

# 職業安定法

## Employment Security Act

(昭和二十二年十一月三十日法律第四百十一号)  
(Act No. 141 of November 30, 1947)

### 第一章 総則

#### Chapter I General Provisions

(法律の目的)

(Purpose of the Act)

第一条 この法律は、労働施策の総合的な推進並びに労働者の雇用の安定及び職業生活の充実等に関する法律（昭和四十一年法律第三百三十二号）と相まって、公共に奉仕する公共職業安定所その他の職業安定機関が関係行政庁又は関係団体の協力を得て職業紹介事業等を行うこと、職業安定機関以外の者の行う職業紹介事業等が労働力の需要供給の適正かつ円滑な調整に果たすべき役割に鑑みその適正な運営を確保すること等により、各人にその有する能力に適合する職業に就く機会を与え、及び産業に必要な労働力を充足し、もつて職業の安定を図るとともに、経済及び社会の発展に寄与することを目的とする。

Article 1 The purpose of this Act is, together with the Act on Comprehensive Promotion of Labor Policies, Stability of Employment of Workers and Enhancement of Vocational Life (Act No. 132 of 1966), to give every person the opportunity to obtain a job suited to their abilities and to give industry the workforce it needs by enabling public employment security offices and other such employment security organizations serving the public to provide things such as employment placement services with the cooperation of related administrative authorities and related organizations, by ensuring appropriate operation of employment placement service by persons other than employment security agencies in consideration of the role that these services are to play in the appropriate and smooth coordination of supply and demand in the workforce, and in other ways, thereby both ensuring employment security and contributing to economic and societal development.

(職業選択の自由)

(Freedom of Choice in Employment)

第二条 何人も、公共の福祉に反しない限り、職業を自由に選択することができる。

Article 2 Every person has the right to freely choose a job, so long as this does not conflict with the public welfare.

(均等待遇)

(Equal Treatment)

第三条 何人も、人種、国籍、信条、性別、社会的身分、門地、従前の職業、労働組合の組合員であること等を理由として、職業紹介、職業指導等について、差別的取扱を受けることがない。但し、労働組合法〔昭和二十四年六月法律第一七四号〕の規定によつて、雇用主と労働組合との間に締結された労働協約に別段の定のある場合は、この限りでない。

Article 3 No person is treated discriminatorily in terms of things such as employment placement or vocational guidance on the grounds of race, nationality, creed, sex, social status, family origin, previous profession, labor union membership, or any other such characteristic; provided, however, that this does not apply if otherwise provided in a collective agreement entered into between an employer and a labor union in accordance with the Labor Union Act (Act No. 174 of June, 1949).

(定義)

(Definitions)

第四条 この法律において「職業紹介」とは、求人及び求職の申込みを受け、求人者と求職者との間における雇用関係の成立をみつせんすることをいう。

Article 4 (1) The term "employment placement" as used in this Act means taking applications to post job openings and job-search applications, and acting as an intermediary to establish employment relationships between job posters and job seekers.

② この法律において「無料の職業紹介」とは、職業紹介に関し、いかなる名義でも、その手数料又は報酬を受けないで行う職業紹介をいう。

(2) The term "free employment placement" as used in this Act means employment placement conducted without receiving a commission or other compensation for it, regardless of what it is called.

③ この法律において「有料の職業紹介」とは、無料の職業紹介以外の職業紹介をいう。

(3) The term "paid employment placement" as used in this Act means employment placement other than free employment placement.

④ この法律において「職業指導」とは、職業に就こうとする者に対し、実習、講習、指示、助言、情報の提供その他の方法により、その者の能力に適合する職業の選択を容易にさせ、及びその職業に対する適応性を増大させるために行う指導をいう。

(4) The term "vocational guidance" as used in this Act means guidance provided to job seekers to make it easier for them to choose jobs that are suited to their abilities and to increase their adaptability to those jobs, by implementing practical training or courses, by providing instructions, advice, or information, or by other such means.

⑤ この法律において「労働者の募集」とは、労働者を雇用しようとする者が、自ら又は他人に委託して、労働者となろうとする者に対し、その被用者となることを勧誘することをいう。

- (5) The term "worker recruitment" as used in this Act means seeking to employ a worker soliciting aspiring workers to become its employees, either directly or through a third party.
- ⑥ この法律において「募集情報等提供」とは、労働者の募集を行う者若しくは募集受託者（第三十九条に規定する募集受託者をいう。以下この項、第五条の三第一項及び第五条の四第一項において同じ。）の依頼を受け、当該募集に関する情報を労働者となろうとする者に提供すること又は労働者となろうとする者の依頼を受け、当該者に関する情報を労働者の募集を行う者若しくは募集受託者に提供することをいう。
- (6) The term "providing recruitment/candidate information" as used in this Act means providing information on worker recruitment to an aspiring worker at the request of a person recruiting workers or a commissioned recruiter (meaning a commissioned recruiter as provided in Article 39; hereinafter the same applies in this paragraph, Article 5-3, paragraph (1), and Article 5-4, paragraph (1)), or providing information on an aspiring worker to a person recruiting workers or a commissioned recruiter, at the request of the aspiring worker.
- ⑦ この法律において「労働者供給」とは、供給契約に基づいて労働者を他人の指揮命令を受けて労働に従事させることをいい、労働者派遣事業の適正な運営の確保及び派遣労働者の保護等に関する法律（昭和六十年法律第八十八号。以下「労働者派遣法」という。）第二条第一号に規定する労働者派遣に該当するものを含まないものとする。
- (7) The term "worker supply" as used in this Act means having a worker work under the direction and orders of another person based upon a supply contract, and does not include anything that constitutes worker dispatch as provided in Article 2, item (i) of the Act on Securing the Proper Operation of Worker Dispatching Services and Protecting Dispatched Worker (Act No. 88 of 1985; hereinafter referred to as the "Worker Dispatching Act").
- ⑧ この法律において「特定地方公共団体」とは、第二十九条第一項の規定により無料の職業紹介事業を行う地方公共団体をいう。
- (8) The term "specified local public entity" as used in this Act means a local public entity that provides free employment placement services pursuant to the provisions of Article 29, paragraph (1).
- ⑨ この法律において「職業紹介事業者」とは、第三十条第一項若しくは第三十三条第一項の許可を受けて、又は第三十三条の二第一項若しくは第三十三条の三第一項の規定による届出をして職業紹介事業を行う者をいう。
- (9) The term "provider of employment placement services" as used in this Act means a person that provides employment placement services after either being licensed as referred to in Article 30, paragraph (1) or Article 33, paragraph (1) or filing the notification under Article 33-2, paragraph (1) or Article 33-3, paragraph (1).
- ⑩ この法律において「労働者供給事業者」とは、第四十五条の規定により労働者供給事業を行う労働組合等（労働組合法による労働組合その他これに準ずるものであつて

厚生労働省令で定めるものをいう。以下同じ。)をいう。

(10) The term "provider of worker supply services" as used in this Act means a labor union or equivalent entity (meaning a labor union under the Labor Union Act or other entity equivalent thereto that is provided for by Order of the Ministry of Health, Labour and Welfare; the same applies hereinafter) that provides the worker supply services pursuant to the provisions of Article 45.

⑩ この法律において「個人情報」とは、個人に関する情報であつて、特定の個人を識別することができるもの（他の情報と照合することにより特定の個人を識別することができることとなるものを含む。）をいう。

(11) The term "personal information" as used in this Act means information concerning an individual, from which a specific individual can be identified (including information from which a specific individual can be identified when cross-checked against other information).

(政府の行う業務)

(Operations of the Government)

第五条 政府は、第一条の目的を達成するために、次に掲げる業務を行う。

Article 5 The government undertakes the following operations in order to accomplish the purpose referred to in Article 1:

一 労働力の需要供給の適正かつ円滑な調整を図ること。

(i) ensuring the appropriate and smooth coordination of workforce supply and demand;

二 失業者に対し、職業に就く機会を与えるために、必要な政策を樹立し、その実施に努めること。

(ii) establishing and endeavoring to implement the necessary policies to give the unemployed opportunities to obtain jobs;

三 求職者に対し、迅速に、その能力に適合する職業に就くことをあつせんするため、及び求人者に対し、その必要とする労働力を充足するために、無料の職業紹介事業を行うこと。

(iii) providing free employment placement services to help job seekers promptly obtain jobs that are suited to their abilities and to give job posters the workforce that they need;

四 政府以外の者（第二十九条第一項の規定により無料の職業紹介事業を行う場合における特定地方公共団体を除く。）の行う職業紹介、労働者の募集、募集情報等提供事業、労働者供給事業又は労働者派遣法第二条第三号に規定する労働者派遣事業及び建設労働者の雇用の改善等に関する法律（昭和五十一年法律第三十三号。以下「建設労働法」という。）第二条第十項に規定する建設業務労働者就業機会確保事業（以下「労働者派遣事業等」という。）を労働者及び公共の利益を増進するように、指導監督すること。

(iv) providing guidance and supervision for employment placement, worker recruitment, the services of providing recruitment/candidate information, the

worker supply services, and the worker dispatch services that are provided for in Article 2, item (iii) of the Worker Dispatching Act and the services to secure employment opportunities for construction workers that are provided for in Article 2, paragraph (10) of the Act on Improvement, etc. of Employment of Construction Workers (Act No. 33 of 1976; hereinafter referred to as the "Construction Work Act") (hereinafter referred to as "worker dispatch and construction worker services") that is done by persons other than the government (this excludes specified local public entities carrying out free employment placement services pursuant to the provisions of Article 29, paragraph (1)), in a way that promotes the interests of workers and the public;

五 求職者に対し、必要な職業指導を行うこと。

(v) providing job seekers with the necessary vocational guidance;

六 個人、団体、学校又は関係行政庁の協力を得て、公共職業安定所の業務の運営の改善向上を図ること。

(vi) improving the management of operations at public employment security offices, with the cooperation of individuals, organizations, schools, and related administrative authorities; and

七 雇用保険法（昭和四十九年法律第百十六号）の規定によつて、給付を受けるべき者について、職業紹介又は職業指導を行い、雇用保険制度の健全な運用を図ること。

(vii) providing employment placement or vocational guidance for persons who are entitled to receive benefits pursuant to the provisions of the Employment Insurance Act (Act No. 116 of 1974), and ensuring the sound operation of the employment insurance system.

（職業安定機関と特定地方公共団体等の協力）

(Cooperation of Employment Security Agencies and Specified Local Public Entities)

第五条の二 職業安定機関及び特定地方公共団体、職業紹介事業者又は労働者供給事業者は、労働力の需要供給の適正かつ円滑な調整を図るため、雇用情報の充実、労働力の需要供給の調整に係る技術の向上等に関し、相互に協力するように努めなければならない。

Article 5-2 (1) Employment security organization, specified local public entities, providers of employment placement services, and providers of worker supply services must endeavor to cooperate with one another with respect to things such as enhancing employment information and improving the technology for coordinating workforce supply and demand, in order to ensure the appropriate and smooth coordination of workforce supply and demand.

② 公共職業安定所及び特定地方公共団体又は職業紹介事業者は、求職者が希望する地域においてその能力に適合する職業に就くことができるよう、職業紹介に関し、相互に協力するように努めなければならない。

(2) Public employment security offices, specified local public entities, and providers of employment placement services must endeavor to cooperate with one another with respect to employment placement, in order to enable job seekers to obtain jobs that are suited to their abilities in the geographic areas where they wish to work.

(労働条件等の明示)

(Explicitly Indicating the Working Conditions)

第五条の三 公共職業安定所、特定地方公共団体及び職業紹介事業者、労働者の募集を行う者及び募集受託者並びに労働者供給事業者は、それぞれ、職業紹介、労働者の募集又は労働者供給に当たり、求職者、募集に応じて労働者になろうとする者又は供給される労働者に対し、その者が従事すべき業務の内容及び賃金、労働時間その他の労働条件を明示しなければならない。

Article 5-3 (1) In carrying out employment placement, a public employment security office, specified local public entity, or provider of employment placement services must explicitly indicate to a job seeker the substance of the work in which that person is to engage, and other their working conditions such as wages and working hours; in carrying out worker recruitment, a person recruiting workers or commissioned recruiter must explicitly indicate these things to an aspiring worker; and in carrying out worker supply, provider of worker supply services must indicate these things to a person to be supplied.

② 求人者は求人者の申込みに当たり公共職業安定所、特定地方公共団体又は職業紹介事業者に対し、労働者供給を受けようとする者はあらかじめ労働者供給事業者に対し、それぞれ、求職者又は供給される労働者が従事すべき業務の内容及び賃金、労働時間その他の労働条件を明示しなければならない。

(2) In apply to post a job opening, a job poster must explicitly indicate to a public employment security office, specified local public entity, or provider of employment placement services the substance of the work in which the job seeker would engage, as well as the wages, working hours, and other such conditions; a person seeking to have a worker supplied must explicitly indicate to a provider of worker supply services the substance of the work in which the worker to be supplied would engage, as well as the wages, working hours, and other such conditions, in advance.

③ 求人者、労働者の募集を行う者及び労働者供給を受けようとする者（供給される労働者を雇用する場合に限る。）は、それぞれ、求人者の申込みをした公共職業安定所、特定地方公共団体若しくは職業紹介事業者の紹介による求職者、募集に応じて労働者になろうとする者又は供給される労働者と労働契約を締結しようとする場合であつて、これらの者に対して第一項の規定により明示された従事すべき業務の内容及び賃金、労働時間その他の労働条件（以下この項において「従事すべき業務の内容等」という。）を変更する場合その他厚生労働省令で定める場合は、当該契約の相手方となろうとする者に対し、当該変更する従事すべき業務の内容等その他厚生労働省令で定め

る事項を明示しなければならない。

(3) If a job poster seeks to enter into a labor contract with a job seeker to whom it has been introduced by the public employment security office, specified local public entity, or provider of employment placement services with which it applied to post a job opening, if a person recruiting workers seeks to enter into a contract with an aspiring worker, or if a person seeking to have a worker supplied to it (but only if it will employ the worker who is supplied to it) seeks to enter into a contract with a worker who is supplied to it; and changes the substance, the wages, working hours, or other working conditions of the work in which the relevant person would engage (hereinafter referred to as the "substance of the job or work to be engaged in" in this paragraph) that have been explicitly indicated to that person pursuant to the provisions of paragraph (1), or in any other case prescribed by Order of the Ministry of Health, Labour and Welfare, it must explicitly indicate to the person seeking to be the other party to the contract the substance of the job or work to be engaged in that it is changing and the other particulars specified by Order of the Ministry of Health, Labour and Welfare.

④ 前三項の規定による明示は、賃金及び労働時間に関する事項その他の厚生労働省令で定める事項については、厚生労働省令で定める方法により行わなければならない。

(4) With respect to the particulars of wages and working hours and the other particulars prescribed by Order of the Ministry of Health, Labour and Welfare, Labour and Welfare, an explicit indication under the preceding three paragraphs must be made by employing a method by Order of the Ministry of Health, Labour and Welfare.

(求職者等の個人情報の取扱い)

(Handling of the Personal Information of Job Seekers and Prospective Workers)

第五条の四 公共職業安定所、特定地方公共団体、職業紹介事業者及び求人者、労働者の募集を行う者及び募集受託者並びに労働者供給事業者及び労働者供給を受けようとする者（次項において「公共職業安定所等」という。）は、それぞれ、その業務に関し、求職者、募集に応じて労働者になろうとする者又は供給される労働者の個人情報（以下この条において「求職者等の個人情報」という。）を収集し、保管し、又は使用するに当たっては、その業務の目的の達成に必要な範囲内で求職者等の個人情報を収集し、並びに当該収集の目的の範囲内でこれを保管し、及び使用しなければならない。ただし、本人の同意がある場合その他正当な事由がある場合は、この限りでない。

Article 5-4 (1) In collecting, retaining, and using the personal information of a job seeker, aspiring worker, or worker that is being supplied (hereinafter referred to as the "personal information of a job seeker, etc." in this Article) with respect to their operations, a provider of employment placement services or job poster; a person recruiting workers or commissioned recruiter; or a provider of worker supply services or a person seeking to have a worker

supplied to it (hereinafter referred to as a "public employment security office or other such person" in the following paragraph) must collect the personal information of a job seeker, etc. within the scope of what is necessary for it to achieve the purpose of its operations, and must retain and use this information within the scope of the purpose of the collection; provided, however, that this does not apply if it has the consent of the person concerned or if there are other justifiable reasons for it to do otherwise.

2 公共職業安定所等は、求職者等の個人情報 を適正に管理するために必要な措置を講じなければならない。

(2) A public employment security office, etc. must take the necessary measures to appropriately manage the personal information of a job seeker, etc.

(求人 の 申込み)

(Applying to Post a Job Opening)

第五 条 の 五 公共職業安定所、特定地方公共団体及び職業紹介事業者は、求人 の 申込みは全て受理しなければならない。ただし、次の各号のいずれかに該当する求人 の 申込みは受理しないことができる。

Article 5-5 (1) A public employment security office, specified local public entity, or provider of employment placement services must accept all applications to post job openings; provided, however, that it may reject an application falling under any of the following items:

一 その内容が法令に違反する求人 の 申込み

(i) an application to post a job opening whose substance violates a law or regulation;

二 その内容である賃金、労働時間その他の労働条件が通常 の 労働条件と比べて著しく不相当であると認められる求人 の 申込み

(ii) an application to post a job opening for which the wages, working hours, or other such working conditions that constitute its substance are found to be remarkably inappropriate in comparison with ordinary working conditions;

三 労働に関する法律の規定であつて政令で定めるものの違反に関し、法律に基づく処分、公表その他の措置が講じられた者（厚生労働省令で定める場合に限る。）からの求人 の 申込み

(iii) an application to post a job opening that is from a person that has become subject to a disposition, public announcement, or other such measures under the law for violating the provisions of labor-related laws that Cabinet Order prescribes (limited to cases prescribed by Order of the Ministry of Health, Labour and Welfare);

四 第五 条 の 三 第二項の規定による明示が行われない求人 の 申込み

(iv) an application to post a job opening that does not explicitly indicate the information under Article 5-3, paragraph (2);

五 次に掲げるいずれかの者からの求人 の 申込み



(v) an application to post a job opening that is from one of the following persons:

イ 暴力団員による不当な行為の防止等に関する法律（平成三年法律第七十七号）第二条第六号に規定する暴力団員（以下この号及び第三十二条において「暴力団員」という。）

(a) a member of an organized crime group as prescribed in Article 2, item (vi) of the Act on the Prevention of Wrongful Acts by Members of Organized Crime Groups (Act No. 77 of 1991; hereinafter referred to as a "member of an organized crime group" in this item and Article 32);

ロ 法人であつて、その役員（業務を執行する社員、取締役、執行役又はこれらに準ずる者をいい、相談役、顧問その他いかなる名称を有する者であるかを問わず、法人に対し業務を執行する社員、取締役、執行役又はこれらに準ずる者と同等以上の支配力を有するものと認められる者を含む。第三十二条において同じ。）のうちに暴力団員があるもの

(b) a corporation any of whose officer (meaning an executive employee, director, executive officer, or person in an equivalent position, and including a consultant, advisor or other person, irrespective of whether they have any title whatsoever, that is found to have at least the same amount of control over the corporation as an executive employee, director, executive officer, or person in an equivalent position; hereinafter the same applies in Article 32) is a member of an organized crime group; or

ハ 暴力団員がその事業活動を支配する者

(c) a person whose business activities are controlled by a member of an organized crime group;

六 正当な理由なく次項の規定による求めに応じない者からの求人の申込み

(vi) an application to post a job opening that is from a person that has failed to fulfill a request under the following paragraph without reasonable grounds.

