

岐阜県で働くには

Employment Matters

1. 就労できる在留資格・仕事の見つけ方

(1) 就労できる在留資格

入国・在留を認められた外国人には在留資格が与えられます。原則として在留資格を確認し、活動内容、在留期間を確認しておきましょう。日本では就労できる在留資格とできない在留資格が決まっています。B-2「在留手続」で確認してください。

(2) 学生のアルバイト

大学等に在籍している留学生がアルバイトを行う場合は、資格外活動の許可を得る必要があります。「留学」の在留資格の場合は原則として1週 28 時間まで、「就学」の在留資格の場合は原則として1日 4 時間までアルバイトを行う事ができます。詳しくは各大学等の留学生担当課もしくは入国管理局にお問い合わせください。

(3) 学生が就職する場合

「留学」の在留資格を有する人のうち、大学院、大学、短期大学、高等専門学校に在籍する人は、その学歴が各在留資格で求める基準に適合する場合は、「技術」、「人文知識・国際業務」等の就労可能な在留資格に変更し、就職することができます。詳しくは入国管理局にお問い合わせください。

(4) 不法就労について

次に該当する場合は入管法上の不法就労活動に該当し、強制退去又は刑事罰の対象となります。また雇用主も罰せられます。

- a) 資格外活動の許可を得ずに働いた場合
- b) 就労できない在留資格で働いた場合
- c) 在留期間を超えて滞在し、働いた場合

1. Obtaining Working Visa Status and Job Hunting

(1) Working Visa Residential Status

Foreign nationals permitted to live in Japan will be given a residential status that defines the activities they are allowed to pursue during their stay. Make sure you are familiar with the information relating to your residential status and period of stay as stated on your visa. Since both *working* and *non-working* visas exist in Japan, please consult section *B-2* for more information regarding residential status.

(2) Student Part-time Jobs

Foreign students enrolled in Japanese universities must obtain an extra-visa activities permit if they wish to commence a part-time job. In principle, people on *Exchange Student* visas may work up to 28 hours per week and those on *Student* visas may work up to 4 hours per day. For more details, contact your university's exchange student office or the local immigration office.

(3) Graduates Seeking Work

Foreign nationals who possess *Exchange Student* visa status will most likely be enrolled at a graduate school, university, junior college or technical high school. If these people wish to seek employment upon graduation, they will need to switch their status to an employment field (relevant to their previous studies), which permits them to work in Japan. Some valid fields of employment include '*Technology*' and '*Specialist in Humanities and International Services*.' Contact the nearest immigration office for more information.

(4) Working Illegally in Japan

Since working illegally in Japan is a violation of local immigration laws, anyone caught may be subject to periodic detention or deportment from the country. Additionally, employers also run the risk of being charged. Those people corresponding to one or more of the following conditions are said to be working illegally:

- a) People on *non-working* visas who have not obtained permission to pursue extra-visa activities
- b) People whose residential status strictly forbids them from working
- c) People who continue working after their period of stay in Japan has expired

(5) 仕事の見つけ方

仕事を探したり、仕事について相談したいことがあるときは、公共職業安定所(ハローワーク)を利用してください。身分を証明するものとして「外国人登録証明書」を持参してください。

2. 通訳が配置されている公共職業安定所**ハローワーク岐阜**

岐阜市五坪町 1-9-1 岐阜労働総合庁舎内
TEL:058-247-2712
ポルトガル語 火曜日 13:00~17:00

ハローワーク大垣

大垣市藤江町 1-1-8
TEL:0584-73-9294
ポルトガル語 月曜日 13:00~17:00
木曜日 9:00~17:00

ハローワーク多治見

多治見市音羽町 5-39-1
TEL:0572-22-3384
ポルトガル語 火曜日 13:00~17:00

ハローワーク美濃加茂

美濃加茂市深田町 1-206-9
TEL:0574-25-2178
ポルトガル語 火曜日 8:30~11:30
金曜日 10:00~16:00

(5) Finding Employment

When you are looking for a job and need some extra assistance, the local Public Employment Security Office (*Hello Work*) is always available to help with your inquiries. Don't forget to take along your foreigner's registration card as proof of identity.

2. Public Employment Security Offices

Each of the below centers offer services in foreign languages.

