



# New Technical Intern Training Program

September, 2017

Immigration Bureau, Ministry of Justice  
Human Resources Development Bureau,  
Ministry of Health, Labour and Welfare

# Contents of the Revision of the Technical Intern Training Program

To strengthen management and supervisory system as well as protect technical intern trainees in order to accomplish the purpose of the Program through which Japan contributes to the development of human resources who would assume the development of the economy of their home country

## 1. Main points to strengthen the management and supervisory system

### Current

- (1) The duties and responsibilities of supervising and implementing organizations are unclear, and the implementation systems are insufficient.
- (2) The Japan International Training Cooperation Organization (JITCO), a private organization, conducts on-site inspections without any legal authority.
- (3) The system to protect technical intern trainees is not sufficient.
- (4) The guidance and supervision of, and cooperation between the competent government agencies is not sufficient.
- (5) There are improper sending organizations such as collecting deposit from candidate trainees

### Under the new Act (Technical Intern Training Act)

- (1) Apply a **license system** to supervising organizations, a **notification system** to implementing organizations, and a **accreditation system** to every technical intern training plan
- (2) Establish “Organization for Technical Intern Training (OTIT)” (**authorized legal entity**), which will perform duties such as requesting supervising organizations for reports and conducting on-site inspections
- (3) Establish a **mechanism for reporting** and **penalties** against violations of human rights and similar acts, and provide more **effective support to technical intern trainees in transferring to other implementing organizations**
- (4) Request the competent government agencies and prefectural governments for **cooperation based on industrial laws** and establish a **regional council** consisting of these government agencies for cooperation
- (5) In order to select appropriate sending organizations, try to make MOC (Memorandum of Cooperation) with sending countries.

## 2. Main points to expand the system

- (1) Extension of the training period and re-training for excellent supervising organizations
- (2) Raising the upper limit of the number of trainees received by excellent supervising organizations

Three years ⇒ Five years (practical training up to two years after returning home)

Doubling the upper limit of the number of trainees received in accordance with the number of full-time employees (up to 5% ⇒ up to 10%)

## 3. Enforcement of the Act

Technical Intern Training Act will be effective on November 1st, 2017.

# Structure of Technical Intern Training Program

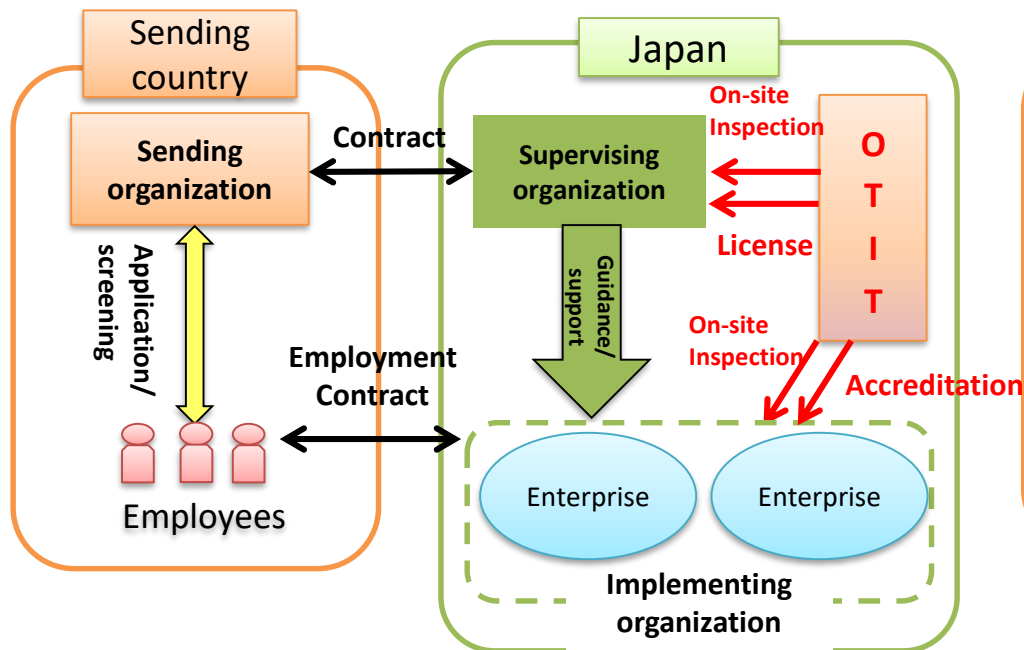
- Technical Intern Training Program aims to contribute to developing countries by accepting people from these countries for a certain period of time (maximum 5 years) and transferring skills through OJT. (This program was established in 1993.)
- Approximately 230,000 technical intern trainees (as of the end of 2016) reside all over Japan, and labor related regulations are applied to them under employment relationship except lecture period just after the entry.

## Type of Technical Intern Training Program

※ New system is written in red

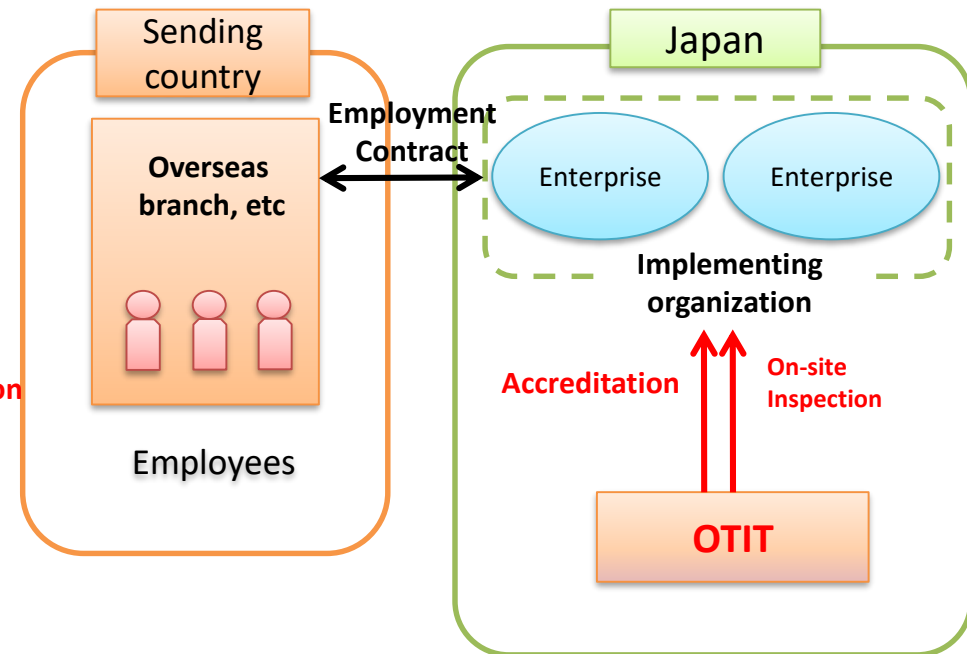
### 【Supervising Organization Type】

Non-profit supervising organizations (chambers of commerce, etc.) accept Technical Intern Trainees and the training is conducted at each implementing organization.