② 公共職業安定所、特定地方公共団体及び職業紹介事業者は、求人の申込みが前項各号に該当するかどうかを確認するため必要があると認めるときは、当該求人者に報告を求めることができる。

(2) When finding it necessary to do so in order to check whether an application to post a job opening falls under one of the items of the preceding paragraph, a public employment security office, specified local public entity, or provider of employment placement services may request a report from the job poster.

③ 求人者は、前項の規定による求めがあつたときは、正当な理由がない限り、その求めに応じなければならない。

(3) Upon receipt of a request under the preceding paragraph, a job poster must do as requested unless it has a legitimate reason for not doing so.

(求職の申込み)

(Filing a Job-Search Application)

第五条の六 公共職業安定所、特定地方公共団体及び職業紹介事業者は、求職の申込みは全て受理しなければならない。ただし、その申込みの内容が法令に違反するときは、これを受理しないことができる。

Article 5-6 (1) A public employment security office, specified local public entity, or provider of employment placement services must accept all job-search applications; provided, however, that it may reject an application that violates a law or regulation.

② 公共職業安定所、特定地方公共団体及び職業紹介事業者は、特殊な業務に対する求職者の適否を決定するため必要があると認めるときは、試問及び技能の検査を行うことができる。

(2) A public employment security office, specified local public entity, or provider of employment placement services may implement testing and skills assessments if it finds this necessary for determining a job seeker's suitability for a particular kind of work.

(求職者の能力に適合する職業の紹介等)

(Referring Job Seekers to Employment Suitable for Their Abilities)

第五条の七 公共職業安定所、特定地方公共団体及び職業紹介事業者は、求職者に対しては、その能力に適合する職業を紹介し、求人者に対しては、その雇用条件に適合する求職者を紹介するように努めなければならない。

Article 5-7 A public employment security office, specified local public entity, or provider of employment placement services must endeavor to refer a job seeker to employment that is suited to their abilities, and to introduce a job poster to job seekers who are suited to the poster's employment conditions.

## 第二章 職業安定機関の行う職業紹介及び職業指導

### Chapter II Employment Placement and Vocational Guidance by Employment Security Agencies

#### 第一節 通則

#### Section 1 General Rules

(職業安定主管局長の権限)

(Authority of the Director-General of the Main Employment Security Bureau)

第六条 職業安定主管局（厚生労働省の内部部局として置かれる局で職業紹介及び職業指導その他職業の安定に関する事務を所掌するものをいう。第九条において同じ。）の局長（以下「職業安定主管局長」という。）は、厚生労働大臣の指揮監督を受け、この法律の施行に関する事項について、都道府県労働局長を指揮監督するとともに、公共職業安定所の指揮監督に関する基準の制定、産業に必要な労働力を充足するための対策の企画及び実施、失業対策の企画及び実施、労働力の需要供給を調整するための主要労働力需要供給圏の決定、職業指導の企画及び実施その他この法律の施行に関し必要な事務をつかさどり、所属の職員を指揮監督する。

Article 6 The director-general of the main employment security bureau (meaning the bureau established as an internal bureau of the Ministry of Health, Labour and Welfare which has jurisdiction over employment placement, employment guidance, and other affairs related to employment security; the same applies in Article 9) (such a person is hereinafter referred to as the "director-general of the main employment security bureau"), under the direction and supervision of the Minister of Health, Labour and Welfare, directs and supervises prefectural labor directors with respect to matters concerning the implementation of this Act; establishes standards for direction and supervision of public employment security offices; plans and implements measures to give industry the workforce it needs; plans and implements measures to counter unemployment; decides the major geographical areas within which it adjusts workforce supply and demand, so as to coordinate workforce supply and demand; plans and implements vocational guidance; takes on other affairs that are necessary in connection with the implementation of this Act; and directs and supervises personnel under the jurisdiction of the director-general.

(都道府県労働局長の権限)

(Authority of Prefectural Labor Directors)

第七条 都道府県労働局長は、職業安定主管局長の指揮監督を受け、この法律の施行に関する事項について、公共職業安定所の業務の連絡統一に関する業務をつかさどり、所属の職員及び公共職業安定所長を指揮監督する。

Article 7 Prefectural labor directors, under the direction and supervision of the director-general of the main employment security bureau, take on operations involving communication and coordination in the operations of public employment security offices, and direct and supervise personnel under their jurisdiction and the chiefs of public employment security offices, regarding matters related to the implementation of this Act.

(公共職業安定所)

(Public Employment Security Offices)

第八条 公共職業安定所は、職業紹介、職業指導、雇用保険その他この法律の目的を達成するために必要な業務を行い、無料で公共に奉仕する機関とする。

Article 8 (1) Public employment security offices are agencies that serve the public free of charge, providing employment placement, vocational guidance, and employment insurance, and performing other operations that need to be performed to accomplish the purpose of this Act.

2 公共職業安定所長は、都道府県労働局長の指揮監督を受けて、所務をつかさどり、所属の職員を指揮監督する。

(2) The chiefs of public employment security offices, under the direction and supervision of prefectural labor directors, take on the administrative functions

of their public employment security offices, and direct and supervise personnel under their jurisdiction.

(職員の資格等)

(Qualifications of Personnel)

第九条 公共職業安定所その他の職業安定機関の業務が効果的に行われるために、職業安定主管局、都道府県労働局又は公共職業安定所において、専らこの法律を施行する業務に従事する職員は、人事院の定める資格又は経験を有する者でなければならない。

Article 9 In order to ensure that the operations of public employment security offices and other employment security agencies are carried out effectively, personnel who exclusively engage in operations that implement this Act at the main employment security bureau, prefectural labor offices, or public employment security offices must be persons who have the qualifications and experience that the National Personnel Authority prescribes.

第九条の二 公共職業安定所に就職促進指導官を置く。

Article 9-2 (1) An employment facilitation advisor is assigned at each public employment security office.

② 就職促進指導官は、専門的知識に基づいて、主として、高年齢者等の雇用の安定等に関する法律（昭和四十六年法律第六十八号）第二十六条第一項又は第二項の指示を受けた者に対し、職業指導を行うものとする。

(2) An employment facilitation advisor is to provide employment guidance based on specialized knowledge, primarily to persons that have been issued instructions under Article 26, paragraph (1) or (2) of the Act on Stabilization of Employment of Elderly Persons (Act No. 68 of 1971).

3 前二項に定めるもののほか、就職促進指導官に関し必要な事項は、厚生労働大臣が定める。

(3) Beyond what is provided for in the preceding two paragraphs, the Minister of Health, Labour and Welfare establishes the necessary particulars related to employment facilitation advisors.

(地方運輸局に対する協力)

(Cooperation with District Transport Bureaus)

第十条 公共職業安定所は、地方運輸局長（運輸監理部長を含む。）の行う船員の職業の安定に関する業務について、これに協力しなければならない。

Article 10 A public employment security office must cooperate in the operations that District Transport Bureau Chiefs (including the Chiefs of the Maritime Traffic Control Divisions) carry out in connection with employment security for mariners.

(市町村が処理する事務)

(Affairs Conducted by Municipalities)

第十一条 公共職業安定所との交通が不便であるため当該公共職業安定所に直接求人又は求職を申し込むことが困難であると認められる地域として厚生労働大臣が指定する地域（以下この項において「指定地域」という。）を管轄する市町村長は、次に掲げる事務を行う。

Article 11 (1) The municipal mayor having jurisdiction over an area designated by the Minister of Health, Labour and Welfare as one in which it is found difficult to file applications to post job openings or job-search applications directly with a public employment security office because of the inconvenience of access to it (hereinafter referred to as a "designated area" in this paragraph) carries out the following:

一 指定地域内に所在する事業所からの求人又は指定地域内に居住する求職者からの求職の申込みを当該公共職業安定所に取り次ぐこと。

(i) acting as an intermediary to relay applications to post job openings from places of business located in designated areas and job-search applications from job seekers residing in designated areas to the public employment security office concerned;

二 当該公共職業安定所からの照会に応じて、指定地域内に所在する事業所に係る求人者又は指定地域内に居住する求職者の職業紹介に関し必要な事項を調査すること。

(ii) investigating the things that need to be investigated in connection with employment placement involving job posters with the place of business located in designated areas and job seekers who reside in designated areas, as requested by the relevant public employment security office;

三 当該公共職業安定所からの求人又は求職に関する情報を指定地域内に所在する事業所に係る求人者又は指定地域内に居住する求職者に周知させること。

(iii) making information from the relevant public employment security office concerning job openings or job seeking known to job posters with places of business located in designated areas or to job seekers who reside in designated areas.

2 当該公共職業安定所の長は、前項の事務に関し特に必要があると認めるときは、市町村長に対し、必要な指示をすることができる。

(2) The chief of the relevant public employment security office may issue the necessary instructions to the mayor of a municipality on finding that this is particularly necessary in connection with the affairs referred to in the preceding paragraph.

3 市町村長は、第一項の事務に関し、求人者又は求職者から、いかなる名義でも、実費その他の手数料を徴収してはならない。

(3) The mayor of a municipality must not collect actual costs or any other fee from a job poster or job seeker for the affairs referred to in paragraph (1), under any name.

4 第一項の規定により市町村が処理することとされている事務は、地方自治法（昭和

二十二年法律第六十七号) 第二条第九項第一号に規定する第一号法定受託事務とする。  
(4) The affairs to be conducted by municipalities pursuant to the provisions of paragraph (1) are type-1 statutory entrusted functions as provided in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947).

## 第十二条 削除

### Article 12 Deleted

(業務報告の様式)

#### (Form for Reporting on Operations)

第十三条 職業安定主管局長は、都道府県労働局及び公共職業安定所が、この法律の規定によつてなす業務報告の様式を定めなければならない。

Article 13 (1) The director-general of the main employment security bureau must establish the forms for reporting on operations that prefectural labor offices and public employment securities offices are to do pursuant to the provisions of this Act.

2 都道府県労働局及び公共職業安定所の業務報告は、前項の様式に従つて、これをしてしなければならない。

(2) A prefectural labor office or public employment security office must report on their operations by the forms referred to in the preceding paragraph.

(労働力の需給に関する調査等)

#### (Surveys on Workforce Supply and Demand)

第十四条 職業安定主管局長は、労働力の需要供給の適正かつ円滑な調整に資するため、都道府県労働局及び公共職業安定所からの労働力の需要供給に関する調査報告等により、雇用及び失業の状況に関する情報を収集するとともに、当該情報の整理、分析、公表等必要な措置を講ずるように努めなければならない。

Article 14 In order to contribute to the appropriate and smooth coordination of workforce supply and demand, the director-general of the main employment security bureau must endeavor to collect information on the state of employment and unemployment based on things such as prefectural labor offices' and public employment security offices' surveys and reports on workforce supply and demand, and must also endeavor to take the necessary measures, including organizing, analyzing, and publishing that information.

(標準職業名等)

#### (Standard Job Titles)

第十五条 職業安定主管局長は、職業に関する調査研究の成果等に基づき、職業紹介事業、労働者の募集及び労働者供給事業に共通して使用されるべき標準職業名を定め、職業解説及び職業分類表を作成し、並びにそれらの普及に努めなければならない。

Article 15 Based on the results of things such as surveys and research on

employment, the director-general of the main employment security bureau must establish standard job titles to be commonly used in employment placement services, worker recruitment, and worker supply services, prepare job descriptions and occupational classification tables, and endeavor to put these into widespread use.

(職業紹介等の基準)

(Standards for Employment Placement)

第十六条 厚生労働大臣は、身体又は精神に障害のある者、新たに職業に就こうとする者、中高年齢の失業者その他職業に就くことについて特別の配慮を必要とする者に対して行われる職業紹介及び職業指導の実施に関し必要な基準を定めることができる。

Article 16 The Minister of Health, Labour and Welfare may establish the necessary standards for implementing employment placement and vocational guidance for physically or mentally disabled persons, new job seekers, middle-aged and older unemployed persons, and others for whom special considerations need to be made regarding their obtaining employment.

## 第二節 職業紹介

### Section 2 Employment Placement

(職業紹介の地域)

(Geographical Area of Employment Placement)

第十七条 公共職業安定所は、求職者に対し、できる限り、就職の際にその住所又は居所の変更を必要としない職業を紹介するよう努めなければならない。

Article 17 (1) As much as possible, a public employment security office must endeavor to refer job seekers to positions that do not necessitate a change of domicile or residence at the time of employment.

2 公共職業安定所は、その管轄区域内において、求職者にその希望及び能力に適合する職業を紹介することができないとき、又は求人者の希望する求職者若しくは求人数を充足することができないときは、広範囲の地域にわたる職業紹介活動をするものとする。

(2) A public employment security office is to carry out employment placement activities that cover a wide geographical area if, within its jurisdictional district, it is unable to refer a job seeker to employment that satisfies the job seeker's wishes and is suited to their abilities, or is unable to supply a job poster with the job seeker whom it wants or to fill the number of job openings posted.

3 前項の広範囲の地域にわたる職業紹介活動は、できる限り近隣の公共職業安定所が相互に協力して行うように努めなければならない。

(3) Neighboring public employment security offices must endeavor to cooperate with one another as much as possible to carry out the employment placement

activities covering a wide geographical area which are referred to in the preceding paragraph.

4 第二項の広範囲の地域にわたる職業紹介活動に関し必要な事項は、厚生労働省令で定める。

(4) Necessary particulars related to the employment placement activities covering a wide geographical area which are referred to in paragraph (2) are specified by Order of the Ministry of Health, Labour and Welfare.

(求人又は求職の開拓等)

(Development of Job Openings and Job Searches)

第十八条 公共職業安定所は、他の法律の規定に基づいて行うもののほか、厚生労働省令で定めるところにより、求職者に対しその能力に適合する職業に就く機会を与えるため、及び求人者に対しその必要とする労働力を確保することができるようにするために、必要な求人又は求職の開拓を行うものとする。

Article 18 (1) In addition to duties performed based on the provisions of other Acts, a public employment security office, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, is to undertake the necessary development of job openings and job searches in order to give job seekers opportunities to obtain jobs that are suited to their abilities and enable job posters to secure the workforce that they need.

2 公共職業安定所は、前項の規定による求人又は求職の開拓に関し、地方公共団体、事業主の団体、労働組合その他の関係者に対し、情報の提供その他必要な連絡又は協力を求めることができる。

(2) A public employment security office may ask to be provided with information and ask for other necessary communication and cooperation from local public entities, employer organizations, labor unions, and other persons concerned with respect to the development of job openings and job searches under the preceding paragraph.

(業務情報の提供)

(Providing Information on Operations)

第十八条の二 公共職業安定所は、厚生労働省令で定めるところにより、求職者又は求人者に対し、特定地方公共団体又は職業紹介事業者（第三十二条の九第二項の命令を受けている者その他の公共職業安定所が求職者又は求人者に対してその職業紹介事業の業務に係る情報の提供を行うことが適当でない者として厚生労働省令で定めるものを除く。この項において同じ。）に関する第三十二条の十六第三項に規定する事項、特定地方公共団体又は職業紹介事業者の紹介により就職した者のうち雇用保険法第五十八条の規定による移転費の支給を受けたものの数その他職業紹介事業の業務に係る情報を提供するものとする。

Article 18-2 Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, a public employment security office is to provide job



seekers and job posters with information about the particulars provided in Article 32-16, paragraph (3) concerning specified local public entities or providers of employment placement services (excluding one that has been issued an order under Article 32-9, paragraph (2) or any other person prescribed by Order of the Ministry of Health, Labour and Welfare as a person whose employment placement services operations are inappropriate for a public employment security office to provide information about it to job seekers or job posters; hereinafter the same applies in this paragraph), information about the number of persons who were hired at the referral of specified local public entities or providers of employment placement services and had their moving expenses paid under Article 58 of the Employment Insurance Act, and information about employment placement services operations.

(公共職業訓練のあつせん)

(Arrangement of Public Vocational Training)

第十九条 公共職業安定所は、求職者に対し、公共職業能力開発施設の行う職業訓練（職業能力開発総合大学校の行うものを含む。）を受けることについてあつせんを行うものとする。

Article 19 A public employment security office is to make arrangements for job seekers to undergo vocational training conducted by public facilities for career skills development (including that conducted by the Polytechnic University).

(労働争議に対する不介入)

(Non-Intervention in Labor Disputes)

第二十条 公共職業安定所は、労働争議に対する中立の立場を維持するため、同盟罷業又は作業所閉鎖の行われている事業所に、求職者を紹介してはならない。

Article 20 (1) In order to maintain a neutral position regarding labor disputes, a public employment security office must not refer a job seeker to a place of business where there is an ongoing strike or lock-out.

