

No.6 Source of Labor Laws (1) — “Mandatory Statute” and “Labor Agreement” (text 59-65, 85-91)

1 Source of Labor Laws—Fundamental Framework of Labor Laws

- Four (4) sources
- Positioning of Labor Contract Law

2 Mandatory Statute

- Characteristics and exceptions of Labor Standard Law
 - Minimal-standard orientation and uniformity/collectivity
 - Exceptions: labor-management agreement, resolution of labor-management committee

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- Means for guaranteeing Labor Standard Law's effectiveness
 - Relief under private law
 - Criminal penalty
 - Administrative control

RESEARCH It is said that, in terms of content, Japanese labor laws are not so much inferior to comparable laws of advanced nations of Europe and North America, but that they do not adequately function (i.e., are unobserved) in actual work sites. What kind of policy measures should be taken?

3 Labor-management Contract

- Form (Article 14 of Labor Union Law)
- Normative force(Article 16 of Labor Union Law)
- Expansive application (Article 17 of Labor Union Law)