Gifu City Public Employment Office (*Hello Work*)

1-9-1 Gotsubo-cho, Gifu city Gifu Labor Affairs Office
Phone: (058) 247 2712
Working hours:
Portuguese: Tuesday 1:00pm-5:00pm

Ogaki City Public Employment Office (*Hello Work*)

1-1-8 Fujie-cho Ogaki City
Phone: (0584) 73 9294
Portuguese: Monday 1:00pm-5:00pm
Thursday 9:00am-5:00pm

Tajimi City Public Employment Office (*Hello Work*)

5-39-1 Onba-cho, Tajimi City
Phone: (0572) 22 3384
Working hours:
Portuguese : Tues 1:00pm - 5:00pm

Minokamo City Public Employment Office (*Hello Work*)

1-206-9 Fukada-cho, Minokamo City
Phone: (0574) 25 2178
Working hours:
Portuguese: Tuesday 8:30am - 11:30am
Friday 10:00am - 4:00pm

3. 労働条件

労働契約を締結する時は、賃金・労働時間などの労働条件について明示（賃金については書面交付）しなければならないことになっています。使用者が労働契約を守らない場合、労働者は契約を解除できます。また、使用者に契約通りに実行するよう要求できます。

(1) 賃金

労働者に直接、通貨で全額を毎月 1 回以上決まった日に支払わなければならないことになっています。

(2) 労働時間

休憩時間を除き、全業種につき週 40 時間、1 日 8 時間以内です。また、休日は週 1 回以上与えられなければならないなりません。ただし、労使が協定を結ぶ特別な場合には、時間外・休日労働が認められ、時間外・休日労働については割り増し賃金を支払わなければならないなりません。

(3) 年次有給休暇

6ヶ月間継続勤務し、全労働日の8割以上勤務した者に対しては年次有給休暇を与える事とされています。

(4) 解雇

労働者を解雇する場合は、原則として 30 日前に予告しなければ、30 日分以上の平均賃金額（解雇予告手当）を支払わなければならないなりません。また、業務上負傷、もしくは疫病にかかり療養のため休業する期間及びその後 30 日間の解雇は禁止されています。

4. 仕事上のトラブルの相談

日本では国籍の違いを理由に、賃金や労働時間などについて差別する事は禁じられています。しかし外国人が増えるにつれて雇用主とのトラブルが目立ってきています。

日本では「労働基準法」に定められた労働者の権利が守られるように使用者を指導・監督するために各都道府県に労働局が設置されており、その下に各地域ごとに労働基準監督署が置かれています。

3. Working Conditions

Once you enter into an employment contract, you must make sure that details relating to wages, working hours and paid leave are clarified by the employer (wages in particular, must be specified in writing). If an employer violates the contract in any way, the employee may deem it null and void or demand the employer act according to its conditions.

(1) Wages

The employer must pay wages in full to the employee concerned. These wages should be paid in cash, at least once a month on a designated day.

(2) Working Hours

Full-time working hours are 40 hours a week, or up to 8 hours per day excluding break times. Additionally, employers are required by law to grant employees at least 1 day off per week. If both parties come to a mutual agreement however, overtime work and work during scheduled days off are permissible. In these cases, the employee must be paid additional wages to compensate.

(3) Annual Paid Leave

An employer must give annual paid leave to an employee who works for 6 months continuously and maintains an 80% attendance rate (or higher).

(4) Dismissal

In the event of dismissal, the employer must notify the employee of this decision 30 days in advance. If notice is not given in this time, the employee is entitled to at least 30 days average salary (also known as *dismissal allowance*). Furthermore, if an employee is continuously absent from work due to an injury or illness sustained at the workplace, an employer is prohibited from dismissing them whilst under medical treatment and 30 days after they have returned to work.

4. Consultations Regarding Work Related Problems

It is illegal to discriminate against people, be it through wages or working hours, on the basis of their nationality. With the recent increase of foreign nationals in Japan however, trouble with employers is becoming more and more prominent.

Japan has its own *labor standards legislation* that stipulates the rights of employees, as well as guidelines employers must follow when overseeing their workforces. This official document is available at labor affairs bureaus throughout Japan.

