

Problems with Foreign Workers

By Suzuki Hiromasa

Amidst the current on-going recession, with no sign of relief in sight, labor adjustment is an urgent necessity. In the electronic machinery, automotive and machinery industries, labor policies such as temporary layoffs, dormant since the first "oil shock" of the early 1970s, have been resurrected. In large companies, millions of workers have been forced into redundant positions in what the media has dubbed "internal unemployment." Small companies and subcontractors in the manufacturing industry, with large numbers of foreign workers, have adjusted their payrolls leaving unemployed foreigners in the wake. This sharp adjustment in employment conditions allows us to jettison emotional baggage and take an objective view of the question of foreign laborers.

First, let us look at some hard statistics. The number of working visas doubled from 54,700 in 1986 to 113,600 in 1991. One possible reason is the change in the immigration law, which occurred in 1989, that moderately expanded limitations on working visas. Yet legally documented workers are likely to compose only a small percentage of the foreign work force. Table 1 illustrates the trend in foreign registration, showing the jump in the number of non-Japanese in 1990 and 1991. Japan's alien registration law requires all foreigners who stay in Japan for more than a certain period (usually three months) to register with their local municipal office. This includes Koreans and Chinese who have lived in Japan all their lives and spouses of Japanese citizens. However, illegal sojourners (those who entered Japan on a three-month tourist visa and have stay past the stated expiration date) seldom, if ever, register.

By nationality, it is interesting to note the increase in Brazilians since 1989. This can be attributed to the increase in South Americans of Japanese descent who became qualified to receive working visas following the change in the

immigration law. In addition, the number of Filipinos and Chinese, who qualify on various grounds for work, study or job training, has also sharply increased. Yet few undocumented workers can be found in these statistics.

Although there are no precise statistics regarding illegal workers, the immigration office bases their estimate on the number of people who have stayed past their three-month tourist visa. According to various surveys, almost all who overstay are working. The numbers have skyrocketed from 106,000 in July 1990 to 216,000 in November 1991 and 298,000 in May 1993. Most recent figures show that 55,000 are from Thailand, 39,000 from South Korea, 35,000 from the Philippines, 33,000 from China and 28,000 from Iran.

The overall situation is depicted in Table 2. (See page 46.) From 1990 to 1991, some 480,000 foreigners are estimated to have worked in Japan. This is nearly 1% of the total domestic work force. The number working with a proper visa was small, and visa status violators (i.e. those working with improper visas such as students) and illegal workers (those whose visas have expired) make up the majority.

Thus, current problems with foreign workers in Japan mainly stem from those who are working illegally. In this

regard, many Western countries also have similar illegal worker problems but the proportion of illegal workers in those countries is not as high as here. We can attribute this to, of course, the Japanese government's recalcitrant labor policies which have steadfastly refused to admit legal foreign manual workers. As the guidelines for working visas remained stringent, illegal workers simply filled the gap in the domestic labor shortage. (Note that the 1989 revisions in the immigration law were only technical and did not change the intent.)

Special characteristics

We can characterize the Japanese foreign worker problem as follows:

1) So far, the problem is minor when compared to some Western countries as foreign workers, including illegal ones, make up only 1% of the labor force.

2) The increase in foreign workers is recent so the host of accompanying social problems seen in many Western countries has yet to descend on Japan (i.e. family members joining the worker, education and seeking citizenship).

3) Most foreigners (including undocumented workers) are employed in small companies (in construction, manufacturing and services) with only a small number of foreigners with special skills

Table 1
Trend in Foreign Registration

	Total	South and North Korea	China	Brazil	The Philippines
1986	867,237	677,959	84,397	2,135	18,897
1987	884,025	673,787	95,477	2,250	25,017
1988	941,005	677,140	129,269	4,159	32,185
1989	984,455	681,834	137,499	14,528	38,925
1990	1,075,317	687,940	150,339	56,429	49,092
1991	1,218,891	693,050	171,071	119,333	61,837

Source: Immigration office statistics

in big companies. Geographically, they are concentrated on the outskirts of large cities and local cities where small subcontractors operate.

4) South Americans of Japanese descent often work for automotive and machinery subcontractors in Aichi, Shizuoka and Gunma prefectures.

5) Foreign females overwhelmingly work in the entertainment business, such as bar hostesses, with many coming from the Philippines and Thailand. Many of them toil in conditions that seriously violate human rights.

6) Government policy on foreign workers is carefully formulated and eminently practical. Regarding the expansion of the allowance of foreign laborers, an intricate interplay of interests groups (political parties, industrial representatives, regional chambers of commerce and industry, local administrations, unions and citizen's groups) reinforces the status quo. The only avenue of expansion is through job training and apprenticeships under technical aid programs. For example, the technical apprenticeship system, which began in 1993, allows a foreigner to work as an apprentice for a maximum of 15 months subject to restrictions after the training period expires.

