

Maternity Leave of Farmers and Potentiality of Family Management Agreement in Japan

Chie KATAYAMA, Kiyomitsu KUDO

Department of Rural Planning, National Institute for Rural Engineering

Abstract

Improvement in the support for childbirth and child rearing is important as one of the conditions for receiving young workers in rural area, including farming households, where the population has been aging rapidly with the declining birthrate. From the point of view of the health of mothers and children, it is necessary to create an environment where mothers can take maternity leave for a period from pregnancy to shortly after childbirth. This is now required of women engaged in any occupation.

In Europe, there are countries that ensure that farmers can take maternity leave. For example, France has implemented substantial family policies, recovered the birthrate and established a well-known system under which benefits are paid to cover the costs of substitutes for female farmers who will give birth.

In Japan, though a law ensures that company workers can take maternity leave, the law cannot be applied to self-employed business owners include farmers. Under these circumstances, Family Management Agreement will be anticipated having very important role. The purpose of this presentation is to show the support environment of the female farmers during the period when they give birth to and raise their children in Japan, and to discuss the potentiality of Family Management Agreement for the issue.

1. Introduction

For women to continue to work through the periods of childbirth and child rearing, first off, rest and consideration of the strain on the mother's body ante- and post-partum as well as during pregnancy is vital from the aspect of the mother's safety and health. Also, along with reduction of strain and rest, there arise financial problems for the period the mother cannot work, and the problem of personnel shortages at the workplace due to rest leave. Furthermore, when the mother wishes to return to work after giving birth, there arise the problem of career continuance by returning to the former job, and the problem of child-rearing while the parents are working.

In Japan, ways of working and resting both before and after the employed person gives birth, and systems aimed at and harmonizing work and family life during the child-rearing period (the so-called “work-life balance”) are currently being developed. These are based on the law such as the in addition to the existing *Roudou-kijyun-hou* (labor standards law), *Dnjyo-Koyoukikai-kintou-hou* (the law for equal employment opportunity of men and women) or *Ikuji-Kaigo-kyugyou-hou* (the law for workers who take care of children or other family members including child care and family care leave), etc. These systems were not originally intended to be applied to self-employed workers, including farmers. However, considerations regarding how to working and how to rest for this time period are very important for the self-employed, including farmers. Naturally, measures for this is not just a matter of setting up a similar system as for the employed, but must take into account the special nature of farm management and farm labor.

We have considered the issues and current situation that allows the creation of an environment which permits Japanese female farmers to safely take leave through the birth and the child-rearing period and also to keep working. Among these, this report focuses on maternity leave, and looks first at the framework surrounding maternity leave for farmers from an international point of view. Following that, we offer an arrangement for maternity leave based on a Family Management Agreement as one solution for Japan, a country which does not legally apply maternity leave to farmers.

2. Support Frameworks for Female Farmers in the Birth and Child-rearing Periods from an International Point of View

First, we will examine the financial support systems and maternity leave in the current social security programs in Japan and in various countries, mainly in Europe. Along with that, we will confirm the situation in international organizations and in France, where maternity leave for farmers is being positioned in the social security program.

1) Maternity Leave and Leave Support in Japan and Selected Overseas Nations

Japan’s maternity leave is a total of 14 weeks for the employed, with 6 weeks before birth and 8 weeks after. While on leave, two-thirds of the standard daily remuneration is paid from the health insurance as a maternity allowance. This is based on the Labor Standards Law. Aside from this allowance and the maternity leave, there are provisions for the guarantee of health checkups and reduction of working hours while pregnant, and certain forms of work are forbidden. Also, there is a guarantee of a

child-rearing period after birth, and, as a basic rule, child-rearing leave until the child is one year old (to a maximum of 18 months). However, this law does not cover the self-employed. For birth expenses, the employed and the self-employed both receive a one-time birth payment from their health insurance.

Next, looking at the application of maternity leave in various countries in Europe, based on a summary of the literature, we can see that there are two major types of country: those that include all residents, including farmers, in the system, and those that only include those who qualify under the conditions in the system. In many cases of the latter sort, like Japan, only the employed are eligible, and farmers are exempt. Among these, France, for example, have specific systems for farmers.

2) The International Labour Organization (ILO)

In the International Labour Organization, maternity leave is taken up in recommendations or in conventions concerning the maternity protection. Child-rearing leave and paternity leave are seen from a different point of view, and considered as covered by Workers with Family Responsibilities Convention.