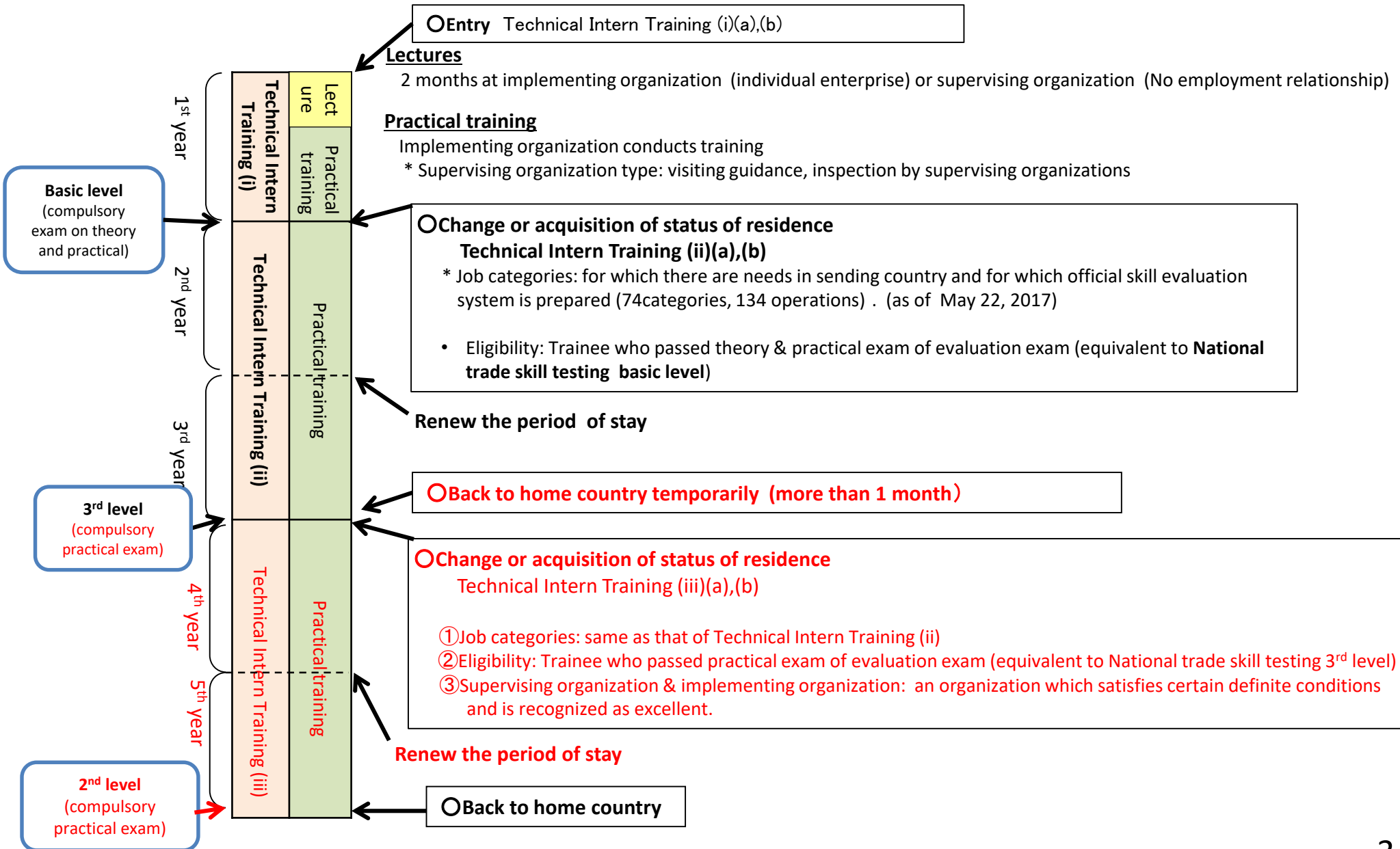
### 【Individual Enterprises Type】

Japanese companies (Implementing Organization) accept staff of their overseas office, joint-venture or transaction enterprise, and conduct training



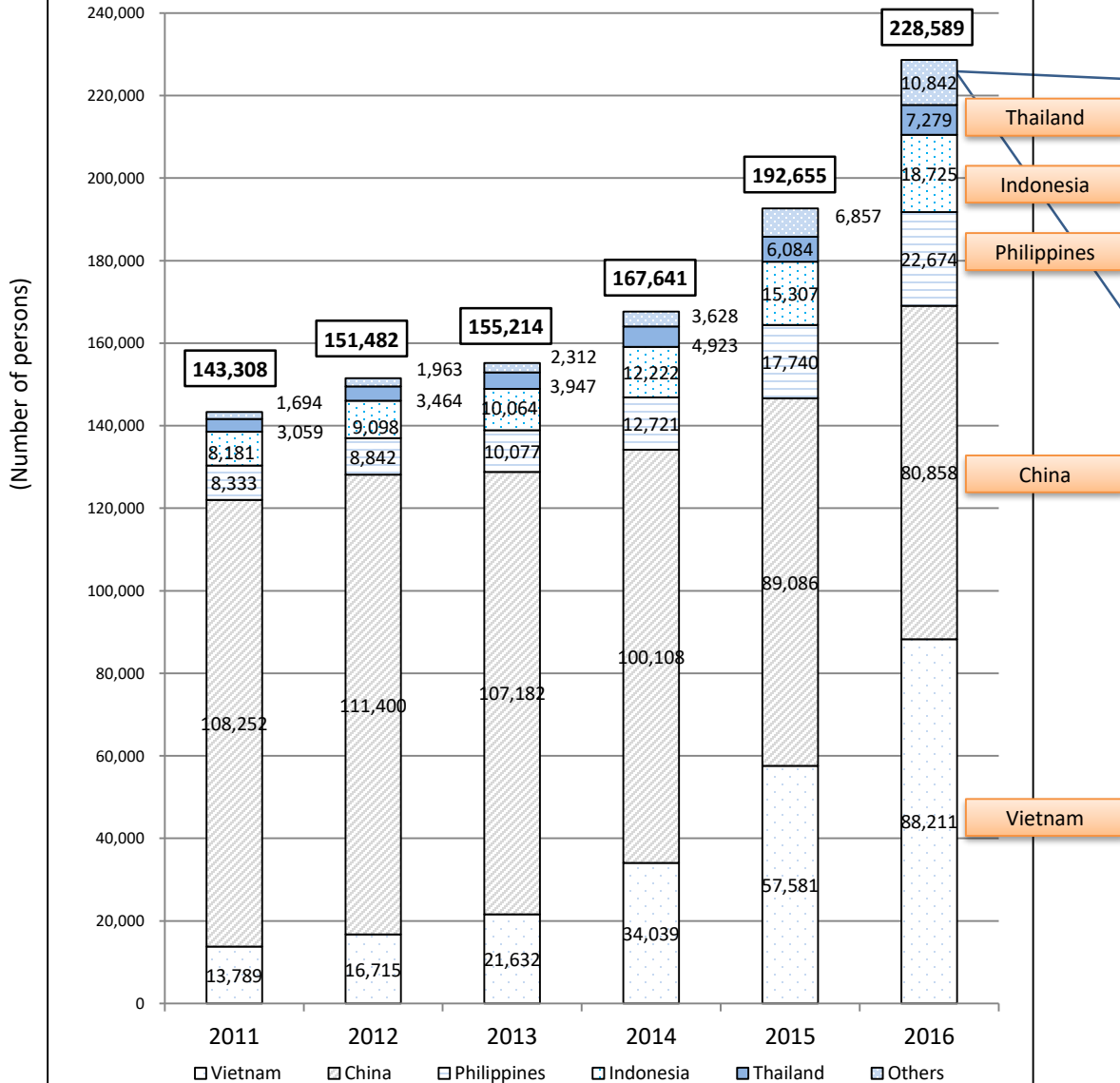
# Flow of the Technical Intern Training Program

※New system is written in red



# Trends in the Number of Technical Intern Training by Nationality

Number of Technical Interns Whose Status of Residence Was Technical Intern Training, by Nationality (as of the end of 2016)



\*Figures for the period 2011 include the number of technical interns of "specified activities (technical intern training)."

## Breakdown of "Others"

Country	Number of persons
Cambodia	4,865
Myanmar	3,960
Mongolia	774
Laos	394
Sri Lanka	265
Nepal	201
Bangladesh	115
Malaysia	61
Peru	47
Saudi Arabia	45
India	25
Mexico	20
Taiwan	19
Bhutan	17
Kirgiz	14

# Job categories Eligible When Interns Shift to Technical Intern Training (ii)

## (134 Operations in 74 Job categories as of May 22, 2017)

### 1. Agriculture (6 operations in 2 job categories)

Job categories	Operations
Cultivation agriculture *	Facility horticulture
	Upland field cropping/ Vegetable growing
	Fruit growing
Livestock agriculture *	Hog raising
	Poultry farming(collecting chicken eggs)
	Dairy

### 2. Fishery (9 operations in 2 job categories)

Job categories	Operations
Fishin boat fisheries *	Skipjack pole and line fishery
	Long-line fishery
	Squid jigging
	Purse seine fishery
	Trawl and seine net fishery
	Gill net fishery
	Set net fishery
Crab and shrimp basket fishery	
Aquaculture *	Scallop and oyster farming

### 3. Construction (32 operations in 21 job categories)

Job categories	Operations
Well drilling	Percussion type well drilling operation
	Rotary type well drilling operation
Building sheet metal work	Duct sheet metal operation
	Interior and exterior sheet metal operation
Freezing and air conditioning apparatus installing	Freezing and air harmonizing equipment installation work
Fixture making	Hand processing work of wooden fixture
Carpentry	Carpentry construction work
Frame working	Framing construction work
Reinforcing bar construction	Assembling reinforced rod bar work
Scaffolding	Scaffolding building work
	Stone processing work
Building stone construction	Work of putting out stones
	Tiling work
Tiling	Tiling work
Tile roofing	Tile-roofing work
Plastering	Plasterers work
Plumbing	Construction piping work
	Plant piping work
Heat insulation	Heat-retention and cool-retention construction work
Interior finishing	Plastic-material floor finishing construction work
	Carpeting floor finishing construction work
	Metal-made foundation construction work
	Board finishing construction work
Sash setting	Curtain installation work
	Building sash installation work
Waterproofing	Sealing water-proof construction work
Concrete pressure feeding	Concrete pressure transfer construction work
Well point construction	Well-point construction work
Paper hanging	Painting work
Application of construction equipment *	Dozing work
	Loading work
	Excavating work
	Road rolling work

### 4. Food Manufacturing (14 operations in 9 job categories)

Job categories	Operations
Can seaming for canned foods *	Can seaming for canned foods
Poultry processing industry *	Poultry processing
Marine Heated fishery processed foodstuff manufacturing work *	Extract manufacturing
	Heated dried product manufacturing
	Flavored product manufacturing
	Smoked product manufacturing
Non-heated fishery processed foodstuff manufacturing work *	Salted product manufacturing
	Dried product manufacturing
	Fermented foodstuff manufacturing
Fish paste making	Boiled fish paste producing work
Beef and pork processing industry *	Primal cut of beef and pork processing
Ham, sausage and bacon making	Production work of ham, sausage and bacon
Bread Baking	Bread baking work
Ready-made meal manufacturing work *	Ready-made meal processing