2 前項に規定する場合の外、労働委員会が公共職業安定所に対し、事業所において、同盟罷業又は作業所閉鎖に至る虞の多い争議が発生していること及び求職者を無制限に紹介することによつて、当該争議の解決が妨げられることを通報した場合においては、公共職業安定所は当該事業所に対し、求職者を紹介してはならない。但し、当該争議の発生前、通常使用されていた労働者の員数を維持するため必要な限度まで労働者を紹介する場合は、この限りでない。

(2) Other than in the case as prescribed in the preceding paragraph, if a labor relations commission notifies a public employment security office that a dispute which is likely to develop into a strike or lock-out has arisen at a place of business and that the unrestricted referral of job seekers would impede the settlement of the dispute, the public employment security office must not refer job seekers to that place of business; provided, however, that this does not

apply referring workers to the extent needed for the place of business to maintain the number of workers normally employed prior to the occurrence of the dispute.

(施行規定)

(Provisions on Implementation)

第二十一条 職業紹介の手續その他職業紹介に関し必要な事項は、厚生労働省令でこれを定める。

Article 21 Procedures for employment placement and other necessary particulars related to employment placement are specified by Order of the Ministry of Health, Labour and Welfare.

### 第三節 職業指導

#### Section 3 Vocational Guidance

(職業指導の実施)

(Implementation of Vocational Guidance)

第二十二条 公共職業安定所は、身体又は精神に障害のある者、新たに職業に就こうとする者その他職業に就くについて特別の指導を加えることを必要とする者に対し、職業指導を行わなければならない。

Article 22 A public employment security office must provide vocational guidance to persons with physical or mental disabilities, new job seekers, and others in need of special guidance with regard to obtaining employment.

(適性検査)

(Aptitude Testing)

第二十三条 公共職業安定所は、必要があると認めるときは、職業指導を受ける者について、適性検査を行うことができる。

Article 23 When finding it to be necessary to do so, a public employment security office may conduct aptitude testing for persons receiving vocational guidance.

(公共職業能力開発施設等との連携)

(Coordination with Public Facilities for Career Skills Development)

第二十四条 公共職業安定所は、職業指導を受ける者に対し、公共職業能力開発施設を行う職業訓練（職業能力開発総合大学校の行うものを含む。）に関する情報の提供、相談その他の援助を与えることが必要であると認めるときは、公共職業能力開発施設その他の関係者に対し、必要な協力を求めることができる。

Article 24 A public employment security offices may request necessary cooperation from a public facilities for career skills development and other persons concerned if it finds that it is necessary to provide persons receiving vocational guidance with information, consultations, or any other assistance

related to the vocational training conducted by a public facility for career skills development (including that conducted by the Polytechnic University).

(施行規定)

(Provisions on Implementation)

第二十五条 職業指導の方法その他職業指導に関し必要な事項は、厚生労働省令でこれを定める。

Article 25 Vocational guidance methods and other necessary particulars related to vocational guidance are specified by Order of the Ministry of Health, Labour and Welfare.

#### 第四節 学生若しくは生徒又は学校卒業者の職業紹介等

#### Section 4 Employment Placement for Students, Pupils, and Graduates

(学生生徒等の職業紹介等)

(Employment Placement of Students, Pupils, etc.)

第二十六条 公共職業安定所は、学校教育法（昭和二十二年法律第二十六号）第一条に規定する学校（以下「学校」という。）の学生若しくは生徒又は学校を卒業し、又は退学した者（政令で定める者を除く。以下「学生生徒等」という。）の職業紹介については、学校と協力して、学生生徒等に対し、雇用情報、職業に関する調査研究の成果等を提供し、職業指導を行い、及び公共職業安定所間の連絡により、学生生徒等に対して紹介することが適当と認められるできる限り多くの求人を開拓し、各学生生徒等の能力に適合した職業にあつせんするよう努めなければならない。

Article 26 (1) In connection with employment placement by a school as provided in Article 1 of the School Education Act (Act No. 26 of 1947) (hereinafter referred to as a "school") for its students or pupils, or persons who have graduated from or left that school (excluding those prescribed by Cabinet Order; hereinafter referred to as a "student, pupil, etc."), a public employment security offices, in cooperation with the school, must endeavor to provide students and pupils with employment information and the results of occupational surveys and research, give them vocational guidance, and, through communication among public employment security offices, expand the scope of as many job openings as possible that it is found to be appropriate to refer students, pupils, etc., and make arrangements for to obtain jobs suited to their abilities.

2 公共職業安定所は、学校が学生又は生徒に対して行う職業指導に協力しなければならない。

(2) A public employment security office must cooperate in the vocational guidance that a school provides to its students and pupils.

③ 公共職業安定所は、学生生徒等に対する職業指導を効果的かつ効率的に行うことができるよう、学校その他の関係者と協力して、職業を体験する機会又は職業能力開発

促進法（昭和四十四年法律第六十四号）第三十条の三に規定するキャリアコンサルタントによる相談の機会の付与その他の職業の選択についての学生又は生徒の関心と理解を深めるために必要な措置を講ずるものとする。

- (3) In order to effectively and efficiently provide vocational guidance to students, pupils, etc., a public employment security office is to give them opportunities to experience employment, give them opportunities to consult with career consultants as prescribed in Article 30-3 of the Human Resources Development Promotion Act (Act No. 64 of 1969), and take other necessary measures for deepening students' and pupils' interest in and understanding of career choices, in cooperation with schools and other persons concerned.

（学校による公共職業安定所業務の分担）

(Schools' Undertaking of the Operations of Public Employment Security Offices)

第二十七条 公共職業安定所長は、学生生徒等の職業紹介を円滑に行うために必要があると認めるときは、学校の長の同意を得て、又は学校の長の要請により、その学校の長に、公共職業安定所の業務の一部を分担させることができる。

Article 27 (1) When finding it to be necessary to do so in order to smoothly carry out employment placement for current and former students and pupils, the chief of a public employment security office may assign a part of the operations of a public employment security office to the head of a school, with the consent, or at the request, of the head of that school.

2 前項の規定により公共職業安定所長が学校の長に分担させることができる業務は、次に掲げる事項に限られるものとする。

- (2) The operations that the chief of a public employment security office may assign to the head of a school pursuant to the provisions of the preceding paragraph are limited to the following:

一 求人申し込みを受理し、かつ、その受理した求人申し込みを公共職業安定所に連絡すること。

(i) accepting applications to post job openings and communicating the accepted applications to public employment security offices;

二 求職申し込みを受理すること。

(ii) accepting job-search applications;

三 求職者を求人者に紹介すること。

(iii) introducing job seekers to job posters;

四 職業指導を行うこと。

(iv) providing vocational guidance;

五 就職後の指導を行うこと。

(v) providing guidance after employment; and

六 公共職業能力開発施設（職業能力開発総合大学校を含む。）への入所のあつせんを行うこと。

(vi) making arrangements for admission to public facilities for career skills development (including the Polytechnic University).

③ 第一項の規定により公共職業安定所の業務の一部を分担する学校の長（以下「業務分担学校長」という。）は、第五条の五第一項本文及び第五条の六第一項本文の規定にかかわらず、学校の教育課程に適切でない職業に関する求人又は求職の申込みを受理しないことができる。

(3) Notwithstanding the provisions of the main clause of paragraph (1) of Article 5-5, and the main clause of paragraph (1) of Article 5-6, the head of a school that has been assigned part of the operations of a public employment security office pursuant to the provisions of paragraph (1) (hereinafter referred to as a "head of a school undertaking operations") may reject applications to post job openings or job-search applications for jobs that are not appropriate for the school's curriculum.

4 業務分担学校長は、公共職業安定所長と協議して、その学校の職員の中から職業安定担当者を選任し、その者に第二項各号の業務を担当させ、及び公共職業安定所との連絡を行わせることができる。

(4) Upon consultation with the chief of the relevant public employment security office, the head of a school undertaking operations may appoint a person to be responsible for employment security from among the personnel of the school, and have that person take charge of the operations provided for in the items of paragraph (2) and communicate with the relevant public employment security office.

5 公共職業安定所長は、業務分担学校長に対して、雇用情報、職業に関する調査研究の成果等の提供その他業務分担学校長の行う第二項各号の業務の執行についての援助を与えるとともに、特に必要があると認めるときは、業務分担学校長に対して、経済上の援助を与えることができる。

(5) The chief of a public employment security office may provide the head of a school undertaking operations with employment information, the results of surveys and research relating to employment and other similar materials, and other assistance in the performance of the operations referred to in the items of paragraph (2) that are undertaken by the head of that school, and may also provide the head of that school with economic assistance on finding this to be particularly necessary.

6 業務分担学校長は、その業務の執行に関し、厚生労働大臣が文部科学大臣と協議して定める基準に従わなければならない。

(6) In the performance of the operations being undertaken, the head of a school undertaking operations must comply with the standards established by the Minister of Health, Labour and Welfare in consultation with the Minister of Education, Culture, Sports, Science and Technology.

7 公共職業安定所長は、業務分担学校長が、法令又は前項の基準に違反したときは、当該業務分担学校長の行う第二項各号の業務を停止させることができる。

(7) If the head of a school undertaking operations violates a law, regulation, or the standards referred to in the preceding paragraph, the chief of the relevant public employment security office may suspend the operations provided for in the items of paragraph (2) that are being undertaken by the head of that school.

8 前各項の規定は、学校の長が第三十三条の二の規定に基づいて無料の職業紹介事業を行う場合には適用しない。

(8) The provisions of the preceding paragraphs do not apply to the case where the head of a school provides free employment placement services based on the provisions of Article 33-2.

(施行規定)

(Provisions on Implementation)

第二十八条 公共職業安定所と学校との間における連絡、援助又は協力に関する方法その他学生生徒等の職業紹介に関し必要な事項は、厚生労働省令で定める。

Article 28 The means of communication, assistance, and cooperation between public employment security offices and schools, and other necessary particulars related to employment placement involving students, pupils, etc. are specified by Order of the Ministry of Health, Labour and Welfare.

## 第二章の二 地方公共団体の行う職業紹介

### Chapter II-2 Employment Placement Carried Out by Local Public Entities

(地方公共団体の行う職業紹介)

(Employment Placement Carried Out by Local Public Entities)

第二十九条 地方公共団体は、無料の職業紹介事業を行うことができる。

Article 29 (1) A local public entity may provide free employment placement services.

② 特定地方公共団体は、前項の規定により無料の職業紹介事業を行う旨を、厚生労働大臣に通知しなければならない。

(2) A specified local public entity must notify the Minister of Health, Labour and Welfare that it will provide free employment placement services pursuant to the provisions of the preceding paragraph.

③ 特定地方公共団体は、取扱職種の範囲等（その職業紹介事業において取り扱う職種の範囲その他業務の範囲をいう。以下同じ。）を定めることができる。

(3) A specified local public entity may set a scope of job categories, etc. handled (meaning the scope of job categories and operations that the specified local public entity handles in its employment placement services; the same applies hereinafter).

④ 特定地方公共団体が、前項の規定により取扱職種の範囲等を定めた場合においては、第五条の五第一項及び第五条の六第一項の規定は、その範囲内に限り適用するものとする。

(4) If a specified local public entity has set a scope of job categories, etc. to be handled pursuant to the provisions of the preceding paragraph, the provisions of Article 5-5, paragraph (1) and Article 5-6, paragraph (1) are to apply only within the scope concerned.

(事業の廃止)

**(Discontinuation of Services)**

第二十九条の二 特定地方公共団体は、無料の職業紹介事業を廃止したときは、遅滞なく、その旨を厚生労働大臣に通知しなければならない。

**Article 29-2** If a specified local public entity discontinues its free employment placement services, it must notify the Minister of Health, Labour and Welfare of this without delay.

(名義貸しの禁止)

**(Prohibition on Name Lending)**

第二十九条の三 特定地方公共団体は、自己の名義をもって、他人に無料の職業紹介事業を行わせてはならない。

**Article 29-3** A specified local public entity must not allow another person to carry out free employment placement services using the name of that local public entity.

(取扱職種の種類等の明示等)

**(Explicitly Indicating the Scope of Job Categories and Operations Handled)**

第二十九条の四 特定地方公共団体は、取扱職種の種類等、苦情の処理に関する事項その他無料の職業紹介事業の業務の内容に関しあらかじめ求人者及び求職者に対して知らせることが適当であるものとして厚生労働省令で定める事項について、求人者及び求職者に対し、明示しなければならない。

**Article 29-4** A specified local public entity must explicitly indicate to job posters and job seekers the scope of job categories and operations handled, the particulars of its complaint processing, and other particulars prescribed by Order of the Ministry of Health, Labour and Welfare as those concerning the substance of free employment placement service operations that it is appropriate for job posters and job seekers to be informed of in advance.

(公共職業安定所による情報提供)

**(Provision of Information by Public Employment Security Offices)**

第二十九条の五 公共職業安定所は、特定地方公共団体が求人又は求職に関する情報の提供を希望するときは、当該特定地方公共団体に対して、求人又は求職に関する情報として厚生労働省令で定めるものを電磁的方法（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法をいう。）その他厚生労働省令で定める方法により提供するものとする。

Article 29-5 If a specified local public entity wishes to receive information concerning job openings or job searches, a public employment security office is to provide the information that Order of the Ministry of Health, Labour and Welfare prescribes as information that concerns job openings or job searches to the local public entity by an electronic or magnetic means (meaning a means that involves the use of an electronic data processing system or a means that involves making use of any other such information and communications technology) or by any other means prescribed by Order of the Ministry of Health, Labour and Welfare.

(公共職業安定所による援助)

(Assistance by Public Employment Security Offices)

第二十九条の六 公共職業安定所は、特定地方公共団体に対して、雇用情報、職業に関する調査研究の成果等の提供その他無料の職業紹介事業の運営についての援助を与えることができる。

Article 29-6 A public employment security office may provide a specified local public entity with employment information, the results of surveys and research on employment, and other assistance related to the administration of free employment placement services.

(特定地方公共団体の責務)

(Responsibilities of Specified Local Public Entities)

第二十九条の七 特定地方公共団体は、無料の職業紹介事業の運営に当たっては、職業安定機関との連携の下に、その改善向上を図るために必要な措置を講ずるように努めなければならない。

Article 29-7 In the administration of free employment placement services, a specified local public entity must endeavor to take necessary measures to improve those services, in coordination with employment security agencies.

(準用)

(Application Mutatis Mutandis)

第二十九条の八 第二十条の規定は、特定地方公共団体が無料の職業紹介事業を行う場合について準用する。この場合において、同条第一項中「公共職業安定所」とあるのは「特定地方公共団体」と、同条第二項中「公共職業安定所は」とあるのは「公共職業安定所は、その旨を特定地方公共団体に通報するものとし、当該通報を受けた特定地方公共団体は、」と読み替えるものとする。

Article 29-8 The provisions of Article 20 apply mutatis mutandis when a specified local public entity provides free employment placement services. In such a case, the term "public employment security office" in paragraph (1) of that Article is deemed to be replaced with "specified local public entity"; and the term "public employment security office" in paragraph (2) of that Article is



deemed to be replaced with "public employment security office is to report this to the specified local public entity, and the local public entity receiving that report".

(施行規定)

(Provisions on Implementation)

第二十九条の九 この章に定めるもののほか、特定地方公共団体の行う無料の職業紹介事業に関し必要な事項は、厚生労働省令で定める。

Article 29-9 Beyond what is prescribed in this Chapter, necessary particulars related to the free employment placement services of specified local public entities are specified by Order of the Ministry of Health, Labour and Welfare.

### 第三章 職業安定機関及び地方公共団体以外の者の行う職業紹介

#### Chapter III Employment Placement by Persons Other Than Employment Security Agencies and Local Public Entities

##### 第一節 有料職業紹介事業

##### Section 1 Paid Employment Placement Services

(有料職業紹介事業の許可)

(License for Paid Employment Placement Services)

第三十条 有料の職業紹介事業を行おうとする者は、厚生労働大臣の許可を受けなければならない。

Article 30 (1) A person seeking to carry out paid employment placement services must be licensed by the Minister of Health, Labour and Welfare.

2 前項の許可を受けようとする者は、次に掲げる事項を記載した申請書を厚生労働大臣に提出しなければならない。

(2) A person seeking to be licensed as referred to in the preceding paragraph must submit to the Minister of Health, Labour and Welfare a written application stating the following:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) the person's name, address, and, if it is a corporation, the name of its representative;

二 法人にあつては、その役員の氏名及び住所

(ii) if it is a corporation, the names and addresses of its officers;

三 有料の職業紹介事業を行う事業所の名称及び所在地

(iii) the names and locations of the places of business at which it would carry out paid employment placement services;

四 第三十二条の十四の規定により選任する職業紹介責任者の氏名及び住所

(iv) the name and address of the employment placement manager appointed pursuant to the provisions of Article 32-14;

五 その他厚生労働省令で定める事項

(v) other particulars prescribed by Order of the Ministry of Health, Labour and Welfare.

3 前項の申請書には、有料の職業紹介事業を行う事業所ごとの当該事業に係る事業計画書その他厚生労働省令で定める書類を添付しなければならない。

(3) The written application referred to in the preceding paragraph must be accompanied by a business plan for the paid employment placement services and other documents prescribed by Order of the Ministry of Health, Labour and Welfare, for each place of business at which the person would carry out those services.

4 前項の事業計画書には、厚生労働省令で定めるところにより、有料の職業紹介事業を行う事業所ごとの当該事業に係る求職者の見込数その他職業紹介に関する事項を記載しなければならない。

(4) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, the business plan referred to in the preceding paragraph must state the projected number of job seekers served by the paid employment placement services and other particulars related to employment placement, for each place of business at which the person would carry out those services.

5 厚生労働大臣は、第一項の許可をしようとするときは、あらかじめ、労働政策審議会の意見を聴かなければならない。

(5) Before licensing a person as referred to in paragraph (1), the Minister of Health, Labour and Welfare must hear the opinion of the Labor Policy Council in advance.

6 第一項の許可を受けようとする者は、実費を勘案して厚生労働省令で定める額の手数料を納付しなければならない。

(6) A person seeking to be licensed as referred to in paragraph (1) must pay the fee prescribed, in consideration of the actual costs, by Order of the Ministry of Health, Labour and Welfare.

