

Japanese Law Explained

Mandatory Workplace Heatstroke Prevention Measures in Japan

In response to rising summer temperatures due to climate change, the Japanese government has amended the Ordinance on Industrial Safety and Health (“**Ordinance**”) to ensure worker safety. This article provides investors with an overview of the background behind the introduction of these new regulations, specific obligations, and the legal and economic risks that companies now face.

1. Background

Recently, the Japanese government has decided to strengthen regulations around worker safety due to a surge in industrial accidents caused by record-breaking heatwaves. In 2024, heatstroke-related deaths and injuries at workplaces reached 1,195 cases, its highest ever. Fatalities have also remained at a high level, exceeding 30 cases per year for three consecutive years, with many cases caused when workers neglect initial, heat-stroke symptoms or fail to respond in time. Since ignoring such situations not only threatens worker lives but also impacts corporate sustainability, the government has upgraded heatstroke measures—which were previously closer to a “duty to make an effort”—to a legal obligation accompanied by penalties (Ordinance 612-2).

2. Definition of Work Environments Subject to Ordinance

The new rules apply to work performed under specific high-temperature conditions. Specifically, they cover work expected to last for one continuous hour or more, or a total of four hours or more per day, in environments where the Heat Index (WBGT value) is 28°C or higher, or the temperature exceeds 31°C.

WBGT is an index that combines temperature, humidity, and radiant heat, and companies operating in Japan are required to accurately determine whether their work sites meet these criteria.

3. Duty to Establish Systems Managing High Temperature Conditions

Businesses subject to the Ordinance must establish the following framework:

- (a) Set up a reporting system at each workplace so that workers or their co-workers can promptly report heat stroke-related symptoms;

- (b) Formulate a response when symptoms occur, such as suspending work, cooling procedures, providing medical treatment, or notifying emergency contacts; and
- (c) Ensure that all relevant workers are fully informed of these systems and procedures through postings, document distribution, or verbal briefings.

4. Legal Risks

The most critical point for investors regarding this amendment is the strict penalties for non-compliance. Businesses that violate these provisions may face criminal penalties, including imprisonment for up to six months or a fine of up to 500,000 yen. Moreover, the company may face the risk of being sued for substantial civil damages by affected workers or their bereaved families for breach of their duty of care.

Heatstroke prevention in Japan has moved beyond the realm of simple employee welfare to become a vital consideration for legal compliance and financial risk management. When investing in Japanese companies, their level of compliance with these new regulations can serve as an important indicator of corporate value.

End.

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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
