

Website Posting Standards for Employment Agencies

- (1) Agencies must be based in the Tokyo Metropolis.
- (2) Agencies must not have committed major legal violations in the past five years.
- (3) Agencies must not be groups whose main purposed is religious or political activities.
- (4) The representatives, board members, employees, other personnel or members of agencies must not be members of organized crime groups (this means members of organized crime groups as defined by the Tokyo Metropolitan Ordinance for Eliminating Organized Crime Groups (Tokyo Metropolitan Ordinance No. 54, 2011), Article 2, Items 2 and 3, and individuals who are involved with organized crime groups as defined by Article 2, Item 4 of the same ordinance).
- (5) Agencies must not be behind in the payment of prefectural tax, consumption tax, and local consumption tax.
- (6) Agencies must not contradict public order and morals.
- (7) Agencies must not be operating businesses that are unfavorable to the development of young people.
- (8) Three years must have passed since the agency has obtained or applied for the authorization of business as an employment agency.
- (9) Agencies must comply with regulations (see the Appendix) related to the employment agency business.
- (10) Agencies must not have grounds to be disqualified from licensing requirements as an employment agency and must not have received administrative punishment (orders for business improvement and/or business suspension order) within the last three years.
- (11) Agencies must have signed five or more employment contracts* for global staff (as an average over the past three years).
- (12) Agencies must be able to handle employment placement at more than one overseas country (in the Asia region) (the aggregate can be calculated as a corporate unit)

*The contracts are limited to foreigners living outside of Japan who were newly employed by companies in Japan.

List of Regulations Related to the Employment Placement Business

Related to the Employment Security Act (ESA)

No.	Regulation	Details
1	ESA Article 32-11, Item 1, and Ministerial Ordinance Article 24-3	Agencies must not introduce employment related to harbor and construction work. (*Fee-based employment agencies only)
2	ESA Article 32-3 Items 1 and 2; Ministerial Ordinance Article 20 Items 1, 2, and 4; and Supplementary Provisions of the Act, Article 4	Agencies must not receive any costs, commissions, or compensation other than official fees and notification fees for employment placement with any name.
3	ESA Article 32-7, Item 1	When there are changes to specific items, agencies must submit notification within the specified period.
4	ESA Article 32-14	Agencies must assign personnel responsible for employment placement for each office.
5	ESA Article 32-15	Agencies must create and provide statutory books to each office.
6	ESA Article 44	Agencies must not conduct a labor supply business with the exception of the cases defined in Article 45.
7	ESA Article 51, Item 1	Agencies must not disclose "people's secrets" obtained during the course of the business operation to third parties.
8	ESA Article 65 (viii)	Agencies must not introduce employment through false advertising or conditions.
9	ESA Article 65 (ix)	Agencies must not introduce employment to factories with illegal labor conditions.
10	ESA Article 5-3 Items 1 and 2; and Ministerial Ordinance Article 4-2	Employers must clearly indicate their labor conditions to employment agencies. Further, employment agencies must clearly indicate labor conditions to job seekers.
11	ESA Article 32-13, Ministerial Ordinance Article 24-5	Employment agencies must promptly and clearly indicate the range of services they handle when receiving employment offer applications and job applications from employers and job seekers.
12	ESA Article 51, Item 2	Agencies must not disclose information, such as personal information or job seeker information, obtained during the course of business operations to other parties without appropriate reasons.

Related regulations

No	Regulation	Details
13	Personal Information Protection Law Article 23	Employers must not provide personal data to third parties without obtaining approval from the individual concerned.
14	Employment Countermeasures Act Article 10	Employers must not discriminate in employment advertisements and when employing based on age except in cases defined by the law.
15	Equal Employment Opportunity Act Article 5	Employers must not discriminate in employment advertisements and when employing based on gender except in cases defined by the law.
16	Labor Standards Act Article 24 (ESA Article 44)	Employers must pay wages directly to employees (in the case of indirect payments, it must not be a labor supply business. See No. 6)
17	Immigration Control and Refugee Recognition Act Article 73	Employers must not employ foreigners illegally.