(許可の基準等)

(Licensing Standards)

第三十一条 厚生労働大臣は、前条第一項の許可の申請が次に掲げる基準に適合していると認めるときは、同項の許可をしなければならない。

Article 31 (1) When finding that an application for licensing as referred to in paragraph (1) of the preceding Article conforms to the following standards, the Minister of Health, Labour and Welfare must license the applicant, as referred to in that paragraph:

一 申請者が、当該事業を健全に遂行するに足りる財産的基礎を有すること。

(i) the applicant has a sufficient financial basis to soundly perform the relevant services;

二 個人情報 を適正に管理し、及び求人者、求職者等の秘密を守るために必要な措置が講じられていること。

(ii) the applicant has taken the necessary measures to appropriately manage personal information and preserve the confidentiality of job posters and job seekers, etc.;

三 前二号に定めるもののほか、申請者が、当該事業を適正に遂行することができる能力を有すること。

(iii) the applicant has the ability to appropriately perform the relevant services, beyond as prescribed in the preceding two items.

2 厚生労働大臣は、前条第一項の許可をしないときは、遅滞なく、理由を示してその旨を当該申請者に通知しなければならない。

(2) If the Minister of Health, Labour and Welfare does not license an applicant as referred to in paragraph (1) of the preceding Article, the Minister must notify the applicant of this without delay, indicating the reasons therefor.

(許可の欠格事由)

(Reasons for Disqualification of License)

第三十二条 厚生労働大臣は、前条第一項の規定にかかわらず、次の各号のいずれかに該当する者に対しては、第三十条第一項の許可をしてはならない。

Article 32 Notwithstanding the provisions of paragraph (1) of the preceding Article, the Minister of Health, Labour and Welfare must not grant the license referred to in Article 30, paragraph (1) to a person falling under one of the following items:

一 禁錮以上の刑に処せられ、又はこの法律の規定その他労働に関する法律の規定（次号に規定する規定を除く。）であつて政令で定めるもの若しくは暴力団員による不当な行為の防止等に関する法律の規定（同法第五十条（第二号に係る部分に限る。）及び第五十二条の規定を除く。）により、若しくは刑法（明治四十年法律第四十五号）第二百四条、第二百六条、第二百八条、第二百八条の二、第二百二十二条若しくは第二百四十七条の罪、暴力行為等処罰に関する法律（大正十五年法律第六十号）の罪若しくは出入国管理及び難民認定法（昭和二十六年政令第三百十九号）第七十三条の二の罪を犯したことにより、罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して五年を経過しない者

(i) a person that has been sentenced to imprisonment without work or a heavier sentence, or to a fine pursuant to the provisions of this Act or the provisions of other labor-related Acts prescribed by Cabinet Order (other than the provisions referred to in the following item) or the provisions of the Act on the Prevention of Wrongful Acts by Members of Organized Crime Groups (other than the provisions of Articles 50 (but only the part that concerns item (ii)) and 52 of that Act) or for having committed an offense referred to in Article 204, 206, 208, 208-2, 222, or 247 of the Penal Code (Act No. 45 of 1907), in the Act on Sentencing for Violent Crimes and Equivalent Acts (Act No. 60 of 1926), or in Article 73-2 of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951), if it has not been

five years since the day on which the execution of the sentence was completed or the sentence became no longer executable;

二 健康保険法（大正十一年法律第七十号）第二百八条、第二百十三条の二若しくは第二百十四条第一項、船員保険法（昭和十四年法律第七十三号）第一百五十六条、第一百五十九条若しくは第一百六十条第一項、労働者災害補償保険法（昭和二十二年法律第五十号）第五十一条前段若しくは第五十四条第一項（同法第五十一条前段の規定に係る部分に限る。）、厚生年金保険法（昭和二十九年法律第百十五号）第二条、第三条の二若しくは第四条第一項（同法第二条又は第三条の二の規定に係る部分に限る。）、労働保険の保険料の徴収等に関する法律（昭和四十四年法律第八十四号）第四十六条前段若しくは第四十八条第一項（同法第四十六条前段の規定に係る部分に限る。）又は雇用保険法第八十三条若しくは第八十六条（同法第八十三条の規定に係る部分に限る。）の規定により罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から起算して五年を経過しない者

(ii) a person that has been sentenced to a fine pursuant to the provisions of Article 208 or 213-2 or Article 214, paragraph (1) of the Health Insurance Act (Act No. 70 of 1922), Article 156 or 159 or Article 160, paragraph (1) of the Mariners Insurance Act (Act No. 73 of 1939), the first sentence of Article 51 or Article 54, paragraph (1) (but only the part concerning the provisions of the first sentence of Article 51) of the Industrial Accident Compensation Insurance Act (Act No. 50 of 1947), Article 102 or 103-2 or Article 104, paragraph (1) (but only the part concerning the provisions of Article 102 or 103-2) of the Employees' Pension Insurance Act (Act No. 115 of 1954), the first sentence of Article 46 or Article 48, paragraph (1) (but only the part concerning the provisions of the first sentence of Article 46) of the Act on the Collection, etc. of Insurance Premiums of Labor Insurance (Act No. 84 of 1969), or Article 83 or 86 (but only the part concerning the provisions of Article 83) of the Employment Insurance Act, if it has not been five years since the day on which the execution of the sentence was completed or the sentence became no longer executable;

三 心身の故障により有料の職業紹介事業を適正に行うことができない者として厚生労働省令で定めるもの

(iii) a person prescribed by Order of the Ministry of Health, Labour and Welfare as being unable to properly carry out paid employment placement services due to a mental or physical disorder;

四 破産手続開始の決定を受けて復権を得ない者

(iv) a person that has become subject to an order commencing bankruptcy proceedings and has not been discharged from bankruptcy;

五 第三十二条の九第一項（第一号を除き、第三十三条第四項において準用する場合を含む。）の規定により職業紹介事業の許可を取り消され、又は第三十三条の三第二項において準用する第三十二条の九第一項（第一号を除く。）の規定により無料の職業紹介事業の廃止を命じられ、当該取消し又は命令の日から起算して五年を経

過しない者

(v) a person whose license for employment placement services has been rescinded pursuant to the provisions of Article 32-9, paragraph (1) (excluding item (i) and including as applied mutatis mutandis pursuant to Article 33, paragraph (4)) or that has been ordered to discontinue its free employment placement services pursuant to the provisions of Article 32-9, paragraph (1) (excluding item (i)) as applied mutatis mutandis pursuant to Article 33-3, paragraph (2), if it has not been five years since the date of the rescission or order;

六 第三十二条の九第一項（第三十三条第四項において準用する場合を含む。）の規定により職業紹介事業の許可を取り消された者が法人である場合（第三十二条の九第一項（第一号に限る。）（第三十三条第四項において準用する場合を含む。）の規定により許可を取り消された場合については、当該法人が第一号又は第二号に規定する者に該当することとなつたことによる場合に限る。）又は第三十三条の三第二項において準用する第三十二条の九第一項の規定により無料の職業紹介事業の廃止を命じられた者が法人である場合（第三十三条の三第二項において準用する第三十二条の九第一項（第一号に限る。）の規定により廃止を命じられた場合については、当該法人が第一号又は第二号に規定する者に該当することとなつたことによる場合に限る。）において、当該取消し又は命令の処分を受ける原因となつた事項が発生した当時現に当該法人の役員であつた者で、当該取消し又は命令の日から起算して五年を経過しないもの

(vi) a person who, at the time that the thing occurred that caused the corporation in question to be subject to the relevant administrative disposition rescinding its licensing or ordering it to discontinue its services, was the officer of a corporation that has had its licensing for employment placement services rescinded pursuant to the provisions of Article 32-9, paragraph (1) (including as applied mutatis mutandis pursuant to Article 33, paragraph (4)) (but if its licensing has been rescinded pursuant to the provisions of Article 32-9, paragraph (1) (limited to item (i)) (including as applied mutatis mutandis pursuant to Article 33, paragraph (4)), this is limited to a case in which the rescission was due to the corporation having come to fall under item (i) or (ii)), or of a corporation that has been ordered to discontinue its free employment placement services pursuant to the provisions of Article 32-9, paragraph (1) as applied mutatis mutandis pursuant to Article 33-3, paragraph (2) (but, if the discontinuance was ordered pursuant to the provisions of Article 32-9, paragraph (1) (limited to item (i)) as applied mutatis mutandis pursuant to Article 33-3, paragraph (2), this is limited to a case in which this was ordered due to the corporation having come to fall under item (i) or (ii)); if it has not been five years since the date of the rescission or order;

七 第三十二条の九第一項（第三十三条第四項において準用する場合を含む。）の規

定による職業紹介事業の許可の取消し又は第三十三条の三第二項において準用する第三十二条の九第一項の規定による無料の職業紹介事業の廃止の命令の処分に係る行政手続法（平成五年法律第八十八号）第十五条の規定による通知があつた日から当該処分をする日又は処分をしないことを決定する日までの間に第三十二条の八第一項（第三十三条第四項及び第三十三条の三第二項において準用する場合を含む。）の規定による職業紹介事業の廃止の届出をした者（当該事業の廃止について相当の理由がある者を除く。）で、当該届出の日から起算して五年を経過しないもの

(vii) a person that has filed a notification of the discontinuance of its employment placement services (excluding persons that have adequate grounds for the discontinuance of those services) under Article 32-8, paragraph (1) (including as applied mutatis mutandis pursuant to Article 33, paragraph (4) and Article 33-3, paragraph (2)) during the period between the day on which it was notified as under Article 15 of the Administrative Procedure Act (Act No. 88 of 1993) concerning the rescission of licensing for employment placement services under Article 32-9, paragraph (1) (including as applied mutatis mutandis pursuant to Article 33, paragraph (4)) or concerning an order to discontinue free employment placement services under Article 32-9, paragraph (1) as applied mutatis mutandis pursuant to Article 33-3, paragraph (2), and either the date on which the relevant administrative disposition was taken or the day on which it was decided not to take an administrative disposition; if it has not been five years since the date the notification was filed;

八 前号に規定する期間内に第三十二条の八第一項（第三十三条第四項及び第三十三条の三第二項において準用する場合を含む。）の規定による職業紹介事業の廃止の届出をした者が法人である場合において、同号の通知の日前六十日以内に当該法人（当該事業の廃止について相当の理由がある法人を除く。）の役員（業務を執行する社員、取締役、執行役又はこれらに準ずる者をいい、相談役、顧問その他いかなる名称を有する者であるかを問わず、法人に対し業務を執行する社員、取締役、執行役又はこれらに準ずる者と同様以上の支配力を有するものと認められる者を含む。以下この条において同じ。）であつた者で、当該届出の日から起算して五年を経過しないもの

(viii) a person who, in the 60 days before the date that the relevant notification was filed, was an officer (meaning an executive member, director, executive officer, or equivalent person, and including a consultant, advisor, or other person, irrespective of whether they have any title whatsoever, that is found to have at least the same amount of control over the corporation as an executive member, director, executive officer, or equivalent person; hereinafter the same applies in this Article) of a corporation that has filed a notification of the discontinuance of its employment placement services under Article 32-8, paragraph (1) (including as applied mutatis mutandis

pursuant to Article 33, paragraph (4) and Article 33-3, paragraph (2)) within the period referred to in the preceding item (unless the corporation has adequate grounds for discontinuing those services); if it has not been five years since the date on which the notification was filed;

九 暴力団員による不当な行為の防止等に関する法律第二条第六号に規定する暴力団員又は暴力団員でなくなつた日から五年を経過しない者（以下この条において「暴力団員等」という。）

(ix) a member of an organized crime group as prescribed in Article 2, item (vi) of the Act on the Prevention of Wrongful Acts by Members of Organized Crime Groups, or a person who ceased to be a member of an organized crime group on a day that is not yet five years in the past (hereinafter referred to as a "current or former member of an organized crime group" in this Article);

十 営業に関し成年者と同一の行為能力を有しない未成年者であつて、その法定代理人が前各号又は次号のいずれかに該当するもの

(x) a minor who does not have the same capacity to act as an adult as it regards business operations, and whose statutory agent falls under one of the preceding items or the following items;

十一 法人であつて、その役員のうち前各号のいずれかに該当する者があるもの

(xi) a corporation any of whose officers falls under one of the preceding items;

十二 暴力団員等がその事業活動を支配する者

(xii) a person whose business activities are controlled by a current or former member of an organized crime group;

十三 暴力団員等とその業務に従事させ、又はその業務の補助者として使用するおそれのある者

(xiii) a person that is likely to allow a current or former member of an organized crime group to engage in its operations or to employ a current or former member of an organized crime group as an assistant in its operations.

## 第三十二条の二 削除

### Article 32-2 Deleted

(手数料)

(Fees)

第三十二条の三 第三十条第一項の許可を受けた者（以下「有料職業紹介事業者」という。）は、次に掲げる場合を除き、職業紹介に関し、いかなる名義でも、実費その他の手数料又は報酬を受けてはならない。

Article 32-3 (1) Except in the following cases, a person that has been licensed as referred to in Article 30, paragraph (1) (hereinafter referred to as a "provider of paid employment placement services") must not receive actual costs or any other fee or compensation for employment placement, under any name:

一 職業紹介に通常必要となる経費等を勘案して厚生労働省令で定める種類及び額の

手数料を徴収する場合

(i) if it collects a fee of a type and amount that Order of the Ministry of Health, Labour and Welfare prescribes in consideration of things such as the expenses that are ordinarily necessary for employment placement; or

二 あらかじめ厚生労働大臣に届け出た手数料表（手数料の種類、額その他手数料に関する事項を定めた表をいう。）に基づき手数料を徴収する場合

(ii) if it collects a fee based on a schedule of fees (meaning a schedule specifying the types and amounts of fees and other particulars of its fees) of which it has filed a notification with the Minister of Health, Labour and Welfare in advance.

2 有料職業紹介事業者は、前項の規定にかかわらず、求職者からは手数料を徴収してはならない。ただし、手数料を求職者から徴収することが当該求職者の利益のために必要であると認められるときとして厚生労働省令で定めるときは、同項各号に掲げる場合に限り、手数料を徴収することができる。

(2) Notwithstanding the provisions of the preceding paragraph, a provider of paid employment placement services must not collect fees from a job seeker; provided, however, that in a case prescribed by Order of the Ministry of Health, Labour and Welfare as one in which it is found that collecting a fee from a job seeker is necessary to the interests of the job seeker, it may collect a fee from a job seeker, but only in a case as set forth in the items of the preceding paragraph.

3 第一項第二号に規定する手数料表は、厚生労働省令で定める方法により作成しなければならない。

(3) The schedule of fees provided for in paragraph (1), item (ii) must be prepared by a method prescribed by Order of the Ministry of Health, Labour and Welfare.

4 厚生労働大臣は、第一項第二号に規定する手数料表に基づく手数料が次の各号のいずれかに該当すると認めるときは、当該有料職業紹介事業者に対し、期限を定めて、その手数料表を変更すべきことを命ずることができる。

(4) When finding that a fee based on the schedule of fees provided in paragraph (1), item (ii) falls under any of the following items, the Minister of Health, Labour and Welfare may order the relevant provider of paid employment placement services to change the schedule of fees by a designated time limit:

一 特定の者に対し不当な差別的取扱いをするものであるとき。

(i) if it causes particular persons to be treated in a way that is unjustly differential; or

二 手数料の種類、額その他手数料に関する事項が明確に定められていないことにより、当該手数料が著しく不当であると認められるとき。

(ii) if the fee is found to be substantially unjust because the provider has not clearly specified the types and amounts of fees and other particulars concerning fees.



(許可証)

(License Certificates)

第三十二条の四 厚生労働大臣は、第三十条第一項の許可をしたときは、厚生労働省令で定めるところにより、有料の職業紹介事業を行う事業所の数に応じ、許可証を交付しなければならない。

Article 32-4 (1) When granting the license referred to in Article 30, paragraph (1), the Minister of Health, Labour and Welfare must, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, issue license certificates for the number of places of business at which the provider carries out paid employment placement services.

2 許可証の交付を受けた者は、当該許可証を、有料の職業紹介事業を行う事業所ごとに備え付けるとともに、関係者から請求があつたときは提示しなければならない。

(2) A person that has been issued a license certificate must keep the license certificate at the place of business at which it carries out paid employment placement services and present it at the request of a relevant person.

3 許可証の交付を受けた者は、当該許可証を亡失し、又は当該許可証が滅失したときは、速やかにその旨を厚生労働大臣に届け出て、許可証の再交付を受けなければならない。

(3) If a person that has been issued a license certificate loses it or if it is destroyed, the person must promptly file a notification of this with the Minister of Health, Labour and Welfare and have a license certificate reissued.

(許可の条件)

(Licensing Conditions)

第三十二条の五 第三十条第一項の許可には、条件を付し、及びこれを変更することができる。

Article 32-5 (1) Conditions may be attached to the licensing referred to in Article 30, paragraph (1), and those conditions may be changed.

2 前項の条件は、第三十条第一項の許可の趣旨に照らして、又は当該許可に係る事項の確実な実施を図るために必要な最小限度のものに限り、かつ、当該許可を受ける者に不当な義務を課することとなるものであつてはならない。

(2) The conditions referred to in the preceding paragraph are limited to what is minimally necessary either in light of the purpose of the licensing referred to in Article 30, paragraph (1) or to ensure the reliable implementation of the things under license, and must not impose an undue obligation on the person being licensed.

(許可の有効期間等)

(License Validity Period)

第三十二条の六 第三十条第一項の許可の有効期間は、当該許可の日から起算して三年とする。

Article 32-6 (1) The validity period of a license referred to in Article 30, paragraph (1) is three years counting from the day on which the license is granted.

2 前項に規定する許可の有効期間（当該許可の有効期間についてこの項の規定により更新を受けたときにあつては、当該更新を受けた許可の有効期間）の満了後引き続き当該許可に係る有料の職業紹介事業を行おうとする者は、許可の有効期間の更新を受けなければならない。

(2) A person seeking to continue to provide paid employment placement services for which it has been licensed after the expiration of the license validity period prescribed in the preceding paragraph (or after the license validity period as renewed pursuant to the provisions of this paragraph, if applicable) must have the license validity period renewed.

3 厚生労働大臣は、前項に規定する許可の有効期間の更新の申請があつた場合において、当該申請が第三十一条第一項各号に掲げる基準に適合していると認めるときは、当該許可の有効期間の更新をしなければならない。

(3) Having received an application to renew a license's validity period as prescribed in the preceding paragraph, the Minister of Health, Labour and Welfare must renew the license validity period if the Minister finds that the application conforms to the standards set forth in the items of paragraph (1) of Article 31.

