

# The Nation That Never Rests: Japan's Debate Over Work-Life Balance and Work that Kills

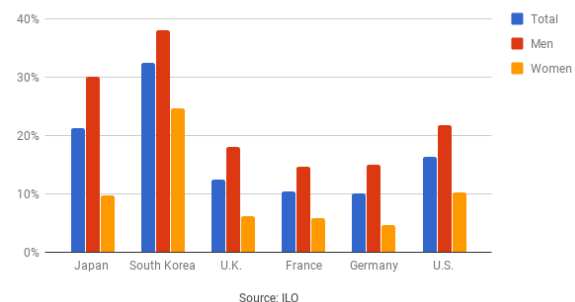
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**Summary:** After 1973, employers in Japan who had been promising to adopt a weekend system began to withdraw those plans. Thus began a yet-unfinished debate in Japan about how to balance need for employee rest with the demands of employers to increase economic output. The Liberal Democratic Party's current approach to the overwork problem, including its recent labor reforms—which emphasize granting legal flexibility to employees without creating firm regulations to prevent employers from demanding excessive labor—reflects the continued refusal of employers and political leaders to accept the need for employee work-life balance.

**Keywords:** work-life balance, labor, *karoshi*, overwork, death by overwork

In 2014, Prime Minister Abe Shinzo promised foreign investors in London that he would “reform labor market regulation[s] in order to make working conditions more flexible.”<sup>1</sup> After Abe released a proposal which included a so-called “white collar exemption,” the *Asahi Shimbun* pushed back with a front-page story suggesting that the new law removed the existing limits on the amount of work employees could be called upon to do. In the beginning, trade unions also resisted. Shintani Nobuyuki, director of the Japanese Trade Union Confederation (Rengo), stated bluntly: “we don’t need this new system.”<sup>2</sup> Resistance failed to prevent the reforms that passed the Diet on June 29, 2018.

Employees Working 49+ Hours/Week



Tokyo Review, 2017

A battle over Abe’s proposed reforms occurred in the spring of 2018. By this time, the bill revising the Labor Standards Act—the core of the then-current work time rules—had been stalled in the parliament for two years. Opposition to the bill, from activists including family members of *karoshi* (death by overwork) victims under the banner of the *Zenkoku Karoshi wo Kangaeru no Kai* (The National Association of Families Reflecting on Death by Overwork), cracked in June when Rengo accepted the introduction of a merit-based pay system for “highly professional” jobs. Drafters of the bill defined this group as employees with annual salaries of at least 10.75 million yen (approximately \$96,000) in fields such as research and development, securities analysis, and investment consulting—or about 10 percent of all employees. Rengo and its allies did secure concessions. This salary threshold was much higher than the 4 to 7 million yen (\$35,500 to \$62,000) proposed by business groups, which would have included up to 40 percent of all workers. The bill also included

language guaranteeing 104 days off annually for those subject to a merit-based pay system. Still, the most glaring flaw in the June 2018 law is the new 100 hour monthly cap on overtime—20 hours higher than the limit previously prescribed by the Ministry of Health and Welfare.<sup>3</sup> Although this cap only applies to large companies, at the moment, the cap refers to all employees during special busy times (up to six months per year), which are determined by companies themselves. Moreover, the highly professional jobs mentioned above are essentially exempted from caps on and compensation for overtime.<sup>4</sup> Critics such as president of the Japanese Trade Union Confederation (Zenroren) Rikio Kozu have repeatedly lambasted the administration, Rengo, and Keidanren (The Japanese Business Federation) for refusing to take seriously the need for reduction in work time and realization of work-life<sup>5</sup> balance for all Japanese employees.<sup>6</sup> The vice chairman of Zenroren, Iwahashi Yuji, went so far as to call the professional system in the bill “modern slavery.”<sup>7</sup>

A 5-day or 40-hour work week is, of course, not universal outside Japan. Longer weeks and unpaid or excessive overtime remains a difficult problem throughout East Asia and elsewhere.<sup>8</sup> However, my argument below is not a critique of Japan for failing to live up to a global ideal. Nor is my claim that a 5-day work week would have solved Japan’s problems. The 40-hour work week is not an overwork level of labor.<sup>9</sup> A 5-day work week may or may not be depending on the length of each day. That Japanese commentators and leaders alike have failed to grapple with the implications of this reality is the reason why Japanese employees of all sorts find themselves in the situations they do today. As such, the 5-day work week is a reference point from which we can reflect on how Japan as a national community has grappled with the trade-offs inherent in growth-centric economies and labor intensification.

All people ought to have work-life balance. A huge percentage of workers in Japan (both white- and blue-collar) are not given the option to enjoy the benefits of a healthy work-life balance because overtime is often mandatory—and unpaid or insufficiently paid. This has been the case for decades.<sup>10</sup> This piece claims that one of the driving forces behind Japanese labor’s tendency toward overwork has been the policies and practices of Japanese businesses and the government’s refusal to take a more interventionist stance on the question of work time.<sup>11</sup> Mine is not a case against overtime. It is an argument in favor of *actual* worker autonomy and for a labor policy and wage structure wherein the employees do not need to rely on overtime to support themselves and/or their families. Finally, it is a plea for a cultural shift that empowers young Japanese, in particular, to approach work and leisure not as a binary choice, but as a mutually supportive set of practices that form the basis for individual and collective flourishing and happiness.

Japanese workers of all sorts have long been forced to put their bodily integrity on the line for their jobs. During World War II, civilians and soldiers alike were given stimulant drugs to help them complete double and triple shifts.<sup>12</sup> In many ways, Japanese workplaces have never broken this habit—in place of amphetamines employees now consume b-vitamin shots and caffeine pills. Professional drivers (e.g. taxi, bus, and truck drivers), have consistently been pushed to log hundreds of extra hours for years.<sup>13</sup> Teachers likewise regularly suffer the effects of overwork.<sup>14</sup> In the case of salarymen, in the 1950s, subjecting oneself to night after night of binge-drinking and chain-smoking while skipping meals and sleep was a common requirement. These activities became systemic and self-destructive habits at mandatory drink outings (*nomikai*).<sup>15</sup> As a result, many salarymen become alcoholics, malnourished and sleep-deprived—classic symptoms of overwork.<sup>16</sup> Left

unchecked, these symptoms can cause *karoshi* (death by overwork).<sup>17</sup> The volume of time that one worked is a matter of how long one was at their desk or behind the wheel and how many hours they had to dedicate to mandatory workplace socialization. In other words, work is often inescapable for many employees in Japan. Time that could be spent recovering from the stresses of the workday or just having fun was and is often burned introducing additional strains and stresses on one's body.

