The Reform of Japan’s Migrant Workers Policy in 2019

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ABSTRACT
This study considers the problems in the Japanese employment sector and how Japan is used to overcome these problems by realizing its national interests which are used as a foreign policy. Employment is an object that needs to be given attention and training is done by Japan. Of course, this is very useful to improve the quality of the performance of the workers in order to produce something more efficiently. This article aims to increase understanding of the Japanese employment system and how to protect foreign workers who work there. This research is very important because of the many cases of injustice that threaten foreign workers in a country that is not their home country. Through the concept of national interest and foreign policy, the author intends to analyze how Japan protects its foreign workers from this point of view. The results showed that the efforts made by Japan were beneficial in obtaining quality human resources and improving the quality of their production. The research findings above show that Japan is a country that is very focused on the quality of its production, which can be seen in the policies it makes.

Keywords: Specific Skilled Workers, Immigration Supervision Act, Foreign Workers, Economy, National Interest, Foreign Policy.

1. INTRODUCTION

Japan is an example of a country that considers labor to be an important element for its country. The declining population in this country from 2010 to 2015 was around one million people, then in 2017, it was reduced by around 227,000 people. This is coupled with the fact that the number of unproductive age population aged 65 years and over has reached 27% and is predicted to continue to grow until 2050 by 40% [1]. It can be concluded that Japan is experiencing a shortage of productive human resources which makes this country have a shortage of workers in the manufacturing sector. It is not only the disparity between the number of workers and the availability of employment that is a problem in employment in Japan, but also the existence of several national offices. The rights of workers in Japan are also limited, especially for foreign workers. Foreign workers in Japan get inequality in obtaining their rights as workers. Often, they are treated unfairly, such as the provision of salaries that are not up to standard, certain restrictions exist, do not get the right to express opinions, and so on. It is these inequalities that then make Japan's productivity low.

The efforts made by Japan to overcome the problem of inequality are by making certain policies to reduce and overcome the impact of the lack of labor. One of the policies issued and implemented by Japan is a policy on the employment system. One of the policies concerning labor is the Labor Standard Acts of 1945 concerning employment conditions in Japan which are based on the basic principles of the articles contained in the Japanese constitution, particularly in articles 14 and 27 [2]. This law contained provisions on the protection of workers which then led Japan to a new employment system. Japan has set several regulations or work standards, such as the determination of working hours, holidays, wages, and other needs related to workforce empowerment in accordance with Roudoukjunbo. These rules are contained in the Law on Immigration and Refugee Supervision. The revision of the Law on Immigration Control on May 24, 2006, has resulted in Japan's new strategy in protecting the country from external threats such as terrorism and others.
As time goes by and for the sake of other Japanese interests, then set a Basic Policy and a Policy Procedure that has a policy regarding a new residence status for foreign workers called Specific Skilled Workers. The granting of this residence status is based on the results of the Amendment to the Immigration Control Act in April 2019 [2]. Amendments to the Indonesian Law bring fresh air to migrant workers in Japan who need job protection to support the quality and quantity of their work. With the new status of residence for these skilled workers, foreign workers in Japan can be inspired and become more enthusiastic to carry out "nova’s" against the speed of development of the times. In addition, this also encourages them to participate in social insurance programs which ultimately opens up job opportunities for anyone who has special skills. The results of the amendments to the Labor Act gave rise to a policy aimed at Japan to manage its foreign workers, namely by granting special visas to foreign nationals who have certain skills or what is called specifically skilled workers. There are certain conditions in order to meet the existing skill standards, Japan conducts a net by conducting an examination in accordance with the targeted field.

2. LITERATURE REVIEW

In helping to complete this paper and answering the formulation of the problem, the researcher uses concepts that are quite relevant. In order to get a better understanding of this article, the author uses the National Interest Concept and the Foreign Policy Concept.

2.1. National Interest Concept

The concept of national interest was first introduced by Hans J. Morgenthau. Morgenthau explained an important point in the national interest of every country, namely power. Regarding this matter, it is a factor that can establish and maintain control by one state over another which can be obtained through cooperation or coercion [3]. This concept explains that every country has the right to make decisions that support or benefit the country. Liberals refer to the national interest as a reference that rests on economic and market stability, not on the security of a country [4].

National interest is a general and most popular concept used in the process of analyzing issues in international relations. According to Morgenthau, Indonesia's national interest is the main pillar in his theory regarding real foreign and international politics [3]. In its application, the scope of coverage that can be achieved by the concept of national interest in a country must be in accordance with the capacity of that country.