4 第二項に規定する許可の有効期間の更新を受けようとする者は、実費を勘案して厚生労働省令で定める額の手数料を納付しなければならない。

(4) A person seeking to have a license's validity period renewed as provided in paragraph (2) must pay a fee in the amount that Order of the Ministry of Health, Labour and Welfare prescribes in consideration of the actual costs.

5 第二項の規定によりその更新を受けた場合における第三十条第一項の許可の有効期間は、当該更新前の許可の有効期間が満了する日の翌日から起算して五年とする。

(5) The validity period of a license as referred to in Article 30, paragraph (1) that has been renewed pursuant to the provisions of paragraph (2) is five years counting from the day after the date on which the license validity period from prior to the renewal expires.

⑥ 第三十条第二項から第四項まで、第三十一条第二項及び第三十二条（第五号から第八号までを除く。）の規定は、第二項に規定する許可の有効期間の更新について準用する。

(6) The provisions of Article 30, paragraphs (2) through (4), Article 31, paragraph (2), and Article 32 (excluding items (v) through (viii)) apply mutatis mutandis to the renewal of a license's validity period as provided in paragraph (2).

（変更の届出）

（Filing a Notification of a Change）

第三十二条の七 有料職業紹介事業者は、第三十条第二項各号に掲げる事項（厚生労働

省令で定めるものを除く。)に変更があつたときは、遅滞なく、その旨を厚生労働大臣に届け出なければならない。この場合において、当該変更に係る事項が有料の職業紹介事業を行う事業所の新設に係るものであるときは、当該事業所に係る事業計画書その他厚生労働省令で定める書類を添付しなければならない。

Article 32-7 (1) If one of the particulars set forth in the items of paragraph (2) of Article 30 (excluding those prescribed by Order of the Ministry of Health, Labour and Welfare) changes, a provider of paid employment placement services must file a notification of this with the Minister of Health, Labour and Welfare without delay. In such a case, if the particular that has changed relates to the establishment of a new place of business at which it will provide paid employment placement services, the notification must be accompanied by a business plan for that place of business and any other document prescribed by Order of the Ministry of Health, Labour and Welfare.

2 第三十条第四項の規定は、前項の事業計画書について準用する。

(2) The provisions of Article 30, paragraph (4) apply mutatis mutandis to the business plan referred to in the preceding paragraph.

3 厚生労働大臣は、第一項の規定により有料の職業紹介事業を行う事業所の新設に係る変更の届出があつたときは、厚生労働省令で定めるところにより、当該新設に係る事業所の数に応じ、許可証を交付しなければならない。

(3) Having received a notification of a change that relates to the establishment of a place of business for providing paid employment placement services pursuant to the provisions of paragraph (1), the Minister of Health, Labour and Welfare must issue license certificates for the number of places of business being newly established, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

4 有料職業紹介事業者は、第一項の規定による届出をする場合において、当該届出に係る事項が許可証の記載事項に該当するときは、厚生労働省令で定めるところにより、その書換えを受けなければならない。

(4) When filing the notification under paragraph (1), if a particular to which the notification pertains falls under the category of a particular that is stated on the license certificate, the provider of paid employment placement services must apply to have the license certificate updated, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(事業の廃止)

(Discontinuation of Services)

第三十二条の八 有料職業紹介事業者は、当該有料の職業紹介事業を廃止したときは、遅滞なく、厚生労働省令で定めるところにより、その旨を厚生労働大臣に届け出なければならない。

Article 32-8 (1) If a provider of paid employment placement services discontinues its paid employment placement services, it must file a notification of this with

the Minister of Health, Labour and Welfare without delay, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 前項の規定による届出があつたときは、第三十条第一項の許可は、その効力を失う。

(2) A license as referred to in Article 30, paragraph (1) ceases to be effective once the notification under the preceding paragraph has been filed.

(許可の取消し等)

(Rescission of Licenses)

第三十二条の九 厚生労働大臣は、有料職業紹介事業者が次の各号のいずれかに該当するときは、第三十条第一項の許可を取り消すことができる。

Article 32-9 (1) If a provider of paid employment placement services falls under one of the following items, the Minister of Health, Labour and Welfare may rescind the license referred to in Article 30, paragraph (1):

一 第三十二条各号（第三号を除く。）のいずれかに該当しているとき。

(i) if the provider of paid employment placement services falls under an item of Article 32 (excluding item (iii));

二 この法律若しくは労働者派遣法（第三章第四節の規定を除く。）の規定又はこれらの規定に基づく命令若しくは処分に違反したとき。

(ii) if the provider of paid employment placement services violates a provision of this Act or the Worker Dispatching Act (excluding the provisions of Chapter 3, Section 4) or an order or disposition based on those provisions; or

三 第三十二条の五第一項の規定により付された許可の条件に違反したとき。

(iii) if the provider of paid employment placement services violates a condition attached to the license pursuant to the provisions of Article 32-5, paragraph (1).

2 厚生労働大臣は、有料職業紹介事業者が前項第二号又は第三号に該当するときは、期間を定めて当該有料の職業紹介事業の全部又は一部の停止を命ずることができる。

(2) If the provider of paid employment placement services falls under item (ii) or (iii) of the preceding paragraph, the Minister of Health, Labour and Welfare may order the suspension of all or part of its paid employment placement services for a designated period.

(名義貸しの禁止)

(Prohibition on Lending Name)

第三十二条の十 有料職業紹介事業者は、自己の名義をもつて、他人に有料の職業紹介事業を行わせてはならない。

Article 32-10 A provider of paid employment placement services must not allow another person to provide paid employment placement services under the name of the provider of paid employment placement services.

(取扱職業の範囲)

(Scope of Job Categories Handled)

第三十二条の十一 有料職業紹介事業者は、港湾運送業務（港湾労働法第二条第二号に規定する港湾運送の業務又は同条第一号に規定する港湾以外の港湾において行われる当該業務に相当する業務として厚生労働省令で定める業務をいう。）に就く職業、建設業務（土木、建築その他工作物の建設、改造、保存、修理、変更、破壊若しくは解体の作業又はこれらの作業の準備の作業に係る業務をいう。）に就く職業その他有料の職業紹介事業においてその職業のあつせんを行うことが当該職業に就く労働者の保護に支障を及ぼすおそれがあるものとして厚生労働省令で定める職業を求職者に紹介してはならない。

Article 32-11 (1) A provider of paid employment placement services must not refer job seekers to employment in which they would perform port transport work (meaning port transport work as provided in Article 2, item (ii) of the Port Labor Act or work prescribed by Order of the Ministry of Health, Labour and Welfare as work equivalent thereto and performed at a port other than a port provided in item (i) of that Article), employment in which they would perform construction work (meaning work involving civil engineering, architecture, other work of constructing, remodeling, preserving, repairing, modifying, demolishing, or dismantling a structure, or any work in preparation therefor), or any other employment prescribed by Order of the Ministry of Health, Labour and Welfare as a type of employment that the mediation of through paid employment placement services presents a risk of interfering with the protection of workers in that type of employment.

2 第五条の五第一項及び第五条の六第一項の規定は、有料職業紹介事業者に係る前項に規定する職業に係る求人の申込み及び求職の申込みについては、適用しない。

(2) The provisions of Article 5-5, paragraph (1) and Article 5-6, paragraph (1) do not apply to applications to post job openings and job-search applications for the types of employment prescribed in the preceding paragraph in connection with paid providers of employment placement services.

(取扱職種の範囲等の届出等)

(Filing Notifications on the Scope of Job Categories, etc.)

第三十二条の十二 有料の職業紹介事業を行おうとする者又は有料職業紹介事業者は、取扱職種の種類等を定めたときは、これを厚生労働大臣に届け出なければならない。これを変更したときも、同様とする。

Article 32-12 (1) When a person seeking to provide paid employment placement services or a provider of paid employment placement services decides on a scope of job categories, etc. in the paid employment placement services, it must file a notification of these with the Minister of Health, Labour and Welfare.

The same applies if it changes these.

2 有料の職業紹介事業を行おうとする者又は有料職業紹介事業者が、前項の規定により、取扱職種の種類等を届け出た場合には、第五条の五及び第五条の六第一項の規定

は、その範囲内に限り適用するものとする。

(2) If a person seeking to provide paid employment placement services or a provider of paid employment placement services has filed a notification regarding the scope of job categories, etc. pursuant to the provisions of the preceding paragraph, the provisions of Article 5-5 and Article 5-6, paragraph (1) are to apply only within the scope of job categories , etc.

3 厚生労働大臣は、第一項の規定により届け出られた取扱職種の範囲等が、特定の者に対し不当な差別的取扱いをするものであると認めるときは、当該有料の職業紹介事業を行おうとする者又は有料職業紹介事業者に対し、期限を定めて、当該取扱職種の範囲等を変更すべきことを命ずることができる。

(3) If the Minister of Health, Labour and Welfare finds that the scope of job categories, etc. for which a notification has been filed pursuant to the provisions of paragraph (1) would cause particular persons to be treated in a way that is unjustly differential, the Minister may order the person seeking to provide paid employment placement services or the provider of paid employment placement services to change the scope of job categories and operations handled by a designated time limit.

(取扱職種の範囲等の明示等)

(Explicitly Indicating the Scope of Job Categories, etc.)

第三十二条の十三 有料職業紹介事業者は、取扱職種の範囲等、手数料に関する事項、苦情の処理に関する事項その他当該職業紹介事業の業務の内容に関しあらかじめ求人者及び求職者に対して知らせることが適当であるものとして厚生労働省令で定める事項について、厚生労働省令で定めるところにより、求人者及び求職者に対し、明示しなければならない。

Article 32-13 Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, a provider of paid employment placement services must explicitly indicate to job posters and job seekers the scope of job categories and operations handled, the particulars of its fees, the particulars of its complaint processing, and other particulars prescribed by Order of the Ministry of Health, Labour and Welfare as those concerning the substance of paid employment placement service operations that it is appropriate for job posters and job seekers to be informed of in advance.

(職業紹介責任者)

(Employment Placement Managers)

第三十二条の十四 有料職業紹介事業者は、職業紹介に関し次に掲げる事項を統括管理させ、及び従業者に対する職業紹介の適正な遂行に必要な教育を行わせるため、厚生労働省令で定めるところにより、第三十二条第一号、第二号及び第四号から第九号までに該当しない者（未成年者を除き、有料の職業紹介事業の管理を適正に行うに足りる能力を有する者として、厚生労働省令で定める基準に適合するものに限る。）のう

ちから職業紹介責任者を選任しなければならない。

Article 32-14 Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, a paid provider of employment placement services must appoint an employment placement manager from among persons not falling under Article 32, item (i), (ii), or (iv) through (ix) (excluding minors, and limited to persons who meet the criteria prescribed by Order of the Ministry of Health, Labour and Welfare as persons that have a sufficient ability to properly manage paid employment placement services) to supervise and manage the following things related to employment placement and to provide employees with the education that they need to properly perform employment placement:

一 求人者又は求職者から申出を受けた苦情の処理に関すること。

(i) those related to processing complaints from job posters and job seekers;

二 求人者の情報（職業紹介に係るものに限る。）及び求職者の個人情報の管理に関すること。

(ii) those related to managing information on job posters (limited to information pertaining to employment placement) and the personal information of job seekers;

三 求人及び求職の申込みの受理、求人者及び求職者に対する助言及び指導その他有料の職業紹介事業の業務の運営及び改善に関すること。

(iii) those related to accepting applications to post job openings and job-search applications, to providing advice and guidance to job posters and job seekers, and other things involved in managing and improving the operations of paid employment placement services;

四 職業安定機関との連絡調整に関すること。

(iv) those related to communicating and coordinating with employment security agencies.

（帳簿の備付け）

(Keeping of Books)

第三十二条の十五 有料職業紹介事業者は、その業務に関して、厚生労働省令で定める帳簿書類を作成し、その事業所に備えて置かなければならない。

Article 32-15 A provider of paid employment placement services must prepare the books and documents prescribed by Order of the Ministry of Health, Labour and Welfare with respect to its operations, and must keep them at its place of business.

（事業報告等）

(Business Reports)

第三十二条の十六 有料職業紹介事業者は、厚生労働省令で定めるところにより、有料の職業紹介事業を行う事業所ごとの当該事業に係る事業報告書を作成し、厚生労働大

臣に提出しなければならない。

Article 32-16 (1) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, a provider of paid employment placement services must prepare a business report concerning its paid employment placement services for each place of business at which it provides those services, and must submit this to the Minister of Health, Labour and Welfare.

2 前項の事業報告書には、厚生労働省令で定めるところにより、有料の職業紹介事業を行う事業所ごとの当該事業に係る求職者の数、職業紹介に関する手数料の額その他職業紹介に関する事項を記載しなければならない。

(2) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, in the business report referred to in the preceding paragraph, a paid provider of employment placement services must state the number of job seekers associated with its paid employment placement services for each place of business at which it provides those services, the amounts of fees for employment placement, and other particulars of its employment placement.

③ 有料職業紹介事業者は、厚生労働省令で定めるところにより、当該有料職業紹介事業者の紹介により就職した者の数、当該有料職業紹介事業者の紹介により就職した者（期間の定めのない労働契約を締結した者に限る。）のうち離職した者（解雇により離職した者その他厚生労働省令で定める者を除く。）の数、手数料に関する事項その他厚生労働省令で定める事項に関し情報の提供を行わなければならない。

(3) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, a provider of paid employment placement services must provide information on the number of persons who have obtained employment through its employment placement; the number of persons who obtained employment through its employment placement (limited to those who entered into labor contracts without a fixed-term) but have separated from employment (excluding those who have separated from employment due to dismissal and other persons prescribed by Order of the Ministry of Health, Labour and Welfare); the particulars of its fees; and other particulars prescribed by Order of the Ministry of Health, Labour and Welfare.

## 第二節 無料職業紹介事業

### Section 2 Free Employment Placement Services

(無料職業紹介事業)

(Free Employment Placement Services)

第三十三条 無料の職業紹介事業（職業安定機関及び特定地方公共団体の行うものを除く。以下同じ。）を行おうとする者は、次条及び第三十三条の三の規定により行う場合を除き、厚生労働大臣の許可を受けなければならない。

Article 33 (1) Unless doing so pursuant to the provisions of the following Article and Article 33-3, a person seeking to provide free employment placement



services (excluding those provided by an employment security agency or specified local public entity; the same applies hereinafter) must be licensed by the Minister of Health, Labour and Welfare.

2 厚生労働大臣は、前項の許可をしようとするときは、あらかじめ、労働政策審議会の意見を聴かなければならない。ただし、労働組合等に対し許可をしようとするときは、この限りでない。

(2) Before granting the license referred to in the preceding paragraph, the Minister of Health, Labour and Welfare must hear the opinion of the Labor Policy Council in advance; provided, however, that this does not apply if the license is granted to a labor union, etc.

3 第一項の許可の有効期間は、当該許可の日から起算して五年とする。

(3) The validity period of the license referred to in paragraph (1) is five years counting from the day on which the license is granted.

④ 第三十条第二項から第四項まで、第三十一条、第三十二条、第三十二条の四、第三十二条の五、第三十二条の六第二項、第三項及び第五項、第三十二条の七から第三十二条の十まで並びに第三十二条の十二から前条までの規定は、第一項の許可を受けて行う無料の職業紹介事業及び同項の許可を受けた者について準用する。この場合において、第三十条第二項中「前項の許可」とあり、第三十一条中「前条第一項の許可」とあり、並びに第三十二条、第三十二条の四第一項、第三十二条の五、第三十二条の六第五項、第三十二条の八第二項及び第三十二条の九第一項中「第三十条第一項の許可」とあるのは「第三十三条第一項の許可」と、第三十二条の六第二項中「前項」とあるのは「第三十三条第三項」と、第三十二条の十三中「手数料に関する事項、苦情」とあるのは「苦情」と、前条第二項中「、職業紹介に関する手数料の額その他」とあり、及び同条第三項中「、手数料に関する事項その他」とあるのは「その他」と読み替えるものとする。

(4) The provisions of Article 30, paragraphs (2) through (4), Articles 31, 32, 32-4, and 32-5, Article 32-6, paragraph (2), (3), and (5), Articles 32-7 through 32-10, and Articles 32-12 through 32-16 apply mutatis mutandis to free employment placement services provided under the license referred to in paragraph (1) and persons that have obtained that license. In such a case, the phrase "the license referred to in the preceding paragraph" in Article 30, paragraph (2), the phrase "the license referred to in paragraph (1) of the preceding Article" in Article 31, and the phrase "the license referred to in Article 30, paragraph (1)" in Article 32, Article 32-4, paragraph (1), Article 32-5, Article 32-6, paragraph (5), Article 32-8, paragraph (2), and Article 32-9, paragraph (1) are deemed to be replaced with "the license referred to in Article 33, paragraph (1)"; the phrase "the preceding paragraph" in Article 32-6, paragraph (2) is deemed to be replaced with "Article 33, paragraph (3)"; the phrase "the particulars of its fees, the particulars of its complaint processing" in Article 32-13 is deemed to be replaced with "the particulars of its complaint processing"; and the phrase "the amounts of fees for employment placement, and other particulars" in

paragraph (2) of the preceding Article and the phrase "the particulars of its fees, and other particulars" in paragraph (3) thereof are deemed to be replaced with ", and other particulars".

⑤ 第三十条第二項から第四項まで、第三十一条第二項及び第三十二条（第五号から第八号までを除く。）の規定は、前項において準用する第三十二条の六第二項に規定する許可の有効期間の更新について準用する。

(5) The provisions of Article 30, paragraphs (2) through (4), Article 31, paragraph (2), and Article 32 (excluding items (v) through (viii)) apply mutatis mutandis to the renewal of the validity period of the license provided for in Article 32-6, paragraph (2) as applied mutatis mutandis pursuant to the preceding paragraph.

