

【Q】 I've never taken Annual Paid Holidays since I was assigned to the company. I asked the president that if I can take Annual Paid Holidays but the president said there are no Annual Paid Holidays for Technical intern trainees. Is it true?

【A】 The Labor Standards Law provides for an annual paid holiday system, which entitles workers to a certain amount of paid holiday time aside from national holidays, to maintain and cultivate the necessary workforce by allowing workers to recover from physical and mental fatigue, and to contribute to making their lives more comfortable. Workers are eligible for a paid holiday if they have worked continuously for a year (six months for the first year) with an attendance record of more than 80%. Those who satisfy this requirement receive 10 days of paid holiday time after the first six months. In the following fiscal year, they receive one paid holiday for each additional year of employment up to an employment period of two years and six months, and two paid holidays for each additional year of employment thereafter. In total, they are entitled to a maximum of 20 days of paid holiday time.

【Q】 Does Technical intern trainees have a right to take Annual Paid Holidays as same as Japanese workers?

【A】 Yes. Now, let's apply this system to you. Your labor relationship begins after you complete the orientation session you are required to attend upon arriving in Japan and are assigned to an implementing organization (workplace). If you are assigned to a workplace after one month of orientation, for example, you are entitled to 10 paid holidays seven months after arriving in Japan, provided you have achieved an attendance record of 80% or more in the previous six months. One year after that, or after one year and seven months of your arrival in Japan, you are entitled to a total of 11 paid holidays if you satisfy the above-mentioned employment requirement, and a total of 12 days after another year, or after two years and seven months of your arrival in Japan, again once you have satisfied the employment requirement.

【Q】 Can I take Annual Paid Holidays at any time freely?

【A】 Next, you need to know a little about some of the relevant stipulations of the Labor Standards Law in order to take a paid holiday. Basically, you are entitled to take a paid holiday at the time of your request. However, if the time you request it might hinder proper business operations, the workplace may grant you your request at a different time. This can be expected, for example, if you put in a request during the workplace's

most busy period, or if many technical intern trainees request a paid holiday at around the same time. Furthermore, if specified in your employment agreement, your workplace may have the right to decide when you may use your paid holiday time after the first five days.

【Q】 How should I understand wages during Annual Paid Holidays?

【A】 The wage you receive during your paid holiday may be one of three options specified in the Labor Standards Law: (1) average wage; (2) the same wage as you receive during normal working hours; or (3) an amount equivalent to the standard daily wage as provided by the Health Insurance Law. Your workplace will choose one of the above and pay you accordingly, upon providing relevant stipulations in the rules of employment or another equivalent document. In the case of (3), a labor agreement needs to be exchanged between you and your workplace.

As a rule, paid holidays may be taken by the day, but if specified in the labor agreement, they may be taken by the hour within a range of up to 5 days. Your workplace is responsible for managing your paid holidays, and does so based on a certain set of established rules. Therefore, when you wish to take a paid holiday, you should give due consideration to the rules prescribed by your workplace to avoid any problems. If you have any questions about the paid holiday system, ask your workplace or supervising organization. If you are not satisfied with the explanation you receive, feel free to contact JITCO's Native Language Consultation Hotline.