

# Chapter 1

## Emerging Issues in the Implementation of the *Kaigoryugaku* (Study) Scheme for Foreign Care Workers in Japan: The Case of the Philippines

Ma. Reinaruth D. Carlos  
Yurika Suzuki

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## Chapter 1

# Emerging Issues in the Implementation of the *Kaigoryugaku* (Study) Scheme for Foreign Care Workers in Japan: The Case of the Philippines\*

**Ma. Reinaruth D. Carlos**

**Yurika Suzuki**

*In response to the serious present and near-future manpower shortage in the long-term care sector, Japan has been slowly opening its labour market to foreign workers through the recent introduction of several employment schemes. This report focuses on the kaigoryugaku (study) scheme or pathway, introduced in 2017, in which international students who graduated from a training school for certified care workers in Japan are employed and granted ‘nursing care’ (kaigo) status of residence. We discuss two major sets of issues: (i) the current onsite problems encountered by stakeholders in training institutions: teachers, Japanese and international students, and administrators and staff; and (ii) the emerging concerns of future employers and graduates. Finally, we suggest some policy interventions and explore the implications of Japan’s current employment policies on its labour market for care workers.*

### **1. Introduction**

More than any country, Japan faces the serious issue of how to care for its elderly amidst its declining population. According to the Statistics Bureau of Japan (n.d.), about 29% of the population was 65 years old and above (the elderly), and 14.9% was 75 and above as of 1 October 2020. This proportion exceeds that in all other countries and, by 2040, 1 out of 2.8 residents (35.3% of the total population) is projected to be elderly.

The country’s households are ageing. Households with at least one member aged 65 and above comprise 49.4% (25,580,000) of the total number of households in 2019 (Cabinet Office Japan, 2022). By 2040, it is projected that it will further increase, particularly the figure for single-member elderly households.

As the elderly population ages and more live independently, demand for care provided by non-family members expands. In Japan, demand for long-term care<sup>1</sup> services is based on the ‘certification of long-term care needs’, a five-level graded classification that evaluates elderly persons using a set of physical

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<sup>1</sup> Various terms are used to mean care for the elderly, such as ‘caregiving’, ‘elderly care’, ‘care work’, and ‘long-term care’. Here, we use the terms interchangeably and as written in the literature.

and mental health indices, implemented under the long-term care insurance system. The number of certified elderly persons comprised 18.8% of the total elderly population in 2020 (MHLW, 2022a). This ratio registered only a slight increase from previous years, which can be attributed to the government's efforts for preventive long-term care and the revision and the stricter implementation of the certification classification system.

Another factor contributing to the higher demand for long-term care services is the rise in the number of dementia patients. Koyama et al. (2019) noted that the number of elderly people diagnosed with dementia jumped from 681.9 per 100,000 people in 1999 to 2,029.5 per 100,000 people in 2014. A Kyushu University study (Nikkei Asian Review, 2019) reveals that by 2025, 20.6% (7,300,000) of all seniors will be diagnosed with dementia. Dealing with dementia patients is one of the concerns of foreign care workers, partly because not many elderly in their home countries are diagnosed with this disease.

From 2000, when the Long-Term Care Insurance Act was implemented, until 2016, the number of workers in long-term care increased 3.3 times. Yet, in 2016, there was a shortage of 70,000 workers (Japan Foundation for Aging and Health, 2016). The Ministry of Health, Labour and Welfare (MHLW) (2015) estimated that the shortage would rise to 377,000 in 2025. The serious imbalance is reflected in the national ratio of job openings to seekers, standing at 4.31 for long-term care against an average of 1.60 for all sectors in 2019 (MHLW, 2022b).<sup>2</sup>The situation is worst in Tokyo (7.05), followed by Aichi (6.16), Gifu (5.93), and Osaka (5.18) prefectures (MHLW, 2019). As in many other destinations, care workers in Japan complain about low pay, poor working conditions, and severe labour shortage. (For details about conditions of care workers and care work institutions in the country, see, for example, Care Work Foundation [2019]).

Driven by the reasons above, the Abe administration embarked on a bold, intensive, and comprehensive campaign consisting of five major policy sets to attract and retain workers in long-term care. Local workers were given a monthly salary incentive amounting to JPY12,000 from April 2015 and an additional JPY10,000 per month from April 2017 (MHLW, 2017). The government implements subsidised training programmes for unemployed mothers, middle-aged persons, and other potential workers. It encourages information technology companies to develop long-term care robots and to adopt information and communication technology in the workplace.

One of the five policy sets is the opening of the labour market to foreign care workers. Four employment schemes or pathways are in place: bilateral economic partnership agreements (EPAs); the 'nursing care' status of residence, which is a working visa granted to graduates of a training school for certified care workers in Japan (*kaigoryugaku*); the technical training internship programme (TITP) in care worker occupation; and, more recently, the specified skilled worker category 1 (SSW[1]) in nursing care. We examine *kaigoryugaku*, which has gained popularity amongst Japanese stakeholders as an alternative to EPAs, especially in developing skilled and culturally competent human resources in long-term care.

Our study investigates the case of students from the Philippines. Amongst Japan's source countries, it has the longest history of sending its nationals overseas as care workers, particularly women and nursing graduates. Their destinations are the most varied. In long-term care, they are employed in

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<sup>2</sup> The figures decreased to 3.60 for long-term care and 1.13 for all sectors in 2021 due to the COVID-19 pandemic (MHLW, 2022b).

Canada, Italy, and Singapore as caregivers, mostly at homes of the elderly, and as nursing aides and caregivers in nursing facilities and care homes in Australia, New Zealand, and the United States. In Japan, whilst they do not comprise the biggest proportion of recent arrivals of care workers, long-term resident Filipinos have been participating in this labour market since the early 2000s and have earned a positive reputation amongst the elderly and employers (see, for example, Carlos [2005]).<sup>3</sup>

As Japan opens its door more widely to foreign care workers in such a short time, the immediate concern is how Japanese stakeholders deal with practical issues. Given their limited or lack of experience and knowledge about the multicultural workplace and dealing with foreigners, confusion and cultural misunderstandings are inevitable. The experiences in *kaigoryugaku* scheme are similar to those under the bilateral EPAs during the first few years of their implementation. This time, however, the space of interaction amongst stakeholders has shifted from the workplace to learning institutions (training institutions), and the stakeholders (including co-workers, managers and employers, and elderly residents) to (initially) teachers, classmates, and school authorities.

We attempt to answer the following questions. First, what are the trends in implementing the four schemes and how do they differ from each other? Why is *kaigoryugaku* preferred over the three other schemes? The answers are in sections 1 and 2. Second, what are the current and emerging issues and concerns in the education of international students enrolled in care work training institutions (sections 3 and 4)? Third, and finally, what are the possible, feasible, and sustainable solutions to these issues? What are the implications of these issues on Japan's labour market in long-term care? The answers to the last two questions are in section 5.

We base our results on our investigation of two cases: one in north-eastern Japan (fieldwork conducted in October 2019) and another in south-western Japan (fieldwork conducted in December 2019). We interviewed Filipino students and Japanese students, instructors, and support staff in two junior colleges' certified care worker departments (cases A and B) (for their profiles, see Table 1.1), as well as several future employers of the Filipino students. We observed classes. A symposium in Kyoto on 2 February 2020 evaluated the EPA, identified concerns and issues regarding *kaigoryugaku*, and discussed lessons from the EPA and possible improvements in implementing the scheme. We also interviewed a representative from the Philippine Overseas Employment Administration (POEA)<sup>4</sup> and a labour migration specialist in the Philippines (February 2020) to gain a more comprehensive view of the country's emigration policies, particularly regarding the direct-hire ban. These research activities, from which we derived our findings, were conducted jointly with Ryukoku University Socio-cultural Research Institute research project (FY2018–FY2019).

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<sup>3</sup> In Japan, workers engaged in long-term care are called *kaigoshi* but they are further classified based on their skills. There is no minimum required education or training to land a job as a *kaigoshi* but completing the care worker induction course (*shoninsha kenshu*) and passing the national examination for certified care worker (*kaigofukushishi shikaku*) are preferred.

<sup>4</sup> Renamed as Department of Migrant Workers (DMW) in 2022. Throughout this report, we will retain the former name, POEA.