### 5. Textile (22operations in 13 job categories)

Job categories	Operations
Spinning operation *	Pre-spinning work
	Spinning process
	Winding process
	Twisting and doubling work
Weaving operation *	Sizing and warping work
	Weaving process
	Inspecting work
Dyeing	Thread permeation dyeing work
	Fabric and knit dyeing
Knit goods manufacturing	Socks producing work
	Round knitting producing work
Warp knitted fabrics manufacturing *	Warp knitting producing work
Ladies' and children's dress making	Sewing work of ready-made clothes for ladies and children
Tailoring men's suit making	Sewing work of men's ready-made clothes
Underwear manufacturing *	Underwear manufacturing operation
Bedclothes making	Bedding products work
Carpet manufacturing *	Woven carpet producing work
	Tufted carpet producing work
	Needlepunched carpet producing work
Canvas product making	Canvas cloth products related work
Cloth sewing	Dress-shirt producing work
Seat product sewing *	Car seat product sewing work

### 6. Machinery and Metals(27 operations in 15 job categories)

Job categories	Operations
Casting	Casting iron and article operation
	Casting nonferrous metal and article operation
Forging	Hammer type forging operation
	Press type forging operation
Die casting	Hot chamber die-cast work
	Cold chamber die-cast work
Machining	Lathe operation
	Milling machine operation
Metal press	Metal press operation
Iron work	Steel processing operation for structure
Factory sheet metal work	Machine sheet metal operation
Electroplating	Electric plating work
	Meltdown zinc plating work
Aluminum anodizing	Anode oxidation treatment work
Finishing	Melting equipment finishing work
	Metal mold finishing work
	Machine assembling finishing work
Machine inspection	Machine inspection work
Machine maintenance	Machine maintenance work
Electronic equipment assembling	Electronic devices assembling work
Electric equipment assembling	Spinning electric machine assembling work
	Transformer assembling work
	Control panel and distribution panel assembling work
	Open-close control device assembling work
	Spinning electric cord-reel producing work
Print wiring board manufacturing	Print distribution panel design
	Print distribution panel production

### 7. Others (24 operations in 12 job categories)

Job categories	Operations
Furniture making	Hand processing on furniture making
Printing	Off-set printing work
Book binding	Binding work
Plastic molding	Compressing forming work
	Injection forming work
	Inflation forming work
	Blow forming work
Reinforced plastic molding	Hand-loaded layer forming work
Painting	Construction painting work
	Metal painting work
	Metal bridge painting work
Welding *	Spray painting work
	Manual welding
	Semi-automatic welding
Industrial packaging	Industrial wrapping work
Carton box and corrugated card board box making	Printing box punching work
	Printing box producing work
	Paste box producing work
	Cardboard producing work
Industrial manufacturing of pottery *	Roller jigger forming work
	Pressure casting work
	Pad printing work
Automobile repair and maintenance *	Automobile repair and maintenance work
Building cleaning management	Building cleaning management work

# OTIT (Organization for Technical Intern Training)

## Competent Ministers

Commission,  
Supervise

Report

### Address (head office)

Shinagawa Tokyu Building 8F, 1-6-31, Konan Minato-ku, Tokyo

President

Executive Director

Auditor

Department for General  
Affairs

Department for  
International Affairs

Department for  
Supervising Organization

Department for  
Technical Intern Training

## Type of the organization

- legal entity  
(Competent ministers approve its establishment)

## Function

- accreditation of technical training plan
- preliminary screening of the application for license
- receipt of notification of implementing organization
- onsite inspection to supervising organizations and implementing organizations
- receipt of various kinds of reports from supervising organizations and implementing organizations
- Support and protection for technical intern trainees
- research on technical intern training

## Regional Offices

- 13 offices in Japan

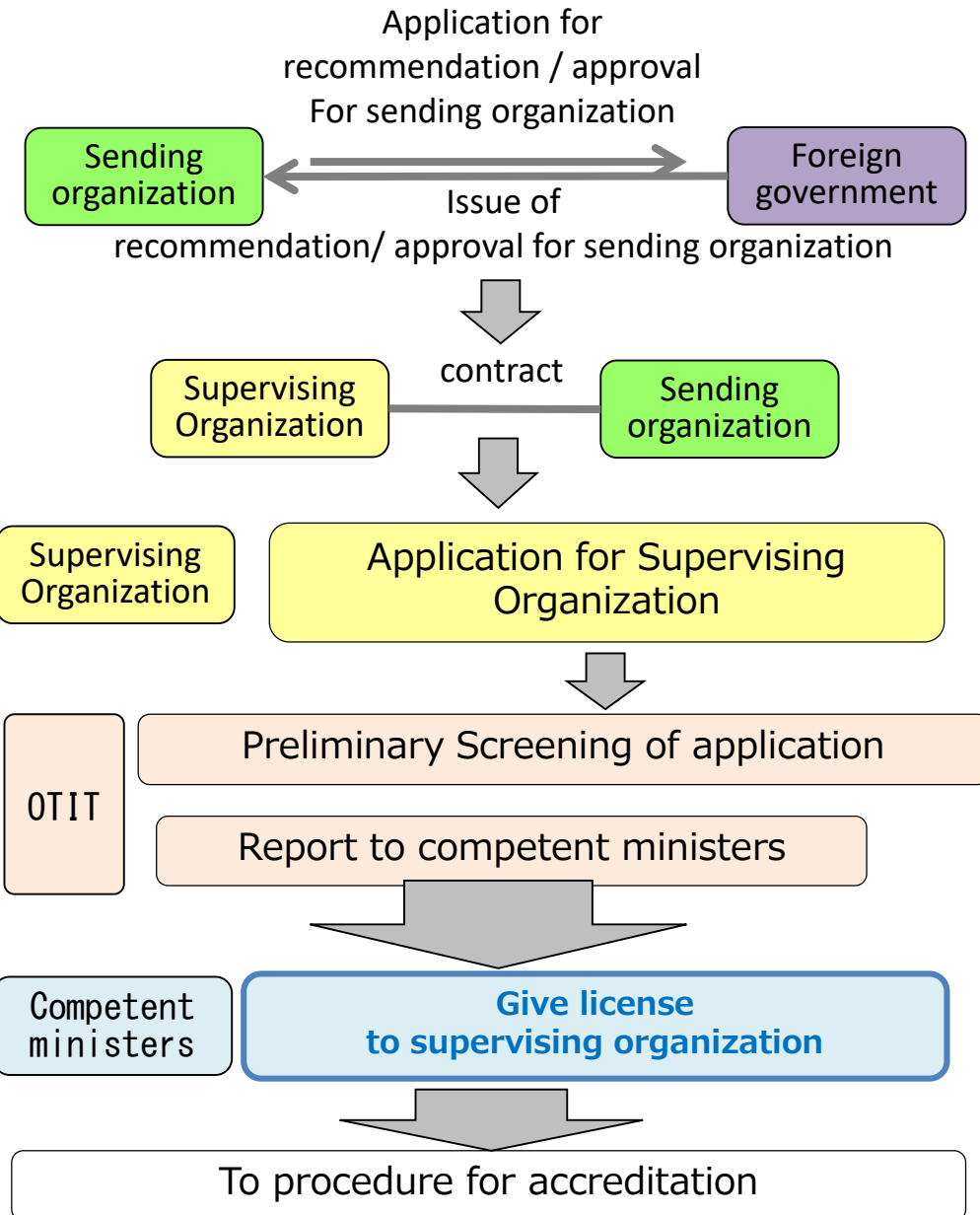
\* Prefecture(city)

Hokkaido(Sapporo), Miyagi(Sendai), Tokyo(Minato-ku), Ibaraki(Mito), Nagano(Nagano), Aichi(Nagoya), Toyama(Toyama), Osaka(Osaka), Hiroshima(Hiroshima), Kagawa(Takamatsu), Ehime(Matsuyama), Fukuoka(Fukuoka), Kumamoto(Kumamoto)

- conduct onsite inspection to every supervising organization (about 1900 supervising organizations) every year.
- conduct onsite inspection to every implementing organization (about 35000 implementing organization) within every 3 years.