First, provisions for maternity leave were made according to the 1919 “Convention concerning the Employment of Women before and after Childbirth” (C3), and then in the 1952 “Convention concerning Maternity Protection (Revised 1952)” (C103) and the Recommendation of the same (R95), an additional item was added to Convention 3. The same year, a provision for a maternal benefits package was included in the “Convention concerning Minimum Standards of Social Security” (C102). Additionally, in 2000, the “Convention concerning the revision of the Maternity Protection Convention (Revised), 1952 (C183)” and the “Recommendation concerning the revision of the Maternity Protection Recommendation, 1952 (R191)” were adopted. These were aimed at the employed, in principle, but with the 2000 revision the phrase “including those in atypical forms of dependent work” was added to Article 2.

In agriculture, the 2001 “Convention concerning Safety and Health in Agriculture (C184)” and the same Recommendation (R192) were adopted as the first comprehensive international standards dealing with safety and hygiene. In these, considerations towards female farm labors regarding the protection of women were taken up.

3) The European Union (EU)

The European Union has Council Directive of 11 December 1986 on the application of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of

self-employed women during pregnancy and motherhood. It is considerable that it is instituted from the view point of equal treatment between men and women, not of health for mother and children.

4) France

In France, due to its historical background, social security systems have developed on a per-occupation basis, and there is an agricultural social security system with compulsory membership for farmers. When we look at the support for birth, for employed farm labors there is the same sort of system as for employees in other industries including, for example, paid leave at the time of birth, benefit in kind for delivery costs and consultations regarding pregnancy and birth. On the other hand, for managers and their families there is a system whereby they can be sent substitute workers to cover the personnel shortage caused by women taking leave and receive subsidies to cover the costs of hiring them, which was set up in 1977, before the EU directive.

As a prerequisite to this French system, the definition and positioning of farmers is made individually clear without any reference to sex, and there is commensurate treatment and obligations¹⁾. At the same time, these systems were gradually achieved through the efforts to raise the position of women that began in the 1970s, and financially as well, their consistency with other domestic systems was built up over time¹⁾.

Additionally, as a social background, a lifestyle based on a household of husband and wife, the high awareness about getting leave, and the lowness of the psychological barriers regarding accepting social support can also be offered²⁾.

3. The Status of Female Farmers during the period when they give birth in Japan

1) The Working Status of Young Farm Household Women

Figure 1 shows the working status of young women in farming households. It is based on extracting and re-totaling ages of birth and child-rearing among women aged 20 to 30, according to the Farming and Forestry Census 2005.

The total number of women in farming households in Japan is 4,254,764, of which women aged 20 to 30 are 726,388, or 17% of the total. When we consider the status of work engagement among women family members aged 20 to 30, the most common is “did not engage in work,” and “only engaged in other work,” with a total of 424,000 people. Next most common is “engaged in both farming and other work, with

the other work being most significant,” with 195,000 people. The “population mainly engaged in farming,” consisting of both those “engaged only in self-operated farm work,” and those “engaged in both farming and other work, with farming work being most significant,” is 108,000 people. Of the population mainly engaged in farming, those whose “normal main situation” is “mainly work” (Core persons mainly engaged in farming) is no more than 35,000, and those who “mainly did housework and child-rearing” or “other” were 73,000 people, or two thirds of the total. Note that the ratio of 20 to 30 year old women among the core persons mainly engaged in farming is 3.4% of the total age ranges, or the equivalent of one in thirty.

In other words, among women aged 20 to 30 almost 60% do no farm work at all, despite being in farming families, and if we included those that do some farm work, but mainly work in other industries, then the percentage rises to over 80%, indicating that few farm household women of this age range are involved in farm work. And of the 110,000 that mainly engage in farming, there are about 35,000 people in the entire country who are mainly involved with work as opposed to housework or child rearing, or less than one in twenty among farm household women of the same age group. Since unmarried or childless women are included in this, we can assume that the number of women who do farm work while raising children is even lower.

		working condition				
		engaged only in self-operated farm work	engaged in both farming and non-farming work		only engaged in non-farming work	did not engage in work
			with farming work being most significant	with non-farming work being most significant		
normal main situation	mainly work	Core persons mainly engaged in farming 34,899(4.8%)		194,746 (26.8%)	423,711 (58.3%)	
	mainly did housework and child-rearing	73,032(10.1%)				
	other					

Population mainly engaged in farming
107,931 (14.9%)

Persons engaged in farming
302,677 (41.7%)

The total number of women in farming households
726,388(100%)

Figure 1. Status of work engagement of young women (from 20 to 39 years old) in farming households

(Agricultural Census 2005)

2) The Status of Systems Concerning Maternity Leave for Farmers

As noted earlier, in Japan various systems, starting with maternity leave, are set up for employed people. For this reason, farmers, most of whom are self-employed, do not have legally guaranteed maternity leave, child-raising leave, or the assurance of baby feeding times. Among this, in agriculture, the following approaches are used.

