

Japan: Changes to Childcare and Caregiver Leave Laws

Japan's Child and Family Care Leave Act has undergone multiple revisions since 1991 to accommodate shifting work styles, the rise of dual-income households, and an aging population.

The latest amendments, effective April 1 and October 1, 2025, aim to strengthen support for employees balancing work with caregiving responsibilities. These changes are crucial as Japan faces a declining birth-rate and increasing elderly care demands.

Key Amendments

Childcare Leave Revisions (Effective April 1, 2025)

1. Expanded Eligibility for Child Nursing Leave

- Previously limited to parents of pre-elementary school children, eligibility now extends to parents of children up to third grade.
- Additional grounds for leave include classroom closures due to infections and attending school ceremonies.
- Renamed from “nursing leave” to “leave for nursing.”

2. Broader Overtime Work Restrictions

- Employees with pre-elementary school children can now request overtime work restrictions (previously limited to parents of children under three).

3. Telework as an Alternative to Shortened Work Hours

- Employees raising children under three years old can now choose telework instead of reduced work hours.

4. Expanded Public Disclosure of Male Childcare Leave Participation

- Employers with 300+ employees (down from 1,000) must publicly disclose male childcare leave participation rates annually.

5. Encouragement of Telework

- Employers must promote telework for employees raising children under three.

Further Childcare Leave Revisions (Effective October 1, 2025)

1. Flexible Work Arrangements for Childcare

- Employers must implement at least two of the following measures for employees raising young children:
 - Flexible work hours;
 - Telework;
 - In-house childcare facilities;
 - Additional childcare leave; or
 - Shortened work hours.

2. Employer Obligation to Discuss Work-Childcare Balance

- Employers must explain support systems and consult employees on their work-childcare balance plans.

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Nursing Care Leave Revisions (Effective April 1, 2025)

1. Expanded Eligibility

- Employers can no longer exclude employees with less than six months of service from taking nursing care leave.

2. Obligation to Inform Employees About Nursing Care Leave

- Employers must notify employees about available nursing care leave options and confirm their intent to use them.

3. Early Awareness Measures

- Employees must receive information on work-caregiving balance support by age 40.

4. Workplace Measures to Retain Caregiving Employees

- Employers must implement at least one of the following:
 - Training on nursing care leave;
 - Consultation systems for caregivers;
 - Case study sharing on caregiving leave usage;
 - Clear policies on promoting caregiving leave;

5. Encouragement of Telework for Caregivers

- Employers must facilitate telework for employees providing nursing care.

Employers must adapt to these expanded caregiving support obligations to ensure compliance and retain employees. Failure to comply could lead to corrective action or public disclosure of violations by the MHLW. By proactively updating policies and systems, companies can prevent workforce attrition and foster a more supportive work environment.

This is a high level general update only. Legal advice should be obtained on specific circumstances.