This means that everything that is planned to achieve its national interests should not cause the country to suffer losses due to its inability to realize its national interests. The relationship between national interests and the interests of other countries in the world must also be adjusted where the state must have the ability or awareness in assessing and determining personal needs or interests while balancing the needs of other nations or what can be called prudently.

Kalevi Jaakko Holsti gave an explanation regarding the national interest that in general, includes the territorial integrity of a nation, independence, and national survival. According to Holst, national interests can be grouped into three. First, core values, something that is considered the most vital for the State and are related to the existence of a State. Second, middle-range objects, usually related to increasing the level of a country's economy, and thirdly, long-range goals, namely deals that are, for example, the desire to create peace and world order [5].

Basically, the national interest is a combination of several interests of each citizen in a country which is then accumulated into a state goal by increasing interaction with other countries. The national interest is based on a priority scale for each country, this is what makes the national interests of one country different from another, as well as how to realize the national interest that is easily attainable. The national interest of a country can be stimulated by the limitations that are currently being held by that country itself. These limitations can be in the form of a lack of qualified human resources or experts in their field which can hinder the country from meeting the country's needs. The concept of national interest is often interpreted as a goal that a country wants to achieve, both in the economic, military, and cultural fields. Basically, the goal to be achieved from the national interest of a nation is to advance, improve, and even develop the economic condition in its country. With the efforts made, such as improving the socio-economic welfare of the people in the long and short term.

Similarly, Japan is trying to convey and fulfill its national interests, namely in the economic sector. Japan's efforts to realize its national interest in the economic field, one of which is by making amendments to the Law on Immigration Supervision which tends to be pro-foreign workers. Seen from its perspective, the concept of national interest can be used as a tool to analyze a country's foreign political studies. Not only that, the second one acts as a parameter in the behavior and policies that have been set. Third, as validation or proof of foreign policy.

Through the amendments to the Law on Immigration Supervision, Japan paved the way for the country to improve the quality and quantity of the economy through...
the recruitment of specially skilled workers or skilled workers in order to be able to provide strategic posts. It is the amendment to the Immigration Inspection Law which will provide good feedback for Japan's labor system due to the quality process. This can then make Japan realize the national interest of its country through the recruitment of foreign workers.

2.2. Foreign Policy Concept

According to the Dictionary of International Relations, foreign policy or foreign policy is defined as a method or plan of action made by policymakers in a country in order to confront national or international police officers to achieve national targets. (Plano & Olton) Foreign policy is carried out by a country as a form of policy or reaction to other countries. With the existence of “international” conditions that are always changing according to the existing situation, the process of preparing foreign policies is always improved and adjusted.

There are other definitions of foreign policy submitted by several world figures such as Webber and Smith. According to them, foreign policy is a policy consisting of efforts to achieve targets, goals, decision-making, and attitudes that the state has received from the government which has made a major contribution in treating the external environment, not only but also by participating and monitoring the public outside environment [6].

Foreign policy has an important role in determining the goals that a country "wants to achieve" in an "international" scope. The foreign policy set by Japan in terms of employment, such as the revision of the Immigration Law, will certainly help this country in realizing its national goals. Because it has been mentioned above that every foreign policy set by a country contains national interests in it. This means that Japan will achieve national interests by establishing foreign policies that are in line with the national goals it wants to achieve.

3. RESEARCH METHODOLOGY

The method used to complete this research is the qualitative method. The qualitative method is a method used in research in the absence of a survey. This method requires relevant and reliable sources from official institutions, government outputs, and reliable international and local news sources, as well as national and international journals. So that in answering the problem formulation and providing a more detailed explanation of the written discussion topics, it will be explained in an explanatory manner. That is, by providing a complete description of the issues raised which are then tried to be analyzed using the theories and concepts that have been defined in the previous section. The data obtained to support this research is secondary data because it can be done through book study or other people or third parties. The method used to analyze data is inductive. This means that the data obtained will be collected and analyzed to test the theory.

4. RESULT & DISCUSSION

Revision or amendments to Japan’s Immigration Supervision Act in April 2019 was not without reason.

