

# Japan Takes Big Step to Support Working Parents: What Employers Need to Know

Insights

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Japan recently introduced new rules providing more support for working parents. These rules, which took effect April 1, amend the Child and Family Care Leave Act and the Next-Generation Children Act with the goal of helping parents balance work and childcare and addressing Japan's rapid societal aging. Notably, working parents in Japan will now have more flexible work options, such as extended nursing leave and the ability to work from home and reject overtime. Here's what businesses with employees in Japan need to know.

## Main Requirements

1. **Extended nursing leave:** Employees now have up to ten days per year of nursing leave, which can be used to care for sick children and take them to medical check-ups and vaccination appointments. It can also be used for classroom closures due to infection, to attend school/kindergarten ceremonies, and other reasons. This leave is available for employees with children that have not yet finished third grade.
2. **Work from home:** Employees with children under three years old and employees taking care of family members in need of nursing may require their employers to "make an effort" to allow them to work from home.
3. **Rejecting overtime request:** Employees with elementary school age children can now reject overtime and late-night work.
4. **Publishing childcare leave status:** Employers with more than 300 employees are now required to publish annually the percentage of male employees that went on childcare leave in the past year. The deadline for publishing is three months after each fiscal year.
5. **Informing employees:** Employers are now required to inform employees about the nursing care leave system, confirm their intention of using this leave, and let them know about and the support that is available to help them balance work and caregiving.
6. **Preventing resignations:** Employers need to take steps to help employees balance work and caregiving. For example, employers may provide training and resources, or designate a contact person or team for employees to reach out to with questions and for support.

Additional changes will take effect October 1. We will monitor future changes and provide an update.

## **What Should You Do?**

If your company has employees in Japan, regardless of how many, you may need to update your policies to reflect the new requirements. Consider taking these six steps:

1. **Revise and update** your existing policies regarding working parents and caregivers in light of the new requirements. If you have more than 100 employees, you need to assess your male employees' childcare leave usage when developing (or updating) action plans and set targets for improving the leave usage. Employers with less than 100 employees are encouraged to do so.
2. **Avoid requesting overtime and late-night work** from employees with elementary school age children.
3. **Address requests and make efforts to allow employees to work from home** if they have children under age three or they are taking care of family members in need of nursing.
4. **Inform employees** about the nursing care leave system, confirm their intention to use it, and let them know about support systems for balancing work and caregiving.
5. **Prepare to publish childcare leave status** if you have more than 300 employees. Specifically, you will need to publish the percentage of male employees that went on childcare leave in the previous fiscal year. You should be aware of the deadline: the fiscal year for many companies in Japan ended on March 31. If this is true for your business, you have until the end of June to comply with this obligation. Note that companies with fewer than 300 employees are still encouraged to publicize this information.
6. **Reach out to our International Practice Group** to help your business navigate these changes.

## **Conclusion**

We will continue to monitor developments related to these new rules in Japan. Make sure you are subscribed to Fisher Phillips' Insight System to get the most up-to-date information. If you have questions, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in our International Practice Group.

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