(学校等の行う無料職業紹介事業)

(Free Employment Placement Services Provided by Schools)

第三十三条の二 次の各号に掲げる施設の長は、厚生労働大臣に届け出て、当該各号に定める者（これらの者に準ずる者として厚生労働省令で定めるものを含む。）について、無料の職業紹介事業を行うことができる。

Article 33-2 (1) After filing a notification with the Minister of Health, Labour and Welfare, the head of a facility set forth in one of the following items may provide free employment placement services for the persons specified in that item (including persons prescribed by Order of the Ministry of Health, Labour and Welfare as equivalent thereto):

一 学校（小学校及び幼稚園を除く。） 当該学校の学生生徒等

(i) a school (other than an elementary school or kindergarten): its students, pupils, etc.;

二 専修学校 当該専修学校の生徒又は当該専修学校を卒業した者

(ii) a special training college: its students and graduates;

三 職業能力開発促進法第十五条の七第一項各号に掲げる施設 当該施設の行う職業訓練を受ける者又は当該職業訓練を修了した者

(iii) a facility set forth in one of the items of paragraph (1) of Article 15-7 of the Human Resources Development Promotion Act: persons undergoing the vocational training that it conducts and persons who have completed that vocational training;

四 職業能力開発総合大学校 当該職業能力開発総合大学校の行う職業訓練若しくは職業能力開発促進法第二十七条第一項に規定する指導員訓練を受ける者又は当該職業訓練若しくは当該指導員訓練を修了した者

(iv) the Polytechnic University: persons undergoing the vocational training that it conducts, persons undergoing the instructor training provided for in Article 27, paragraph (1) of the Human Resources Development Promotion Act that it conducts, and persons who have completed that vocational training or instructor training.

2 前項の規定により無料の職業紹介事業を行う同項各号に掲げる施設の長は、当該施設の職員のうちから、職業紹介事業に関する業務を担当する者を定めて、自己に代わってその業務を行わせることができる。

(2) The head of a facility set forth in one of the items of the preceding paragraph that provides free employment placement services pursuant to the provisions of that paragraph may designate persons to be in charge of operations in employment placement services from among the personnel of those facilities, and may have those designated persons carry out the operations on behalf of the heads.

3 厚生労働大臣は、第一項各号に掲げる施設の長が同項の規定により行う無料の職業紹介事業の業務の執行に関する基準を定めることができる。

(3) The Minister of Health, Labour and Welfare may establish standards concerning the performance of operations for free employment placement services that the heads of the facilities set forth in the items of paragraph (1) carry out pursuant to the provisions of that paragraph.

4 厚生労働大臣は、第一項第一号及び第二号に掲げる施設の長に係る前項の基準を定めようとするときは、あらかじめ文部科学大臣と協議しなければならない。

(4) Before establishing the standards referred to in the preceding paragraph that pertain to the heads of the facilities set forth in paragraph (1), items (i) and (ii), the Minister of Health, Labour and Welfare must first consult with the Minister of Education, Culture, Sports, Science and Technology.

5 第一項の規定により無料の職業紹介事業を行おうとする同項各号に掲げる施設の長は、その取り扱う職業紹介の範囲を定めて、同項の届出をすることができる。

(5) The head of a facility set forth in one of the items of paragraph (1) who seeks to carry out free employment placement services pursuant to the provisions of that paragraph may establish the scope of employment placement to be handled by the facility and file the notification referred to in that paragraph.

⑥ 前項の規定により、第一項各号に掲げる施設の長が職業紹介の範囲を定めて届出をした場合においては、第五条の五第一項及び第五条の六第一項の規定は、その範囲内に限り適用するものとする。

(6) If the head of a facility set forth in the items of paragraph (1) has established the scope of employment placement and filed a notification pursuant to the provisions of the preceding paragraph, the provisions of Article 5-5, paragraph (1) and Article 5-6, paragraph (1) are to apply only within the scope of employment placement.

⑦ 第三十二条の八第一項、第三十二条の九第二項、第三十二条の十、第三十二条の十三、第三十二条の十五及び第三十二条の十六の規定は、第一項の規定により同項各号に掲げる施設の長が行う無料の職業紹介事業について準用する。この場合において、第三十二条の九第二項中「前項第二号又は第三号」とあるのは「前項第二号」と、第三十二条の十三中「手数料に関する事項、苦情」とあるのは「苦情」と、第三十二条の十六第一項中「有料の職業紹介事業を行う事業所ごとの当該事業に係る事業報告

書」とあるのは「事業報告書」と、同条第二項中「有料の職業紹介事業を行う事業所ごとの当該事業」とあるのは「当該事業」と、同項中「、職業紹介に関する手数料の額その他」とあり、及び同条第三項中「、手数料に関する事項その他」とあるのは「その他」と、同項中「行わなければ」とあるのは「行うよう努めなければ」と読み替えるものとする。

(7) The provisions of Article 32-8, paragraph (1), Article 32-9, paragraph (2), and Articles 32-10, 32-13, 32-15, and 32-16 apply *mutatis mutandis* to the free employment placement services that the head of a facility as set forth in one of the items of paragraph (1) provides pursuant to the provisions of that paragraph. In such a case, the phrase "item (ii) or (iii) of the preceding paragraph" in Article 32-9, paragraph (2) is deemed to be replaced with "item (ii) of the preceding paragraph"; the phrase "the particulars of its fees, the particulars of its complaint processing" in Article 32-13 is deemed to be replaced with "the particulars of its complaint processing"; the phrase "a business report concerning its paid employment placement services for each place of business at which it provides those services" in Article 32-16, paragraph (1) is deemed to be replaced with "a business report"; the phrase "paid employment placement services for each place of business at which it provides those services" in paragraph (2) of that Article is deemed to be replaced with "services"; the phrase "the amounts of fees for employment placement, and other" in that paragraph and the phrase "the particulars of its fees, and other" in paragraph (3) of that Article are deemed to be replaced with ", and other"; and the phrase "must provide" in that paragraph is deemed to be replaced with "must endeavor to provide".

8 厚生労働大臣は、第一項の規定により無料の職業紹介事業を行う同項第一号又は第二号に掲げる施設の長に対し、前項において準用する第三十二条の九第二項の規定により事業の停止を命じようとする場合には、あらかじめ教育行政庁に通知しなければならない。

(8) Before ordering the head of a facility set forth in item (i) or (ii) of paragraph (1) who is providing free employment placement services pursuant to the provisions of that paragraph to suspend those services pursuant to the provisions of Article 32-9, paragraph (2) as applied *mutatis mutandis* pursuant to the preceding paragraph, the Minister of Health, Labour and Welfare must first notify the relevant educational administrative agency.

(特別の法人の行う無料職業紹介事業)

(Free Employment Placement Services Provided by Special Corporations)

第三十三条の三 特別の法律により設立された法人であつて厚生労働省令で定めるものは、厚生労働大臣に届け出て、当該法人の直接若しくは間接の構成員（以下この項において「構成員」という。）を求人者とし、又は当該法人の構成員若しくは構成員に雇用されている者を求職者とする無料の職業紹介事業を行うことができる。

Article 33-3 (1) After filing a notification with the Minister of Health, Labour and Welfare, a corporation that has been incorporated pursuant to a special law and that is prescribed by Order of the Ministry of Health, Labour and Welfare may provide free employment placement services to job posters that are direct or indirect members of the corporation (hereinafter individually referred to as a "member" in this paragraph) or to job seekers that are members of the corporation or persons employed by them.

2 第三十条第二項から第四項まで、第三十二条、第三十二条の四第二項、第三十二条の七第一項及び第二項、第三十二条の八第一項、第三十二条の九、第三十二条の十並びに第三十二条の十二から第三十二条の十六までの規定は、前項の届出をして行う無料の職業紹介事業及び同項の届出をした法人について準用する。この場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

(2) The provisions of Article 30, paragraphs (2) through (4), Article 32, Article 32-4, paragraph (2), Article 32-7, paragraphs (1) and (2), Article 32-8, paragraph (1), Article 32-9, Article 32-10, and Articles 32-12 through 32-16 apply mutatis mutandis to free employment placement services provided after the notification referred to in the preceding paragraph is filed and to corporations that have filed the notification referred to in that paragraph. In such a case, the phrases set forth in the middle column of the following table which appear in the provisions set forth in the left-hand column of that table are deemed to be replaced with the phrases set forth in the right-hand column of that table.

第三十条第二項 Article 30, paragraph (2)	前項の許可を受けようとする者 A person seeking to be licensed as referred to in the preceding paragraph	第三十三条の三第一項の届出をしようとする法人 A corporation seeking to file the notification referred to in Article 33-3, paragraph (1)
	申請書 written application	届出書 written notice
第三十条第三項 Article 30, paragraph (3)	申請書 written application	届出書 written notice
第三十二条 Article 32	厚生労働大臣は、前条第一項の規定にかかわらず、次の Notwithstanding the provisions of paragraph (1) of the preceding Article, the Minister of Health, Labour and Welfare	次の A corporation that falls under one of the following items

	<p>者に対しては、第三十条第一項の許可をして</p> <p><b>must not grant the license referred to in Article 30, paragraph (1) to a person falling under one of the following items</b></p>	<p>法人は、新たに無料の職業紹介事業の事業所を設けて当該無料の職業紹介事業を行つて</p> <p><b>must not establish a new place of business for free employment placement services and carry out free employment placement services</b></p>
<p>第三十二条の四第二項</p> <p>Article 32-4, paragraph (2)</p>	<p>許可証の交付を受けた者</p> <p><b>A person that has been issued a license certificate</b></p>	<p>第三十三条の三第一項の届出をした法人</p> <p><b>A corporation that has filed the notification referred to in Article 33-3, paragraph (1)</b></p>
	<p>当該許可証</p> <p><b>the license certificate</b></p>	<p>当該届出をした旨その他厚生労働省令で定める事項を記載した書類</p> <p><b>the document stating that the notification has been filed and giving other particulars prescribed by Order of the Ministry of Health, Labour and Welfare</b></p>

<p>第三十二条の九第一項 Article 32-9, paragraph (1)</p>	<p>、第三十条第一項の許可を取り消す rescind the license referred to in Article 30, paragraph (1)</p>	<p>当該無料の職業紹介事業の廃止を、当該無料の職業紹介事業（二以上の事業所を設けて無料の職業紹介事業を行う場合にあつては、各事業所ごとの無料の職業紹介事業。以下この項において同じ。）の開始の当時第三十二条第五号から第八号までに該当するときは当該無料の職業紹介事業の廃止を、命ずる order the discontinuance of its free employment placement services, and may order the discontinuance of the free employment placement services in question if a provider of free employment placement services falls under items (v) through (viii) of Article 32 at the commencement of the free employment placement services (this applies for each place of business at which it provides free employment placement services, if it does so at two or more places of business; the same applies hereinafter in this paragraph)</p>
<p>第三十二条の九第二項 Article 32-9, paragraph (2)</p>	<p>前項第二号又は第三号 item (ii) or (iii) of the preceding paragraph</p>	<p>前項第二号 item (ii) of the preceding paragraph</p>
<p>第三十二条の十三 Article 32-13</p>	<p>手数料に関する事項、苦情 the particulars of its fees, the particulars of its complaint processing</p>	<p>苦情 the particulars of its complaint processing</p>
<p>第三十二条の十六第二項 Article 32-16, paragraph (2)</p>	<p>、職業紹介に関する手数料の額その他 the amounts of fees for employment placement, and other particulars</p>	<p>その他 , and other particulars</p>

<p>第三十二条の十六第三項 Article 32-16, paragraph (3)</p>	<p>、手数料に関する事項その他 , the particulars of its fees, and other</p>	<p>その他 , and other</p>
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(公共職業安定所による援助)

(Assistance by Public Employment Security Offices)

第三十三条の四 公共職業安定所は、第三十三条第一項の許可を受けて、又は第三十三条の二第一項若しくは前条第一項の規定による届出をして無料の職業紹介事業を行う者に対して、雇用情報、職業に関する調査研究の成果等の提供その他当該無料の職業紹介事業の運営についての援助を与えることができる。

Article 33-4 A public employment security office may provide a person that provides free employment placement services after being licensed as referred to in Article 33, paragraph (1) or filing the notification under Article 33-2, paragraph (1) or paragraph (1) of the preceding Article, with employment information, the results of research and study relating to employment, and other assistance in its administration of free employment placement services.

### 第三節 補則

#### Section 3 Auxiliary Provisions

(職業紹介事業者の責務)

(Responsibilities of Providers of Employment Placement Services)

第三十三条の五 職業紹介事業者は、当該事業の運営に当たっては、職業安定機関との連携の下に、その改善向上を図るために必要な措置を講ずるように努めなければならない。

Article 33-5 In administrating its services, a provider of employment placement services must endeavor to take the necessary measures to improve them, in coordination with employment security agencies.

(厚生労働大臣の指導等)

(Guidance of the Minister of Health, Labour and Welfare)

第三十三条の六 厚生労働大臣は、労働力の需要供給を調整するため特に必要があるときは、厚生労働省令で定めるところにより、職業紹介事業者に対し、職業紹介の範囲、時期、手段、件数その他職業紹介を行う方法に関し必要な指導、助言及び勧告をすることができる。

Article 33-6 If it is particularly necessary in order to coordinate workforce supply and demand, the Minister of Health, Labour and Welfare may give a provider of employment placement services the necessary guidance, advice, and recommendations with regard to the scope, timing, means, and number of cases of employment placement, and methods of carrying out employment placement,



pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(準用)

(Application Mutatis Mutandis)

第三十四条 第二十条の規定は、職業紹介事業者が職業紹介事業を行う場合について準用する。この場合において、同条第一項中「公共職業安定所」とあるのは「職業紹介事業者」と、同条第二項中「公共職業安定所は」とあるのは「公共職業安定所は、その旨を職業紹介事業者に通報するものとし、当該通報を受けた職業紹介事業者は、」と読み替えるものとする。

Article 34 The provisions of Article 20 apply mutatis mutandis when a provider of employment placement services provides employment placement services. In such a case, the phrase "public employment security office" in paragraph (1) of that Article is deemed to be replaced with "provider of employment placement services"; and the phrase "the public employment security office" in paragraph (2) of that Article is deemed to be replaced with "the public employment security office is to report this to the provider of employment placement services, and the provider of employment placement services that has received the report."

(施行規定)

(Provisions on Implementation)

第三十五条 この章に定めるもののほか、職業紹介事業に関する許可の申請手続その他職業紹介事業に関し必要な事項は、厚生労働省令で定める。

Article 35 Beyond what is provided for in this Chapter, the procedure for applying for a license for employment placement services and other necessary particulars related to employment placement services are specified by Order of the Ministry of Health, Labour and Welfare.

### 第三章の二 労働者の募集

#### Chapter III-2 Worker Recruitment

(委託募集)

(Entrustment of Recruitment)

第三十六条 労働者を雇用しようとする者が、その被用者以外の者をして報酬を与えて労働者の募集に従事させようとするときは、厚生労働大臣の許可を受けなければならない。

Article 36 (1) If a person seeking to employ workers seeks to provide a person not constituting its employee with compensation and have that person recruit workers for it, it must be licensed by the Minister of Health, Labour and Welfare.

2 前項の報酬の額については、あらかじめ、厚生労働大臣の認可を受けなければならない。

(2) The amount of the compensation referred to in the preceding paragraph must be approved by the Minister of Health, Labour and Welfare in advance.

3 労働者を雇用しようとする者が、その被用者以外の者をして報酬を与えることなく労働者の募集に従事させようとするときは、その旨を厚生労働大臣に届け出なければならない。

(3) If a person seeking to employ workers have a person not constituting its employee recruit workers for it without providing that person with compensation, it must file a notification of this with the Minister of Health, Labour and Welfare.

(募集の制限)

(Restrictions on Recruitment)

第三十七条 厚生労働大臣又は公共職業安定所長は、厚生労働省令で定めるところにより、労働力の需要供給を調整するため特に必要があるときは、労働者の募集（前条第一項の規定によるものを除く。）に関し、募集時期、募集人員、募集地域その他募集方法について、理由を付して制限することができる。

Article 37 (1) If it is especially necessary to do so in order to coordinate workforce supply and demand, the Minister of Health, Labour and Welfare or the chiefs of public employment security offices, as it concerns worker recruitment (excluding recruitment under paragraph (1) of the preceding Article), may restrict the timing for recruiting workers, the number of persons to be recruited, the recruitment area, and other matters concerning recruiting methods, indicating the reasons therefor, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 厚生労働大臣は、前条第一項の規定によつて労働者の募集を許可する場合においては、労働者の募集を行おうとする者に対し、募集時期、募集人員、募集地域その他募集方法に関し必要な指示をすることができる。

(2) When granting a license for worker recruitment pursuant to the provisions of paragraph (1) of the preceding Article, the Minister of Health, Labour and Welfare may give the person seeking to conduct worker recruitment the necessary instructions concerning the timing for recruiting, the number of persons to be recruited, the recruitment area, and other matters concerning recruiting methods.

第三十八条 削除

Article 38 Deleted

(報酬受領の禁止)

(Prohibition Against Receipt of Compensation)

第三十九条 労働者の募集を行う者及び第三十六条第一項又は第三項の規定により労働者の募集に従事する者（以下「募集受託者」という。）は、募集に応じた労働者から、その募集に関し、いかなる名義でも、報酬を受けてはならない。

Article 39 It is prohibited for a person recruiting workers or a person that is engaged in recruiting workers pursuant to the provisions of Article 36, paragraph (1) or (3) (hereinafter referred to as a "commissioned recruiter") to receive any compensation in connection with its recruitment, under any name, from a worker that has responded to a recruitment invitation.

（報酬の供与の禁止）

(Prohibition Against Giving Compensation)

第四十条 労働者の募集を行う者は、その被用者で当該労働者の募集に従事するもの又は募集受託者に対し、賃金、給料その他これらに準ずるものを支払う場合又は第三十六条第二項の認可に係る報酬を与える場合を除き、報酬を与えてはならない。

Article 40 A person recruiting workers must not compensate an employee who is engaged in recruiting workers or a commissioned recruiter, except when paying wages, salaries, or the equivalent or when providing compensation to which the approval referred to in Article 36, paragraph (2) pertains.

（許可の取消し等）

(Rescission of Licenses)

第四十一条 厚生労働大臣は、第三十六条第一項の許可を受けて労働者の募集を行う者又は同項の規定により労働者の募集に従事する者がこの法律若しくは労働者派遣法（第三章第四節の規定を除く。次項において同じ。）の規定又はこれらの規定に基づく命令若しくは処分に違反したときは、同項の許可を取り消し、又は期間を定めて当該労働者の募集の業務の停止を命ずることができる。

Article 41 (1) If a person recruiting workers under the license referred to in Article 36, paragraph (1), or a person engaged in recruiting workers pursuant to the provisions of that paragraph, violates a provision of this Act or the Worker Dispatching Act (excluding the provisions of Chapter 3, Section 4; the same applies in the following paragraph) or an order or disposition based on its provisions, the Minister of Health, Labour and Welfare may rescind the license referred to in Article 36, paragraph (1) or order the suspension of its worker recruitment operations for a designated period.

