

Outline of the Act Partially Amending the Industrial Safety and Health Act and the Working Environment Measurement Act

Purpose of Amendments

In order to promote the development of a workplace environment in which a diverse workforce can continue to work safely and with peace of mind, measures are to be taken to promote safety and health measures for self-employed workers, etc., promote mental health measures in the workplace, promote measures to prevent health impairments caused by chemical substances, promote the prevention of industrial injury caused by machinery, and promote the prevention of industrial injury among older employee, etc.

Outline of Amendments

1. Promotion of safety and health measures for self-employed workers [Industrial Safety and Health Act]

In order to prevent injuries affecting not only employees but also self-employed workers, by incorporating self-employed workers into existing industrial injury prevention measures for employees,

- (1) Establish measures that the orderer, etc., should take (such as strengthening measures to prevent injuries caused by concurrent work among workers, including employees and self-employed workers, etc. at the same site), and make necessary arrangements to implement ILO Convention No. 155 (Convention Concerning Occupational Safety and Health and the Working Environment).
- (2) Establish measures that individual self-employed workers themselves must take (such as taking safety and health education courses) and a reporting system for accidents in the course of their duties, etc.

2. Promoting mental health measures in the workplace [Industrial Safety and Health Act]

○To make stress checks mandatory, even for workplaces with fewer than 50 employees, although for the time being this is currently only an obligation to make efforts to implement. In that case, consideration will be given to the burden on workplaces with fewer than 50 employees, ensuring sufficient preparation time before enforcement.

3. Promoting measures to prevent health impairments caused by chemical substances (Industrial Safety and Health Act, Working Environment Measurement Act)

- (1) Penal provisions are established on violations of the obligation to notify of the information about danger or harmful effects of chemical substances when those substances are transferred .
- (2) If the names of chemical substance ingredients are trade secrets, notification of alternative chemical names is permitted, but only for certain chemical substances with low levels of toxicity.
Additionally, the permitted substitutions will be limited to the names of ingredients, and harmfulness to the human body or emergency measures to be taken will not be included.
- (3) Personal exposure measurements will be placed as one type of work environment measurement, and efforts will be made to ensure that they are carried out appropriately by work environment measurement experts, etc.

4. Promotion of the prevention of industrial injury caused by machinery [Industrial Safety and Health Act]

- (1) Expand the scope of authority that private registration organizations have concerning part of the manufacturing license (conformity assessment) and inspections at the time of manufacture, etc., for boilers, cranes, etc.
- (2) To ensure the proper execution of operations by registration organizations, to strengthen measures against fraud and the disqualifying requirements, and impose obligations to comply with inspection standards.

5. Promotion to prevent industrial injury among the elderly [Industrial Safety and Health Act]

○Employers shall make an effort to implement measures necessary to prevent industrial injury involving older employees, and the State will publish guidelines regarding the measures.

And others

Effective date

April 1, 2026 (however, part of 1(1) is to be promulgated on the date of promulgation, 4(2) on January 1, 2026, 3(3) on October 1, 2026, part of 1(2) on January 1, 2027, part of 1(1) and (2) on April 1, 2027, 2 on the date specified by Cabinet Order within 3 years after promulgation, and 3(1) on the date specified by Cabinet Order within 5 years after promulgation)

労働安全衛生法及び作業環境測定法の一部を改正する法律の概要

改正の趣旨

多様な人材が安全に、かつ安心して働き続けられる職場環境の整備を推進するため、個人事業者等に対する安全衛生対策の推進、職場のメンタルヘルス対策の推進、化学物質による健康障害防止対策等の推進、機械等による労働災害の防止の促進等、高年齢労働者の労働災害防止の推進等の措置を講ずる。

改正の概要

1. 個人事業者等に対する安全衛生対策の推進【労働安全衛生法】

既存の労働災害防止対策に個人事業者等も取り込み、労働者のみならず個人事業者等による災害の防止を図るため、

- ① 注文者等が講ずべき措置（個人事業者等を含む作業従事者の混在作業による災害防止対策の強化など）を定め、併せてILO第155号条約（職業上の安全及び健康並びに作業環境に関する条約）の履行に必要な整備を行う。
- ② 個人事業者等自身が講ずべき措置（安全衛生教育の受講等）や業務上災害の報告制度等を定める。

2. 職場のメンタルヘルス対策の推進【労働安全衛生法】

- ストレスチェックについて、現在当分の間努力義務となっている労働者数50人未満の事業場についても実施を義務とする。その際、50人未満の事業場の負担等に配慮し、施行までの十分な準備期間を確保する。

3. 化学物質による健康障害防止対策等の推進【労働安全衛生法、作業環境測定法】

- ① 化学物質の譲渡等実施者による危険性・有害性情報の通知義務違反に罰則を設ける。
- ② 化学物質の成分名が営業秘密である場合に、一定の有害性の低い物質に限り、代替化学名等の通知を認める。
なお、代替を認める対象は成分名に限ることとし、人体に及ぼす作用や応急の措置等は対象としない。
- ③ 個人ばく露測定について、作業環境測定の一つとして位置付け、作業環境測定士等による適切な実施の担保を図る。

4. 機械等による労働災害の防止の促進等【労働安全衛生法】

- ① ボイラー、クレーン等に係る製造許可の一部（設計審査）や製造時等検査について、民間の登録機関が実施できる範囲を拡大する。
- ② 登録機関や検査業者の適正な業務実施のため、不正への対処や欠格要件を強化し、検査基準への遵守義務を課す。

5. 高齢者の労働災害防止の推進【労働安全衛生法】

- 高年齢労働者の労働災害防止に必要な措置の実施を事業者の努力義務とし、国が当該措置に関する指針を公表することとする。 等

施行期日

令和8年4月1日（ただし、1①の一部は公布日、4②は令和8年1月1日、3③は令和8年10月1日、1②の一部は令和9年1月1日、1①及び②の一部は令和9年4月1日、2は公布後3年以内に政令で定める日、3①は公布後5年以内に政令で定める日）