**Table 1.1. Profile of Case Studies**

<b>Case Study</b>	<b>Training Institution A (North-eastern Japan)</b>	<b>Training Institution B (South-western Japan)</b>
Type of training institution	Junior college (2 years)	Junior college (2 years)
Year of establishment of care work course	2019	2010
Student admission quota per year	40	20
Total number of first-year students	10	19
Number of first-year Filipino students	4	4

## **2. Recent Trends in the Employment of Foreign Care Workers**

There are four official labour migration schemes in which a foreigner can be deployed to Japan as a care worker.<sup>5</sup> The oldest is the EPA, under which the deployment of foreign care workers is guided by a bilateral comprehensive economic agreement between the sending country and Japan. Since 2017, graduates of a certified care worker training school in Japan have been granted kaigo (nursing care) status of residence. From November 2017, the TITP was expanded to include care work. Under this scheme, workers from developing countries come to Japan to acquire skills to be brought back to their own country. Finally, in April 2019, the SSW(1) in nursing care started to be implemented to allow foreign workers who have passed skills and language tests before coming to Japan to work for several years (MHLW, 2020a). The key similarities and differences are summarised in Table 1.2.

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<sup>5</sup> In addition, there are also foreign care workers whose status of residence is permanent, long-term or dependent (either of a Japanese national, a permanent or long-term resident, or a foreigner with a working visa).

**Table 1.2. Four Schemes for Employing Foreign Care Workers from the Philippines (as of March 2019)**

Type of Scheme Or Pathway	1. Economic Partnership Agreement (EPA) (from 2008)	2. 'Nursing Care' Status of Residence for Foreign Students ( <i>Kaigoryugaku</i> ) (from Sept. 2017)	3. Technical Intern Training Programme (TITP) in Care Worker Occupation (from Nov. 2017)	4. Specified Skills Worker in Nursing Care (SSW1) (from April 2019)
Objective	Economic cooperation	Education and employment	Skills transfer	Alleviation of labour shortage
Status of Residence (visa)	'Designated activities' (EPA)	'Nursing care' ('Student' whilst attending care worker training school)	'Technical intern trainee' (TIT) 1, 2, 3	'Specified skilled worker (1)' (SSW[1])
Allowed period of stay in Japan	As EPA: 4 years (+ 1 year extension). Renewable if certification is obtained	5 years, 3 years, 1 year or 3 months. Renewable	3 years for TIT 1 and 2. Can be extended for 2 years (TIT 3). Maximum of 5 years	1 year, 6 months, or 4 months. Renewable for a total of 5 years
Education or skills requirements at the time of entry to Japan	Graduate of nursing or 4-year course and Philippines' caregiver certification (NCII)	At least high school graduate (12 years of schooling)	Experience in similar job or close relationship between home country and Japan employers	Pass pre-arrival tests for long-term care skills for SSWs. Post-EPA or former TIT workers are exempted from language and skills tests
Language requirements at the time of entry in Japan	Not required. (Candidates are given 6–12-month language training before entry)	About Japanese-Language Proficiency Test (JLPT) N2 level (or enrolment in a Japanese-language school for at least 9 months)	About JLPT N4 level at time of entry and N3 during stay in Japan	Pass the Japanese-language exam for SSWs and JLPT N4 level
Certification examination	Qualified to take it from fourth year after entry. Must pass to stay in Japan	Qualified after completion of 2-year care worker course (exempted if works in Japan for 5 years)	Voluntary (if passed, status of residence is converted to 'nursing care')	Voluntary (if passed, status of residence is converted to 'nursing care')
Availability of support organisations as required by law	Yes (Japan International Corporation of Welfare Services [JICWELS])	None (schools look after students)	Yes (supervising organisation or individual enterprise)	Yes (Registered supporting organisation)
Family members can apply for 'dependent' status of residence	Yes (after certification is obtained)	Yes	No	No
Recruitment/ Deployment	Philippine Overseas Employment Administration	No specific restrictions, usually facilitated by study-	Supervising or implementing organisation accredited by POEA	Accepting organisation or dispatch company verified by POEA

(POEA) and JICWELS (matching)	abroad companies or language schools		
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Source: Authors' compilation from documents published by the Ministry of Health, Labour and Welfare (MHLW).

From the implementation of the EPA scheme until FY2019, a total of 5,026 care workers—1,967 coming from the Philippines<sup>6</sup> and the rest from Indonesia and Viet Nam—arrived in the country. As of June 2019, there were 4,166 care workers (including EPA candidates and license holders) holding the 'designated activities (EPA)' status of residence, comprising of 1,578 Filipinos, 1,657 Indonesians, and 929 Vietnamese (Statistics Bureau of Japan, n.d.). One of the major issues amongst Filipino EPA candidates is their poor performance in the certified care worker's national licensure examination.<sup>7</sup> Of the 657 Filipino EPA candidates arriving between FY2009 and FY2015 who took the said examination, only 330 or about half were able to pass it (MHLW, n.d.a).<sup>8</sup> Although the latest figures are not publicly available, a low retention rate is noted even amongst those who obtained the certification. Many left for other destinations, such as Canada, or returned to the Philippines. These trends imply that the EPA scheme has a limited impact on the labour market for long-term care.

The TITP scheme aims to transfer long-term care skills overseas; interns are required to return to the home country after a maximum of 5 years. To become interns, foreign workers must apply with a supervising organisation that fields them to nursing homes and institutions. They must prepare a plan containing the time frame and content of their training. Partly because it was implemented only in late 2017, it has a modest impact on the labour market. As of March 2019, 1,823 technical intern training plans were accredited, of which 35.82% were from Viet Nam, followed by Indonesia and China (Organization for Technical Intern Training [OTIT], 2020).<sup>9</sup> In the case of the Philippines, only 13 plans were accredited by OTIT by March 2019 because the Philippines government was late in issuing implementation guidelines (POLO Tokyo, 2018a).

The SSW(1) is Japan's first foreign care worker employment policy that explicitly states 'the alleviation of labour shortage' as its objective (Table 1.2). The 'semi-skilled' recruited workers are allowed to work full-time after arrival and with minimal pre-entry on-the-job training. The care workers must pass the long-term care skills evaluation and two language proficiency tests before their deployment to Japan. The scheme requires longer preparation in the home country than other schemes.<sup>10</sup> As of 19

<sup>6</sup> Excluding the 37 candidate care workers who arrived as students.

<sup>7</sup> This annual national examination is administered by the Social Welfare Promotion and National Examination Center and is in Japanese. The 125-item, multiple-choice examination comprises questions from 11 areas of long-term care (Social Welfare Promotion and National Examination Center website, n.d.). For the 2020 examination, 36.5% and 29.4% for EPA candidates from Indonesia and the Philippines, respectively, were successful. The passing rate for Vietnamese EPA candidates is 90.8% and 69.6% for others (foreign non-EPA candidates from overseas and Japanese).

<sup>8</sup> EPA candidate care workers are allowed to sit for the examination only in their fourth year of employment. If they fail in their fourth year, they are allowed to extend their stay and retake it in their fifth year. If they fail again, they must go back to their home country but are allowed to return to Japan to retake the examination. The total numbers of those who pass the examination and hold the certification are cumulative.

<sup>9</sup> A person who seeks to conduct technical intern training must prepare a technical intern training plan and receive accreditation of the suitability of the plan from OTIT.

<sup>10</sup> Based on an interview with a president of a sending organisation in Manila, the preparation period usually takes a year when the aspirant has no Japanese-language skills.

December 2019, POEA had approved 275 sending organisations for technical interns and specified skills workers (POLO, 2020), many of which offer pre-departure skills and language training. The SSW scheme gained immediate popularity in sending countries and, in only 9 months, the number of qualified applicants had exceeded 2,000. From April 2019 to February 2020, a total of 4,491 sat for the long-term care skill level evaluation and 2,207 succeeded, whilst 2,238 out of 4,316 passed the long-term care Japanese-language evaluation test (MHLW, 2020c).

The Philippines was the first source country where the monthly test was administered (April 2019). Within 11 months, 1,462 and 1,370 Filipino examinees had passed the long-term care skills and the Japanese-language evaluation tests, respectively (MHLW, 2020c). The same monthly exams have been available to aspiring care workers in Cambodia, Indonesia, and Nepal since October 2019, and in Mongolia since November and December 2019. Myanmar's first examination was held in February 2020. As of March 2020, however, there were no official statistics on the number of care workers deployed from the Philippines because the guidelines set by the Philippines government were announced only on 26 November 2019 (POLO Tokyo, 2019).