労働条件に関わる悩みを抱えている方は最寄りの労働基準局か労働基準監督署、または「日系人雇用サービスセンター」に相談してください。

岐阜労働局 労働基準部監督課

〒500-8723

岐阜市金竜町 5-13 岐阜合同庁舎

TEL: 058-245-8102

対応言語: ポルトガル語

受付時間: 月曜日 9:00~16:00

名古屋日系人雇用サービスセンター

〒460-0008 愛知県名古屋市中区栄 4 丁目 1 番地 1
中日ビル12階

TEL : 052-561-3781

対応言語: ポルトガル語・スペイン語・中国語・英語

受付時間: 月~金 9:30~12:00/13:00~16:30

(但し、スペイン語のみ木曜休み)

5. 仕事上の病気やケガ

労働者が業務上負傷したり、病気にかかった場合は、『労働者災害補償保険』から次の保険が給付されます。労災保険は労働者を雇っているすべての事業主がこの保険に加入しなければなりません。保険料は全額事業主が負担します。

(1) 保険給付の種類

- ◆療養補償…業務災害又は通勤災害による傷病により療養するときの治療費が補償されます。
- ◆休業補償…業務災害または通勤災害による傷病の療養のため労働する事ができず、賃金を受けられないときに支給金が支払われます。
- ◆傷害補償…治癒した時点で身体に傷害が残った場合、傷害の程度に応じて傷害補償金が支払われます。
- ◆遺族補償…労働者が死亡した場合、遺族に対して年金または一時金が支給されます。

If you are concerned about your current work conditions, you can contact the nearest labor standards office or labor affairs bureau for more information. Similarly, the *Employment Service Center for Japanese Descendants* is also available.

Gifu Labor Standards Office

5-13 Kinryu-cho, Gifu City 〒500-8723

Phone: (058) 245 8102

Language services: Portuguese

Working hours: Monday 9:00am – 4:00pm

Japanese Descendants Employment Service Center

12th Floor, Chunichi Building

4-1-1 Sakae, Naka-ku, Nagoya City 〒460-0008

Phone: (052) 561-3781

Language services: Portuguese, Spanish, Chinese & English

Working hours: Weekdays 9:30am – 12:00pm / 1:00pm – 4:30pm

(Spanish language service is not available on Thursdays)

5. Job Related Injuries and Illnesses

All employees are eligible for *workers' accident insurance*, should they sustain an injury or contract an illness while on the job. Employers are required by law to take out this insurance and ensure the prompt allocation of insurance benefits to employees concerned.

(1) Types of Insurance Benefits

- ◆ *Medical treatment compensation*: This insurance covers the costs of medical treatment for injuries or illnesses suffered on the job or during the commute to or from work.
- ◆ *Sick leave compensation*: This allowance will be paid to an employee during the time they are unable to perform their occupational tasks due to an injury or illness suffered in the workplace.
- ◆ *Injuries compensation*: In the event an employee is left with a permanent disability after receiving medical treatment, they will be entitled to an allowance corresponding to the severity of the disability.
- ◆ *Bereaved families' compensation*: If an employee dies as a result of an injury or illness suffered on the job, their bereaved family will be entitled to compensation in the form of a pension or lump sum payment.

- ◆ 葬祭料…労働者が死亡した場合、葬祭費用として一定額が支給されます。
- ◆ 介護…障害(補償)年金又は傷病(補償)年金受給者のうち第1級又は第2級の者であって介護を受けている場合に支払われます。
- ◆ 傷病補償…業務災害又は通勤災害による傷病が療養開始後1年6ヶ月を経過した日または同日後において、傷病が治っておらずまたその傷病による障害の程度が傷病等級に該当するとき補償金が支払われます。

(2) 雇用保険

労働者が失業した場合に、必要な給付を受けて再就職するまでの生活を安定させ再就職を促進することを目的とした制度です。在留資格が、永住、日本人の配偶者、定住者の方は雇用保険が適用されます。この保険料は事業主、労働者の双方が負担します。詳しくはお近くの公共職業安定所(ハローワーク)に相談してください。

- ◆ *Funeral expenses*: If an employee dies as a result of a workplace related incident, this insurance will contribute a specified amount to their funeral expenses.
- ◆ *Welfare and disability insurance*: This insurance is for people on a disability pension or injury and illness pension, who are currently receiving 1st or 2nd level nursing care.
- ◆ *Injury and illness compensation*: People who have not recovered from a workplace or commuting related incident after 18 months of medical treatment will be eligible for a compensation payout in accordance with the severity of their injury or illness.

(2) Employment Insurance

Employment insurance is a system that offers financial assistance to unemployed people while they are looking for their next job. This insurance applies to people who are permanent or fixed residents of Japan, or have Japanese spouses. The employee and their current employer both pay into this insurance. Contact *Hello Work* for more information regarding employment insurance.