2 厚生労働大臣は、第三十六条第三項の届出をして労働者の募集を行う者又は同項の規定により労働者の募集に従事する者がこの法律若しくは労働者派遣法の規定又はこれらの規定に基づく命令若しくは処分に違反したときは、当該労働者の募集の業務の廃止を命じ、又は期間を定めて当該労働者の募集の業務の停止を命ずることができる。

(2) If a person recruiting workers after having filed a notification as referred to in Article 36, paragraph (3) or a person engaged in recruiting workers pursuant to the provisions of that paragraph violates a provision of this Act or

the Worker Dispatching Act or an order or disposition based on its provisions, the Minister of Health, Labour and Welfare may order the discontinuance of the worker recruitment operations or order the suspension thereof for a designated period.

(募集内容の的確な表示等)

(Accurately Representing the Substance of Work under Recruitment)

第四十二条 新聞、雑誌その他の刊行物に掲載する広告、文書の掲出又は頒布その他厚生労働省令で定める方法により労働者の募集を行う者（募集受託者を含む。以下この項において同じ。）は、労働者の適切な職業選択に資するため、第五条の三第一項の規定により当該募集に係る従事すべき業務の内容等を明示するに当たっては、当該募集に応じようとする労働者に誤解を生じさせることのないように平易な表現を用いる等その的確な表示に努めなければならない。この場合において、当該労働者の募集を行う者が募集情報等提供事業を行う者をして労働者の募集に関する情報を労働者となろうとする者に提供させるときは、当該募集情報等提供事業を行う者に対し、必要な協力を求めるように努めなければならない。

Article 42 (1) In explicitly indicating, pursuant to the provisions of Article 5-3, paragraph (1), the substance of work in which the worker would engage and other particulars connected with its recruitment, a person recruiting workers by placing an advertisement in a publication such as a newspaper or magazine, by posting or distributing documents, or by other methods prescribed by Order of the Ministry of Health, Labour and Welfare (including commissioned recruiters; the same applies hereinafter in this paragraph) must endeavor to represent things accurately by using plain expressions and in other ways so as not to mislead workers who are seeking to be recruited, in order to help workers make appropriate employment choices. This being the case, when a person recruiting workers provides aspiring workers with information on worker recruitment through a person offering the service of providing recruitment/candidate information, the person recruiting workers must endeavor to ensure that the person offering the service of providing recruitment/candidate information seeks the necessary cooperation.

② 募集情報等提供事業を行う者は、労働者の募集を行う者若しくは募集受託者又は労働者となろうとする者の依頼を受け提供する情報が的確に表示されたものとなるよう、当該依頼をした者に対し、必要な協力をを行うように努めなければならない。

(2) In order to ensure that the information which a person offering the service of providing recruitment/candidate information provides at the request of a person recruiting workers, commissioned recruiter, or aspiring worker is accurately represented, the person offering that service must endeavor to provide the necessary cooperation to the person making that request.

(労働者の募集を行う者等の責務)

(Responsibilities of Persons Recruiting Workers)

第四十二条の二 労働者の募集を行う者及び募集受託者並びに募集情報等提供事業を行う者は、労働者の適切な職業選択に資するため、それぞれ、その業務の運営に当たっては、その改善向上を図るために必要な措置を講ずるように努めなければならない。

Article 42-2 In administering its operations, a person recruiting workers, commissioned recruiter, or person offering the service of providing recruitment/candidate information must endeavor to take the necessary measures to improve its operations in order to help workers make appropriate employment choices.

(準用)

(Application Mutatis Mutandis)

第四十二条の三 第二十条の規定は、労働者の募集について準用する。この場合において、同条第一項中「公共職業安定所」とあるのは「労働者の募集を行う者（厚生労働省令で定める者を除く。次項において同じ。）及び募集受託者（第三十九条に規定する募集受託者をいう。同項において同じ。）」と、「事業所に、求職者を紹介してはならない」とあるのは「事業所における就業を内容とする労働者の募集をしてはならない」と、同条第二項中「求職者を無制限に紹介する」とあるのは「労働者を無制限に募集する」と、「公共職業安定所は当該事業所に対し、求職者を紹介してはならない」とあるのは「公共職業安定所は、その旨を労働者の募集を行う者及び募集受託者に通報するものとし、当該通報を受けた労働者の募集を行う者又は募集受託者は、当該事業所における就業を内容とする労働者の募集をしてはならない」と、同項ただし書中「紹介する」とあるのは「募集する」と読み替えるものとする。

Article 42-3 The provisions of Article 20 apply mutatis mutandis to worker recruitment. In such a case, in paragraph (1) of that Article, the phrase "a public employment security office" is deemed to be replaced with "persons that conduct worker recruitment (excluding persons prescribed by Order of the Ministry of Health, Labour and Welfare; the same applies in the following paragraph) and commissioned recruiters (which mean commissioned recruiters provided in Article 39; the same applies in said paragraph)" and the phrase "must not refer job seekers to a place of business" is deemed to be replaced with "must not recruit workers to work at a place of business"; in paragraph (2) of that Article, the phrase "unrestricted referral of job seekers" is deemed to be replaced with "unrestricted recruitment of workers" and the phrase "the public employment security office must not refer job seekers to that place of business" is deemed to be replaced with "the public employment security office must report this to persons recruiting workers and commissioned recruiters, and those persons recruiting workers and commissioned recruiters, upon receipt of that report, must not recruit workers to work at that place of business," and the term "referral" in the proviso to that paragraph is deemed to be replaced with "recruitment".

(施行規定)

**(Provisions on Implementation)**

第四十三条 労働者の募集に関する許可の申請手続その他労働者の募集に関し必要な事項は、厚生労働省令でこれを定める。

Article 43 The procedure for applying for a license for worker recruitment and provides for other necessary particulars related to worker recruitment are specified by Order of the Ministry of Health, Labour and Welfare.

**第三章の三 労働者供給事業**

**Chapter III-3 The Worker Supply Services**

(労働者供給事業の禁止)

**(Prohibition of the Worker Supply Services)**

第四十四条 何人も、次条に規定する場合を除くほか、労働者供給事業を行い、又はその労働者供給事業を行う者から供給される労働者を自らの指揮命令の下に労働させてはならない。

Article 44 It is prohibited for any person to provide the worker supply services or to have a worker who has been supplied by a person providing the worker supply services work under the directions or orders of the person to which the worker has been supplied, except in the cases provided for in the following Article.

(労働者供給事業の許可)

**(Licensing for the Worker Supply Services)**

第四十五条 労働組合等が、厚生労働大臣の許可を受けた場合は、無料の労働者供給事業を行うことができる。

Article 45 A labor union, etc. may provide a free worker supply service if it is licensed by the Minister of Health, Labour and Welfare.

(労働者供給事業者の責務)

**(Responsibilities of Providers of Worker Supply Service)**

第四十五条の二 労働者供給事業者は、労働力の需要供給の適正かつ円滑な調整に資するため、当該事業の運営に当たっては、その改善向上を図るために必要な措置を講ずるように努めなければならない。

Article 45-2 In operating its services, a provider of worker supply service must endeavor to take the necessary measures to improve its services in order to contribute to the appropriate and smooth coordination of workforce supply and demand.

(準用)

(Application Mutatis Mutandis)

第四十六条 第二十条、第三十三条の四及び第四十一条第一項の規定は、労働組合等が前条の規定により労働者供給事業を行う場合について準用する。この場合において、第二十条第一項中「公共職業安定所」とあるのは「労働者供給事業者」と、「求職者を紹介してはならない」とあるのは「労働者を供給してはならない」と、同条第二項中「求職者を無制限に紹介する」とあるのは「労働者を無制限に供給する」と、「公共職業安定所は当該事業所に対し、求職者を紹介してはならない」とあるのは「公共職業安定所は、その旨を労働者供給事業者に通報するものとし、当該通報を受けた労働者供給事業者は、当該事業所に対し、労働者を供給してはならない」と、同項ただし書中「紹介する」とあるのは「供給する」と、第四十一条第一項中「同項の許可」とあるのは「同条の許可」と、「当該労働者の募集の業務」とあるのは「当該労働者供給事業の全部若しくは一部」と読み替えるものとする。

Article 46 The provisions of Articles 20 and 33-4 and Article 41, paragraph (1) apply mutatis mutandis when a labor union, etc. provides the worker supply services pursuant to the provisions of the preceding Article. In this case, in Article 20, paragraph (1), the phrase "public employment security office" is deemed to be replaced with "providers of worker supply services" and the phrase "must not refer job seekers to" is deemed to be replaced with "must not supply workers with"; in paragraph (2) of that Article, the phrase "unrestricted referral of job seekers" is deemed to be replaced with "unrestricted supply of workers" and the phrase "the public employment security office must not refer job seekers to that place of business" is deemed to be replaced with "the public employment security office is to report this to providers of worker supply services, and those providers of worker supply services that have received that report must not supply workers to that place of business"; in the proviso to that paragraph, the term "referral" is deemed to be replaced with "supply"; and in Article 41, paragraph (1), the phrase "the license referred to in that paragraph" is deemed to be replaced with "the license referred to in that Article" and the phrase "its worker recruitment operations" is deemed to be replaced with "all or part of its worker supply services".

(施行規定)

(Provisions on Implementation)

第四十七条 労働者供給事業に関する許可の申請手続その他労働者供給事業に関し必要な事項は、厚生労働省令でこれを定める。

Article 47 The procedure for applying for a license for the worker supply services and other necessary particulars related to the worker supply services are specified by Order of the Ministry of Health, Labour and Welfare.

第三章の四 労働者派遣事業等

Chapter III-4 Worker Dispatch Services, etc.

第四十七条の二 労働者派遣事業等に関しては、労働者派遣法及び港湾労働法並びに建設労働法の定めるところによる。

Article 47-2 Worker dispatch services are governed by the provisions of the Worker Dispatching Act, the Port Labor Act, and the Construction Work Act.

#### 第四章 雑則

#### Chapter IV Miscellaneous Provisions

(指針)

(Guidelines)

第四十八条 厚生労働大臣は、第三条、第五条の三、第五条の四、第三十三条の五、第四十二条、第四十二条の二及び第四十五条の二に定める事項に関し、職業紹介事業者、求人者、労働者の募集を行う者、募集受託者、募集情報等提供事業を行う者、労働者供給事業者及び労働者供給を受けようとする者が適切に対処するために必要な指針を公表するものとする。

Article 48 The Minister of Health, Labour and Welfare is to publish the guidelines that providers of employment placement services, job posters, persons recruiting workers, commissioned recruiters, persons offering the service of providing recruitment/candidate information, providers of worker supply services, and persons seeking to have workers supplied to them need to properly deal with the things provided for in Articles 3, 5-3, 5-4, 33-5, 42, 42-2, and 45-2.

(指導及び助言)

(Guidance and Advice)

第四十八条の二 厚生労働大臣は、この法律の施行に関し必要があると認めるときは、職業紹介事業者、求人者、労働者の募集を行う者、募集受託者、募集情報等提供事業を行う者、労働者供給事業者及び労働者供給を受けようとする者に対し、その業務の適正な運営を確保するために必要な指導及び助言をすることができる。

Article 48-2 On finding it to be necessary to do so in connection with the implementation of this Act, the Minister of Health, Labour and Welfare may give a provider of employment placement services, job poster, person recruiting workers, commissioned recruiter, person offering the service of providing recruitment/candidate information, providers of worker supply services, or person seeking to have a worker supplied to it the necessary guidance and advice to ensure the appropriate administration of its operations.

(改善命令等)

(Order for Improvement)

第四十八条の三 厚生労働大臣は、職業紹介事業者、労働者の募集を行う者、募集受託



者又は労働者供給事業者が、その業務に関しこの法律の規定又はこれに基づく命令の規定に違反した場合において、当該業務の適正な運営を確保するために必要があると認めるときは、これらの者に対し、当該業務の運営を改善するために必要な措置を講ずべきことを命ずることができる。

Article 48-3 (1) If a provider of employment placement services, person recruiting workers, commissioned recruiter, or provider of worker supply services violates a provision of this Act or of an order based on this Act in connection with its operations, and the Minister of Health, Labour and Welfare finds it to be necessary to do so to ensure the appropriate administration of those operations, the Minister may order that person to take the necessary measures to improve the administration of its operations.

② 厚生労働大臣は、求人者又は労働者供給を受けようとする者が、第五条の三第二項若しくは第三項の規定に違反しているとき、若しくは第五条の五第三項の規定による求めに対して事実と相違する報告をしたとき、又はこれらの規定に違反して前条の規定による指導若しくは助言を受けたにもかかわらずなおこれらの規定に違反するおそれがあると認めるときは、当該求人者又は労働者供給を受けようとする者に対し、第五条の三第二項若しくは第三項又は第五条の五第三項の規定の違反を是正するために必要な措置又はその違反を防止するために必要な措置を執るべきことを勧告することができる。

(2) When finding that a job poster or person seeking to have workers supplied to it is in violation of the provisions of Article 5-3, paragraph (2) or (3), that it has made a report containing factual discrepancies when asked to report under Article 5-5, paragraph (3), or that there is a continued risk that it will violate those provisions in spite of it having received guidance or advice under the preceding Article as a result of having violated those provisions, the Minister of Health, Labour and Welfare may issue a recommendation that the job poster or person seeking to have workers supplied to it to take the necessary measures to rectify its violation of the provisions of Article 5-3, paragraph (2) or (3), or Article 5-5, paragraph (3), or to prevent a violation of those provisions.

③ 厚生労働大臣は、労働者の募集を行う者に対し第一項の規定による命令をした場合又は前項の規定による勧告をした場合において、当該命令又は勧告を受けた者がこれに従わなかつたときは、その旨を公表することができる。

(3) If the Minister of Health, Labour and Welfare has issued an order under paragraph (1) or a recommendation under the preceding paragraph to a person recruiting workers, but the person to which the order or recommendation was issued has failed to follow it, the Minister may make this known to the public.

(厚生労働大臣に対する申告)

(Report to the Minister of Health, Labour and Welfare)

第四十八条の四 特定地方公共団体、職業紹介事業者、求人者、労働者の募集を行う者、募集受託者、労働者供給事業者又は労働者供給を受けようとする者がこの法律の規定

又はこれに基づく命令の規定に違反する事実がある場合においては、当該特定地方公共団体若しくは職業紹介事業者に求職の申込みをした求職者、当該募集に応じた労働者又は当該労働者供給事業者から供給される労働者は、厚生労働大臣に対し、その事実を申告し、適切な措置を執るべきことを求めることができる。

Article 48-4 (1) If a specified local public entity, provider of employment placement services, job poster, person recruiting workers, commissioned recruiter, providers of worker supply services, or person seeking to have workers supplied to it violates a provision of this Act or of an order based on this Act, a job seeker who has filed a job-search application with the specified local public entity or provider of employment placement services, a worker who has responded to the recruitment invitation, or a worker supplied by the supplier of workers may report this to the Minister of Health, Labour and Welfare and request that appropriate measures be taken.

2 厚生労働大臣は、前項の規定による申告があつたときは、必要な調査を行い、その申告の内容が事実であると認めるときは、この法律に基づく措置その他適切な措置を執らなければならない。

(2) Upon receipt of the report referred to in the preceding paragraph, the Minister of Health, Labour and Welfare must conduct the necessary investigation and, if the Minister finds the substance of the report to be true, take measures based on this Act and other appropriate measures.

(報告の請求)

(Request for Reports)

第四十九条 行政庁は、必要があると認めるときは、労働者を雇用する者から、労働者の雇入又は離職の状況、賃金その他の労働条件等職業安定に関し必要な報告をさせることができる。

Article 49 On finding it to be necessary to do so, an administrative authority may have a person that employs workers make the necessary reports in connection with employment stability, on things such as its worker-hiring or worker-separation status, wages or other such working conditions.

(報告及び検査)

(Reports and Inspections)

第五十条 行政庁は、この法律を施行するために必要な限度において、厚生労働省令で定めるところにより、職業紹介事業を行う者（第二十九条第一項の規定により無料の職業紹介事業を行う場合における特定地方公共団体を除く。）、求人者、労働者の募集を行う者、募集受託者、募集情報等提供事業を行う者、労働者供給事業を行う者又は労働者供給を受けようとする者に対し、必要な事項を報告させることができる。

Article 50 (1) To the extent necessary for the implementation of this Act, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, an administrative authority may have a person that provides

employment placement services (excluding a specified local public entity if that public entity carries out free employment placement services pursuant to the provisions of Article 29, paragraph (1)), job poster, person recruiting workers, commissioned recruiter, person offering the service of providing recruitment/candidate information, person that provides the worker supply services, or person seeking to have workers supplied to it report on the necessary matters.

2 行政庁は、この法律を施行するために必要な限度において、所属の職員に、職業紹介事業を行う者（第二十九条第一項の規定により無料の職業紹介事業を行う場合における特定地方公共団体を除く。）、求人者、労働者の募集を行う者、募集受託者、労働者供給事業を行う者又は労働者供給を受けようとする者の事業所その他の施設に立ち入り、関係者に質問させ、又は帳簿、書類その他の物件を検査させることができる。

(2) To the extent necessary for the implementation of this Act, an administrative authority may have its personnel enter the place of business or other facilities of a person that provides employment placement services (excluding a specified local public entity if that public entity carries out free employment placement services pursuant to the provisions of Article 29, paragraph (1)), job poster, person recruiting workers, commissioned recruiter, person that provides of worker supply services, or person seeking to have workers supplied to it; question relevant persons; and inspect its books, documents, and other such items.

3 前項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。

(3) Personnel conducting on-site inspections pursuant to the provisions of the preceding paragraph must carry their identification cards and present them to the relevant persons.

4 第二項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(4) The authority for on-site inspections under paragraph (2) must not be construed having been accorded for the purpose of a criminal investigation.

