



## 6 Technical Intern Training - 'Trainee'

### 6-2 Treatment of trainees

#### (1) Issuance of treatment notification for trainees

Since there is no employment agreement for Technical Intern Trainees in effect during the training period, the Supervising Organization is required to provide Technical Intern Trainees, who have no income, with an allowance to cover living expenses. It is also required to provide accommodation free of charge. The Supervising Organization is required to notify the trainees of the amount of the allowance before they enter Japan.

Furthermore, since the Implementing Organization cannot issue orders to Technical Intern Trainees before a employment agreement is implemented, training activities must not be conducted on holidays on which there are no lectures or at night during the training period.

#### (2) Treatment during the training period of 'Technical Intern Trainee (Type 1b)' (except during the lecture period) and of 'Technical Intern Trainee (Type 2b)'

##### a. Clarifying technical intern training conditions

The Implementing Organization is required to provide necessary explanations of laws related to the Technical Intern Training Program to Technical Intern Trainees (Type 1), and provide the scheduled training content of 'Technical Intern Training (Type 1b)', as well as clarifying the labor conditions, etc. and period required for transition to 'Technical Intern Training (Type 2b)' in writing (both in Japanese and in the trainee's native language).

##### b. The appropriate execution of employment agreements

The Implementing Organization is required to create an employment agreement and attach a notification of labor conditions (in Japanese and the trainee's native language) and execute such an agreement in order to clarify the employment status of the trainee, the working hours, wages, and other labor conditions to prevent trouble in advance.

##### c. Working hours

In principle, the working hours of Technical Intern Trainees (Type 1 and Type 2) are to be as prescribed in the Labor Standards Act (8 hours per day, and a maximum of 40 hours per week). Should the Implementing Organization require a Technical Intern Trainee (Type 1 or Type 2) to work irregular hours or on holidays, it is obliged by law to fulfill labor agreements and pay overtime pay, etc.



### d. Proper payment of wages

The Implementing Organization must pay the full amount of the Technical Intern Trainee's wages directly to the trainee each month on the specified date. However, the following are examples of methods of payment other than direct payment; (a) bank transfer in accordance with a labor agreement, (b) agreement in writing by the individual trainee, (c) bank transfer to an account in the trainee's name at a financial institution specified by the trainee, (d) bank transfer to an account of a financial institution under the condition that a pay slip (wage statement) is attached. In addition, regarding deductions from wages, if deductions other than those prescribed by law are to be deducted, a labor agreement to the effect is required. In such circumstances, these can only be clearly identifiable expenses such as expenses for accommodation, etc. and should not exceed the actual amount.

Furthermore, wages must not be lower than the minimum wage prescribed by each prefecture. (Though the minimum wage for each prefecture is generally used as the standard, it must be noted there is also a minimum wage according to industry which may be used.)

### e. Compliance with labor related laws, etc.

Since all laws related to workers apply to Technical Intern Trainees, Implementing Organizations must comply with all laws relating to accepted Technical Intern Trainees, such as; Labor Standards Act, Industrial Safety and Health Act, Minimum Wage Act, Workmen's Compensation Insurance Act, Employment Insurance Act, Health Insurance Act, National Health Insurance Act, Employee's Welfare Pension Insurance Act, National Pension Act, etc.

Furthermore, labor related laws apply to Technical Intern Trainees in the same way as they do to ordinary Japanese employees.

### f. Safety, health and insurance

Since Technical Intern Trainees are unfamiliar with the Japanese language, culture and customs, it is important that their safety and health in the workplace and in everyday life is ensured to higher level than Japanese people.

Implementing Organizations have an obligation to ensure that Technical Intern Trainees return to their native countries and families without injury and in good health. To ensure this, it is necessary for the Implementing Organization to take measures to promote the prevention of accidents and industrial health centering on compliance with Industrial Safety and Health Act regulations.

In addition, Implementing Organizations are required to enter social insurance schemes such as Workers' Accident Compensation Insurance for accidents that might occur at work or while commuting to work, and health insurance schemes such as Health Insurance and Employee's Welfare Pension Insurance for everyday accidents, illness and disability compensation and bereaved family member compensation. It is also advisable



for Implementing Organizations to enter private insurance schemes. (JITCO has a technical intern trainee comprehensive insurance exclusively for Technical Intern Trainees.)

g. Discussions with labor unions

Since an organizations which is scheduled to accept Technical Intern Trainees will enter into an employment relationship, it is recommended that the Implementing Organization holds prior discussions with the relevant industrial union regarding the treatment of Technical Intern Trainees.