Japanese stakeholders involved in the SSW(1) scheme noted, however, that the deployment of SSW workers from the Philippines has not progressed at all because of 'bureaucratic' procedures, 'miscommunication', and slow and insufficient discussions between the governments of Japan and the Philippines on the implementation guidelines (NHK, 2020).

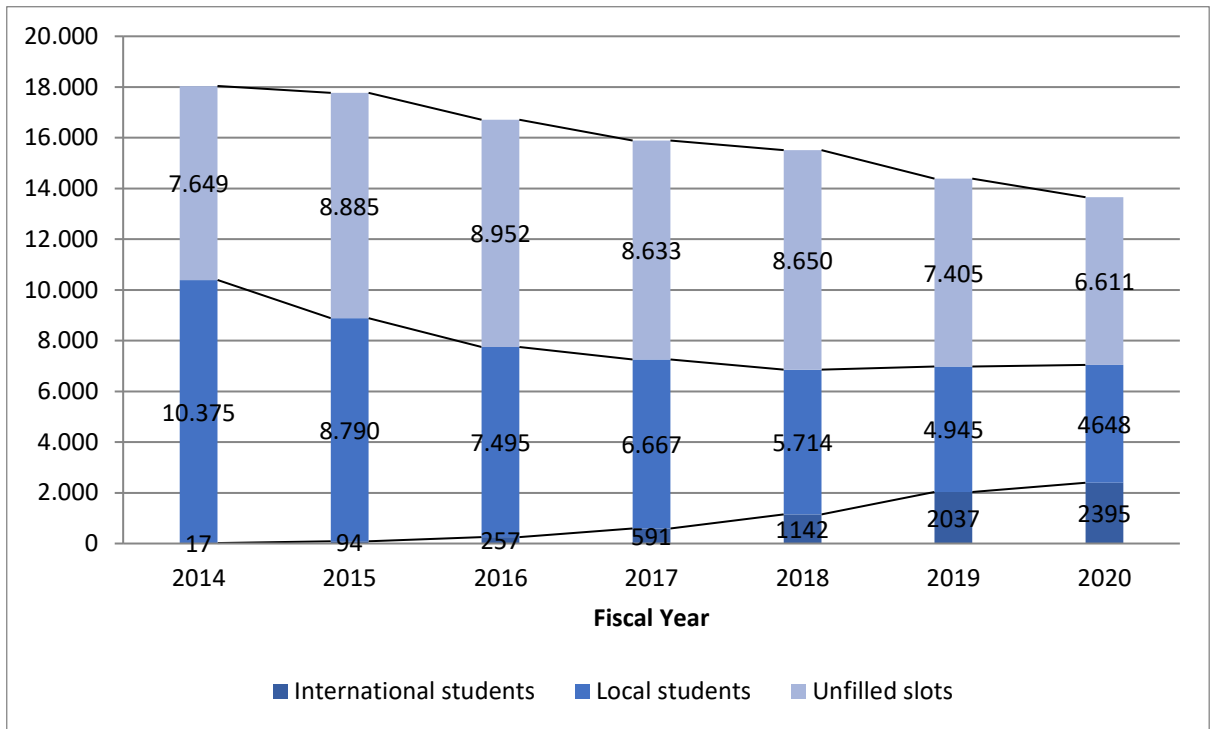
The study scheme is welcomed by stakeholders for its potential to produce highly skilled care workers. The number of international students enrolled in certified care worker training institutions dramatically increased, from 17 in FY2014 to 591 in FY2017, 1,142 in FY2018 and 2,037 in FY2019 (Figure 1.1a).<sup>11</sup> These numbers, however, are not expected to increase as much as those for the temporary TITP and SSW because of the hefty tuition fees and opportunity costs. One of the main problems in sustaining the study scheme is how to support the students financially through, for example, scholarships or subsidies.

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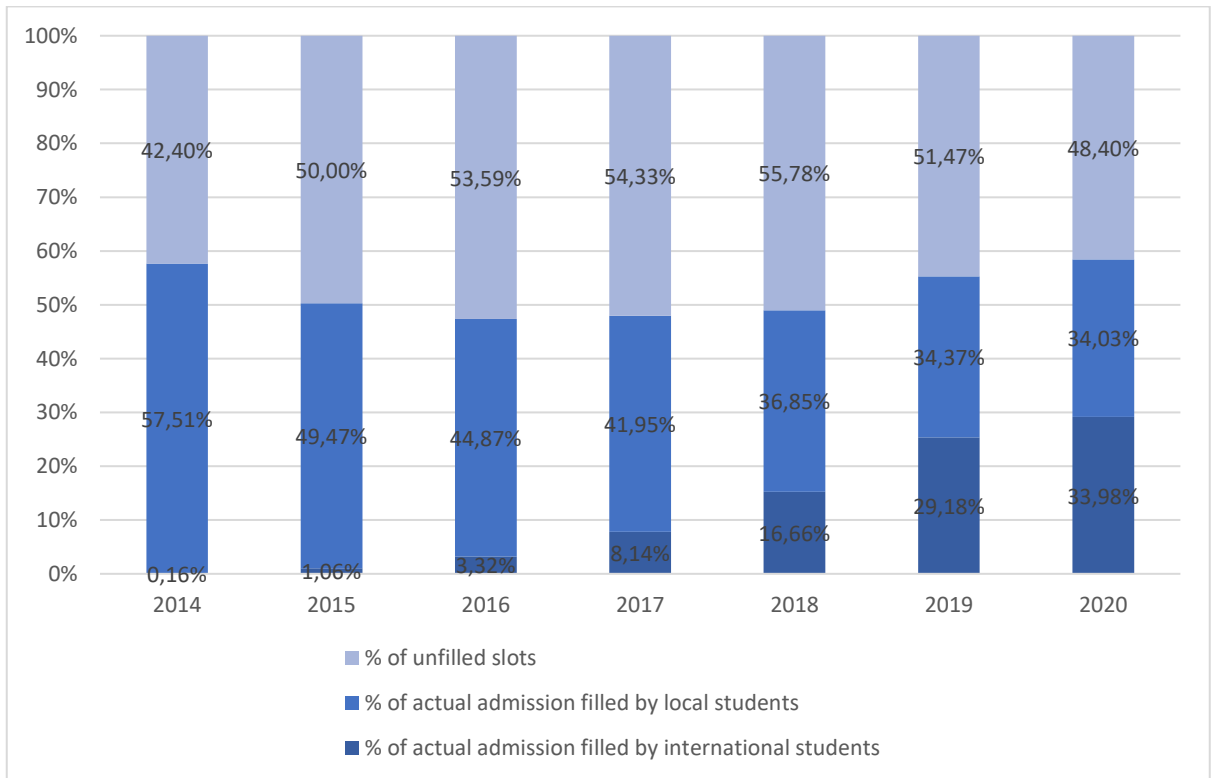
<sup>11</sup> As most students take up language courses in Japan before enrolment in a certified care work school, the number of care work graduates and enrollees is expected to increase following reports of an increasing number of international students enrolled in language schools.



**Figure 1.1a. Trends in the Admission of Students (New Enrolees) in Certified Care Worker Training Institutions (no. of students, FY2014–FY2020)**



**Figure 1.1b. Trends in the Admission of Students (New Enrolees) in Certified Care Worker Training Institutions (as share of total admission quota, FY2014–FY2020)**



Source: Authors' compilation from Japan Association of Training Institutions for Certified Care Workers (2018 and 2021).

The nationalities of international students enrolled in certified care worker training institutions have diversified from only 9 countries in FY2015 to 26 in FY2019 (Table 1.3). The Vietnamese consistently comprise the largest group of international students, making up about 50% of the total, followed by China (212), Nepal (203), the Philippines (163), and Indonesia (106) in 2019. The number of schools accepting them has expanded from 20 to 167. With the declining number of local enrolees and an increasing number of unfilled slots, taking in international students is important for the survival of the training institutions (Figure 1.1b).