(秘密を守る義務等)

(Duty to Maintain Confidentiality)

第五十一条 職業紹介事業者、求人者、労働者の募集を行う者、募集受託者、労働者供給事業者及び労働者供給を受けようとする者（以下この条において「職業紹介事業者等」という。）並びにこれらの代理人、使用人その他の従業員は正当な理由なく、その業務上取り扱ったことについて知り得た人の秘密を漏らしてはならない。職業紹介事業者等及びこれらの代理人、使用人その他の従業者でなくなつた後においても、同様とする。

Article 51 (1) It is prohibited for a provider of employment placement services, job poster, person recruiting workers, commissioned recruiter, provider of

worker supply services, or person seeking to have workers supplied to it (hereinafter referred to as a "provider of employment placement services or other prescribed person" in this Article), or its agent, employee, or other such worker to divulge a personal secret learned with respect to any matter handled in the course of operations, without reasonable grounds. The same applies even after it is no longer a provider of employment placement services or other prescribed person, and even after a person is no longer its agent, employee, or other such worker.

2 職業紹介事業者等及びこれらの代理人、使用人その他の従業者は、前項の秘密のほか、その業務に関して知り得た個人情報その他厚生労働省令で定める者に関する情報を、みだりに他人に知らせてはならない。職業紹介事業者等及びこれらの代理人、使用人その他の従業者でなくなつた後においても、同様とする。

(2) Other than a secret as referred to in the preceding paragraph, it is prohibited for a provider of employment placement services or other prescribed person or its agent, employee, or other such worker to inform another person of a piece of personal information, or of information concerning a person that Order of the Ministry of Health, Labour and Welfare prescribes, that it has learned in connection with its operations, without due cause. The same applies even after it is no longer a provider of employment placement services or other prescribed person, and even after a person is no longer its agent, employee, or other such worker.

第五十一条の二 特定地方公共団体並びに公共職業安定所の業務に従事する者及び特定地方公共団体の業務に従事する者は、その業務に関して知り得た個人情報その他厚生労働省令で定める者に関する情報を、みだりに他人に知らせてはならない。特定地方公共団体並びに公共職業安定所の業務に従事する者及び特定地方公共団体の業務に従事する者でなくなつた後においても、同様とする。

Article 51-2 It is prohibited for a specified local public entity or a person engaged in the operations of a public employment security office or specified local public entity to inform another person of a piece of personal information, or of information concerning a person that Order of the Ministry of Health, Labour and Welfare prescribes, that it has learned in connection with the operations of the public entity or office, without due cause. The same applies even after it is no longer a specified local public entity or a person engaged in the operations of a public employment security office or specified local public entity.

(相談及び援助)

(Consultation and Assistance)

第五十一条の三 公共職業安定所は、職業紹介、労働者の募集又は労働者供給に関する事項について、求職者等の相談に応じ、及び必要な助言その他の援助を行うことがで

きる。

Article 51-3 A public employment security office may offer consultations and give the necessary advice and other such assistance to job seekers, etc. in matters concerning employment placement, worker recruitment, or worker supply.

(職員の教養訓練)

(Education and Training of Personnel)

第五十二条 政府は、その行う職業紹介、職業指導その他この法律の施行に関する事務に従事する職員を教養し、及びその訓練を行うため、計画を樹立し、必要な施設を設けなければならない。

Article 52 The government must formulate a plan and establish the necessary facilities to educate and train personnel engaged in the employment placement, vocational guidance, and other affairs that it conducts concerning the implementation of this Act.

(業務の周知宣伝)

(Ensuring That the Relevant Operations Are Widely Known)

第五十二条の二 政府は、その行う職業紹介、職業指導、雇用保険その他この法律の目的を周知宣伝するため、計画を樹立し、これが実施に努めなければならない。

Article 52-2 The government must formulate and endeavor to implement a plan to ensure that the employment placement, vocational guidance, and employment insurance which it provides and the purpose of this Act are widely known.

(官庁間の連絡)

(Communication Among Government Agencies)

第五十三条 政府は、この法律に規定する職業紹介、職業指導、労働力の需要供給に関する調査又は労働者の募集について、関係官庁の事務の調整を図り、及び労働力を最も有効に発揮させる方法を協議するため必要があると認めるときは、連絡協議会を設置することができる。

Article 53 The government may establish a liaison council if it finds it to be necessary to do so in order to coordinate the relevant agencies' affairs with regard to the employment placement, vocational guidance, surveys on workforce supply and demand, or worker recruitment provided for in this Act or in order for those agencies to consult on the means of achieving the most effective utilization of the workforce.

(雇入方法等の指導)

(Giving Guidance on Hiring Methods)

第五十四条 厚生労働大臣は、労働者の雇入方法を改善し、及び労働力を事業に定着さ

せることによつて生産の能率を向上させることについて、工場事業場等を指導することができる。

**Article 54** The Minister of Health, Labour and Welfare may give guidance to a factory, place of business, or other such workplace on increasing production efficiency by improving methods of hiring workers and ensuring that its business retains a workforce.

第五十五条から第五十九条まで 削除  
Articles 55 through 59 Deleted

(権限の委任)

(Delegation of Authority)

第六十条 この法律に規定する厚生労働大臣の権限は、厚生労働省令の定めるところによつて、職業安定主管局長又は都道府県労働局長に委任することができる。

**Article 60** Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, the authority of the Minister of Health, Labour and Welfare that is provided for in this Act may be delegated to the director-general of the main employment security bureau or to prefectural labor directors.

(厚生労働省令への委任)

(Delegation to Order of the Ministry of Health, Labour and Welfare)

第六十一条 この法律に定めるもののほか、この法律の実施のために必要な手続その他の事項は、厚生労働省令で定める。

**Article 61** Beyond what is prescribed in this Act, the necessary procedures for the implementation of this Act and other such particulars are specified by the Ministry of Health, Labour and Welfare.

(適用除外)

(Exclusion from Application)

第六十二条 この法律は、船員職業安定法（昭和二十三年法律第百三十号）第六条第一項に規定する船員については、適用しない。

**Article 62** (1) This Act does not apply to mariners provided for in Article 6, paragraph (1) of the Mariners' Employment Security Act (Act No. 130 of 1948).  
2 この法律は、国家公務員法（昭和二十二年法律第百二十号）第十八条の七第一項の官民人材交流センターが同法第十八条の五第一項（自衛隊法（昭和二十九年法律第百六十五号）第六十五条の十第二項及び独立行政法人通則法（平成十一年法律第百三十三号）第五十四条第一項において準用する場合を含む。）の就職の援助として行う職業紹介事業及び募集情報等提供事業については、適用しない。裁判所職員臨時措置法（昭和二十六年法律第二百九十九号）において読み替えて準用する国家公務員法第六十二条の二第二項第三号に規定する最高裁判所規則の定めるところにより裁判官及び裁判官の秘書官以外の裁判所職員の離職に際しての離職後の就職の援助に関する事務を

行う最高裁判所の組織が当該就職の援助として行う職業紹介事業についても、同様とする。

(2) This Act does not apply to the employment placement services and the service of providing recruitment/candidate information carried out as employment assistance under Article 18-5, paragraph (1) of the National Public Service Act (Act No. 120 of 1947) (including as applied mutatis mutandis pursuant to Article 65-10, paragraph (2) of the Self-Defense Forces Act (Act No. 165 of 1954) and Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999)) by the Center for Personnel Interchanges between the Government and Private Entities provided for in Article 18-7, paragraph (1) of the National Public Service Act. The same applies to employment placement services that the Supreme Court's organization that conducts affairs related to post-separation employment assistance for court officials other than judges and their secretaries provides as employment assistance upon those officials' separation from service, pursuant to the provisions of the Supreme Court Rules prescribed in Article 106-2, paragraph (2), item (iii) of the National Public Service Act as applied mutatis mutandis pursuant to the Act on Temporary Measures concerning Court Officials (Act No. 299 of 1951) following a deemed replacement of terms.

## 第五章 罰則

### Chapter V Penal Provisions

第六十三条 次の各号のいずれかに該当する者は、これを一年以上十年以下の懲役又は二十万円以上三百万円以下の罰金に処する。

Article 63 A person falling under one of the following items is subject to imprisonment for not less than one year and not more than ten years, or to a fine of not less than 200,000 yen and not more than 3,000,000 yen:

一 暴行、脅迫、監禁その他精神又は身体の自由を不当に拘束する手段によつて、職業紹介、労働者の募集若しくは労働者の供給を行つた者又はこれらに従事した者

(i) a person that has carried out or been engaged in employment placement, recruitment of a worker, or worker supply by means of assault, intimidation, unlawful confinement, or any other means of wrongful restraint to a person's mental or physical freedom; or

二 公衆衛生又は公衆道徳上有害な業務に就かせる目的で、職業紹介、労働者の募集若しくは労働者の供給を行つた者又はこれらに従事した者

(ii) a person that has carried out or been engaged in employment placement, recruitment of a worker, or worker supply with the intention of having a worker do work that is harmful to public health or morals.

第六十四条 次の各号のいずれかに該当する者は、これを一年以下の懲役又は百万円以

下の罰金に処する。

Article 64 A person falling under one of the following items is subject to imprisonment for not more than one year or a fine of not more than 1,000,000 yen:

一 第三十条第一項の規定に違反した者

(i) a person that has violated the provisions of Article 30, paragraph (1);

一の二 偽りその他不正の行為により、第三十条第一項の許可、第三十二条の六第二項（第三十三条第四項において準用する場合を含む。）の規定による許可の有効期間の更新、第三十三条第一項の許可、第三十六条第一項の許可又は第四十五条の許可を受けた者

(i)-2 a person that has used deception or any other wrongful act to obtain a license under Article 30, paragraph (1), a renewal of the validity period of a license under Article 32-6, paragraph (2) (including as applied mutatis mutandis pursuant to Article 33, paragraph (4)), a license under Article 33, paragraph (1), a license under Article 36, paragraph (1), or a license under Article 45;

二 第三十二条の九第二項（第三十三条第四項、第三十三条の二第七項及び第三十三条の三第二項において準用する場合を含む。）の規定による事業の停止の命令に違反した者

(ii) a person that has violated an order to suspend its services under Article 32-9, paragraph (2) (including as applied mutatis mutandis pursuant to Article 33, paragraph (4), Article 33-2, paragraph (7), and Article 33-3, paragraph (2));

三 第三十二条の十（第三十三条第四項、第三十三条の二第七項及び第三十三条の三第二項において準用する場合を含む。）の規定に違反した者

(iii) a person that has violated the provisions of Article 32-10 (including as applied mutatis mutandis pursuant to Article 33, paragraph (4), Article 33-2, paragraph (7), and Article 33-3, paragraph (2));

四 第三十二条の十一第一項の規定に違反した者

(iv) a person that has violated the provisions of Article 32-11, paragraph (1);

五 第三十三条第一項の規定に違反した者

(v) a person that has violated the provisions of Article 33, paragraph (1);

六 第三十三条の三第二項において準用する第三十二条の九第一項の規定による事業の廃止の命令に違反した者

(vi) a person that has violated an order to discontinue its services under Article 32-9, paragraph (1) as applied mutatis mutandis pursuant to Article 33-3, paragraph (2);

七 第三十六条第一項の規定に違反した者

(vii) a person that has violated the provisions of Article 36, paragraph (1);

八 第四十一条第一項（第四十六条において準用する場合を含む。）の規定による労働者の募集の業務若しくは労働者供給事業の停止又は第四十一条第二項の規定によ



- る労働者の募集の業務の廃止若しくは停止の命令に違反した者
- (viii) a person that has violated an order to suspend its worker recruitment services or worker supply services under Article 41, paragraph (1) (including as applied mutatis mutandis pursuant to Article 46) or to discontinue or suspend worker recruitment operations under Article 41, paragraph (2); or
- 九 第四十四条の規定に違反した者
- (ix) a person that has violated the provisions of Article 44.

第六十五条 次の各号のいずれかに該当する者は、これを六月以下の懲役又は三十万円以下の罰金に処する。

Article 65 A person falling under one of the following items is subject to imprisonment for not more than six months or a fine of not more than 300,000 yen:

- 一 第十一条第三項の規定に違反した者
- (i) a person that has violated the provisions of Article 11, paragraph (3);
- 二 第三十二条の三第一項又は第二項の規定に違反した者
- (ii) a person that has violated the provisions of Article 32-3, paragraph (1) or (2);
- 三 第三十三条の二第一項又は第三十三条の三第一項の規定による届出をしないで、無料の職業紹介事業を行つた者
- (iii) a person that has carried out free employment placement services without giving the notification under Article 33-2 paragraph (1) or Article 33-3, paragraph (1);
- 四 第三十六条第二項又は第三項の規定に違反した者
- (iv) a person that has violated the provisions of Article 36, paragraph (2) or (3);
- 五 第三十七条の規定による制限又は指示に従わなかつた者
- (v) a person that has failed to comply with a restriction or instruction under Article 37;
- 六 第三十九条又は第四十条の規定に違反した者
- (vi) a person that has violated the provisions of Article 39 or 40;
- 七 第四十八条の三第一項の規定による命令に違反した者
- (vii) a person that has violated an order under Article 48-3, paragraph (1);
- 八 虚偽の広告をなし、又は虚偽の条件を提示して、職業紹介、労働者の募集若しくは労働者の供給を行つた者又はこれらに従事した者
- (viii) a person that has carried out or been engaged in employment placement, recruitment of workers, or worker supply through the placement of a false advertisement or the presentation of false conditions;
- 九 虚偽の条件を提示して、公共職業安定所又は職業紹介を行う者に求人の申込みを行つた者
- (ix) a person that has filed an application to post a job opening with a public employment security office or person engaging in employment through the

presentation of false conditions; or

十 労働条件が法令に違反する工場事業場等のために、職業紹介、労働者の募集若しくは労働者の供給を行つた者、又はこれに従事した者

(x) a person that has carried out or been engaged in employment placement, recruitment of workers, or worker supply for a factory, place of business, or other such workplace in which working conditions are in violation of a law or regulation.

第六十六条 次の各号のいずれかに該当する者は、これを三十万円以下の罰金に処する。

Article 66 A person falling under one of the following items is subject to a fine of not more than 300,000 yen:

一 第三十条第二項（第三十二条の六第六項、第三十三条第四項及び第五項並びに第三十三条の三第二項において準用する場合を含む。）に規定する申請書若しくは届出書又は第三十条第三項（第三十二条の六第六項、第三十三条第四項及び第五項並びに第三十三条の三第二項において準用する場合を含む。）に規定する書類に虚偽の記載をして提出した者

(i) a person that has made a false statement in a written application or written notification provided for in Article 30, paragraph (2) (including as applied mutatis mutandis pursuant to Article 32-6, paragraph (6), Article 33, paragraphs (4) and (5), and Article 33-3, paragraph (2)), or in a document provided for in Article 30, paragraph (3) (including as applied mutatis mutandis pursuant to Article 32-6, paragraph (6), Article 33, paragraphs (4) and (5), and Article 33-3, paragraph (2)) and then submitted it;

二 第三十二条の三第四項の規定による命令に違反した者

(ii) a person that has violated an order under Article 32-3, paragraph (4);

三 第三十二条の七第一項（第三十三条第四項及び第三十三条の三第二項において準用する場合を含む。）の規定による届出をせず、若しくは虚偽の届出をし、又は第三十二条の七第一項（第三十三条第四項及び第三十三条の三第二項において準用する場合を含む。）に規定する書類に虚偽の記載をして提出した者

(iii) a person that has failed to file the notification under Article 32-7, paragraph (1) (including as applied mutatis mutandis pursuant to Article 33, paragraph (4) and Article 33-3, paragraph (2)) or has falsely filed such a notification, or that has made a false statement in a document provided for in Article 32-7, paragraph (1) (including as applied mutatis mutandis pursuant to Article 33, paragraph (4) and Article 33-3, paragraph (2)) and then submitted it;

四 第三十二条の八第一項（第三十三条第四項、第三十三条の二第七項及び第三十三条の三第二項において準用する場合を含む。）の規定による届出をせず、又は虚偽の届出をした者

(iv) a person that has failed to file the notification under Article 32-8, paragraph (1) (including as applied mutatis mutandis pursuant to Article 33,

paragraph (4), Article 33-2, paragraph (7), and Article 33-3, paragraph (2)) or that has falsely filed such a notification;

五 第三十二条の十四（第三十三条第四項及び第三十三条の三第二項において準用する場合を含む。）の規定に違反した者

(v) a person that has violated the provisions of Article 32-14 (including as applied mutatis mutandis pursuant to Article 33, paragraph (4) and Article 33-3, paragraph (2));

六 第三十二条の十五（第三十三条第四項、第三十三条の二第七項及び第三十三条の三第二項において準用する場合を含む。）の規定に違反して帳簿書類を作成せず、若しくは事業所に備えて置かなかつた者又は虚偽の帳簿書類を作成した者

(vi) a person that has failed to prepare books and documents or keep them at its place of business in violation of the provisions of Article 32-15 (including as applied mutatis mutandis pursuant to Article 33, paragraph (4), Article 33-2, paragraph (7), and Article 33-3, paragraph (2)), or that has prepared false books or documents;

七 第四十九条又は第五十条第一項の規定による報告をせず、又は虚偽の報告をした者

(vii) a person that has failed to make a report under Article 49 or Article 50, paragraph (1), or has made a false report;

八 第五十条第二項の規定による立入り若しくは検査を拒み、妨げ、若しくは忌避し、又は質問に対して答弁をせず、若しくは虚偽の陳述をした者

(viii) a person that has refused, obstructed, or evaded an entry or inspection under Article 50, paragraph (2), or has failed to answer a question under the same provisions or made a false statement; or

九 第五十一条第一項の規定に違反した者

(ix) a person that has violated the provisions of Article 51, paragraph (1).

第六十七条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して、第六十三条から前条までの違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、各本条の罰金刑を科する。

Article 67 If the representative of a corporation or the agent, employee, or other worker of a corporation or individual commits a violation referred to in Article 63 through 66 in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the fine referred to in the relevant Article.

## 附 則

### Supplementary Provisions

1 この法律は、昭和二十二年十二月一日から、これを施行する。

(1) This Act comes into effect on December 1, 1947.

2 この法律施行の際、現に行政庁の許可を受けて、職業紹介事業又は労働者供給事業を行う者は、この法律施行後三箇月を限り、引き続きその事業を行うことができる。

(2) A person carrying out employment placement services or the worker supply services with the approval of administrative authorities at the time this Act comes into effect may continue to carry out those services, but only for three months after this Act enters into effect.

3 職業紹介法〔昭和一三年四月法律第六一号〕は、これを廃止する。

(3) The Employment Placement Act (Act No. 61 of April 1938) is hereby repealed.