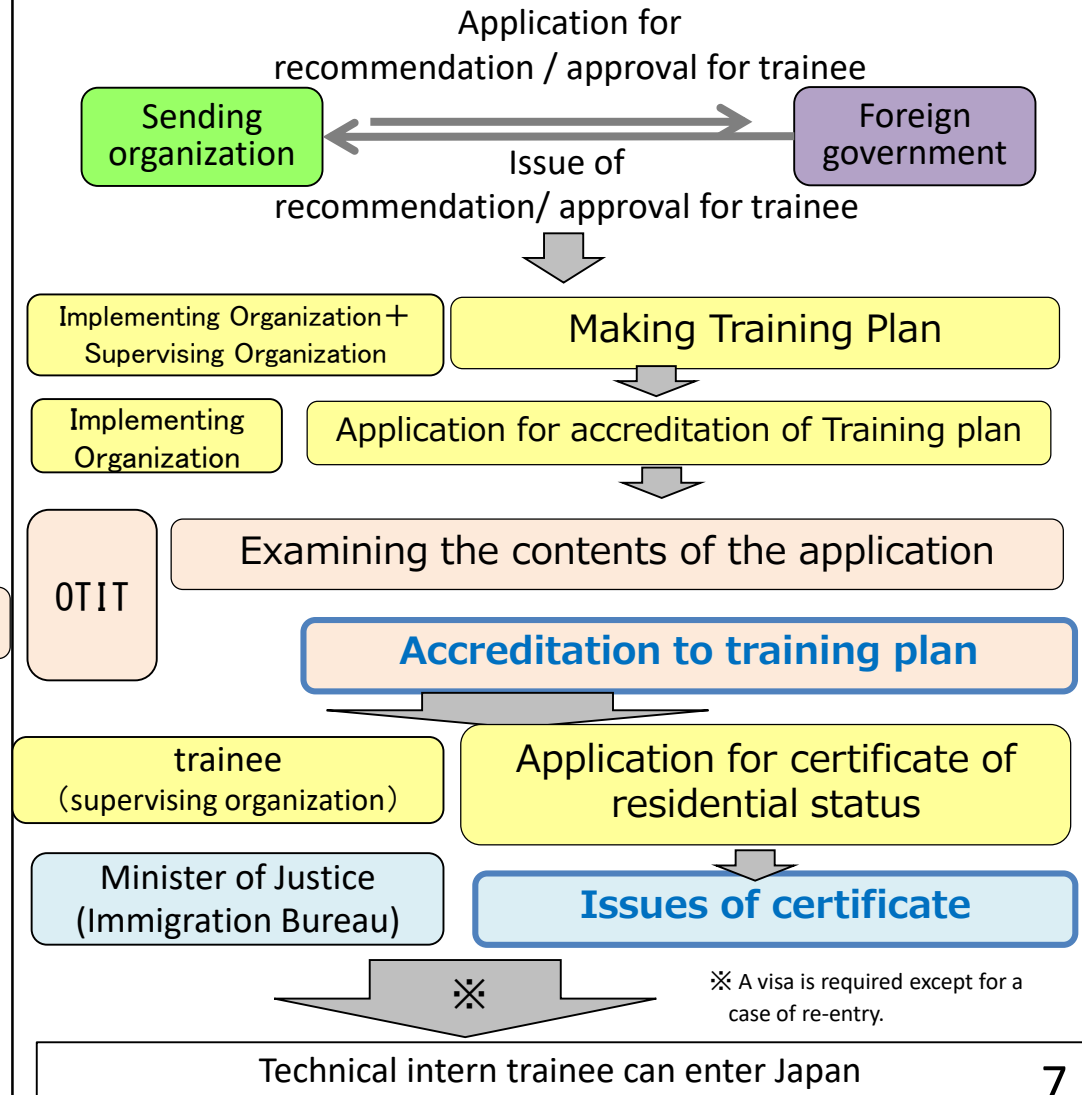
# Procedures of application for License / Accreditation

## License for Supervising Organization



## Accreditation for Technical Intern Training Plan

※ After the commencement of MOC, procedure of foreign government can be changed.





# Criteria for Accreditation of the Technical Intern Training Plan

- A person who intends to conduct technical intern training shall prepare a technical intern training plan for each technical intern trainee, and shall submit it in order to seek accreditation. The criteria for accreditation have been established in order to ensure the appropriateness of the technical intern training plan. (Article 9 of the Act)

## Main criteria to be met for accreditation of the Technical Intern Training Plan

- ① **The skills, etc. which the technical intern trainee is to acquire would be difficult to acquire in the home country of the technical intern trainee**
- ② **Goals of the technical intern training**

(Goal of technical intern training (i)): to pass the practical test and paper test of the basic trade skills test or an equivalent technical intern training evaluation examination, etc.

(Goal of technical intern training (ii)): to pass the practical test of the grade 3 trade skills test or an equivalent technical intern training evaluation examination

(Goal of technical intern training (iii)): to pass the practical test of the grade 2 trade skills test or an equivalent technical intern training evaluation examination
- ③ **Content of the technical intern training (\*)**
  - The skills, etc. cannot be acquired mostly through the repetition of simple work.
  - In cases of technical intern training (ii) and technical intern training (iii), they are related to the occupations and operations listed in the Appended Table of the ordinance of the competent ministries.
  - It is work that is normally performed at the place of business which conducts the technical intern training.
  - In cases relating to occupations and operations subject to transfer the required work is one-half or more of the total number of hours spent engaging in the work, the related work is one-half or less of the total number of hours spent engaging in the work, and the peripheral work is one-third or less of the total number of hours spent engaging in the work.
  - The technical intern trainee has experience of engaging in the same kind of work in a foreign country as the work the trainee intends to engage in while in Japan, or there are special circumstances necessitating the technical intern trainee engage in the technical intern training (only in cases pertaining to supervising-organization-type technical intern training).
  - The technical intern trainee plans to engage in work requiring the skills etc. acquired in Japan after returning to his or her home country.
  - In cases of technical intern training (iii), the technical intern trainee returned to his or her home country for one month or more after completion of technical intern training (ii).
  - The technical intern trainee or a family member, etc. has not entered into a contract which stipulates the paying of a deposit or penalties, etc. (this shall be made clear through a document prepared by the technical intern himself/herself).
  - Post-entry lectures on subjects such as Japanese language, and immigration and labor related laws and regulations shall be conducted for technical intern trainees (i).
  - In cases of multiple occupations, these are all occupations subject to transfer, they are related to each other, and there is a rational reason as to why they should be implemented together.

\* The underlined parts are changes made in the new system

- ④ **The period of implementing the training (within one year for technical intern training (i), and within two years for technical intern training (ii) and (iii))**
- ⑤ **The goals set for the technical intern training at the previous stage (the goal of technical intern training (i) for technical intern trainees (ii), and the goal of technical intern training (ii) for technical intern trainees (iii)) have been achieved.**
- ⑥ **Implementation of appropriate evaluation of the skills, etc. (to be evaluated through a trade skills test or a technical intern training evaluation examination, or other equivalent examination)**
- ⑦ **Establishment of an appropriate structure and equipment for the place of business, and appointment of managers (\*)**
- Appointment of the following persons for each place of business
    - “Technical intern training manager” (person in charge for the implementation of the technical intern training): a full-time officer or employee who is able to be in the position of supervising the staff involved in the technical intern training and who has completed the course for technical intern training managers within the past 3 years (transitional measures available with regard to the course)
    - “Technical intern training instructor” (person responsible for instruction for the technical intern trainees): a full-time officer or employee who has at least 5 years’ experience with regard to the skills which the trainee is to acquire
    - “Living guidance instructor” (person responsible for everyday living guidance for the technical intern trainees): a full-time officer or employee
  - The applicant has not committed an act of human rights violation or used a forged or altered document within the past 5 years
  - The place of business is equipped with the machinery, equipment and other facilities necessary for acquisition of the skills
- ⑧ **The implementing organization is to undergo supervision from a supervising organization that has obtained license <in the case of supervising-organization-type technical intern training>**
- ⑨ **Ensuring appropriate treatment of the technical intern trainees, such as paying no less remuneration than a Japanese national would receive for the same kind of work (\*)**
- The amount of remuneration is no less than a Japanese national would receive for the same kind of work (documents must be attached to prove this, and the applicant must be asked to give an explanation)
  - Appropriate accommodation facilities have been secured, and measures have been taken to enable the technical intern trainees to concentrate on their post-entry lectures.
  - An agreement has been reached with the technical intern trainee on an appropriate amount with regard to the expenses to be paid for regularly by the technical intern trainee regardless of whether they are food expenses, accommodation expenses or other expenses (a description of the items and amount of the costs must be given in the technical intern training plan. A document should be attached indicating that the technical intern trainee has understood and that the amount is appropriate)
- ⑩ **Compliance with the requirements of excellence <Cases of technical intern training (iii) > (See Attachment 1)**
- ⑪ **Must not be in excess of the maximum number of technical interns to be accepted (\*) <Revision of the fixed number of technical intern trainees permitted through the new program> (see Attachment 2)**

(\*) With regard to ③ ⑦ ⑨ ⑪, in cases where the competent minister for the business pertaining to specific occupation has specified additional requirements through a public notice, the implementing organization -or the supervising organization for the occupation is also required to meet the criteria of the additional requirements.

# Licensing Criteria for the Supervising Organizations

- A person who intends to conduct supervision business is required to obtain license-from the competent minister. Licensing criteria have been established for the license, and license will not be granted unless the criteria have been met. (Article 23 and Article 25 of the Act)

## Main licensing criteria for the supervising organizations

### ① A juridical person not for the purpose of profit (\*)

A Chamber of Commerce and Industry, Chamber of Commerce, Small Business Association, vocational training corporation, agricultural cooperative, fisheries cooperative association, public interest incorporated association or public interest incorporated foundation, etc.