The existence of inaccuracies between the targets or goals to be achieved and the reality that occurs in different societies is a good reason for Japan to amend this law. Japan's employment condition continues to experience a decline in the number of trained or skilled workers, which makes Japan more focused on recruiting workers with certain skills. However, as it has been known, the ever-decreasing number of productive working Japanese population also has an impact on the decline or decrease in the number of specially skilled workers, causing an employment crisis and thus a decline in the level of the economy. The amendments to the Japanese Immigration and Surveillance Law were carried out for the following reasons:

4.1. Occurrence of National Discrimination against Foreign Workers

The large number of foreign workers who enter and work in Japan, of course, cannot easily be accepted by the entire population of Japan. The existence of policy changes in employment also often causes a commotion due to the workers' feeling of dissatisfaction with the policies that have been set. Even long before the existence of a system that regulates the world of employment, national affairs still often occur among the workforce, both local and foreign, old and young, and women and men. Basically, what happens in Japan is based on the level of education, where the male workforce is more than that of women. However, this status is not limited to only women, but up to citizenship status.

The arrival of foreign workers to work in Japan is not immediately welcomed by the company owners and local workers themselves because most Japanese people are unable or difficult to accept foreigners. The inability to speak the language and the lack of ability or proficient skills that are present in their field of work are often the reasons why foreign workers are far away and treated differently. In addition, in almost all aspects, foreign workers experience national problems, for example, the provision of wages or salaries for foreign workers is lower in number than local workers, of course, this is
burdensome for foreign workers because Japanese living costs are cheap. Not only that, but foreign workers also have limitations in terms of expressing opinions that are often ignored. From the point of view of international relations, the migrant worker also needs to be facilitated in their mobilization when crossing national borders (Nugrahaningsih, Alunaza, and Lutfie 2020).

An example of the deep-seated action by a foreign worker from Nepal, Bhupai Shrestha who has lived for 15 years in Japan and works as a lecturer at the university there. Shrestha, who lives in Tokyo's Suginami District, said in an interview with Kontan.co.id that it was difficult for him to get a permanent residence visa. Not only that, but he also received scrutiny treatment regarding place of residence, place for business, credit card application, even for expressing opinions on government policies and not having a vote [7]. In some cases, there is a negative perception among local residents towards migrant workers in Taiwan, one of which is related to the behavior and attitudes of workers in the public. Such as gathering and activities that result in public complaints (Maksum, Tsay, and Muhammad 2020).

It cannot be justified and justified by all the actions that support it. With the Amendment to the Japanese Immigration and Supervision Law, the discrimination against foreign workers can be reduced or even eliminated. This is because several regulations are resulting from amendments that support such as the salary rules that have been adjusted to the same standard based on the type of work, length of time worked, time off schedule, minimum wage, adequate skills, to a decent guarantee of life. It can be stated briefly that the amendment to the law means that holders of visas for Specific Skilled Workers can work in Japanese companies with the same rights and obligations as local workers [8]. Prior to the amendment of the Japanese Immigration Supervision Law, foreign workers received rights and benefits from their companies in the form of health care, pensions, compensation in case of work accidents, and employee benefits insurance which includes training to increase human capacity [9]. Obviously, these things did not exist prior to the amendment of the Japanese Immigration Control Act which resulted in the status of residence permits for Specific Skilled Workers. So that with the existence of a national amendment to foreign workers, it can be completed.

4.2. Lack of Expert Labor

As a country with the third-largest economy in the world, the shrinking population of Japan has caused this country to experience problems in the field of employment, namely the lack of a workforce. The lack of labor in this country is of course a serious problem because it has an impact on the production process which then relates to the economy. As a country with a good economic system, of course, labor is an important factor in realizing a 'one-of-a-kind' economy. The lack of a workforce in Japan is related to the low birth rate, high death rate, and education level. It is clear that the smaller the population, the higher the number of vacant posts that must fill the labor positions needed to fulfill the requirements. If the number of workers decreases, of course, this will have an impact on decreasing the quality and quantity of the economy. Expert workers are themselves defined as individuals or workers who have expertise in certain fields. Usually, these skilled workers get their expertise through courses or non-formal education, but there are also those through formal education such as surgeons, autopsy experts, and others [10].

For this reason, skilled labor is urgently needed to handle at least 14 industrial fields whose workforce needs will not be sufficient in the future. The 14 industrial sectors include nursing, building cleaning, material casting, industrial machinery manufacturing, information-related industry, electricity and electronics, construction, shipbuilding, car care, aviation, transportation, food and beverage food service [11].

Types of fields and jobs that usually require skilled personnel include designing, organizing, and supervising the construction, operation, and maintenance of machinery, maintenance in the manufacturing sector, including maintenance of equipment, facilities, and maintenance of the boarding house program.

