

Japanese Law Explained

How Companies Should Respond to New Customer Harassment Rules.

Q. The Act on Comprehensive Promotion of Labor Policies has been recently amended and employers are now required to take measures guarding their employees against harassment from customers. What does this amendment change and how should companies respond?

1. Introduction

On June 4, 2025, an amendment to the Act on Comprehensive Promotion of Labor Policies (the “**Amended Act**”) was passed, primarily aimed at obliging employers to take measures against customer harassment. The Amendment was promulgated on June 11 and takes effect within one year and six months from this date. This article explains an overview of the Amended Act and the company responses that can be considered at this time.

2. Overview of the Amended Act

(1) Definition of customer harassment

Under the Amended Act, conduct that satisfies (i) through (iii) is defined as customer harassment:

- (i) Conduct by a customer, business counterparty, facility user, or other person related to the employer’s business that is carried out in the workplace;
- (ii) Conduct that, given the nature of the employee’s work, is not socially acceptable or appropriate according to common sense principles; and,
- (iii) The conduct harms the worker’s working environment.

Details of (i) through (iii) above, as well as specific examples of conduct that constitutes customer harassment, are expected to be clarified in guidelines to be

published in the future. Please note that definitions of customer harassment have already been presented in the Ministry of Health, Labor and Welfare's "Customer Harassment Countermeasures Corporate Manual" (formulated in February 2022; the "**MHLW Manual**") and in the Tokyo Metropolitan Customer Harassment Prevention Ordinance (the "**Tokyo Ordinance**") and both are not significantly different than what the Amended Act regulates.

(2) Obligation to take employment-management measures

Employers must take the necessary employment-management measures so that harassment from customers does not create a hostile working environment. Employers can establish a system that discusses issues with workers and responds by creating deterrent and responsive measures to harassment. Article 33, paragraph 4 of the Amended Act, specifies that these measures will be clarified in the future, but currently requires:

- (i) The employer disseminate and raise awareness of its anti-harassment policy
- (ii) The employer will discuss harassment with its employees and take action accordingly
- (iii) The employer will act promptly and appropriately after an incident occurs and deter any recurrence
- (iv) Measures that should be taken in conjunction with the above.

The outline described above is the same as what is mandated under guidelines for other types of harassment (for example, for power harassment: the "Guidelines on Measures, etc. that Employers Should Take in Employment Management Regarding Problems Caused by Conduct Based on a Superior Relationship in the Workplace" (MHLW Notification No. 5 of 2020)).

(3) No retaliatory conduct against an employee

Employers must not dismiss or otherwise treat a worker disadvantageously because the worker complained about being harassed by a customer.

(4) Employers must cooperate with other businesses to implement anti-harassment measures

If a separate employer requests cooperation from another employer to implement anti-harassment preventive measures as described in (2), the requested employer must reasonably assist.

(5) Employer must train its employees on anti-harassment measures

To ensure a safe working environment, employers should encourage their employees to report any harassment, including any incidents that happen between them and workers employed by other businesses, and train their employees on how to handle, record and report these incidents and cooperate with local and national government officials as necessary. In addition, employers (and, if the employer is a corporation, its officers) must prioritize its anti-harassment policy and respond timely and affirmatively to their employees' concerns.

3. Responses for the amendment

It is necessary for all businesses to understand the Amended Act so that they can take appropriate action and prepare for any additional regulation in the future. In addition, because customer harassment protections are generally similar to protections for other types of harassment, and because the responses required under the Amended Act are not dissimilar than those required by the MHLW Manual and the Tokyo Ordinance (including the "Guidelines on the Prevention of Customer Harassment" based on the ordinance), companies may be able predict what will be required and create its protection measures by consulting those materials. Note that companies operating in Tokyo are already subject to the Tokyo Ordinance, so they must comply with that ordinance even before the Amended Act takes effect. In addition to what is explained above, companies may wish to consult with specialists as necessary.

End.

NOTICES

- THIS DOCUMENT IS PROVIDED FOR INFORMATION PURPOSES ONLY; IT DOES NOT CONSTITUTE AND SHOULD NOT BE RELIED UPON AS LEGAL ADVICE.
- THIS DOCUMENT IS BASED ON THE LEGISLATION IN FORCE AT THE TIME OF PUBLICATION. THE CONTENT MAY CHANGE DUE TO LEGAL REVISIONS, SO PLEASE CHECK THE LATEST INFORMATION.

Contacts

Cross-Border Team

[Email](#) to our Cross-Border Team

E:cross-border@miyake.gr.jp

Our other documents are available [here](#).

YASUCHIKA FUKUDA

Partner

[Email](#) to Yasuchika Fukuda

E: y-fukuda@miyake.gr.jp

Profile is available [here](#).

KOJI NAMBU

Partner

[Email](#) to Koji Nambu

E: k-nanbu@miyake.gr.jp

Profile is available [here](#).

NICHOLAS KUWADA

Foreign Attorney *Not Admitted in Japan

[Email](#) to Nicholas Kuwada.

E: n-kuwada@miyake.gr.jp

Profile is available [here](#).

RIKO MIZUSEKI

Associate

Profile is available [here](#).

AYAKA MITSUI

Associate

Profile is available [here](#).

Miyake & Partners

<https://www.miyake.gr.jp/en/>

Osaka office: Nissay-Yodoyabashi-East Bldg. 16F,3-3-13, Imabashi, Chuo-ku, Osaka,541-0042 Japan

Tokyo office: Yurakucho Denki Building, North Tower,9th Floor 1-7-1 Yurakucho, Chiyoda-ku,Tokyo 100-0006 Japan