### ② Sufficient ability to adequately execute business in accordance with the criteria for conducting the work of a supervising organization (the following I-IV are representative examples) (\*)

I. Periodic audits of the implementing organization of the technical intern training (the frequency with which the audit must be conducted is at least once every three months as with the current program, and the audit must be conducted through the following methods)

- Onsite check of the implementation status of the technical intern training
- Receipt of reports from the technical intern training manager and technical intern training instructor
- Interviews with at least one-quarter of the currently enrolled technical intern trainees
- Checking of the facilities at the place of business, and inspection of the books and records, and other articles.
- Checking of the accommodation facilities and other living environment of the technical intern trainees

II Implementation of post-entry lectures for technical intern trainees (i) (clarification that it can be entrusted to an appropriate person)

III Guidance on preparing the technical intern training plan

- For the guidance, checking of the place of business which will be implementing the technical intern training and the accommodation facilities for the technical intern trainees
- From the perspective of ensuring the technical intern trainees acquire the skills, etc. appropriately and effectively, a person who has a certain amount of experience pertaining to the skills, etc. is to be put in charge of the guidance.

IV Responses to consultations from the technical intern trainees (giving of advice, guidance and taking of other necessary measures in order to respond appropriately to a consultation from a technical intern trainee.)

### ③ Existence of a financial base which is sufficient to ensure sound implementation of the supervision business

### ④ Necessary measures are being taken to properly manage personal information

### ⑤ Implementation of measures for external officers or external audits

### ⑥ A contract pertaining to mediation for technical intern trainees has been entered into with a sending organization in a foreign country which meets the criteria

### ⑦ In addition to ① to ⑥, possessing the capability to properly carry out the supervision business

The supervising organization shall be deemed not to have the capability to properly carry out the supervision business if it does not satisfy the following items.

- A supervision fee of an appropriate type and amount is collected after a clear indication of the use and amounts has been given beforehand (Article 28 of the Act)
- It has not let another person carry out the supervision business through use of its name (Article 38 of the Act)
- An appropriate supervision manager has been appointed for each place of business (Article 40 of the Act)

\* The supervision manager must be a full-time employee who belongs to the place of business and has the capability to properly carry out the work of a supervision manager.

In addition, the supervision manager must be a person who has completed a course for supervision managers within the past 3 years (transitional measures are available with regard to the course).

\* The underlined parts are changes made in the new system

(\*) With regard to ① and ②, in cases where the competent minister for the business pertaining to specific occupation has specified special requirements through a public notice, the supervising organization for the occupation -is required to meet the criteria of the special requirements.

- For implementing organizations, compliance with the criteria specified in an ordinance of the competent ministries as meeting the required high standards of capability to have the technical intern trainees acquire the skills, etc. (Article 9, item (x) of the Act)
- For supervising organizations, compliance with the criteria specified by an ordinance of the competent ministries as meeting the high standards of capability to conduct the audit of the implementation status of the technical intern trainees, and other work (Article 25, paragraph (1), item (vii) of the Act)

**In both cases, if the score is 60% or more of the total score, the organization will be deemed to comply with the criteria for excellent implementing organizations or supervising organizations.**

### Requirements of excellent implementing organizations

(Full score: 120 points)

- ① Achievements relating to acquisition of skills, etc. (70 points)
  - Pass rate of the basic trade skills test, grade 3 trade skills test and grade 2 trade skills test in the past 3 years\*, etc.
    - \* With regard to grade 3 and grade 2, the number of trainees passing the tests will be used for the calculation during the transition period to the new system.
- ② Structure to implement the technical intern training (10 points)
  - Record of training course attendance of the technical intern training instructors and living guidance instructors within the past 3 years (transitional measures are available for the courses)
- ③ Treatment of technical intern trainees (10 points)
  - Comparison of the wages of the technical intern trainees and the minimum wage
  - Wage raise rate at each stage of the technical intern training
- ④ No violations of laws and regulations, or problems (5 points (greatly reduced if there has been a violation, etc.))
  - History of improvement orders, percentage of absconding trainees within the past 3 years
  - Whether or not there were any absconding trainees attributable to the fault of the implementing organization within the past 3 years
- ⑤ Consultation and support structure (15 points)
  - Securing of counselors who are able to provide consultations in the technical intern trainee's mother tongue
  - History of acceptance of trainees who had difficulty continuing their training at another organization
- ⑥ Harmonious coexistence with the local community (10 points)
  - Japanese language education support for the trainees
  - Opportunities for interactions with the local community, and provision of opportunities to learn about Japanese culture

### Requirements of excellent supervising organizations

(Full score: 120 points)

- ① Structure to conduct an audit of the implementation status of the technical intern training and other work (50 points)
  - Ratio of full-time officers and employees involved in the supervision business to the number of implementing organizations to be supervised
  - Record of training course attendance of employees involved in the audit other than the supervision manager etc.
- ② Achievements related to acquisition of skills, etc. (40 points)
  - Pass rate of the basic trade skills test, grade 3 trade skills test and grade 2 trade skills test in the past 3 years\* etc.
    - \* With regard to grade 3 and grade 2, the number of trainees passing the tests will be used for the calculation during the transition period to the new system.
- ③ No violations of laws and regulations, or problems (5 points (greatly reduced if there has been a violation, etc.))
  - History of improvement orders, percentage of absconding trainees within the past 3 years,
- ④ Consultation and support structure (15 points)
  - Registering to the effect of cooperating with the acceptance of trainees for whom it has become difficult to continue with the technical intern training at another organization
  - History of acceptance of trainees who had difficulty continuing their training at another organization etc.
- ⑤ Harmonious coexistence with the local community (10 points)
  - Japanese language education support for the trainees
  - Opportunities for interactions with the local community, and provision of opportunities to learn about Japanese culture

# Requirements of Excellent Implementing Organizations (Details) (Draft)

Implementing organizations which score 60% or more of the full score will be deemed to conform to the criteria of an excellent implementing organization

	Item	Distribution of points
① Achievements relating to acquisition of skills, etc.	<b>【Maximum of 70 points】</b>	
	I Pass rate of the paper test and practical test of the basic trade skills test or other equivalent examination in the past 3 years (including the pass rate of basic grade 2 of the previous system)	<ul style="list-style-type: none"> <li>•95% or more: 20 points</li> <li>•Between 80% and 94%: 10 points</li> <li>•Between 75% and 79%: 0 points</li> <li>•Less than 75%: -20 points</li> </ul>
	II Pass rate of the practical test of the grade 2 or 3 trade skills test in the past 3 years <Calculation method> Denominator: Number of new technical intern trainees completing technical intern training (ii) or (iii) - No. of persons unable to take the test due to unavoidable reasons + No. of technical intern trainees under the old program taking the test Numerator: (No. of trainees passing grade 3 + no. of trainees passing grade 2 x 1.5) x 1.2 * Regarding the number of technical intern trainees under the old program taking the test, the number of technical intern trainees under the old program taking the test after the enforcement date must be included. With regard to the number of technical intern trainees under the old system taking the test prior to the enforcement date, it is also possible to exclude the number of technical intern trainees taking the test before the calculation date which came prior to the enforcement. * For 3 years after the enforcement, it will also be possible to assess II-2 (1) and (2) instead of II.	<ul style="list-style-type: none"> <li>•80% or more: 40 points</li> <li>•Between 70% and 79%: 30 points</li> <li>•Between 60% and 69%: 20 points</li> <li>•Between 50% and 59%: 0 points</li> <li>•Less than 50%: -40 points</li> </ul>
	II-2 (1) Number of passes of the practical test of the grade 3 trade skills test or equivalent examination in the immediate past 3 years	<ul style="list-style-type: none"> <li>•3 or more successful trainees: 35 points</li> <li>•2 successful trainees: 25 points</li> <li>•1 successful trainee: 15 points</li> <li>•No successful trainees: -35 points</li> </ul>
	II-2 (2) Number of passes of the practical test of the grade 2 trade skills test or equivalent examination in the immediate past 3 years	<ul style="list-style-type: none"> <li>•2 or more successful trainees: 5 points</li> <li>•1 successful trainee: 3 points</li> </ul>
	III Record of passes of the paper test of the grade 2 or 3 trade skills test or equivalent examination in the immediate past 3 years * Do not divide into grade 2 and grade 3, but evaluate using the total number of technical intern trainees who passed	<ul style="list-style-type: none"> <li>•2 successful trainees: 5 points</li> <li>•1 successful trainee: 3 points</li> </ul>
IV Cooperation for implementation of the trade skills test, etc. * A trade skills test examiner (person who performs the duties of creating and marking the questions for the paper test and practical test in the trade skills test, preparing implementation guidelines, and invigilating at the test location of the trade skills test) or a person equivalent to a trade skills test examiner in a technical intern training evaluation examination has been selected from among the partners or where devices or equipment required for implementation of the trade skills test have been leased.	<ul style="list-style-type: none"> <li>•Yes: 5 points</li> </ul>	