A major concern is the difficulty of passing the ‘certified care worker’ licensure examination, written in Japanese, which is the prerequisite for working in Japan as long as the care workers want. To qualify, they must either complete a 2-year certified care work course in an accredited care worker training institution in Japan or take on-the-job training in a nursing home for at least 3 years (Figure 1.2). The latter is the common path taken by EPA candidates, technical interns, and specified skilled workers. To give more chances for foreign care workers who are already in the country to take the examination, Japan now allows limited extension of period of stay and switching between schemes (Figure 1.2). For example, under EPAs, they are allowed to extend their stay for another year and later return to Japan to retake the examination. If they fail again, they are allowed to convert their status of residence into SSW(1) even without taking the required SSW skills and language examinations. Likewise, technical interns, at the end of their 5-year term, can now stay in Japan under SSW(1), allowing them more chances to sit for the certification examination. Even if they fail, they can work for another 5 years. The SSW(1) skills and language proficiency evaluation tests can be taken in Japan by tourists or other short-term visitors.

**Table 1.3. Number of International Students (New Enrolees) in Certified Care Worker Training Institutions (by nationality, FY2014–FY2020)**

Fiscal Year	2014	2015	2016	2017	2018	2019	2020
Viet Nam	2	39	114	364	542	1,047	1015
China	12	27	53	74	167	212	285
Nepal		15	35	40	95	203	304
Philippines	1		28	35	68	163	274
Republic of Korea		2	3	23	31	28	14
Myanmar		6	5	10	34	99	110
Sri Lanka		1	2	1	47	95	93
Indonesia				4	70	106	153
Others <sup>a</sup>	2	4	17	40	88	84	
<b>Total</b>	<b>17</b>	<b>94</b>	<b>257</b>	<b>591</b>	<b>1,142</b>	<b>2,037</b>	<b>2,395</b>
No. of schools where international students are enrolled	N/A	29	49	96	136	167	176
No. of origin countries	5	9	15	16	20	26	20

Note: The fiscal year begins in April and ends in March of the following year. It coincides with the academic year.

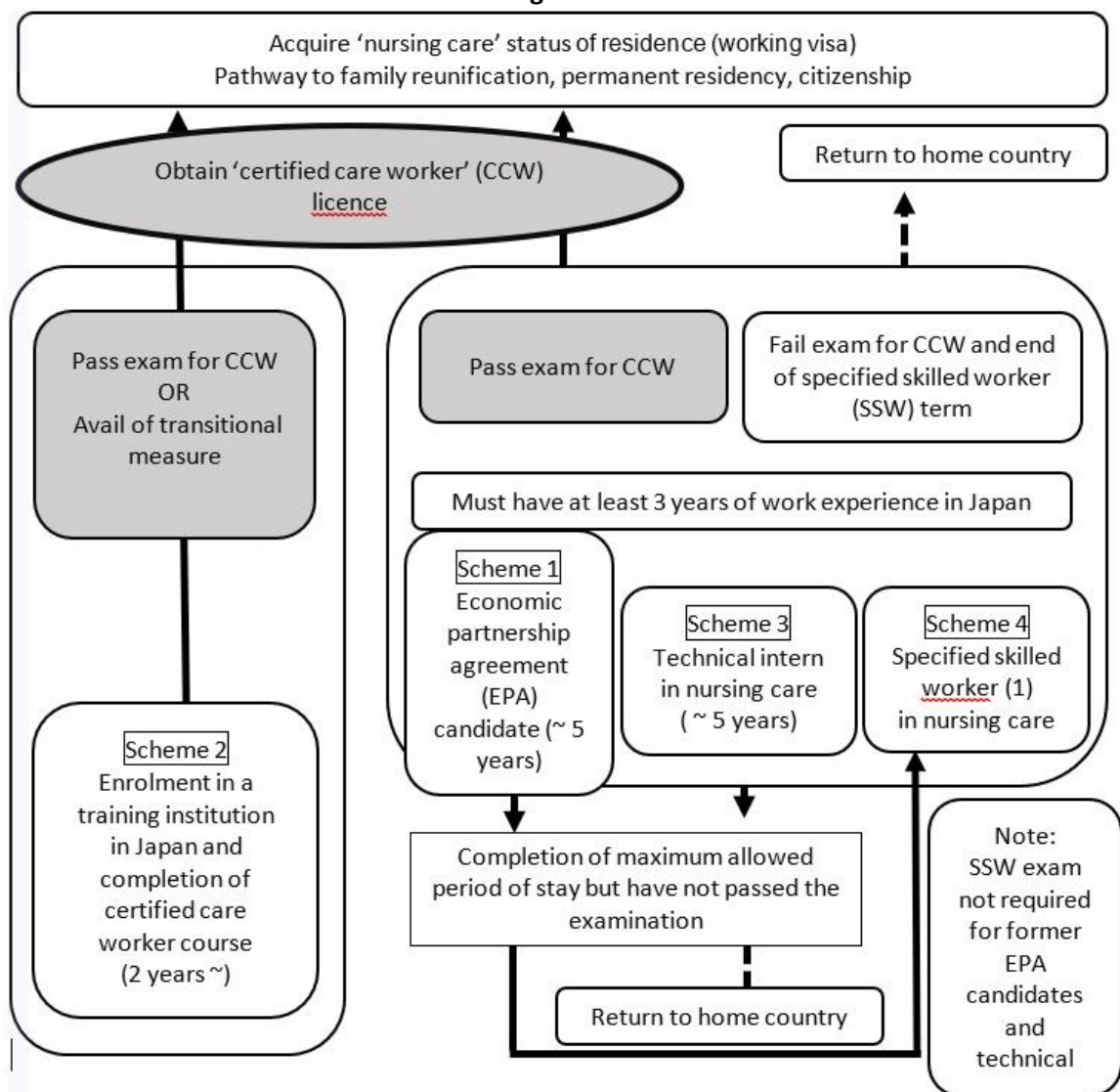
<sup>a</sup> Others include India (33), Mongolia (19), and Cambodia (12).

Source: Authors’ compilation from Japan Association of Training Institutions for Certified Care Workers (2018 and 2021).

The relaxation of foreign employment policies suggests Japan’s desire to expand employment of skilled foreign workers in the long-term care sector in light of strong domestic demand and international labour market competition.

Partly because the TITP and SSW(1) programmes have just started and thus have not been widely implemented, and partly because of the low acceptance and passing rates of workers under EPAs, many Japanese stakeholders consider *kaigoryugaku* as the most viable way to employ skilled long-term care workers in the long run. In the next section, we focus on the advantages and disadvantages of the study scheme, particularly from the perspectives of Japanese stakeholders and Filipino care workers.

**Figure 1.2. Acquiring the ‘Nursing Care’ Status of Residence through the Four Employment Schemes for Foreign Care Workers**



Source: Authors’ compilation from documents published by the Ministry of Health, Labour and Welfare.

### 3. Preference for *Kaigoryugaku*

With Japan introducing the four employment schemes simultaneously, which one do stakeholders prefer? For employers, it depends on their need for workers (urgent or future); the size, scope of services, and financial capacity of the company; and on the company's philosophy (*kodawari*) regarding the quality of long-term care services and employment of foreign workers. Foreign care workers' preference depends on varied and complicated factors. During interviews, some factors they mentioned were their intended or planned years of stay in Japan (short or long), attitude towards studying and care work as a profession, desire to bring family members to Japan, and their preference regarding time and monetary investments vis-à-vis the risks in obtaining the certification and timing of economic returns (immediate or long-term). We confine our analysis to the advantages and disadvantages of *kaigoryugaku*. Under what conditions and circumstances is the student pathway chosen (or not)?<sup>12</sup>

Based on observations and on interviews with employers, the study scheme is preferred by those who wish to employ foreign workers trained in 'the Japanese way', thus making them not only 'skilled' but also well 'culturally oriented' and 'competent in the Japanese language' in the long run. Employers may be inclined to utilise the study scheme as it appears to be the 'least risky'. Even if the students fail the certification examination, they can still become certified care workers as part of the transitional measure,<sup>13</sup> or as long as they engage in care work in Japan for 5 years after graduation. Such is not the case for technical interns, EPA candidates, and SSW(1) workers who all need to take and pass the qualifying examination (Figure 1.2). Care work students, however, can work full-time only after 2 years. Therefore, employers see them as a source of skilled workers in the long run rather than as an immediate solution to the labour shortage.