Deliberations over work-life balance and quality of life versus productivity in Japan have been raging for decades. Below, I track the evolution of the 1970s and 1980s fight over the "weekend system" (*shūkyū hutsukasei*) as presented in the *Asahi Shimbun* and *Yomiuri Shimbun* in order to unpack the slow transformation of the work-life balance debate from an argument over consumption to one over employee health. Moreover, one can also see the ways in which the state of the *karoshi* debate today reflects the shortcomings of political, social, and cultural discussion on the question of what it means to have work-life balance in the late-twentieth century.

### Good Days are Coming: *Dreams of Leisure*, 1973

In 1973, many companies were implementing a variety of weekend systems. However, the meaning of weekend was not static. The author of one article published in a January 1973 issue of the *Yomiuri Shimbun* noted that 'weekend' could mean, for instance, two weekends off per month or every other weekend off.<sup>18</sup> In other words, even if an employer had a weekend system in place, most employees were still putting in a six-day week on average for at least half of the year. Moreover, 56 percent of companies that were hesitant to implement a weekend system cited concerns that a standardized weekend would merely increase the existing amount of overtime and working on

days off according to a survey by the Ministry of International Trade and Industry (MITI). Despite these apprehensions, 6.5 percent or 4,686 of the 72,020 companies surveyed by the Labor Ministry in September 1972 had implemented some sort of weekend system; 38.6 percent of that group had enacted the new policy within the last year, with large corporations leading the charge.<sup>19</sup> Corporate reforms were thus, on paper, inching toward standardizing regular days off for Japanese workers. This induced a degree of optimism in some quarters. For example, prior to the passage of any significant legislation regarding work time, the *Yomiuri* promised a soon-to-be-realized work-life balance for working people in May of 1973:

We are moving from a "work, work" high growth economy to a social welfare economy where we can "leisurely truck along" ...When we asked Mr. T what he would be doing with this time off under Toyota's soon to be instituted weekend system he said "... I will help out with [my children] on Saturdays, but Sundays will be my time to play golf or go driving...I need to divide my time between friends and family."<sup>20</sup>

The weekend was a logical outcome of the country's growing economic strength to this author. Still, there remained latent issues between labor and management regarding hours, wages, and benefits. On January 17, 1973, an unnamed analyst at the *Asahi* criticized managers for "exploiting (*sakushu*) their employees." Attacking banks, he commented that employees only really took time off for the New Year's holiday and a short break in the summer—assuming a six-day work week. This, he insisted, was a management problem. "If they [(managers)] stopped thinking of their people as servants and more as 'golden

eggs' (*kin no tamago*)," he argued, "we would see the birth of an era of weekends."<sup>21</sup> These same tensions erupted following the October 1973 Oil Shock.<sup>22</sup>

### Shattered Hopes: *The Oil Shock and Corporate Brake-Pumping on the Weekend Question, 1973 - 1978*

The spike in commodity prices that resulted from the 1973 Oil Shock drove up costs for Japanese businesses.<sup>23</sup> As a result of weaker profit outlooks, many companies quickly backtracked on promises for a weekend system.<sup>24</sup> In the immediate aftermath of the Oil Shock in 1973 and 1974, most firms maintained their workforces with minimal decline or increase. However, layoffs increased in 1975 as firms tried to reduce labor costs. The unemployment rate in Japan jumped from 1.54 percent in the first quarter of 1973 to 2.05 percent by the middle of 1976 which while low by international standards still represented a high for a country which had enjoyed between 1.1 and 1.4 percent over the previous eight years.<sup>25</sup> Moreover, the Regular Employment Index fell from 98.9 to 90.4 in the same period. Although the government enacted various policies in an attempt to stimulate aggregate demand, its efforts proved ineffectual. This prompted calls from business leaders for larger government investments and lower interest rates, and from opposition party leaders for a massive reduction in the income tax by as much as 1 trillion yen.<sup>26</sup> A consensus on the weekend system did not emerge from these clashes. Business and political leaders could not agree on whether to jump straight to a five-day work week or phase it in over time, and whether all sectors should institute such reforms simultaneously. The latter was a particular concern for banks. Since they provided core services to other segments of the economy, many feared that cutting operating hours would hurt their domestic or international

customers and consequently their bottom line.<sup>27</sup> This is one of the ways in which the lack of clarity on the weekend system's meaning caused confusion in the public sphere. Bankers, in this instance, conflated a requirement for employees to get two days off per week with a mandate to close on weekends. Other industries were nimbler on implementation. Nissan, Toyota, and Mitsubishi were among the first to implement company-wide five-day workweek systems,<sup>28</sup> although executives said that days would have to be longer during the week to compensate for lost labor time—however, they did not clarify how much longer.<sup>29</sup> In other words, these employers were indicating that they would continue to mandate overtime, while being more open to limiting the overall number of work days per week. This also implied that incomes could drop if the number of hours one put in fell. On net, the average reported hours for employees in transportation manufacturing (of which consumer automotive manufacturing is a substantial part) fell from 188.2 hours per month (47.05 hours per week) in 1973 to 177.3 hours per month (44.33 hours per week) the following year.<sup>30</sup> However, these numbers leave the actual impact of the policy unclear because numerous scholars have demonstrated corruption in the official reporting of working hours at Japanese companies. For example, Makoto Kumazawa argued that in 1973 Fuji Bank set an official limit of 30 hours of overtime per month for all workers, but this only increased mandatory unpaid overtime.<sup>31</sup> At the same time, the average officially reported workweek at Japanese financial firms held steady at around 39 to 40 hours per week.<sup>32</sup> Critical, though, was that these changes in the labor practices of some companies were enterprise-driven rather than the result of national legislation. New directives from the Japanese government did not motivate the push for a weekend system.