Around 350 thousand quotas for foreign workers are needed to fill vacancies in job postings in Japan in accordance with the skills they have acquired for the next 5 years until 2024 [12]. The lack of a specifically skilled workforce in the Japanese economic sector then prompted Japan to then amend its National Law on Immigration Control by adding a new population visa which serves as a guarantee for skilled foreign workers to get skilled workers and have the same specific rights as local workers. Of course, the existence of this amendment makes it easier for foreign workers with specific skills to come to Japan. Considering that the positions available for skilled workers are an important sector in Japan and must be supported by qualified workers, of course this is the reason for Japan to update or amend its Constitutional Control Act.

Prior to the amendment of the Japanese Immigration Supervision Law, foreign workers often received national scrutiny, and other things that tended to be detrimental to them to the point of having difficulty in their daily needs,
such as finding a place to live, which of course will make their job difficult. Reset to work with existing risks. So that in addition to obtaining a quality workforce, the results of the amendments in the form of visas for specific Skilled Workers are also aimed at ensuring the safety and comfort of these workers in the future because they get the same rights as Japanese workers, so that they will be healthier and happier to work there. The existence of a visa on the date of the Specific Skilled Workers is what then makes changes to the employment system where previously there was no guarantee and justice for foreign workers. Migrant workers have now gone through a process such as equalizing the capabilities of local workers in their country (Yazid 2017).

The education level is also an important point regarding the shortage of skilled workers working in Japan. The lack of skilled labor can itself stem from “internal” problems experienced by Japan in the form of population decline and being filled with elderly residents. The population of the productive working-age population, which may be of limited education and basic capabilities, is able to compete with the quality of cash needed to meet the needs of the shortage of labor in order to increase the quality of productivity in comparison with the rest of the population. The following is a graph that can be used as an assessment of the birth rate of the population in Japan:

![Figure 1 Japan’s Population of Birth and Death Charts](image)

Based on the data from the graph above, it can be seen that in 1950, since the birth and death numbers of the Japanese population were produced, the death graph is much lower than the birth rate. Then in the last 10 years, namely in 2010 the red line which shows the number of deaths of the Japanese population has increased sharply. Meanwhile, the blue line which shows the number of births is decreasing and getting more and more prevalent, even the line is far below the number of deaths. The situation in Indonesia is in stark contrast to the condition in Japan at the beginning of the population data collection. This is certainly very influential for the future of the Japanese population [13].

The low birth rate coupled with the COVID-19 virus pandemic that killed some Japanese residents will certainly have an impact on the future, where until now the number of elderly people is significantly higher than the number of young people or the number of births. Japan's condition in the future can be expected to be full of the elderly due to the absence or low birth rate. The smaller the population, the more limited work opportunities or skills in doing appropriate work in order to achieve the target. The problem of lack of labor is also compounded by the Covid-19 pandemic which has affected the increase in the number of unemployed. The decline in the number of workers came mostly from the accommodation and restaurant service sector, which increased to 3.0 percent or 2.1 million from 420 thousand as of September 2020 [14]. The Covid-19 pandemic certainly affected foreign arrivals to Japan because they had to comply with proper protocol.

4.3. Japan’s Economic Stability

Economic stability is another factor behind the amendments to Japan's Constitutional Oversight Act. Because labor is an important factor that serves as an implementer or source of energy that can generate or assist the production process so that it continues to run according to the target. In other words, if you want to maintain or improve the economy, the availability of labor and security for the workforce must be good. Of course, this can be achieved if the problems that occur in the labor system, such as the lack of human resources as labor, so that the existence of national and local labor shortages, can be resolved.

This effort was carried out by Japan because it wanted to make a supply of sufficient and quality labor to increase productivity in economic growth and so that it was not threatened with a decline or what is called a recession. This recession can result in a decline in economic activity which causes the unemployment rate to increase, retail sales to slow down, and economic opportunities to become less. Therefore, labor is one component that has a role in increasing economic growth. Of course, it can become an obstacle or even cause a decrease if the workforce is not maximal, such as incompetence or even lack of labor resources. It is the lack of labor sources which then causes the production process to become inefficient. An increase in the number of workers can increase labor productivity which is the output per individual [15]. When economic conditions grow, the number of workers will also follow. Therefore, with the increase in labor productivity by increasing the number of workers, it can be one of the contributing factors in economic growth.
In order to maintain stability as well as to improve its quality, the process of recruiting its workforce must also be carried out with a good quality process by opening vacancies as wide as possible to all corners of the world. The existence of an amendment to the Japanese Immigration Supervision Law through the status of residence of workers with specific skills opens up opportunities for anyone who has an interest and expertise in the 14 sectors mentioned above, with a series of quality tests, Japan will be able to make this happen.