For the foreign worker, the study scheme can be the most expensive pathway in terms of actual and opportunity costs. Unlike EPA candidates, students need to share in the expenses incurred in their training and education in Japan and, in most cases, pay for their recruitment and deployment expenses, as well. Nursing homes and local government units give 'loans' to students, the repayment of which is waived if they work in a nursing home for 3–5 years after graduation. EPA candidates receive a salary, which must be the same as that received by a Japanese full-time worker with the same qualifications, immediately after arrival. Students, however, earn by working part-time (usually with the potential employer) for a maximum of only 28 hours a week. Many of the students interviewed found their first 2 years financially stressful as they needed to draw from their limited income and loaned allowances to pay not only for their daily needs and partial school fees, but also for pre-departure loans and/or remittances.<sup>14</sup>

Despite the monetary costs, foreign care workers still come as students because it is the easiest way. No skill is required upon entry, provided they can prove that they can financially support their education. Even those who cannot speak the language can obtain a student visa to initially study in a

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<sup>12</sup> The four schemes were not introduced simultaneously, so it was difficult for care workers and their employers to make an informed decision based on all options when they entered Japan.

<sup>13</sup> The measure stipulates that the certification for care workers is awarded even to graduates of care work training institutions who do not take the examination or to those who took it but failed, as long as they work in the long-term care sector for 5 consecutive years.

<sup>14</sup> Reports show that those who cannot support themselves return home, work illegally (beyond the prescribed 28-hour limit), or quit their studies and find another job in Japan.

language school. It is the least risky because even without passing the certification examination, they can obtain 'nursing care' status of residence if they work for 5 consecutive years after graduation. The strong preference for this status arises from the post-graduation privileges that go with it, such as unlimited stay, family integration (spouse and children), and even the opportunity to acquire permanent residency and eventually Japanese nationality. Being able to learn the Japanese way of long-term care, and being immersed in the Japanese culture, especially pop culture; being in a safe environment; and enjoying the conveniences of living in Japan are some of the attractions. Having learnt long-term care in Japan helps them gain more confidence at work and is advantageous to their career development (interview with a former care work student). The interviewed students did not think of the requirement to work for a specified number of years after graduation as a big burden but as an assurance of immediately landing a job.

However, the study scheme is criticised as a 'bad example' of employing foreign workers because of its lack of provisions to protect the living and labour conditions of students, resulting in cases of exploitation (Asato, 2020). Many students come on a study-now-pay-later programme and pay an exorbitant amount for deployment with loans from study-abroad agents. As a result, students must work beyond the 28 hours allowed by the law. In one celebrated case, a student from the Philippines was enticed to come to Japan on a 'study now, pay later' plan by a study-abroad agent who also runs a Japanese-language school and a nursing care training centre. The agent reportedly loaned the student US\$3,000–US\$5,000 to pay for pre-departure language training, airfare, visa processing, the language school's initial 3 months of tuition fee, and housing. To pay for the loans on instalment, future school fees, and living expenses, she had to work long hours at the nursing home that would employ her after graduation. The working time exceeding 28 hours per week was considered volunteer work. When she failed to pay the tuition and housing rental fees, her activities were closely monitored by the language school and she was threatened with being reported to the immigration office for deportation (Yahoo News, 2019).

Japanese-language schools cited problems about students coming through the study scheme. Many of these happen during the initial stages of recruitment and deployment and in language schools that lack monitoring systems. In the case of Filipino students, one language school owner complained about being charged excessively by study-abroad agents (about JPY300,000 or US\$2,800) as a referral fee.<sup>15</sup> As students, their deployment to Japan is not regulated by the POEA. The study-abroad agents are not subject to the rigid screening by the POEA because they are not labour recruiters. Because of the serious shortage of labour in other sectors, 'head-hunters' entice students to quit school and work as part-time English teachers or in convenience stores (which is most probably illegal as it is difficult to get a working visa for those jobs). Students who wish to earn more tend to miss lectures or sleep during classes because of fatigue after working night shifts.

In the two cases discussed here, it appeared that students were better looked after once they entered the care work training school. Usually, the local government unit, the school, the local care worker professional association, or the future employer offered financial support in the form of scholarship, tuition, housing or transportation subsidy, or loan, on the condition that they worked with the future employer or in the prefecture for a few years (usually 3) after graduation.

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<sup>15</sup> In addition to fees collected from the Filipino student.

Based on our interviews, many Japanese stakeholders see the strong potential of *kaigoryugaku* to secure skilled long-term care workers. As a result, local government units have formed alliances with training institutions and future employers and, in some cases, even with the source country government, to promote the study scheme (Carlos and Suzuki, 2020). Care worker training institutions welcome the scheme, not only because international students fill admission slots but also, more importantly, help in campus internationalisation and revitalisation. In some training institutions, new programmes are being developed to attract international students to care work. The scheme's success relies on the extent to which the local government unit and the private sector can collaborate and share the burden of training foreigners as certified care workers.

The dramatic increase in the number of international students of care work, the preference of many future employers and foreign care workers for the study scheme, and the potential of this scheme to supply Japan with skilled and culturally competent care workers explain why it was chosen as the report's main topic. The scheme's implementation, however, is not unproblematic and, in the next section, amongst the various issues we identified from our fieldwork, we focus on issues and concerns in the classroom and after graduation.

#### **4. Issues in the Classroom**

Training institutions for certified care workers had been mostly populated by Japanese students (Figures 1.1a and 1.1b). With the dramatic increase in the number of international students since 2014 (see Figure 1.1b) and the general lack of exposure of Japanese students and teachers to multicultural learning and training environments, it is easy to imagine how teachers, students, and school administrators struggle to cope in the classroom. They must deal not with one but several cultures because of the diversity of international students (Table 1.3).

##### **4.1. School Administrative Office and Staff**

On the frontline are school administrators and staff who must deal with recruitment, screening, and everyday support of international students. Aside from recruiting students who graduate from Japanese-language schools, training institutions recruit directly from overseas by establishing liaison offices, signing memoranda of agreement with universities and local government units, as well as tying up with study-abroad referral offices or Japanese-language schools in the sending country. In the two case studies, the Filipino students were either recruited from a Japanese-language school in Japan or a study-abroad referral office in the Philippines. Usually, students are interviewed by the staff and/or the future employer to assess their level of Japanese-language proficiency and aptitude for learning the language and care work. Whilst Japanese stakeholders generally prefer nursing graduates, in our two cases, about half of the students were graduates of courses other than nursing.

Helping international students sustain their daily lives and schooling is a major task of school administrators and staff and requires so much of their energy and dedication. The most important of these activities is securing scholarships and/or part-time jobs to support tuition fees and cost of living. The school sometimes acts as guarantor, which is a requirement for a student to rent an apartment or subscribe to a mobile phone. The school liaises between Filipino students and international exchange associations and language support groups to help students adjust to their studies and daily

life. In many cases, schools have strong ties with potential employers that usually provide part-time jobs and practical training. In one case study, the administrators conducted a monthly meeting, sometimes with potential employers, to discuss the progress and concerns of the Filipino students.

#### **4.2. Instructors and Teachers**

Instructors and teachers exert much effort to educate the Filipino students. Many revise their teaching styles and are imaginative and creative so that even non-native Japanese speakers can understand the lessons. One instructor interviewed made hand-outs and visual aids with easy-to-understand instructions, focusing on basic technical concepts. Another instructor regularly held group work exercises, which, he said, were useful not only in verifying whether key concepts were understood by all students but also in improving the Japanese-language writing ability of the Filipino students and developing communication skills and personal interactions between the Japanese and Filipino students. The teaching method was effective in keeping students' attention. The instructors were aware that they needed to use simple standard Japanese in lectures. One instructor emphasised that many of his lectures began with introducing terms and *kanji* (Chinese) characters that the Filipino students were not yet familiar with.

Whilst the improvisations in teaching were helpful, they were time-consuming to prepare and execute. An instructor complained that it took three times longer to prepare for a class for Filipino students than for Japanese students. To simplify and make the lessons easily understood by the Filipinos, only key concepts were discussed in class, with the details assigned as homework. Because of the lectures' slow pace, it was difficult to complete discussing all the contents of the syllabus. However, the interviewed instructors thought that teaching international students was 'enjoyable', 'challenging', and could be 'a matter of getting used to it'.

Some interviewed instructors helped the Filipino students cope with daily life. For example, since the school and the dormitory were far from the city and the supermarket, one instructor drove the students once a week to shop for food and supplies. Another mentioned that she and her friends collected appliances and clothes to give to the new arrivals.

