

Outline of the Act to Partially Amend the Act on Childcare Leave, Caregiver Leave, and Other Measures for the Welfare of Workers Caring for Children or Other Family Members, and the Act on Advancement of Measures to Support Raising Next-Generation Children

Purpose of the Amendments

In order to enable both men and women to balance work and childcare/caregiving, measures will be expanded to enable flexible work styles according to the age of children, expand the coverage of the requirement to publicly announce the status of childcare leave taken, promote and strengthen measures to support raising next generation, and strengthen support systems to balance work and caregiving in order to prevent caregivers from leaving the workforce.

Outline of the Amendments

1. Expansion of Measures to Enable Flexible Work Styles According to the Age of Children [Child Care and Family Care Leave Act].

- (1) With respect to workers raising children of three years of age or older who have not yet entered elementary school, the law requires that employers, after understanding the needs of the workplace, take measures to enable flexible work styles (*) and make those measures available to workers at their choice. In addition, it will be mandatory to inform workers of such measures and confirm their intentions individually.
*Two of the following measures will be selected by employers: changes to starting/closing times, telework, shorter working hours, new leave entitlements, and other measures to facilitate the raising of children while working.
- (2) Expand the scope of workers subject to limitations on unscheduled work; to include workers raising children who have not yet entered elementary school (currently, children up to the age of three).
- (3) Short-term leave for sick/injured childcare will be made available for participation in child events, etc., and the scope of eligible children will be expanded to include children in the third grade of elementary school (currently limited to pre-elementary school age children), and the system of excluding workers with less than six months of continuous service based on a labor-management agreement will be abolished.
- (4) Telework will be added to the list of measures (obligation to make efforts) that employers must take with respect to workers raising children up to three years of age.
- (5) Require employers to listen to and give consideration to workers' individual wishes regarding balancing work and childcare at the time of pregnancy and childbirth notification, and before the child turns three years old.

2. Expand the Requirement to publicly announce the Status of Childcare Leave Taken, and Promote and Strengthen Measures to Support Raising Next Generation [Child Care and Family Care Leave Act, Act on Advancement of Measures to Support Raising Next-Generation Children]

- (1) Expand the scope of the requirement to publicly announce the status of childcare leave taken to employers who regularly employ more than 300 workers (currently more than 1,000 workers).
- (2) When formulating action plans based on the Act on Measures to Support Raising Next-Generation Children, require employers to set and monitor numerical targets for the use of childcare leave and other matters.
- (3) The effective period of the Act on Advancement of Measures to Support Raising Next-Generation Children (currently until March 31, 2025) will be extended to March 31, 2035, for 10 years.

3. Strengthening of Support Systems for Balancing Work and Caregiving to Prevent Caregivers from Leaving the Workforce. [Child Care and Family Care Leave Act]

- (1) Require employers to inform individually about the support system for balancing work and caregiving, and to confirm their intentions at the time of facing family care needs notification given by the worker.
- (2) Require employers to provide workers, etc. with early stage information on support systems for balancing work and caregiving, etc. and to improve the employment environment (e.g.; training for workers, etc.).
- (3) Abolish the system of excluding workers with less than 6 months of service from short-term leave for caregiver based on a labor-management agreement.
- (4) Telework will be added to the list of measures (obligation to make efforts) that employers must take with regard to workers who care for family members. etc.

Effective Date

April 1, 2025 (However, 2. (3) is the date of promulgation, and 1. (1) and (5) are the dates specified by Cabinet Order within 1 year and 6 months from the date of promulgation)

育児休業、介護休業等育児又は家族介護を行う労働者の福祉に関する法律 及び 次世代育成支援対策推進法の一部を改正する法律の概要

改正の趣旨

男女ともに仕事と育児・介護を両立できるようにするため、子の年齢に応じた柔軟な働き方を実現するための措置の拡充、育児休業の取得状況の公表義務の対象拡大や次世代育成支援対策の推進・強化、介護離職防止のための仕事と介護の両立支援制度の強化等の措置を講ずる。

改正の概要

1. 子の年齢に応じた柔軟な働き方を実現するための措置の拡充【育児・介護休業法】

- ① 3歳以上の小学校就学前の子を養育する労働者に関し、事業主が職場のニーズを把握した上で、柔軟な働き方を実現するための措置を講じ（※）、労働者が選択して利用できるようにすることを義務付ける。また、当該措置の個別の周知・意向確認を義務付ける。
※ 始業時刻等の変更、テレワーク、短時間勤務、新たな休暇の付与、その他働きながら子を養育しやすくするための措置のうち事業主が2つを選択
- ② 所定外労働の制限（残業免除）の対象となる労働者の範囲を、小学校就学前の子（現行は3歳になるまでの子）を養育する労働者に拡大する。
- ③ 子の看護休暇を子の行事参加等の場合も取得可能とし、対象となる子の範囲を小学校3年生（現行は小学校就学前）まで拡大するとともに、勤続6月未満の労働者を労使協定に基づき除外する仕組みを廃止する。
- ④ 3歳になるまでの子を養育する労働者に関し事業主が講ずる措置（努力義務）の内容に、テレワークを追加する。
- ⑤ 妊娠・出産の申出時や子が3歳になる前に、労働者の仕事と育児の両立に関する個別の意向の聴取・配慮を事業主に義務付ける。

2. 育児休業の取得状況の公表義務の拡大や次世代育成支援対策の推進・強化【育児・介護休業法、次世代育成支援対策推進法】

- ① 育児休業の取得状況の公表義務の対象を、常時雇用する労働者数が300人超（現行1,000人超）の事業主に拡大する。
- ② 次世代育成支援対策推進法に基づく行動計画策定時に、育児休業の取得状況等に係る状況把握・数値目標の設定を事業主に義務付ける。
- ③ 次世代育成支援対策推進法の有効期限（現行は令和7年3月31日まで）を令和17年3月31日まで、10年間延長する。

3. 介護離職防止のための仕事と介護の両立支援制度の強化等【育児・介護休業法】

- ① 労働者が家族の介護に直面した旨を申し出た時に、両立支援制度等について個別の周知・意向確認を行うことを事業主に義務付ける。
- ② 労働者等への両立支援制度等に関する早期の情報提供や、雇用環境の整備（労働者への研修等）を事業主に義務付ける。
- ③ 介護休暇について、勤続6月未満の労働者を労使協定に基づき除外する仕組みを廃止する。
- ④ 家族を介護する労働者に関し事業主が講ずる措置（努力義務）の内容に、テレワークを追加する。 等

施行期日

令和7年4月1日（ただし、2③は公布日、1①及び⑤は公布の日から起算して1年6月以内において政令で定める日）