In order to know how the economic level of a country's Gross Domestic Product (GDP) is one of the indicators that can be used, GDP is essentially the result of the added value obtained from all business units in a country or can be called the final result of the value of goods and services obtained from the economy as a whole [16]. The GDP generated by Japan through goods and services produced mainly by world-renowned Japanese companies such as Sony, Toyota, Fuji, and others is the second-lowest in the world and the manufacturing industry is one of Japan's strengths [17]. Therefore, in order to achieve economic stability in Japan, it is necessary to increase GDP which is affected by the production process.

The graph of Japan's Gross Domestic Product (GDP) before 2019 in the image above shows that it experienced a fairly significant decline. Then in 2019 which is the year in which the Immigration Control Act was implemented, there has been an increase from 39,835,032 to 40,809,805 in 2019. However, in 2020 it experienced a decline which was the year the Covid-19 pandemic started which did not only hit Japan. However, almost all countries in the world are experiencing the impact of this pandemic.

The data shown in the bar chart above explains that Japan's GDP growth decreased even to -7.9% in July 2020, but then increased to 5.3% and can be said to be more than 2018 to 2019. Then for per capita income last reached 49,165,158 USD in 2020. The Japanese government announced a contraction in its economy marked by a negative 3.9 YoY (Year over Year) in the first quarter of 2021. Not only that, in quarter-to-quarter or QtQ (Quarter to Quarter) the total percentage of Japan's GDP fell 1.0% which is better than the initial reading of 1.3% and the expected median drop of 1.2% [18]. The new figures note that Japan's GDP reached minus 1.4% caused by consumer spending levels of more than half of GDP. Despite this, the export sector experienced an increase of 2.3% and is still at a positive value for the third quarter in a row, however, the growth rate is still sluggish due to a shortage of global conductors causing difficulties in the automotive sector [19].

The production process includes labor, which needs to be increased in terms of quantity and quality, especially since the COVID-19 pandemic killed the Japanese population so that human resources have decreased. Even the Bank of Japan stated that Japan will fail to achieve its inflation target in 2022 of 2%. Global economic uncertainty (considering that the COVID-19 pandemic has not yet ended) and the risk of imposing a consumer tax rising from 2% to 10% which will be enforced from the end of 2019 are the causes of this change [20]. So that it is used as one of Japan's efforts in realizing the economic stability of the country through the amendments to the Law on National Immigration Control as a guarantee and a series of rules to obtain quality workers according to their needs.

The desire to realize the country's stability in the economic sector has then prompted Japan to issue and stipulate the Amendment to the Law on Immigration of Grassroots Control as a form of foreign policy in which the status of skilled workers is the specific output. The Immigration Supervision Act is comprehensive about labor regulations as an aspect that plays a role in helping to improve the quality of human resources as skilled workers. It is this skilled workforce who then plays an important role in the economic process because they are...
actors who cover important sectors and carry out their duties in achieving these national interests. The existence of sufficient and qualified labor will then help increase productivity in Japan's economic growth. In order to achieve this national interest, Japan then made an Amendment to the National Immigration Law with the status of a residence permit for Specific Skilled Workers as a foreign policy.

5. CONCLUSION

Labor is one part that plays an important role in improving the quality of the economy in a country. Because of that, Japan, as one of the countries with a great economy in the eyes of the world, wants to continue to maintain or even improve the quality of its country. It has a system of hard, fast, and good work that has made Japan a great industrial country. However, it is possible for Japan to experience various employment problems. Because of that, Japan made an amendment to the law on Supervision and Immigration in 2019 which resulted in a visa for Specific Skilled Workers which was caused by a lack of skilled labor, the existence of a national foreign workforce, and economic stability.

The lack of skilled labor certainly hampers the production process. The existence of this amendment has given birth to a new policy that opens up as many opportunities as possible for the world's population to be able to work in accordance with their respective fields of expertise. Not only that but also get employment guarantees so that it attracts the interest of job seekers. Through this amendment, foreign workers have the same rights as local workers. So that there is no longer any form of discrimination against foreign workers. Then, visas for workers with specific skills will help Japan meet the needs of workers who have an important role in Japan's economic stability so that Japanese economic stability can be improved and/or improved. This article explains that the Amendment to the Japanese Immigration Supervision Law has resulted in the issuance of a visa on behalf of the nation's Special Skilled Workers as a solution to overcome existing problems and achieve the nation's national goal in the form of economic welfare for the country. Therefore, this policy is made as a foreign policy that is engaged in the employment sector in order to realize the national interest.

REFERENCES


