment to accommodate workers with disabilities. Employers receive advice and support on the proper use of the grants so that the funds contribute to the employment stability of employees with disabilities.

Trial employment scheme. In April 2001, the Ministry of Health, Labour and Welfare asked JAED to implement a trial employment scheme designed for employers who, owing to a lack of knowledge or experience, hesitate to hire workers with disabilities. Employers receive “encouragement grants” to try out a worker with a disability for three months while local vocational centres provide support to employers before, during and after the period of trial employment.

Publications. JAED publishes a monthly journal called “Working People’s Plaza” that deals with employment and disability issues. It also contains the latest reports on successful examples of workplaces where disabled persons are employed.

In addition, JAED publishes and distributes guidebooks for employers and persons with disabilities. It is also involved in the production and transmission of television programmes to encourage interest and understanding among the public about the employment of persons with disabilities. In addition, information centres make available free films and videos on themes such as employment management, expansion of vocational areas, work adjustments, vocational training and guidance of people with disabilities.

To promote the employment of workers with disabilities, companies are invited to prepare examples of good practices, including innovative management techniques and workplace accommodations. JAED compiles the examples for publication in a booklet for distribution.

Research activities. To improve employment support, JAED researchers experiment and probe for innovative ways to use technical aids to facilitate productivity. They also look for new ways to provide necessary employment-related support in cooperation with agencies in relevant areas, such as education, medical care and welfare.

Annual focus. September is designated as Promotion of the Employment of Persons with Disabilities Month. It is the time for events such as campaigns, work fairs, ceremonies, awards and lectures.

Accomplishments

In the most recent year for which data are available (April 2002 to March 2003), 23,552 people with disabilities received services at JAED’s local vocational centres, and 17,272 employers took advantage of JAED’s support services.

Placement services are the responsibility of the mainstream PESO service, which has employment specialists who are knowledgeable about disability issues. In the 2002 fiscal year, which ended in March 2003, 246,282 workers with disabilities were employed in enterprises to which the quota system applied.

Lessons Learned

In its many years of experience in helping workers with disabilities and employers, JAED has learned how to shape its successes in helping employers give more people with disabilities a chance to prove themselves. Those insights include:

Job coaching and follow-up increase the success of job placement. Paying close attention to the individual and the employer in a set time period immediately after employment, and then at intervals thereafter, helps ensure successful adjustment to the job while reducing dismissals.

Diverse channels are essential for distributing materials to employers. To ensure that materials make their intended impact, it is important to use a variety of approaches and media to convey the desired message. In addition, the message needs to be straight forward, and materials and applications for government incentives and grants need to be simple.

Technical support and advice to enterprises expedites the implementation of new provisions. Employers need help in learning about policy changes and how to implement them.

Looking Forward

Effective 1 October 2003 and based on Law No. 165 (December, 2002), JAED will become a special administrative organization named the Japan Organization for Employment of the Elderly and Persons with Disabilities (JEED).

The new JEED will have the following responsibilities with regard to the employment of people with disabilities:

- Vocational rehabilitation services;
- The collection of levies as well as the payment of adjustment allowances, rewards and grants based on the levy and grant system for employing persons with disabilities;
- Consultant and support services for employers;
- Public education activities; and
- Research and study activities.

With regard to the employment of elderly persons, JEED will be responsible for:

- The payment of grants;
- Consultant and support services for employers; and
- The provision of advice and guidance to elderly persons to help them plan for after their vocational life.

Replication

Many countries try to stimulate the employment of people with disabilities by instituting hiring quotas and levy systems. However, for poor and developing countries, enforcement is costly and challenging. Similarly, a support network similar to the Japan Association for Employment of Persons with Disabilities requires considerable political commitment and enormous financial resources. Replication of Japan's approach should be considered in light of careful study and expert advice.

Regardless of the status of a nation's policy climate, one effective approach to employment stimulation calls for educating and persuading employers to consider the merits of all job seekers. Some of the elements of the Japanese policy framework and comprehensive JAED approach lend themselves to easy and inexpensive transfer to other countries, particularly employer incentives, grants and technical supports and the use of job coaches. JAED's track record suggests that people experienced in working in sheltered workshops or in employment facilities for people with disabilities or teachers from special schools are excellent job coach candidates. An invaluable strategy that lends itself to replication anywhere is employers with innovative ideas on how to adapt their workplace or integrate workers with disabilities.

For More Information

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