After the 1973 Oil Shock, an autoworker officially worked substantially fewer hours



(accounting for overtime and regular hours) on average than a miner or finance employee.<sup>33</sup> During the 1970s, a number of labor unions, for example in shipbuilding and textiles, successfully pushed for higher wages.<sup>34</sup> **Still, the employee experience of work life itself continued to vary drastically by industry and position.** Government officials, union leaders, reporters, and business executives alike continued using the term “weekend system” for schemes including, but not limited to: every weekend (Saturday and Sunday) off or a weekend off twice or thrice per month.<sup>35</sup> No one was sure which system would be in place for how long and at which enterprise. Moreover, such reforms did not address the issue of unpaid overtime. That a company had a weekend system, didn’t automatically mean that employees worked less. Yet, much of the rhetoric from the anti-weekend camps assumed that it would. For example, a survey of government employees by the Prime Minister’s Office asked why opponents of a weekend system opposed reform. They said that the effectiveness of the team would fall and that many were already doing subpar work.<sup>36</sup> These opponents argued that the volume of time at work for the team was key to their effectiveness.

The discussion seems to have moved away from questions of quality of life and toward issues of compensation and efficiency by the late 1970s. According to a Labor Ministry survey conducted in July 1977, “the business community [was] turning against shortening hours and the weekend.” There remained a massive gap between workers and management on this question. According to the same survey, about 46.5 percent of managers were in favor of some sort of weekend system for workers while 72 percent of workers backed it. However, the survey, as presented in the papers, did not clarify what impact these potential reforms might have on wages or the net amount of overtime each person might put

in. At big companies, 93 percent of respondents supported some form of weekend system for employees while only 67 percent from medium-sized firms and 39 percent at small ones said the same.<sup>37</sup> Moreover, people were also split on which system was preferable. About 23 percent of workers supported a full (two-day sequential day) weekend, approximately 7 percent supported a two-sequential days off thrice per month option, roughly 16 percent supported twice per month, and about 12 percent supported an alternating weekend option.<sup>38</sup> Many readers and employees probably rightly assumed that pay could go down should hours be reduced which likely only exacerbated concerns about inflation and wages that Japan faced during the decade.<sup>39</sup> Others probably feared layoffs, which became an increasingly realistic possibility by the end of the 1970s.<sup>40</sup> However, many also probably understood that they were not being compensated for all of the hours they were currently putting in. These realities give us at least a hint as to why there were differing opinions on the question of the weekend.

These patterns were mirrored in implementation. According to a *Yomiuri* survey from 1978, only 20 percent of small firms had implemented some form of a weekend system. By contrast, 88 percent of large companies and 58 percent of medium ones had done so.<sup>41</sup> Around the same time, journalists raised concerns about employees becoming idle or lazy on Fridays. Citing the report of a Swedish journalist, a writer for the *Asahi Shimbun* raised concerns that setting Saturday and Sunday as permanent days off would lead to employees abandoning work on Fridays. “[Respondents said]... ‘everyone has gone home already, it’s Friday isn’t it?’... Always after lunch even the most crowded restaurants see a drop off in customers. Moreover, there are [usually] horrific traffic jams at this time [in Sweden].”<sup>42</sup> Only some 43 percent of firms surveyed by the Labor Ministry had implemented a weekend system by April 1978.

Again, what that meant varied dramatically by the size of the company in question. Big firm employees reported working approximately 40 hours per week on average, but employees from smaller enterprises reported 45. Only 5.2 percent of firms (accounting for roughly 23.1 percent of all workers) had implemented a five-day workweek for every week of the year and 43.6 percent of companies (employing approximately 72 percent of all personnel) were using a policy of either one weekend off per month or every other weekend off.<sup>43</sup> These figures did not include after-hours gatherings or meetings. If anything, they masked the increasing prevalence of unpaid overtime. That is, the adoption of a weekend system did not necessarily, and in fact usually didn't, translate into a reduction in unpaid overtime.<sup>44</sup>

### **A Light in the Dark: The Birth of the Anti-Karoshi Movement(s), 1979 - 1990**

In 1979, the issue of employee quality of life returned on two fronts. Although numerous ministers had voiced concerns about implementing a weekend system for government workers,<sup>45</sup> Prime Minister Ōhira continued to push for a weekend system. This is not to say that Ōhira stood alone. The Vice-Minister of International Trade and Industry signaled his support for a move toward greater work-life balance for employees on April 27<sup>th</sup>. He said "it is good to restrict people's working time (*ningen ha kousokusareteiru jikan ga mijikai hou ga ii*). With free time one can study for work, rest, have fun, and in the process be rejuvenated."<sup>46</sup> Later in the spring, the Prime Minister's Office echoed this sentiment: "[we] need to work on improving the development and care of people's bodies qualitatively."<sup>47</sup> This concern for the health of individual bodies was mirrored in the birth of the karoshi concept.