#### **4.3. Japanese Classmates**

Most of the Japanese students interviewed did not expect to have foreign classmates and were overwhelmed at first. They strongly felt the language barrier as everyone struggled to understand each other. They realised some cultural differences with the Filipinos: for example, the concepts of 'time' and 'family'. One student noted that Filipino students were sometimes late to practical training and classes. Another student appreciated how Filipino students dealt with the elderly, which she thought was because Filipinos respect and highly value them.

In general, the Japanese classmates had a positive attitude towards Filipino students because they were 'inspired' to learn about another country's culture and its people's perceptions about long-term care, which, in turn, made them know and appreciate their own Japanese culture. They 'could not imagine' themselves as international students and admired the Filipino students' tenacity.

In the classroom, however, Japanese students were anxious about learning side by side with Filipino students. They thought the lectures were slow-paced and simplified, so they had to study by themselves the topics not covered. They worried that they would fail the certification examination. Nevertheless, the Japanese students were supportive of the Filipino students. They acted as ‘tutors’ in class, correcting the Filipino student’s Japanese and discussing Japanese culture. In practical training, in which all students were assigned to work for a few days in a nursing home or facility, one Japanese student who owned a car picked up the Filipino student to go to the site together. Another Japanese student mentioned that sometimes he acted as ‘interpreter’ between the Filipino student and the nursing home staff.

From the interviews, it could be sensed that the Japanese students had some issues about having foreigners as co-workers in the future. First, considering the difficulty of learning Japanese and the different cultural backgrounds, the Japanese students had doubts about the care of Japanese elderly being entrusted to foreigners. Second, the Japanese students were worried they would need to look after the foreign co-workers, which could add to the burden of a busy schedule and shortage of labour. Third, they felt that they may need to take up some of the responsibilities of foreign workers because of their limited language proficiency: for example, writing residents’ reports accurately. Learning side by side with international students is a good opportunity for Japanese students to assess what roles they can take in the future as a member and/or leader of a multicultural workforce.

#### **4.4. Filipino Students**

The eight Filipino students in the two case studies struggled with daily life and studies in Japan. However, they felt lucky that they were better looked after than other Filipino care work students. Their topmost concern was how to catch up with their studies given their limited Japanese-language ability. They found writing reports in class and during practical training and memorising terms and concepts in Japanese extremely difficult. Several said they spent about 3 hours a day reviewing and preparing for their lessons, and another hour or 2 reviewing for the Japanese-language proficiency examination. Sometimes they felt frustrated when they could not communicate well with their teachers and classmates.

Understanding cultural differences was a major concern for the Filipino students. They thought the Japanese students had some reservations in dealing with foreigners, and it would take some time to adjust to each other’s personalities. During practical training, they were cautious about observing the Japanese way of doing things. For example, bath water temperature should be controlled depending on the preference of the elderly, which is usually high for Filipinos. Another concern was dealing with the elderly with dementia, which is not a commonly diagnosed disease in the Philippines.

The Filipino students hoped that some of the physical inconveniences, especially during winter, could be reduced. The school campus was far from the city, and it was difficult to commute using the limited public transport. In some cases, the nursing homes where they were undertaking practical training and the supermarket were inaccessible from the school and dormitory. The problem was experienced by many foreign care workers working in remote areas; Tanaka (2020) called them *kaimono nanmin* (shopping refugees). Finally, the Filipino students were worried about their finances and wanted to have more time to work part-time.



#### 4.5. Association of Training Institutions for Certified Care Workers

The association has been at the forefront of identifying and understanding the issues surrounding the *kaigoryugaku* scheme. The association has comprehensively surveyed school administrators, teachers, and international students.<sup>16</sup> It launched a consultation centre for international students of care work and published a handbook and guidelines for Japanese workers in nursing homes that employ foreign workers. It is active in policy recommendation, such as urging the government to extend the transitional measure beyond March 2022. In the absence of a national agency managing the education of foreign care workers, the association is expected to assume more roles in monitoring and providing feedback about the scheme.

Evidently, there is an urgent need to assist stakeholders in addressing the emerging issues and concerns in training institutions. Similar concerns were identified at the beginning of the EPA scheme, between foreign and local staff, and most were resolved through time and huge efforts by foreign workers and those working with them. The Japan International Corporation of Welfare Services (JICWELS) played a significant role in liaising amongst the stakeholders in Japan and the Philippines and between public and private sectors. The establishment of a similar organisation is crucial to help solve these issues and concerns mentioned above and sustain the study scheme.

### 5. Emerging Post-graduation Issues

#### 5.1. Low Passing Rate in Certification Examination

The Japanese stakeholders are concerned that the certification examination is too difficult for international students and will considerably limit the number of graduates who can renew their status of residence as *kaigo*. Table 1.4 shows how international students perform compared to their Japanese counterparts. Of the graduates who took the March 2019 examination, 86.5% passed. The Japanese who had previous experience in care work and took the refresher course (returnees) registered the highest passing rate, 98.2%, followed by the Japanese fresh graduates at 88.6%. The passing rate of international students was a mere 26.8%.

**Table 1.4. Performance of Graduates of Care Worker Training Institutions in the National Licensure Examination for Certified Care Workers (FY2019)**

As of end of March 2019	No. of Graduates	No. of Exam Takers	No. of Exam Passers	Passing Rate (as % of total takers)
No. of graduates	6,028	5,698	4,928	86.50%
of which				
(a) returnees to the profession who took up the course (Japanese)	1,076	1061	1,042	98.2%
(b) international students	391	362	97	26.8%

<sup>16</sup> For details, refer to the [website](#) of the Japan Association of Training Institutions for Certified Care Workers (in Japanese). See the survey results [here \(2019a\)](#) and the [handbook \(n.d.\)](#).

(c) others (except a and b)	4,561	4275	3,789	88.6%
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Note: The data include graduates of 366 member institutions (99% of total number of members) of the Japan Association of Training Institutions for Certified Care Workers.

Source: Japan Association of Training Institutions for Certified Care Workers (2019b).

The significant gap in the passing rates between the Japanese and the international students (graduates) is largely attributed to the latter’s lack of Japanese-language proficiency. To alleviate this problem, international examinees can select between two test booklets: one in which furigana (phonetic characters) are placed above all kanji, and one in which furigana are written only above rare or difficult-to-read kanji. To raise the passing rate, the Japan Association of Training Institutions for Certified Care Workers is requesting the government to extend the examination period to 1.5 times longer than the current time allowed.<sup>17</sup> Under the transitional measure set by the Japanese government, those who graduate from training institutions until March 2027 can be issued a ‘care worker’ status of residence (working visa) even if they did not take or they failed the certification examination. In such cases, they can obtain the certification if they are employed in care work for 5 years.

## 5.2. Direct-hire Ban in the Philippines

Meeting the Philippines’ overseas deployment rules and regulations is a major concern for employers and students. When Filipinos are deployed to Japan as EPA candidates, technical interns, or SSW(1) workers, they must undergo the standard pre-departure procedure with the POEA, which includes the intervention of a recruitment agency or similar organisation.<sup>18</sup> However, students are not required to do so and are classified as ‘direct hires’. Employment through direct hire (without going through a POEA-licensed recruitment agency) is prohibited in the Philippines, as stipulated in the 1974 Labor Law Article 18: ‘No (foreign) employer can hire a Filipino worker for employment except through the Boards and entities authorised by the Secretary of Labor.’