② Structure to implement the technical intern training	<b>【Maximum of 10 points】</b> * No points will be allocated for up to 1 year from the time of preparing the lectures	
	I Record of training course attendance of the technical intern training instructors within the past 3 years	•All instructors: 5 points
	II Record of training course attendance of the living guidance instructors within the past 3 years	•All instructors: 5 points
③ Treatment of the technical intern trainees	<b>【Maximum of 10 points】</b>	
	I Comparison of the lowest wages (basic salary) of the technical intern trainees (i) and the minimum wage	<ul style="list-style-type: none"> <li>•115% or more: 5 points</li> <li>•Between 105% and 114%: 3 points</li> </ul>
	II Wage raise rate at each stage of the technical intern training pertaining to the wages of the technical intern trainee	<ul style="list-style-type: none"> <li>•5% or more: 5 points</li> <li>•Between 3% and 4%: 3 points</li> </ul>
④ Occurrence of violations of laws and regulations, or problems	<b>【Maximum of 5 points】</b>	
	I Issuance of an improvement order within the past 3 years (including the administrative guidance equivalent to an improvement order under the old program)	<ul style="list-style-type: none"> <li>•No improvements made: -50 points</li> <li>•Improvements made: -30 points</li> </ul>
	II The rate of absconding trainees within the past 3 years is 0 or a low number (including trainees under the old program)	<ul style="list-style-type: none"> <li>•Zero: 5 points</li> <li>•Less than 10%, or 1 trainee: 0 points</li> <li>•Less than 20% or 2 trainees: -5 points</li> <li>•20% or more, or 3 trainees: -10 points</li> </ul>
	II Existence of absconding trainees attributable to the fault of the implementing organization (including trainees under the old program)	•Yes: -50 points
⑤ Consultation and support structure	<b>【Maximum of 15 points】</b>	
	I Manuals have been drafted which describe the methods and procedures for the provision of consultation and support in the technical trainee's mother tongue, and these have been disseminated to relevant staff	•Yes: 5 points
	II Counselors who are able to provide consultations in all of the mother tongues of the technical intern trainees have been secured for the accepted technical intern trainees (including trainees under the old program)	•Yes: 5 points
	III The organization has accepted technical intern trainees who had difficulty continuing their training at another organization within the past 3 years in order to provide them with an opportunity to continue with their technical intern training (including trainees under the old program)	•Yes: 5 points
⑥ Harmonious coexistence with the local community	<b>【Maximum of 10 points】</b>	
	I Support for Japanese language education is being provided to the accepted technical intern trainees	•Yes: 4 points
	II Arrangements have been made for opportunities for interactions with the local community	•Yes: 3 points
	III Arrangements have been made for opportunities to learn about Japanese culture	•Yes: 3 points

# Requirements of Excellent Supervising Organizations (General Supervision Business) (Details) (Draft)

Supervising organizations which score 60% or more of the full score will be deemed to conform to the criteria of an excellent supervising organization

	Item	Distribution of points
① Structure to conduct audits of the implementation status of supervising-organization-type technical intern training and other work	[Maximum of 50 points] * Maximum of 40 points for up to 1 year from the time of preparing the courses	
	I Manuals have been drafted which describe the implementation methods and procedures for the periodic audits to be conducted by the supervising organizations, and these have been disseminated to the staff responsible for the audit	• Yes: 5 points
	II Ratio of full-time officers and employees involved in the supervision business to the number of implementing organizations to be supervised	• Less than 1:5 15 points • Less than 1:10 7 points
	III Record of training course attendance of the employees of the supervising organization other than the supervision manager within the past 3 years (limited to persons responsible for the audits)	• 60% or more: 10 points • Between 50% and 59%: 5 points
	IV Whether support such as the implementation of training and the distribution of manuals is being provided every year for the supervision managers, technical intern training instructors and living guidance instructors of the implementing organization	• Yes: 5 points
	V Cooperation with follow-up surveys of the technical intern trainees after their return home	• Yes: 5 points
	VI Whether the officers and employees of the supervising organization are conducting preliminary interviews in the sending country with regard to the extension of services to the technical intern trainees	• Yes: 5 points
	VII Whether measures are being taken with the cooperation of the sending organization to ascertain the place of employment of the technical intern trainees after their return to their home country	• Yes: 5 points
② Achievements pertaining to the mastery of skills etc.	[Maximum of 40 points]	
	I Pass rate of the practical test of the paper test and practical test of the basic grade trade skills test within the past 3 years (including the pass rate of basic grade 2 of the old system)	• 95% or more: 10 points • Between 80% and 94%: 5 points • Between 75% and 79%: 0 points • Less than 75%: -10 points
	II Pass rate of the practical test of the grade 2 and 3 trade skills test within the past 3 years * The calculation method is the same as for ① II of the implementing organizations * For 3 years after the enforcement, it will also be possible to assess II- 2 (1) and (2) instead of II.	• 80% or more: 20 points • Between 70% and 79%: 15 points • Between 60% and 69%: 10 points • Between 50% and 59%: 0 points • Less than 50%: -20 points
	II-2 (1) Number of passes of the practical test of the grade 3 trade skills test in the immediate past 3 years	• Generating successful applicants from two or more implementing organizations: 15 points • Generating successful applicants from 1 implementing organization: 10 points • Other than above: -15 points
	II-2 (2) Number of passes of the practical test of the grade 2 trade skills test in the immediate past 3 years	• Generating successful applicants from two or more implementing organizations: 5 points • Generating successful applicants from 1 implementing organization: 3 points
	III Record of passes of the paper test of the grade 2 and 3 trade skills test in the immediate past 3 years * Do not divide into grade 2 and grade 3, but evaluate using the total number of technical intern trainees who passed	• Generating successful applicants from two or more implementing organizations: 5 points • Generating successful applicants from 1 implementing organization: 3 points
IV Cooperation for implementation of the trade skills test, etc. . * The implementing organization under the supervising organization have selected a trade skills test examiner (person who performs the duties of creating and marking the questions for the paper test and practical test in the trade skills test, preparing implementation guidelines, and invigilating at the test location of the trade skills test) or a person equivalent to a trade skills test examiner in a technical intern training evaluation examination from among the partners, or have leased devices or equipment required for implementation of the trade skills test.	• Cooperation from a least one implementing organization: 5 points	

	[Maximum of 5 points]	
③ Occurrence of violations of laws and regulations, or problems	I Issuance of an improvement order within the past 3 years (including the administrative guidance equivalent to an improvement order under the old system)	• No improvements made: -50 points • Improvements made: -30 points
	II The rate of absconding trainees within the past 3 years is 0 or a low number (including trainees under the old program)	• Zero: 5 points • Less than 10%, or 1 trainee: 0 points • Less than 20% or 2 trainees: -5 points • 20% or more, or 3 trainees: -10 points
	III Existence of absconding trainees attributable to the fault of the implementing organization (including trainees under the old program)	• Yes: -50 points
	IV Whether misconduct has been committed by an implementing organization under its supervision within the past 3 years (unless the supervising organization discovered the misconduct and reported it to OTIT)	• Revocation of accreditation of the plan (ratio of revocations of technical intern training plans to the number of implementing organizations being supervised) 15% or more: -10 Between 10% and 14%: -7 Between 5% and 9%: -5 More than 0% but less than 5%: -3 • Improvement orders (ratio of improvement orders to the number of implementing organizations being supervised) 15% or more: -5 Between 10% and 14%: -4 Between 5% and 9%: -3 More than 0% but less than 5%: -2
④ Consultation and support system	[Maximum of 15 points]	
	I Manuals have been drafted which describe the methods and procedures for the provision of consultation and support in the technical trainee's mother tongue by OTIT or the supervising organization, and these have been disseminated to relevant staff	• Yes: 5 points
	II Registering with OTIT to the effect of cooperating with the acceptance of technical intern trainees (limited to persons engaging in technical intern training at an implementing organization under some other supervising organization) for whom it has become difficult for another organization to continue with the technical intern training	• Yes: 5 points
	III Acceptance of technical intern trainees (limited to persons engaging in technical intern training at an implementing organization who had difficulty continuing their technical intern training at another organization within the past 3 years in order to provide them with an opportunity to continue with their technical intern training (including acceptance under the old system)	• Yes: 5 points
⑤ Harmonious coexistence with the local community	[Maximum of 10 points]	
	I Provision of support to implementing organizations providing support for Japanese language education to accepted technical intern trainees	• Yes: 4 points
	II Provision of support to implementing organizations to arrange opportunities for interactions with the local community	• Yes: 3 points
III Provision of support to implementing organizations to arrange opportunities to learn about Japanese culture	• Yes: 3 points	

## Basic fixed number of trainees

Total number of full-time staff of the implementing organization	Number of technical intern trainees
301 or more	1/20 of the total no. of full-time employees
Between 201 and 300	15 trainees
Between 101 and 200	10 trainees
Between 51 and 100	6 trainees
Between 41 and 50	5 trainees
Between 31 and 40	4 trainees
30 or less	3 trainees

## Basic fixed number of trainees under the current system (reference)

Total number of full-time staff of the implementing organization	Number of technical intern trainees
301 or more	1/20 of the total no. of full-time employees
Between 201 and 300	15 trainees
Between 101 and 200	10 trainees
Between 51 and 100	6 trainees
50 or less	3 trainees

\* The number of full-time staff does not include technical intern trainees ((i), (ii), or (iii))

## Fixed number of trainees (supervising-organization-type)

### Fixed number of trainees

Technical intern trainees (i) (1 year)	Technical intern trainees (ii) (2 years)	Organizations conforming to the excellence criteria		
		Technical intern trainees (i) (1 year)	Technical intern trainees (ii) (2 years))	Technical intern trainees (iii) (2 years)
<b>Basic fixed number of trainees</b>	Double the basic fixed number	Double the basic fixed number	Four times the basic fixed number	Six times the fixed number

## Fixed number of trainees (individual-enterprise-type)

### Fixed quota of technical intern trainees

Enterprises	Technical intern trainees (i) (1 year)	Technical intern trainees (ii) (2 years)	Organizations conforming to the excellence criteria		
			Technical intern trainees (i) (1 year)	Technical intern trainees (ii) (2 years))	Technical intern trainees (iii) (2 years)
Enterprises that the Minister of Justice and the Minister of Health, Labor and Welfare recognize as having a structure that allows continuous and stable technical intern training	<b>Basic fixed number of trainees</b>	Double the basic fixed number	Double the basic fixed number	Four times the basic fixed number	Six times the basic fixed number
Enterprises other than those above	1/20 of the total no. of full-time staff	1/10 of the total no. of full-time staff	<b>1/10 of the total no. of full-time staff</b>	<b>1/5 of the total no. of full-time staff</b>	<b>3/10 of the total no. of full-time staff</b>

- In addition, neither supervising-organization-type nor individual-enterprise-type technical intern training may exceed the number of trainees given below. ((Technical intern trainees (i) the total no. of full-time staff, technical intern trainees (ii): double the total no. of full-time staff; technical intern trainees (iii): triple the total no. of full-time staff)
- For occupations with special circumstances, the number of trainees provided for in the notice specified by the competent minister for the business pertaining to the specific occupation-
- When accepting technical intern trainees who have transferred from another implementing organization due to unavoidable circumstances, it is possible to accept them separately from the above number of trainees.