The first reported case of what we now call karoshi was the death of a worker in the

shipping department at a major newspaper in 1969.<sup>48</sup> The term "*karoshi*" was coined in 1978 by Dr. Uehata Tesunojo. Efforts to hold managers accountable for overwork-related deaths were already ongoing when Uehata started writing on the subject. One hundred or so families were compensated for such occupational deaths during the 1970s.<sup>49</sup> However, this concept did not immediately catch on in political or social discourse. Ōhira referenced the problem of work-life balance in terms of economic efficiency and consumer lifestyles. He referred to the need to cut hours in order to provide time for individuals to spend time doing other things—such as shopping. Government leaders did not medicalize overwork, activists did. They brought a new variable to the table: the finite durability of the human body. Uehata argued that long hours, late-night work, and high intensity work induced unsustainably high levels of stress. Uehata and his colleagues tried to persuade those in the business management, medical, and psychological worlds that the work norms common to Japanese companies led to specific negative health outcomes including premature death. However, despite the emergence of an anti-Karoshi movement to publicize and prevent death from overwork, major policy changes did not materialize.<sup>50</sup> The work of doctors like Uehata nevertheless opened a path for others to propose overwork remedies and protections. They provided a framework and medical basis from which families and activists could demonstrate the ways in which the habits that management and work culture induced among working men (and eventually women) were dangerous on more than just quality of life grounds. It is a substantially different argument to claim that "overwork killed someone" as opposed to "overwork prevented someone from engaging in leisure activities." Still, karoshi did not enter the popular vernacular until 1982 with publication of the book *Karoshi* by Uehata and two other physicians, Tajiri Jūnichirou and Hosokawa Migiwa.<sup>51</sup> In other words, despite the

fact that families were already being compensated for overwork deaths, professionals were writing on the subject, and the problem of work-life balance was a central concern for politicians, CEOs, journalists, and employees alike, *karoshi* did not become an explicit hot-button issue until later in the decade.

Activist and journalistic efforts brought *karoshi* to the national and international stage.<sup>52</sup> By the end of the 1980s, anti-*karoshi* advocates and public outcry had created a climate in which the government had to at least be seen as taking and death by overwork problem seriously. It was at this time that the Labor Ministry started evaluating *karoshi* under workers compensation regulations.<sup>53</sup> However, corporations continued to insist that deaths attributed to *karoshi* were not directly caused by overwork. The Labor Ministry set a strict definition of *karoshi*, “counting as victims only those who died after many months of excessively long hours of work. In some cases, even one day of rest in between bouts of work might disqualify a claim.”<sup>54</sup> Echoing the tactics of anti-*karoshi* advocates, the government began to demand direct medical evidence that work-related stresses had caused an employee to die. This move on the part of government and business leaders set the stage for the predicament that Japan faces today.

## Conclusion

Despite the medicalization and widespread recognition of *karoshi* as a problem, the discourse on the overwork and work-life balance problems in Japan remains disturbingly similar to that of the 1970s and 1980s. Leaders in the LDP and the business world continue to prioritize profits over work-life balance for employees as evidenced by the June 2018 law. Prime Minister Abe’s claim that flexibility in how employees distribute the excessively long

hours of their work weeks will inevitably lead to an overall reduction in working time or improvements to employee quality of life ignores the consistent findings of medical researchers and testimonials of victim family members: Japanese work culture (peer pressure, manager demands for off-the-books work, and the constant linkage of personal sacrifice to upward mobility, etc.) creates a situation in which overwork is endemic. It is the *volume* of work that is the problem, not the distribution efficiency of labor time. As in the 1980s and eventually the 1990s, activists continue to demand robust penalties—established through government regulation—to incentivize managers to police overwork.<sup>55</sup> Their efforts have thus far yielded limited results, although in reaction to a 1988 amendment to the Labor Standards Law many more Japanese companies introduced a 5-day work week, the problem of overwork and unpaid overtime persists.<sup>56</sup> The government rules deaths to be overwork-related more frequently now than three decades ago, yet the administration continues to offer only guidance rather than firm guardrails in the fight against *karoshi*.<sup>57</sup> The debate over the weekend system during the 1970s shifted rapidly away from discussions of reducing hours and improving employees’ quality of life. No one was able to stabilize the meaning of a weekend such that the discussion could move on to a conversation about increasing wages so that employees could afford to work fewer hours, for example. CEOs, politicians, and journalists stubbornly insisted that employee productivity could only be maintained if one put in the same number of hours at work each week, month, or year. They did not entertain the possibility that better rested employees might do better and more effective work. After the initial years of the weekend system debate, driven by the worsening economic outlook brought on by the 1973 shocks, most stopped imagining the leisurely lifestyle described by the *Yomiuri* in 1973. Relatedly, at least in the commentaries provided by the *Yomiuri* and *Asahi*,

commentators and advocates, they rarely raised the issue of unpaid overtime. In other words, pro-business voices successfully displaced the work-life balance and compensation question with a debate over per-employee productivity. Much has changed since the 1970s. Probably most importantly, Japan is no longer in a golden age of economic expansion. The long-term stagnation of the Japanese economy since 1992<sup>58</sup> and the more recent labor shortages (driven by demographic problems<sup>59</sup> and limited immigration expansion)<sup>60</sup> has created a situation wherein employers can perpetually insist that prospects for future profits are insufficient to justify substantially higher wages or reduced hours for employees. The exemptions and high overtime caps without improved overwork protections in Abe's reforms are just the most recent manifestation of these positions. Despite the fact that Japanese firms are cash flush, CEOs and other representatives routinely claim that these funds would be better spent on other sorts of investments or stock buybacks to improve shareholder returns.<sup>61</sup> I am not contending that the stagnation of the Japanese economy has recently rendered work-life balance a pipedream. Rather, the point is that similar positions were taken by the corporate and political elite in the 1970s and now—profit maintenance remains the most essential goal—revealing that it is not the health of the Japanese economy which drives such arguments. Rather, it is a value judgment that the quality of life of employees is less important than increasing profits for shareholders. One could conclude that this meant that the weekend itself was meaningless. This would also be a mistake. That the overwork problem persists demonstrates that the weekend system *alone* was not enough to solve the problem. Rampant doctoring of working hours and mandatory overtime remain the norm. Thus, without firm regulations and stiff penalties, the incentives for companies to put workers at risk in search of profit remain.