源泉徴収

(1) 源泉徴収

源泉徴収は、雇用主である企業や個人事業者は法律で定められた手続に従って従業員の給与やボーナスから税金を「天引き」し、代わって納税するものです。

(2) 徴収方法

給与所得者は給与が支払われる時点で所得税が源泉徴収で天引きされています。雇用主は徴収した所得税を、原則として翌月の 10 日までに国に納付します。

(3) 年末調整

毎月徴収されている源泉徴収税額は、予定納税額であるため、年末に扶養家族数の確認、生命保険料や地震保険料の控除などを一括して行い納税額が決定されています。この決定額と源泉徴収額を比較し過不足額を精算します。

年末調整後、12 月 31 日までの間に子供が生まれたり保険に加入した場合、1 月末までに年末調整の再調整をすることができます。

これらの手続は雇用主が行います。変更があった場合は雇用主に届け出をしてください。

(4) 給与所得の源泉徴収票

所得税の 1 年分の合計と内訳を前年の「給与所得の源泉徴収票」として納税者に直接渡されます。これは 1 年間の所得や納税実績を証明する公式な書類となります。またビザの更新手続等の際に必要になります。大切に保管してください。

Withholding Tax at the Income Source

(1) Periodic Tax Deduction

Employers and private business owners are required by law to deduct taxes from employees' salaries and bonuses on a regular basis, which are in turn paid to the government.

(2) How Tax is Deducted

Every time income earners receive their salary, employers deduct a predetermined amount in order to cover income tax. Once tax has been deducted, employers are required to pay this amount to the government by the 10th of the following month.

(3) Year-end Tax Adjustments

The amount of money periodically deducted from employees' incomes is referred to as a *provisional* tax amount. At the end of each calendar year, the tax department checks whether there has been any changes to the status of each income earner. Some of these include changes to the number of family dependents and income deductions made for premiums for, e.g., life insurance and earthquake insurance. Once all of these factors have been assessed, a final tax amount is decided upon. This amount of tax is then compared to the provisional tax amount, whereupon outstanding balances can be paid or surplus money can be claimed as a tax refund.

In the event a childbirth or insurance enrolment occurs after December 31st, it is still possible to conduct an additional tax adjustment before the end of January the following year. Since employers carry out year-end tax adjustments, be sure to notify them of any change in circumstances as soon as possible.

(4) Income Tax Statements

Employers send out tax statements to their respective employees at the end of each year. These certificates verify the total amount of money withheld for tax purposes during that year, in addition to the final tax amount (determined after the year-end tax adjustment), which should be paid to the government. Take care of this document, since it will be required to perform other procedures including visa renewals.

源泉徴収票

Sample Tax Statement

Tax Statement Items (*Japanese pronunciation shown in parentheses*)

1. (*Jusho*): Address of recipient
2. (*Shimei*): Name of recipient
3. (*Shubetsu*): Job classification
4. (*Shiharai kingaku*): Amount paid
5. (*Kyūho shotoku koje go no kingaku*): Annual income after deductions
6. (*Shotoku koje no gaku no gokeigaku*): Total amount of salary deductions
7. (*Gensen choshu zeigaku*): Amount of income withheld at source
8. (*Koje taisho haigusha no umu tou*): Existence of spouse for whom deductions apply? Yes/No
9. (*Haigusha tokubetsu koje no gaku*): Total amount of special deductions for spouse
10. (*Fuyō shianzoku no kazu – haigusha wo nozoku*): Number of dependent relatives (excluding spouse)
11. (*Shogaisha no kazu – honninn wo nozoku*): Number of disabled dependents (excluding yourself)
12. (*Shakai hokenryo to no kingaku*): Total amount paid into social insurance
13. (*Seimei hokenryo no kojogaku*): Total amount of deductions for life insurance
14. (*Jishin hokenryo no kojogaku*): Total amount of deductions for earthquake insurance
15. (*Jutaku shakunyūkin to tokubetsu koje gaku*): Amount of special deductions for home loan purposes
16. (*Jutaku shakunyūkin to tokubetsu koje kano gaku*): Allowed amount of special deductions for home loan purposes
17. (*Kokuminnekinhokenryo to no kingaku*): National pension payment amount
18. (*Haigusha no gokei shotoku*): Total income of spouse
19. (*Kojin nenkin hokenryo no kingaku*): Total amount paid into pension system
20. (*Kyū Chōki songai hokenryo no kingaku*): Total amount paid in former long term non-life insurance premiums
21. (*Gaikokujin*): Foreign resident
22. (*Chūto shushoku / taishoku*): Employment / retirement during the year
23. (*Jūkyūsha seinengappi*): Date of Birth of the salary recipient
24. (*Jūsho / shozaichi – shiharaisha*): Address of employer
25. (*Shimei / meisho – shiharaisha*): Name and title of employer
26. (*Denwa bangō*): Phone number of employer