The law was passed when human and labour rights abuses against Filipino domestic workers in the Middle East were rampant and when access to information about labour market conditions and employment practices in the destinations was limited. Then, deploying overseas Filipino workers (OFWs) through POEA-accredited recruitment agencies was a way to protect them. However, as occupations, destinations, and type of employers for OFWs diversify, and as access to information becomes easy and immediate, the POEA realised the need to review its direct-hire ban policies. In 2016, it established guidelines for exemptions from the ban. Today, professional and skilled workers, including former students, can be exempted provided they and their employers comply with the following conditions:

Professionals and skilled workers with **duly executed/authenticated contracts containing terms and conditions over and above the standards set by the POEA; and** the number of professional and skilled Overseas Filipino Workers hired for the first time by the employer shall **not exceed five (5)**. To

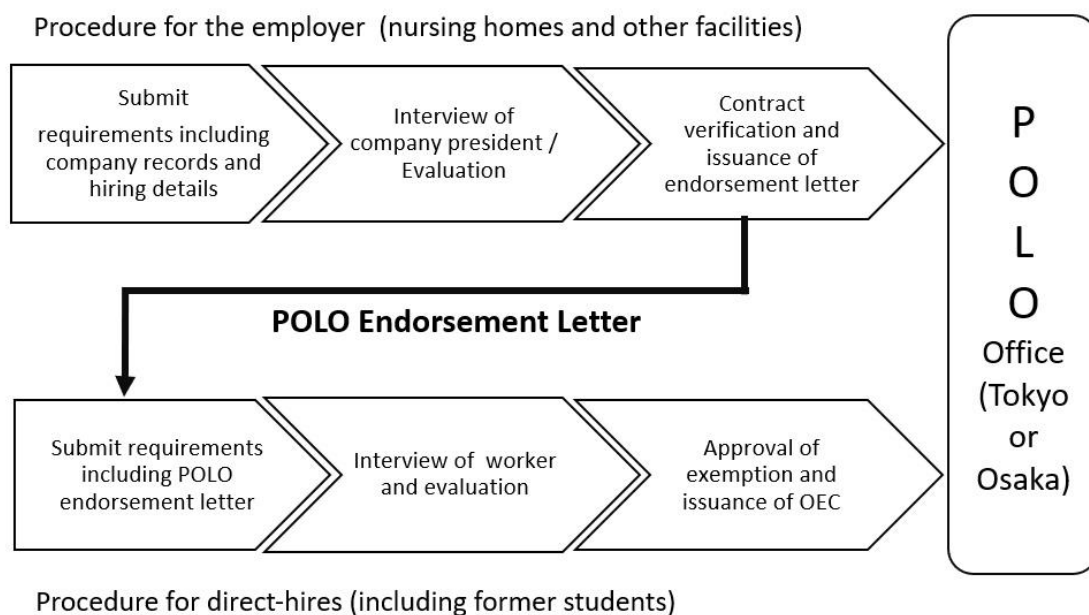
<sup>17</sup> Currently, the time extension is permitted only for EPA candidates.

<sup>18</sup> The recruitment and deployment of EPA candidates are facilitated by the POEA. Technical interns and SSW(1) workers must go through a sending organisation or dispatch and/or accepting organisation, respectively. The organisations must be accredited by the POEA.

determine the number, workers hired as a group shall be counted as one. (Revised POEA Rules and Regulations Governing the Recruitment and Employment of Land-based Overseas Workers of 2016, Section 124 d.2. in POEA, n.d.)<sup>19</sup>

An employer who intends to directly hire a care worker must have the employment contract verified at the Philippine Overseas Labor Office (POLO) and obtain a POLO endorsement letter, which, in turn, should be presented by the Filipino employee to register as an OFW and be issued an overseas employment certificate (OEC) (Figure 1.3) (POLO Tokyo, 2018b).

**Figure 1.3. Procedure for the Exemption from the Direct-hire Ban and Application for the Overseas Employment Certificate (as of March 2019)**



POLO = Philippine Overseas Labour Office, OEC = Overseas Employment Certificate.

Source: Authors' illustration based on Philippine Overseas Labour Office (POLO) Tokyo (n.d.).

Training-school administrators and future employers think the procedure is complicated, tedious, and not transparent (see Figure 1.3). First, they need to submit an employment contract that contains terms and conditions 'over and above the standards set by POEA', but this is difficult to determine. Many of the standards are uniform amongst occupations and are not always publicly announced, such as the standard on salaries. Second, some documents are not commonly issued in Japanese companies. For example, instead of a personal employment contract, a general employment contract covering **all** employees and indicating a general job description is published as an employment regulation manual (*shugyokisoku*). Nursing homes, many of which are small, may not have the in-house resources to draft and translate the documents into English. Third, many employers, especially big companies, find it difficult to comply with the requirement of the company president's personal appearance for an interview with the POLO officer. Finally, even if exempted from the ban, the employer can hire only

<sup>19</sup> The same provision can also be found in POEA's Memorandum Circular 08 Series of 2018 (POLO Tokyo, 2018b).

up to five workers. Above this number, the company must go through a recruitment agency in the Philippines. Whilst employers and contracts must be screened to ensure that the rights of OFWs are protected in Japan, Filipino graduates could be put at a disadvantage as potential employers turn to workers from other sending countries where deployment rules are less stringent, such as Indonesia and Viet Nam.

The Filipino graduates expressed apprehension regarding the direct-hire ban because they need to complete the procedure with POLO and obtain the OEC as a *balik manggagawa* (returning worker) before taking a vacation in the Philippines. Failure to present the OEC to the Philippines immigration officer at the port of exit would delay or even prevent their return to Japan.

The direct-hire ban exemption is a concern not only of care work graduates but also of other skilled workers in other occupations and in other countries. The POEA is aware of the problem and has organised a research project, Direct Hiring of Overseas Filipino Workers—Policy Research and Development of Risk Assessment and Due Diligence Guidelines, together with the International Organization for Migration, the Department of Labor and Employment, and the Scalabrini Migration Center to review the ban and explore ways of implementing it within the context of contemporary labour migration, globalisation, and technological developments (Scalabrini Migration Center, 2021).

## 6. Summary of Findings and Policy Suggestions

Our key findings are as follows:

- (i) The study scheme (*kaigoryugaku*) is a viable way to employ skilled care workers (certified care workers or *kaigofukushishi*) in the long term because (a) foreign workers learn Japanese skills in long-term care and develop cultural competency (including language proficiency) through formal education in training institutions in Japan, and (b) it is the **only** pathway where passing the national examination is not required to obtain certification and the ‘nursing care’ status of residence.
- (ii) Implementing the study scheme has not been easy, and shortcomings and emerging concerns need to be immediately addressed. We identified two sets of stumbling blocks, the first of which refers to problems in the formal education of Filipino and other international care work students in training institutions. The **sudden** increase in their number and the lack of experience of Japanese stakeholders in dealing with them have created confusion in the classroom and campus.
- (iii) The second concern refers to issues after the international students complete their studies. We identify their poor performance in the certification examination and, in the case of Filipinos, the rules and regulations of the sending country (specifically the direct-hire ban). Poor performance in the certification examination has not been a problem yet because of the transition measure. The direct-hire ban, however, is expected to limit the number of students from the Philippines because of the complicated procedure required of employers in hiring graduates.

As in any new policy or scheme, these problems and issues may be birth pains. Nevertheless, policy interventions and revisions are necessary, as we suggest below.

To address the issues in the classroom and campus, programmes to enhance the Japanese-language proficiency of international students are urgently needed. There are many ways to this end, but the costs (actual and opportunity) and availability of resources are barriers to carrying them out. Standard language proficiency to enter training institutions can be more strictly enforced but requires more intensive, more efficient, and longer language study.<sup>20</sup> The Japanese-language school and the training school can collaborate to ensure that international students learn technical terms. International students in training institutions should continue learning Japanese, including the local dialect, such as those in the two case studies.

Improving international students' Japanese-language proficiency will help improve their passing rate in the certification examination. Lessons can be learnt from the EPA experience, such as the conduct of intensive review classes to familiarise students with the questions and style in which they are constructed. As strongly suggested by the Association of Training Institutions for Certified Care Workers, the time to complete the exam can be extended. Whilst the transitional measure is still in effect and international students are exempted from taking the examination, the government and the long-term care sector must design alternative ways to measure and maintain a standard of quality of their care work skills.

To oversee the study scheme and assist administrators and teachers in addressing the concerns of international students, a nationwide government support organisation or agency, similar to JICWELS, must be established (Table 1.1). It may take various roles, including regulating and monitoring the scheme and providing language courses, examination reviews, and consultations on work and life in Japan. The agency can initiate talks and coordinate with the government of sending countries to facilitate the smooth implementation of the scheme. It will help teachers develop materials and techniques in teaching long-term care and act as a coordinator to facilitate exchange and share information and ideas, particularly good practice in teaching, amongst educators. The agency can provide support and advice to companies planning to get an exemption from the direct-hire ban, especially small or medium-sized nursing homes that have difficulty accomplishing the English-language requirements. The agency can assume the role of liaison amongst the private stakeholders in the source country and in Japan to promote mutually beneficial and sustainable student scholarship and support programmes (Carlos and Suzuki, 2020).