However, we have seen a shift in the discourse on overwork in Japan since the 1970s. Whereas in the late-twentieth century a huge effort was mounted to deny the causal relationship between overwork and the deaths of employees, since the 1980s we have seen arguments that seek to disprove that overwork caused the death or suicide of specific individuals. That is, corporate lawyers and government officials eventually accepted the medical evidence that demonstrates that overwork *can* lead to death, and thus focused attention on specific cases to prove an alternative causality for deaths that were dubbed *karoshi*.<sup>62</sup> In short, employers intent on protecting profits continue to resist implementation of policies to assure work-life balance for employees in the face of mounting medical evidence of their benefits, on the one hand, and of the consequences of overwork on the other. Moreover, little has been done to protect employees from abuses like unpaid service overtime which denies workers of all sorts proper compensation for their labor or excessive overtime in general. Most actions by the government are reactive—taken after a confirmed *karoshi* case—and minimal. For example, following the tragic overwork-induced suicide of Takahashi Matsuri (1991 – 2015), the advertising giant Dentsu, Inc. came under intense public scrutiny. Takahashi began putting in large amounts of overtime even as a part-timer before she graduated from Tokyo University.<sup>63</sup> Eventually, Takahashi logged hundreds of hours of overtime in the months leading up to her death.<sup>64</sup> Former colleagues testified that management had forced her to do this.<sup>65</sup> Just before taking her own life, Takahashi reported sleeping only ten hours per week to her mother.<sup>66</sup> After her death, prosecutors recommended a measly fine of 500,000 yen (roughly \$4,400) for Dentsu for violating the 50-hour overtime cap set out in its own labor agreement despite President of Dentsu Yamamoto Toshihiro taking full responsibility for her death and admitting that the company had violated its own rules and



abused Takahashi.<sup>67</sup> In the wake of this scandal, Dentsu surveyed its own employees regarding unpaid overtime they had put in between 2015 and 2017. The company then agreed to pay out roughly 2.4 billion yen (roughly \$22 million) to employees to compensate them for this work.<sup>68</sup> Although Dentsu took strides to resolve some unpaid overtime, the recent Abe reforms hardly put roadblocks in place to protect the next Takahashi. Moreover, external observers cannot be certain that this amount covers all outstanding wages Dentsu owed to employees or that employees accurately reported all the overtime that they had not been compensated for in the first place—the latter is a particular concern considering that it is widely known that manager pressure is one of the driving forces behind lax reporting of overtime by employees. Finally, Dentsu's move did not compensate employees for pre-2015 unpaid overtime. Even if one believes that Dentsu has

turned a corner, problems with workplace culture which encourage employees to acquiesce to manager demands for unpaid overtime and induce managers to make such requests in the first place persist at other companies.<sup>69</sup>

Consumer freedom, quality of life, and worker health have not, as of yet, proven adequate rationales for politicians and business leaders to seriously confront overwork. Whatever the efficacy of the specific clauses in Abe's reforms, the fundamental question facing Japanese lawmakers, workers, families, and business leaders remains the same: should Japanese society place a premium on work-life balance? The spirit of the Abe administration's June 2018 law is a tacit acceptance that a relatively high level of overwork in Japan is inevitable or some might say preferable. This is a firm answer in the negative.

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## Notes

<sup>1</sup> Antoni Slodkowski, "[Abe's 'drill bit' hits resistance on Japan labor reform](#)," *Reuters*, June 23, 2014.

<sup>2</sup> Slodkowski, "Abe's 'drill bit,'" 2014.

<sup>3</sup> Jake Adelstein, "[What You Need to Know About Japan's Controversial Proposed Labor Reform Laws](#)," *Forbes*, March 1, 2018.

<sup>4</sup> The law also exempts several industries hit hardest by labor shortages. For example, doctors, construction workers, as well as taxi and truck drivers are to be exempted for another five years. Small and mid-sized companies will be affected by the law starting from April 2020. "[Japan introduces legal cap on long work hours under labor reform law](#)," *Mainichi Shimbun*, Apr. 1, 2019 (Accessed May 14, 2019); Hirofumi Okunuki, "[Abe's work-style reforms give Japan's employers the green light to demand unpaid and unsafe overtime](#)," *Japan Times*, September 23, 2018, (Accessed May 14, 2019); The law is a mixed bag for wages as

well. While the law may raise the incomes of non-regular workers, it will likely lower those of permanent ones. The former outcome is unclear because the law leaves wiggle room to define “equal work.” The law will also probably lower the incomes of those who are going to be shifted into an exempted category because they will no longer be earning extra hourly pay for overtime. Those employees may have to negotiate for wage increases as a result. Akane Okutsu and Eri Sugiura, [“Five Things to Know about Japan’s Work Reform Law,”](#) *Nikkei Asian Review*, June 29, 2018, (Accessed April 2, 2019).

<sup>5</sup> I will make use of the term “work-life balance” frequently in this essay. However, I am using this term to encapsulate the overall sentiments and questions at play in the debates which I unpack below. That is, one should read it as my analytic term rather than one that I have extracted directly from my source material. The Japanese authors I reference below spoke often of the need for employees to work and to rest. They, however, did not use a term equivalent to “work-life balance” in English.

<sup>6</sup> Okutsu and Sugiura, “Five Things to Know about Japan’s Work Reform Law.”

<sup>7</sup> [“Labor reform bill’s ‘professional system’ criticized for promoting death by overwork,”](#) *Mainichi Shimbun*, May 22, 2018, (Accessed April 2, 2019).

<sup>8</sup> See for example, Ming-Chang Tsai, Michio Nitta, Sang-Wook Kim, and Weidong Wang, “Working Overtime in East Asia: Convergence or Divergence?,” *Journal of Contemporary Asia*, Vol. 46, No. 4 (2016), 700 – 722; Annette Bernhardt, Ruth Milkman, Nik Theodore et al., “Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in American Cities,” UCLA: IRLE Reports (2009); Jochelle Mendonca [“Infosys faces lawsuit in US for ‘not paying overtime’,”](#) *The Economic Times*, Sept. 10, 2018, (Accessed April 2, 2019); Donna Ferguson, [“‘I will never return to teach in England’: the UK teachers finding refuge abroad,”](#) *The Guardian*, Oct. 2, 2018, (Accessed April 2, 2019); Dhara Ranasinghe, [“Culture of Long work hours entrenched in Asia banks: report,”](#) *CBNC*, Aug. 27, 2013, (Accessed April 2, 2019).