# Requirements of Sending Organizations of Foreign Countries

## ○ The term, "Dispatching Organizations of Foreign Countries" (Article 23, Paragraph 2, Item 6 of the Act)

It is the organization that conforms to requirements specified by the ordinance of the competent ministries as an organization being able to forward applications for a job pertaining to supervising organization type technical intern training from the people who would like to be a supervising organization type technical intern trainee.

## Requirements of Sending Organizations of Foreign Countries

- (1) Being recommended from a public body of the sending country as an organization that is able to appropriately forward applications for technical intern training to Japanese supervising organizations
- (2) Appropriately selecting only the people who would like to receive technical intern training after understanding the purpose of the program, and then sending them to Japan
- (3) Regarding commission fees and other costs collected from technical intern trainees, making public the calculation criteria after clearly establishing the criteria, as well as clearly specifying these costs to technical intern trainees and making sure they fully understand
- (4) In order for the people who returned to their country after completing technical intern training to appropriately utilize the acquired skills, implementing necessary support such as finding a job
- (5) Responding to requests, including cooperation in follow-up surveys, from the Minister of Justice, the Minister of Health, Labour and Welfare, or the organization for Technical Intern Training
- (6) The relevant organization and its officers should not have the experience of being sentenced to imprisonment or a more severe punishment or an equivalent punishment under the laws and regulations of Japan or a foreign state where the organization is located within the preceding five years
- (7) Conducting business regarding technical intern training in accordance with laws and regulations of the country where the organizations are located
- (8) Within the preceding five years, not taking control of money or other properties of technical intern trainees or their relatives in relation to sending the trainees to Japan, irrespective of collecting deposits or other nominal terms
- (9) Within the preceding five years, regarding default of a contract pertaining to technical intern training, not concluding a contract to enact penalties or a contract to unreasonably transfer money or other properties
- (10) Within the preceding five years, not having abused human rights of technical intern trainees
- (11) Not having conducted acts, such as using forged or altered documents, in relation to the technical intern training program within the preceding five years
- (12) Confirming that the acts of (8) and (9) have not been conducted to technical intern trainees or their families, etc.
- (13) In addition, having other necessary abilities to appropriately forward applications for technical intern trainings to Japanese supervising organizations

## The Countries that created Memorandum of Cooperation

**The government of the sending country examines whether or not sending organizations meet the above (1) - (13) requirements, and approves appropriate organizations.**



# MOC (Memorandum of Cooperation)

## Purpose

The purpose of MOC is to transfer technical skills etc. from Japan to sending countries appropriately and smoothly by setting out the commitments between the Ministries of Japan and the Ministries of sending countries.

## Main commitments

### Japanese side

- To conduct business relating to the license and accreditation in accordance with the criteria described in the Technical Intern Training Act.
- To make the information about approved sending organizations and revocation of the approvals publicly available. To accept only those technical Intern trainees who are sent by approved sending organizations.
- To notify the result when the Ministries of Japan revoke the license of a supervising organization, and issue an order against supervising organization and implementing organization.

### Sending Countries side

- To examine whether or not sending organizations meet Approving Standards as follows
  - To appropriately select only those who are motivated to engage in training with understanding of the objectives of the Technical Intern Training Program
  - To provide trainee who returned home country with necessary support such as finding occupations.
  - Not to collect deposit and conclude any contracts that impose monetary penalties.
  - Not to do human rights infringement against trainees
- To notify the result to the Ministries of Japan when the Ministry of sending country revokes the approval.
- To conduct investigation, to provide necessary guidance and to report the result to the Ministries of Japan, when the Ministry of sending country is informed about improper sending organization by the Ministry of Japan.

### Both sides

- To hold periodical meetings about the Technical Intern Training Program

Countries that signed on MOC (As of September 2017)

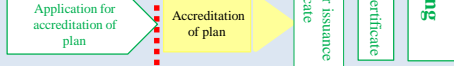
Viet-Nam (June 2017) , Cambodia (July 2017)

# Transition from the old program to the new program in accordance with the Act on Technical Intern Training

(\* Refer to the following page for an explanation on the figure below.)

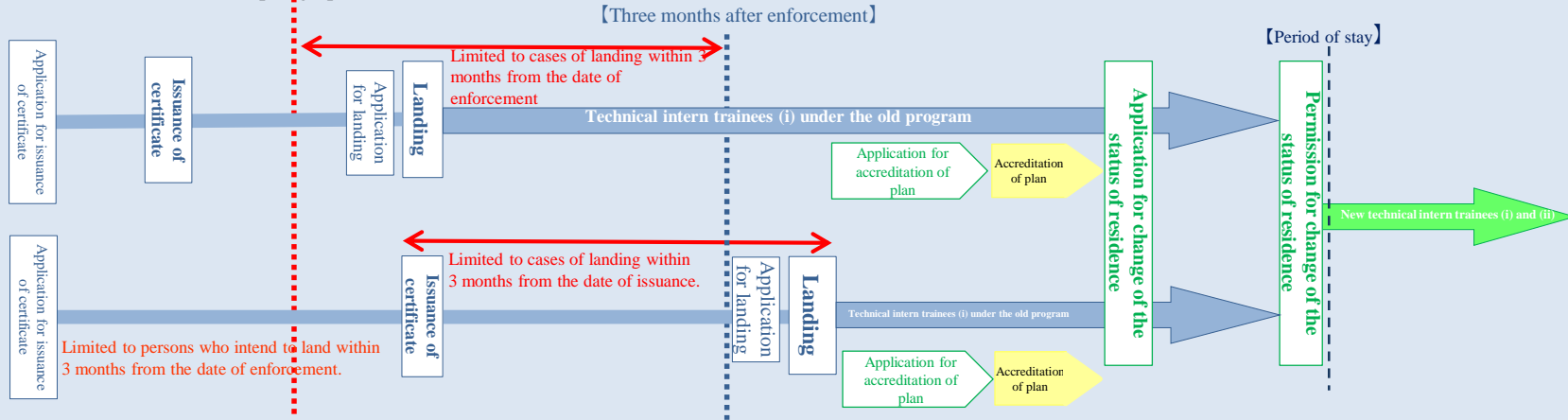
## 【Basic type】

Applications for accreditation of technical intern training plans may be submitted even before the enforcement date



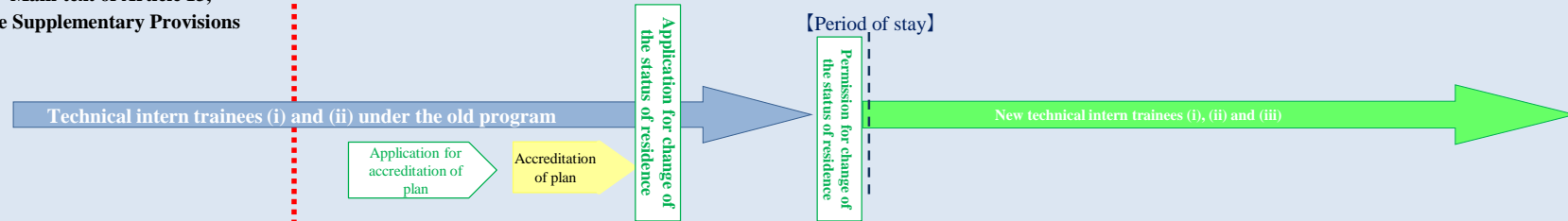
## 【Procedure continuation type】

(Application for issuance of certificate of eligibility for technical intern trainees (i) under the old program prior to the enforcement date) Supplementary Provisions Article 13, paragraph (3) and (4)