We should focus next on the problems foreigners face while in Japan. For those with working visas, there are few problems. In principle, civil, labor and social security laws apply in the same way they do to Japanese workers. The one beef may be with the pension system. In Japan, it is mandatory that all workers contribute to the pension



Taito-ku employment counseling office which specializes in helping nikkeijin



scheme, but it is only after 25 years that one becomes eligible for a pension. As foreigners are seldom employed for such an extended period, their premium money goes to waste. The government has tried to negotiate an interstate adjustment with the U.S. and Germany but mutual agreements have yet to be concluded. Also, there is no system for reimbursement of at least part of the pension premiums paid by foreigners

while on leave. Thus, foreign workers continue to pay premiums with no return. This problem does not apply to health and unemployment insurances as they do not require a long-term employment or stay.

South Americans of Japanese descent face problems in housing, education and general living conditions. While their ancestors may have come from Japan, their mother tongue is Portuguese or

Table 2
Estimated Numbers of Foreign Workers (1990-91)

Total foreigners with a working visa	67,983
Investment & management	7,334
Education	7,569
Humanities & international business	14,426
Entertainment	21,138
Students (university)	48,715
Students (miscellaneous)	35,597
Visa status violators (estimated)	50,586
Japanese descent	147,800
Illegal workers (illegal sojourner)	216,399
Visa status violator	N/A
Total	App. 480,000

Source: *The Current Situation of Foreign Workers And Its Social Costs*, edited by the Ministry of Labor, Employment Security Bureau, published by The Institute of Labor Administration Research, 1992; p. 44

Spanish and their culture and lifestyle is quite different. As they are concentrated in certain areas, there have been some problems, especially with local communities. Yet many local governments are making an effort to provide Japanese education for their children and opening special foreign service counters. It is projected that as South Americans settle in they will face further language, education and other cultural problems. The immediate concern, however, is with employment. The automotive and machinery industries continue to flounder and they may find it difficult to move to another area and find a new job.

Yet the problems of legally documented workers are trivial in comparison with undocumented workers. Due to their status, they hardly fall under the blanket of any legal protection. In this way, their situation is similar to that of immigrant workers in Western countries.

The most urgent problem facing

private university hospitals, more than 50,000 hospitalized patients did not pay their bills in 1991. Doctors are struggling between their obligations to humanity and illegal workers' inability to pay. When workers are not covered by health insurance and are unable to pay medical costs, they may qualify for medical subsidies under the Livelihood Protection Law. To date, however, the Health and Welfare Ministry has denied applications to illegal sojourners. It is only through charitable organizations and volunteer groups that sick or injured illegal workers can receive any succor.

In addition to the lack of health insurance, there is a long list of problems facing illegal workers: poor working conditions, lack of adequate housing and discrimination. In the future, aside from changes in administrative control over foreign workers, a public system must be established to safeguard their minimum human rights (such as medical care and protection from forced labor).

undocumented workers is health care. Usually, foreign workers are in Japan to make money in a short period of time. They work long hours and their living conditions are dreadful. Moreover, they often skimp on food to save money to send home, leaving themselves vulnerable to illness. Being without papers, they are not covered by any health insurance. When they are hospitalized for whatever reason—tuberculosis, mental problems or a traffic accident—they are unable to pay their bills.

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The need for openness

Finally, we must briefly consider the Japanese attitude towards foreign workers. It is often said that Japanese tend to abhor anything that is different entering their society. And foreigners, with or without a proper visa, are considered different. Among Japanese, there are certain tacit rules of conduct and many rights and duties are unwritten. The presence of foreigners damage these rules. Thus we try to avoid contact with foreigners as much as possible.

This applies also to foreign professionals working for major Japanese corporations; they are under special working conditions and their duties differ from Japanese employees, with no career promotion prepared for them. In short, they receive special treatment. This is the result of a lack of experience in living with people outside a homogeneous group rather than from intentional discrimination. Yet to foreigners, it all smacks of discrimination. There are countless examples of foreigners being unable to find an apartment simply because they are not Japanese. This comes from the Japanese tendency to evade things different and troublesome.

To break down this conscious wall, actual experience with foreigners is a must. In fact, it seems to me that there has been some progress as the number of foreigners increase. We are learning that it is necessary to associate with foreigners on a day-to-day level, to not see them as a group of "foreigners" but as individuals just like the Japanese.

The lingering recession has fueled the naysayers that expanded contact with foreigners and the concomitant change in Japanese conscious will halt. But in the long term, it is obvious from demography that a structural labor shortage will come. Therefore, the need to change our consciousness and develop a system more open to foreigners is a major task facing the national and local governments as well as corporations and individuals.

Suzuki Hiromasa, a professor at the Waseda University's School of Commerce, specializes in labor economy and other labor affairs.