<sup>9</sup> 40 hours per week isn’t necessarily the most efficient or desirable either. Some have argued that a four day or roughly 30-hour workweek is ideal. See for example, Charlotte Graham-McLay, [“A 4-day Workweek? A Test Run Shows a Surprising Result,”](#) *The New York Times*, July 19, 2018, (Accessed May 14, 2019).

<sup>10</sup> See for example, Makoto Kumazawa, *Portraits of the Japanese Workplace: Labor Movements, Workers, and Managers* (Boulder, CO: Westview Press, 1996); Yoichi Shimada, “Working Hour Schemes for White-Collar Employees in Japan,” *Japan Labor Review*, Vol. 1, (2004), 48; Naoki Kondo and Juhwan Oh, “Suicide and *Karoshi* (death from overwork) during the recent economic crisis in Japan: the impacts, mechanisms and political responses,” *Japan Epidemiol Community Health*, Vol. 64; No. 8 (Aug. 2010), 649. Uptin Saiidi, [“Japan has some of the longest working hours in the world. It’s trying to change,”](#) *CNBC*, Feb. 19, 2019, (Accessed April 2, 2019).

<sup>11</sup> My argument is in line with earlier scholarship on this subject. See for instance, Tetsuro Kato, “The Political Economy of Japanese “*Karoshi*” (Death from Overwork),” *Hitotsubashi Journal of Social Studies*, Vol. 26, No. 2 (December 1994), 41-54.

<sup>12</sup> Jeffrey W. Alexander, “Japan’s *hiropon* panic: Resident non-Japanese and the 1950s meth crisis,” *International Journal of Drug Policy*, Vol. 24 (2013), 239; See also P.B. High, *The Imperial Japanese Screen: Japanese Film Culture in the Fifteen Years War, 1931 – 1945* (Madison: University of Wisconsin Press, 2003).

- <sup>13</sup> “Over 80% of Japan’s transportation firms violated overtime, other labor rules last year: labor ministry,” *The Japan Times*, Aug. 6, 2018, (Accessed May 14, 2019); Kyodo News, “Taxi Drivers Rally in Tokyo over working conditions,” *Japan Transportation Scan*, March, 4, 2004.
- <sup>14</sup> Takuya Izawa, “63 public teachers died from over work over ten years; experts call figure ‘tip of iceberg’,” *Mainichi Shimbun*, April 21, 2018, (Accessed May 14, 2019).
- <sup>15</sup> Jeffrey W. Alexander, “Medicating the salaryman lifestyle: fear-based marketing of liver stimulant drugs in postwar Japan,” *Japan Forum*, Vol. 27, No. 2 (2015), 134 – 135.
- <sup>16</sup> Alexander, “Medicating the salaryman lifestyle,” 134.
- <sup>17</sup> *Karoshi* refers to death induced by excessive stress, poor hygiene or nutrition, or other mental or physical strains related to work.
- <sup>18</sup> “Shūkyūhutsukasei no jittai,” *Yomiuri Shimbun*, January 7, 1973, 4.
- <sup>19</sup> The MITI survey covered variety of industries including but not limited to petroleum products, trading companies, paper producers, and automotive companies. “Shūkyūhutsukasei no jittai,” *Yomiuri Shimbun*, January 7, 1973, 4.
- <sup>20</sup> “Shūkyūhutsukasei kangaeru,” *Yomiuri Shimbun*, May 30, 1973, 28.
- <sup>21</sup> By golden eggs, he meant rare and precious finds. “Enma-sama Akubi: Yabuhairi, Shūkyūhutsuka no Gojisei deshite...,” *Asahi Shimbun*, January 17, 1973, 17.
- <sup>22</sup> “Shitetsu Asu Ryūichi Suto,” *Yomiuri Shimbun*, November 29, 1973, 2; “Sentei Suto Shuushuu,” *Yomiuri Shimbun*, December 12, 1973, 1.
- <sup>23</sup> Haruo Shimada, “The Japanese Labor Market After the Oil Crisis: A Factual Report (I),” *Keio Economic Studies*, Vol. 14, No. 1 (1977), 51.
- <sup>24</sup> “Shitetsu Asu Ryūichi Suto,” *Yomiuri Shimbun*, November 29, 1973, 2.
- <sup>25</sup> Shimada, “The Japanese Labor Market After the Oil Crisis,” 51. The annual unemployment rate continued to rise over the next decade. It peaked around 2.8 percent in 1987 before any substantial decline. Statistics Bureau of the Ministry of Internal Affairs and Communications (SBMIAC), “Unemployed Persons and Unemployment Rate by Age Group and Sex (1968 – 2010)”.
- <sup>26</sup> Shimada, “The Japanese Labor Market After the Oil Crisis,” 51 – 54.
- <sup>27</sup> “Shūkyūhutsukasei Shigeki,” *Asahi Shimbun*, January 6, 1973, 11.
- <sup>28</sup> “Mitsubishi, izubemo jishshi he: Toyota, Nissan Raigetsu ni ketsuron,” *Asahi Shimbun*, Jan. 31, 1973, 8.
- <sup>29</sup> *Asahi Shimbun*, February 27, 1973, 3; “Shūkyūhutsukasei kangaeru,” *Yomiuri Shimbun*, May 30, 1973, 28.
- <sup>30</sup> SBMIAC, “Monthly Hours Worked of Regular Employees by Industry”, (Accessed Feb. 19, 2019).
- <sup>31</sup> Service or mandatory overtime is unpaid extracurricular work. Louise Do Rosario, “Dropping in Harness,” *Far East Asian Review*, Apr. 25, 1991, 31; By the early 1990s, a typical Japanese worker was putting in around 350 hours of service overtime. Kumazawa, *Portraits of the Japanese Workplace*, 251.
- <sup>32</sup> SBMIAC, “Monthly Hours Worked of Regular Employees by Industry,” (Accessed Feb. 19, 2019).
- <sup>33</sup> According to official statistics on companies with 30 workers or more from the Ministry of Health, Labor, and Welfare, workers in the mining industry worked an average of 192 hours per month (48 hours per week) in 1973, 184.7 hours per month (46.175 hours per week) in