Whilst it is difficult to repeal the law on the direct-hire ban, ways to make its implementation more feasible and in tune with the current times without sacrificing the rights and welfare of OFWs must be explored.<sup>21</sup> For example, the procedure can be streamlined considering the laws, common standards, and cultural practices in the host country. Intensive review of government rules and regulations and records related to personnel management and labour relations in the sectors where the OFWs are employed can help assess whether their rights are protected. In the case of Japan, authorities can consider accepting the general employment contract (*shugyokisoku*) instead of the private employment contract and may require supplemental documents for items that are usually not found there, such as the 'repatriation' clause. Instead of a blanket list of requirements covering all OFWs,

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<sup>20</sup> Students with only an N3 level are allowed to enter as long as they enrolled in a Japanese-language school for at least 9 months.

<sup>21</sup> During fieldwork in the Philippines, it was learnt that the government was reviewing the direct-hire ban and thinking of ways for the law to be more reflective of and applicable to the current international labour market conditions.

the contract can be tailored based on the destination, occupation, or even regions or areas within one destination. Rather than a general minimum salary standard for all sectors and areas in Japan, the POEA can consider referring to sector and area rates, which are announced publicly and regularly. If a personal interview with the company president is difficult, alternative objective ways to assess the credibility of the employer can be explored, such as checking the size of the company and records or other resources that can be provided by Japan's Labour Standards Bureau.

The Labour Bureau (*Rodokyoku*), under MHLW, strictly implements measures to secure and improve working conditions, ensure the safety and health of workers, guarantee the provision of workers' compensation, and promote workers' living standards. The bureau can conduct an onsite visit to a company to verify and resolve workers' complaints. It is mandated to reprimand and penalise employers that violate labour laws. It keeps records and periodically publishes on its website the details of worker violations by corporations. The MHLW's website is a wealthy source of updated information (with some translated into English) regarding labour standards, conditions, and issues in the country that the government of the Philippines can refer to.<sup>22</sup>

In summary, whilst the study scheme has strong potential to fill the need for skilled care workers in Japan, many areas still need to be improved. The measures are costly and require energy and commitment from stakeholders. With the proliferation of unverified information on the internet, ease of international travel, and growing number of stakeholders with divergent interests, achieving a stable supply of much-needed skilled care workers whilst securing the rights of foreign workers has become more and more challenging.

## **7. Policy Implications of the Care Worker Foreign Labour Schemes in Japan**

Our research findings suggest two macro-level policy implications in the labour market for foreign care workers. First, the simultaneous implementation of the four schemes promotes a hierarchy in the labour structure of foreign care workers in Japan (Figure 1.4).<sup>23</sup> Under the current schemes, foreign care workers are highly stratified based on their skills and language ability, which are screened through the certification examination and language proficiency tests. The elite group comprises those who obtained the certification and, as certified care workers, have 'nursing care' status of residence. As full-time employees, they are entitled to a monthly certification allowance, bonuses, and other monetary benefits and career opportunities to be head of a ward or trainer of other Filipino care workers. They have immigration privileges such as being able to petition their family to come to Japan, unlimited renewal of period of stay, and even a chance to receive permanent residency and citizenship. Those who graduated from a Japanese training school will belong to this group as long as they engage in care work for 5 years after graduation. Other care workers in the group will comprise foreign care workers who took and passed the certification examination under the three other schemes.

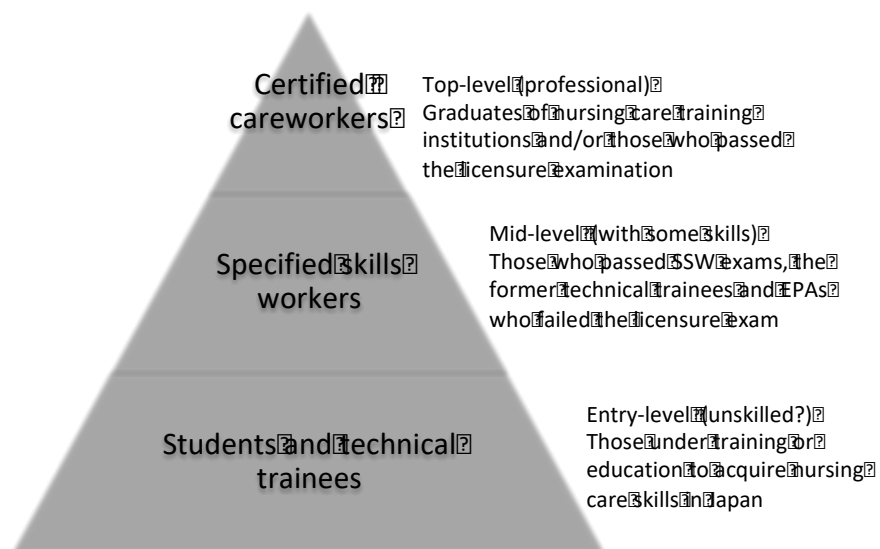
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<sup>22</sup> For example, MHLW and the prefectural bureaus published a pamphlet about labour laws, standards, and issues—'Are your Working Conditions Fair? For Foreign Workers in Japan'—on the MHLW [website in English](#), Spanish, Portuguese, Chinese, Korean, Tagalog, and Japanese.

<sup>23</sup> In Japan, labour stratification has so far not been a major issue in the discussion about employment of foreign care workers. The pros and cons of the structural/hierarchical model would be interesting to tackle in future studies.

The hierarchical arrangement is a practical and cost-effective way to secure a foreign workforce tailored to Japan’s multi-level skills and language needs. Whilst certified care workers play an important role in the nursing homes, their number is small because training and hiring them is expensive and time-consuming. SSW(1) and EPA candidates at the middle of the hierarchy, and care work students and technical interns at the bottom can meet the immediate needs of nursing homes, where less skill-intensive tasks, such as preparing tea, folding laundry clothes, keeping the elderly company, etc., that comprise a considerable part of caregiving, can be performed by those who are not certified.<sup>24</sup> Except for *kaigoryugakusei*, foreign care workers can move up in the hierarchy only by passing skills and language examinations. Switching between schemes is allowed for SSWs, technical interns, and EPA candidates to provide more opportunities to take and pass the certification examination.

**Figure 1.4. Potential Hierarchy of Foreign Care Workers in Japan**



EPA = Economic Partnership Agreement, SSW = Specified skill worker.  
Source: Authors.

Another implication that must be considered by policymakers is the feasibility and viability of joint management of labour migration. Rather than the host country or the sending country facing the challenges separately, both countries should conduct dialogues and consultations with each other to explore areas of collaboration and jointly manage labour migration. Host countries have traditionally controlled labour migration by imposing restrictive policies for foreign workers. However, because of increasing international demand for workers and growing concern for their human and labour rights, sending countries have begun to implement stricter deployment regulations, such as the direct-hire ban and close monitoring of the deployment process, as in the case of the Philippines. Whilst the

<sup>24</sup> Further studies are needed to determine whether employing care workers as technical interns and SSW(1) workers is cheaper than as EPAs or former students. Some employers claim that whilst these workers’ salaries are lower and benefits fewer, recruitment fees and monthly contributions to the sending or support organisation add significantly to the cost of employing foreign workers.

sending government has good intentions, such measures can sometimes be to the detriment not only of workers but also of stakeholders in the host country, who struggle to comply with the regulations and bureaucratic procedures. Workers and employers may be induced to explore ways to circumvent them and, as a result, may have a negative impact on the welfare of the workers whom the sending country is trying to protect.<sup>25</sup>

A new paradigm of joint management by the sending and receiving countries is necessary for the success of any scheme for foreign labour migration. The government-to-government EPA scheme is an example of joint management, but its impact on the labour market is small because of the limited fiscal and human resources that can be dedicated to the programme. In this new paradigm, ways in which the private sector in the sending and host countries can be more active and effective, not only in the employment but also in other different stages of labour migration, such as recruitment, deployment, and training, must be explored. However, its success depends on the willingness of the two countries' governments to negotiate. This, in turn, depends on domestic demographic, economic and political conditions (for example, Japan's demand for care workers and the Philippines' unemployment situation) and their global context (increasing international competition for care workers amongst destinations). Success depends, most importantly, on how much the governments and the private sectors trust each other.

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<sup>25</sup> This can be more applicable to the skilled who possess relatively more human capital (skills and education), funds, access to information in the international labour market and network that can facilitate better and swifter mobility even without relying on recruitment agencies) and are usually employed by medium and large-scaled corporations.



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