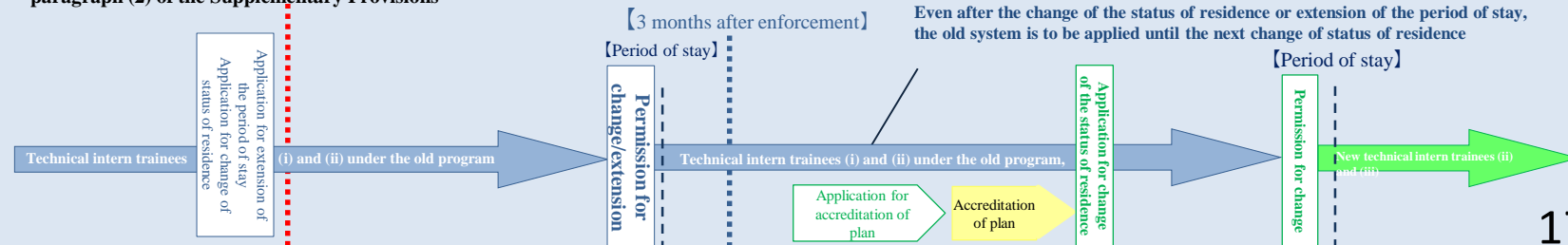
Technical intern trainees landing after the enforcement date

## 【Basic type】 Main text of Article 13, paragraph (1) of the Supplementary Provisions



## 【Procedure continuation type】

(Apply for a change or extension before the enforcement date when the period of stay is to expire within 3 months of the enforcement date) Article 13, paragraph (2) of the Supplementary Provisions



Technical interns trainees residing in Japan at the time of the enforcement date

In the case of supervising-organization-type technical intern training, the technical intern trainees are required to have ‘experience of engaging in the same kind of work in a foreign country as the work to be engaged in while in Japan’, or ‘special circumstances must exist requiring the trainee to engage in supervising-organization-type technical intern training’. (Article 10, paragraph (2), item (iii)(e) of the Ministerial Ordinance) (※ Appendix 1 is a model document for application)

**Experience of engaging in the same type of work in a foreign country as the work to be engaged in while in Japan**

Regarding “experience of engaging in the same kind of work in a foreign country as the work to be engaged in while in Japan”, the technical intern trainee is required to have experience of engaging in the skills, etc. which he or she intends to acquire mainly through the technical intern training which he or she intends to engage in while in Japan in the form of work in the sending country. However, this does not require that the name of the work engaged in as work in the sending country is identical in form to the work to be engaged in while in Japan.

\* The “certificate issued by the organization of affiliation in a foreign country” of Appendix 2 is a model of the document needed to confirm this requirement.

**Special circumstances requiring the technical intern trainee engage in supervising-organization-type technical intern training**

The cases from ① to ③ will apply.

**① When it is recognized that there is a particular need for technical cooperation between the implementing organization or supervising organization, and the sending country**

Cases where it is recognized that the technical intern training is being conducted based on an agreement to the effect of human resources development utilizing the technical intern training program entered into by the implementing organization or supervising organization, and a public organization of the sending country. In such case, it is necessary to submit materials that demonstrate the necessity of technical cooperation between the implementing organization or supervising organization, and public organization of the sending country.

**② If the trainee has completed a curriculum related to the same type of work at an educational institution (including cases of expected completion).**

The type of educational institution is not a requirement, but it is necessary for the period of education to have been for at least six months. In such case, it is necessary to submit all of the following documents.

- A copy of the agreement entered into by the educational institution and the implementing organization, and the supervising organization or sending organization in a foreign country (limited to contents which indicate support for the graduate of the educational institution to engage in technical intern training in Japan).
- Documents giving a summary of the educational institution (limited to documents that show that education is being provided in a field related to the same kind of work)
- Documents certifying that the technical intern trainee has completed the relevant curriculum at the educational institution (including proof of expected completion)

**③ Cases where the technical intern trainee is able to give a detailed explanation of the need to engage in the technical intern training, and has received the minimum training necessary to engage in the technical intern training**

Cases where the technical intern trainee is able to give a detailed explanation of the need to engage in technical intern training include the following.

- Cases of succeeding to the family business and needing to engage in technical intern training in this field
- Cases of wanting to work in a field that is growing rapidly in the home country and therefore a need to engage in technical intern training in such field has arisen

In such case, it is necessary to submit a written reason that concretely describe the necessity for the technical intern trainee to engage in the technical intern training. (\* Appendix 3 “Written Reason for Implementing Technical Intern Training” is a model of the written reason.)

In addition, as the minimum training required for engaging in the technical intern training, pre-entry lectures of a course of at least 320 hours over a period of at least 2 months, of which at least 160 hours over a period of at least 1 month must be dedicated to a course of knowledge that will contribute to the smooth acquisition of skills, etc. will suffice.

if the supervising organization receives money not covered by the supervision fee from persons involved in the technical intern training, including the sending organization (e.g., cases where the supervising organization receives a kickback from the sending organization, etc.), such organization will be subject to revocation of the license of the supervising organization, and penal provisions will also apply.

\* if a supervising organization receives money not covered by the supervision fee from persons involved in the technical intern training, including the sending organization, it will be in violation of the provisions of Article 28 of the Act on Technical Intern Training, subject to revocation of the license of the supervising organization, and moreover will be subject to imprisonment with work for not more than 6 months or a fine of not more than 300,000 yen in accordance with the provisions of Article 111 of the Act on Technical Intern Training.

Regarding cases where a contract has been entered into by the supervising organization and sending organization to the effect that the sending organization is required to pay a penalty, etc. to the supervising organization if a technical intern trainee has disappeared in Japan, this will be a violation of the ordinance of the competent ministries set forth under the Act on Technical Intern Training as explained below, and such cases will be subject to revocation of the technical intern training plan.

Article 10, paragraph (2), item (vi) (b) of the ordinance of the competent ministries provides that, “The applicant (implementing organization) or preparatory organization in a foreign country (in cases pertaining to supervising-organization-type technical intern training, the applicant, supervising organization, intermediating sending organization or preparatory organization in a foreign country) has not entered into a contract that stipulates penalties”.

With regard to this, even if it is not a direct contract with the technical intern trainee, etc. and the contract stipulating a penalty has been entered into by relevant parties such as the implementing organization and intermediating sending organization, there is the risk of a penalty being collected from trainee, and therefore, such provision has been stipulated from the viewpoint of protecting the technical intern trainees.

Specifically, cases falling under this provision includes a contract where the implementing organization specifies the payment of a penalty by the intermediating sending organization as a provision in cases of a technical intern trainee’s disappearance.

\* Regarding this provision, the same measures has been prescribed in item (vii) in the table of “Technical Intern Training (i)(b)” of the current Ordinance of Ministry of Justice No.16 of 1990.

# Measures for Protection of Technical Intern Trainees

## 1. Reinforcement of the structure for management and supervision

- Licensing system for supervising organizations
- Accreditation system for technical intern training plans
- Onsite inspections by OTIT and the competent ministers

## 2. Development of a consultation and support system

### (1) Development of a reporting and consultation hotline in the native language of the technical intern trainees

- The new system accepts consultations via email as well as over the phone
- \* In addition to Chinese, Vietnamese, Indonesian, Tagalog and English, we are also considering to add Thai as one of the languages offered.
- Consideration being given to a framework that provides a temporary shelter taking into consideration the wishes of the trainee, and the urgency or necessity of the situation, etc.

### (2) Development of a support system enabling changes of the training site

- Stipulated the obligations of the implementing organization or the supervising organization to notify in case of difficulty in continuing with the technical intern training (Articles 19 and 33) and to take measures to continue with the technical intern training (Article 51) in the Act.
- In response to consultations from technical intern trainees, OTIT offers support including changes of the training site using all its available information.

### (3) Stipulation of the right to report to the competent ministers of the fact of a violation of the act

- Clearly stipulated in the Act that technical intern trainees may report to the competent ministers (Article 49) of the fact of a violation of the act by an implementing organization or supervising organization.
- Established penalties to punish discrimination against a technical intern trainee for having made a report.

## 3. Development of penalties

Penalties	Supervising organization	Implementing organization
Sentence of imprisonment with work of not less than 1 year but not more than 10 years, or a fine of not less than 200,000 yen but not more than 3 million yen	① <u>Act of forcing a technical intern trainee to engage in technical intern training</u> through the use of assault, intimidation, confinement, or any other means which unfairly restrict the mental or physical freedom of the technical intern trainee (Article 46)	Similar provision in the Labor Standards Act (Article 5)
Sentence of imprisonment with work of not more than 6 months or a fine of not more than 300,000 yen	② <u>Act of stipulating penalties, etc.</u> (Article 47, paragraph (1))	Similar provision in the Labor Standards Act (Article 16, Article 18, paragraph (1))
	③ <u>Act of entering into a contract assuming control of the technical intern trainee's savings</u> (Article 47, paragraph (2))	
	④ <u>Act of retaining the technical intern trainee's passport, etc.</u> (Article 48, paragraph (1))	
	⑤ <u>Act of imposing unfair restrictions on the technical intern trainee's freedom in his or her personal life</u> (Article 48, paragraph (2))	
	⑥ Handling of disadvantageous treatment towards a technical intern trainee by reason of the technical intern trainee making a report to the competent ministers (Article 49, paragraph (2))	

\* With regard to ④, punishment imposed in cases of going against the will of the trainee.

\* With regard to ⑤, punishment imposed in cases of stating restrictions on going out outside of technical intern training hours having indicated dismissal or other disadvantages in terms of labor relations, etc.