1975, and 187.8 hours per month (47.95 hours per week) in 1978. Auto workers put in 188.2 hours per month (47.05 hours per week) in 1973, 169.2 hours per month (42.3 hours per week) in 1975, 177.1 hours per month (44.28 hours per week) in 1978. While activists and scholars have called the veracity of reported working hours in to question for various industries, they have singled out financial service companies and banks as particularly egregious offenders. According to the same survey, the average worker at a financial services companies put in 158.4 hours per month (39.6 hours per week) in 1973, 157.1 hours per month (39.275 hours per week) in 1975, and 159.8 hours per month (39.95 hours per week) in 1978. SBMIAC, “[Monthly Hours Worked of Regular Employees by Industry](#),” (Accessed Feb. 19, 2019). However, individual accounts directly contradict this information. For example, at Fuji bank, according to Makoto Kumazawa’s research, there was substantial pressure not to report overtime in the 1970s. Kumazawa, *Portrait of a Japanese Workplace*, 220.

<sup>34</sup> Norman Pearlstine, “Japan’s Spring Labor Clash is Spawning Huge Pay Boosts Likely to Fuel Inflation,” *The Wall Street Journal*, Apr. 12, 1974, 12.

<sup>35</sup> See for instance, “*Shūkyūhutsukasei, ‘ashbumi’ tsuduku*,” *Asahi Shimbun*, April 10, 1978, 3.

<sup>36</sup> “*Sansei ha 64%: koumuin no Shūkyūhutsuka seiron chousa matomaru*,” *Asahi Shimbun*, January 16, 1977,

<sup>37</sup> “*Shūkyūhutsuka ashibumi tsuduku: Hukyou Kidukau keieisha*” *Asahi Shimbun*, April 10, 1978, 3; “*Shūkyūhutsuka 2 wari, 3 wari ga nikkyuu sei*,” *Yomiuri Shimbun*, July 23, 1978, 3. In the *Yomiuri* piece the author only specified the number of workers (*Roudousha*) that smaller firms had. They did not clarify whether the weekend would apply to all employees, only salarymen, etc. In the *Asahi* piece the author claimed that the survey they were referencing gathered the opinions from regular employees (*Jyouyou Roudousha*) or those who were working for a company for more than a month. Generally, articles referred to those companies with ten to twenty-nine employees as small, a few hundred or even as high as 999 employees as medium and those with more than a thousand as being large. See also, “*Chūshoukigyō no ‘hatarakigai’ wo ataeru taisaku*,” *Yomiuri Shimbun*, August 4, 1973, 8.

<sup>38</sup> “*Shūkyūhutsuka ashibumi tsuduku: Hukyou Kidukau keieisha*”; “*Shūkyūhutsuka 2 wari, 3 wari ga nikkyuu sei*,” 3.

<sup>39</sup> Union leaders frequently claimed that large wage increases were necessary to keep up with inflation. Likewise, government and business leaders pushed back against these demands claiming that increasing wages too much might spark more inflation. Pearlstine, “Japan’s Spring Labor Clash,” 12; Richard Holloran, “Pay Accord Ends Japan Rail Strike,” *The New York Times*, May 11, 1975, 9.

<sup>40</sup> By the end of the decade, some sectors like shipbuilding saw large scale layoffs. “Japan’s Labor Pacts to Seek Job Security Over Wage Increases,” *The Wall Street Journal*, March 6, 1979, 12.

<sup>41</sup> This article did not clarify how many employees qualified a company as large or medium. “*Shūkyūhutsuka, 2 wari, 3 wari ga nikkyūsei*,” *Yomiuri Shimbun*, July 23, 1978, 3.

<sup>42</sup> “*Eameru: Shūkyūhutsuka de Kinyou savoribyou*,” *Asahi Shimbun*, November 20, 1978, 15.

<sup>43</sup> “*‘Shūkyūhutsukasei’ Atamauchi*,” *Yomiuri Shimbun*, April 10, 1978, 3.

<sup>44</sup> By 1985, white-collar employees working at a firm with over one thousand employees did not receive pay for roughly thirty hours of overtime per month, whereas individuals at companies with one hundred to 999 workers were denied 25 hours of compensation. The



same went for those at smaller forms with 100 workers or less who were unpaid for 24 hours of overtime on average. Ministry of Internal Affairs and Communication, "Labour Force Survey and Survey on Wage Structure," as cited in Yoko Takahashi, "Unpaid Overtime for White-Collar Workers," Vol. 3, No. 3, *Japan Labor Review* (Summer 2006), 45. The author does not agree with the overall conclusions of the Takahashi piece and is only citing the statistical data on this page. Takahashi argued that workers are functionally being paid for the hours which are commonly referred to as unpaid or service overtime. The author contends that even considering the calculus in Takahashi's piece, the majority of workers are still underpaid and are forced to put in far too many hours overall.

<sup>45</sup> "Koumuin no Shūkyūhutsukasei: Shinchouron ga zokushutsu," *Asahi Shimbun*, February 10, 1978, 3. The volume that civil servants were working is not clear. Many government surveys are usually not distributed to government workers. At times, they are explicitly excluded. Rieko Nagamachi and Kazufumi Yugami, "The Consistency of Japan's Statistics on Working Hours, and an Analysis of Household Working Hours," Policy Research Institute, Ministry of Finance, *Public Policy Review*, Vol. 11, No. 4 (Sept. 2015), 627.

<sup>46</sup> "Gensokuron ha Sansei: Jisshi ha Shinchou ni," *Asahi Shimbun*, April 27, 1979, 3.

<sup>47</sup> "Shasetsu: 'Shūkyūhutsukasei' to Natsuyasumi no Teichaku he," *Asahi Shimbun*, June 2, 1979, 5.

<sup>48</sup> This death was reported by Hosokawa Migiwa who would later be a major activist on the Karoshi issue. Koji Morioka, "Work till you Drop," *New Labor Forum*, Vol. 13, No. 1 (Spring, 2004), 81.

<sup>49</sup> Katsuo Nishiyama and Jeffrey Johnson, "Karoshi—Death from Overwork: Occupational Health Consequences of Japanese Production Management," *International Journal of Health Services*, Vol. 27, No. 4 (1997), 627.

<sup>50</sup> Nishiyama and Johnson, "Karoshi—death from overwork, 628, 631; In 1981, organizations that spearhead the anti-karoshi movement formed, for example the Osaka Karoshi Problem Network. This organization consisted of lawyers, labor activists, families of karoshi victims and others. Morioka, "Work till you Drop," 83.

<sup>51</sup> Nishiyama and Johnson, "Karoshi—death from overwork, 627.

<sup>52</sup> See for example, "Karoshi wo kangaeru," *Asahi Shimbun*, Sept. 9, 1988, 15; Do Rasosio, "Dropping the Harness," 30-31; Kato, "The Political Economy of Japanese Karoshi," 44-45.

<sup>53</sup> Masahiro Okudaira, "Karoshi (Death From Overwork) from a Medical Point of View," *Japan Medical Association Journal*, Vol. 47, No. 5 (May, 2004), 206.

<sup>54</sup> Do Rasosio, "Dropping the Harness," 31.

<sup>55</sup> "Mother of Dentsu 'karoshi' victim feels betrayed by Abe's labor bills, *Asahi Shimbun*", June 23, 2018, (Accessed Mar 1, 2019); Tomoko Otake, "Families of 'karoshi' victims lambaste overtime cap recommendations as legalizing unhealthy working hours," *The Japan Times*, March 29, 2017, (Accessed March 1, 2019).

<sup>56</sup> Sachiko Kuroda, "Do Japanese Work Shorter Hours than Before? Measuring trends in market work and leisure using 1976-2006 Japanese time-use survey," *Journal of the Japanese and International Economies*, 24 (2010), 482. Implementation of a 5-day work week policy had some impact on officially reported average working hours for the period before the economic crash in 1992. For example, the average hours for all manufacturing sector companies with 30 or more employees dropped from 181.1 hours per month (roughly 45.28 hours per week)

in 1988 to 173.2 hours per month (roughly 43.25 hours per week) in 1991 and finance and insurance companies of the same size reported an average of 173 hours per month (roughly 43 hours per week) in 1988 and 164.4 hours per month (roughly 41.1 hours per week) in 1991. SBMIAC, "Monthly Hours Worked of Regular Employees by Industry." These improvements are contested. Kato, "The Political Economy of Karoshi."

<sup>57</sup> Sean Fleming, "This is how companies in Japan are fighting the country's sleeplessness epidemic," *World Economic Forum*, Jan. 11, 2019; Although a few companies have independently taken on limited reform. There is hardly a large-scale movement in this direction.

<sup>58</sup> C.H. Kwan, "[Revitalizing the Japanese Economy](#)," *The Brookings Institution*, June 1, 2000; James McBride and Beina Xu, "[Abenomics and the Japanese Economy](#)," *Council on Foreign Relations*, March 23, 2018, (Accessed May 14, 2019).

<sup>59</sup> "[The Challenges of Japan's Demography](#)," *The Economist*, Nov. 26, 2018, (Accessed May 14, 2019); Keiichi Kamei, "[Worker shortage in Japan to hit 6.4m by 2030, survey finds](#)," *Nikkei Asia Review*, Oct. 25, 2018. (Accessed May 14, 2019).

<sup>60</sup> The Abe administration has made some progress on this front but probably not enough to resolve the problem. Densie Couture, "[Facing Critical Labor Shortages, Japan Opens Door Wider to Foreign Workers](#)," *NPR*, Dec. 7, 2018, (Accessed May 14, 2019); Nyshka Chandran, "[Japan opens the door to more foreigners. That may not solve its labor woes](#)," *CNBC*, Dec. 12 2018, (Accessed May 14, 2019).

<sup>61</sup> "[Japan's cash-rich firms buying back shares, but tight on wages](#)," *The Japan Times*, Mar. 10, 2016, (Accessed May 14, 2019); Tetsushi Kajimoto and Izumi Nakagawa, "[Japanese firms offer smaller pay raises as economy wobbles](#)," *Reuters*, March 12, 2019, (Accessed May 14, 2019).

<sup>62</sup> Nishiyama and Johnson, "Karoshi—death from overwork, 628.

<sup>63</sup> "[Advertising Giant Dentsu Answers to Overwork Suicide, Promises Reform](#)," *NHK*, Sept. 26, 2017, (Accessed Apr. 26, 2019)

<sup>64</sup> Daisuke Kikuchi, "[At trial, Dentsu chief admits ad giant guilty of ignoring illegal levels of overtime](#)," *The Japan Times*, Sept. 22, 2017, (Accessed April 26, 2019)

<sup>65</sup> NHK, "Advertising Giant Dentsu Answers to Overwork Suicide."

<sup>66</sup> NHK, "Advertising Giant Dentsu Answers to Overwork Suicide."

<sup>67</sup> Kikuchi, "At trail, Dentsu chief admits ad giant guilty of ignoring illegal levels of overtime."; Taiga Uranaka, "[Japan's Dentsu gets only small fine for overtime breaches despite outcry](#)," *Reuters*, Oct 5, 2017, (Accessed April 26, 2019)

<sup>68</sup> "[Dentsu to pay employees ¥2.4 billion for overtime work after conviction for labor violations](#)," *The Japan Times*, (Accessed April 2, 2019); "[Dentsu to pay 2.4 billion yen to employees for overtime work](#)," *Kyodo News*, Nov. 28, 2017, (Accessed April 26, 2019); Michelle Toh, "[A Japanese company is coughing up \\$21 million in unpaid overtime](#)," Nov. 29, 2017, (Accessed April 26, 2019).

<sup>69</sup> Josie Cox, "[Japan names and shames companies putting employees at risk of death by overwork](#)," *The Independent*, May 12, 2017, (Accessed April 27, 2019).