In the 2000 “A New Vision for Rural, Mountainous and Coastal Societies to Solve the Problem of Declining Births,” among the basic direction shown for low birthrate measures, “regarding the proper shape of pre- and post-natal, and work and leave while the child is an infant from the point of view of protecting the mother’s body [...] we need to ensure it is not less than comparable for women working in other industries,” and “setting up a support system that allows balancing both work and child-rearing” were pointed out as being important.

Also, though in the dairy husbandry field only, the dairy farm relief service system (provision of substitute workers) was applied to maternity leave as well from 1997, and has been used to good effect.

Other than this, the Rural Women Empowerment and Life Improvement Association works on educating “child-raising support counselors” and their networking.

3) Status of Female Farmers Pre- and Post-Partum

Problems related to methods of working before and after giving birth and mother and child health for farm household women have existed for years and have been continually noted as a problem that farming villages must solve.

In terms of the way of working and leave before and after giving birth for women in Japanese farming households in the 21st century, while there are limits due to selection of objects and survey methods, there is a certain amount of data.

In our study³⁾, we were able to confirm the actual existence of women who were not able to take sufficient maternity leave. Also, as a reason for why female farmers find it hard to take maternity leave, the following points are suggested. First, there is the point that people are concerned about how their parents or neighbors view maternity leave. Also, in family run farms, the lack of total operational labor force due to the reduction in labor volume related to the woman’s pregnancy and birth must often be mainly covered by an increase in the labor volume of the other family members. Thus, we can note the point that through the woman herself resting, there is concern about

the increase in the family's labor load, and about the costs and assurance of a substitute labor force.

In this situation, from our preliminary case study⁴⁾, it can be suggested that, in terms of the need for a maternity leave system and its form, there must be adaptability to the diverse working methods of farmers or individual management, there must be a guarantee of "ease of leave," and there is a need for a system to compensate for the lessened labor force (readiness and cost subsidies for substitute workers). In particular, in terms of the ante- and post-partum period, it is important to connect it to the fact that "if there was a specific system then it would be easy to take leave." In these cases, we saw examples where understandings towards pregnancy situations conflicted even within a family, and among the parents' generation, the ideas that "giving birth is not a disease," and "when I was pregnant I worked right up to the last minute" still remain. These facts cannot avoid adding psychological stress to ante- and post-partum women, and to alleviate it, we need to set up a system where it is "easy to take leave."

Thus, in the current situation in Japan, where the social security system does not guarantee maternity leave for farmers, we consider that, as a relatively simple to arrange method, it is effective to arrange a balance for work while child-raising and to decide on maternity leave methods within a Family Management Agreement.

4) Status of Conclusion of Family Management Agreements

Modern Family Management Agreements are arranged based on full and complete discussions among family members regarding working environments that are easy for family members to work in, the division of roles and direction of management, and that aim for an attractive farm management where each member of the household involved in family agriculture management can bring their desires and wish for challenges to its management. There is no legal restrictive power.

The number of Family Management Agreements signed in Japan as of March 2007 is 37,721 (according to the Ministry of Agriculture, Forestry and Fisheries of Japan⁵⁾). Among the extent of the arrangements, the most common is between the farm manager and the spouse, with 50.2% of the total, followed by between the farm manager, the spouse, and the children (16.0%). There is a high chance that female farmers who are pregnant or raising children are included in cases where more than two couples are connected, such as farm manager – spouse – child – child's spouse (10.3%), or parents – farm manager – spouse (10.3%), and three-generations of couples (0.6%), which together make up over 20% of the total.

The most common details of the arrangements (multiple answers were possible) were "deciding the direction of farm management," (86.0%), "working hours

and days off,” (85.9%), with “child-raising roles division” at a mere 9.3%. There were no survey questions about maternity leave, and we are not aware of any national-level cases where these questions have been asked.

4. The Possibilities of Gaining Maternity Leave Utilizing a Family Management Agreement

Here, we look at prior cases of where there has been actual express provision of maternity leave in Family Management Agreements, and consider their details, and their evaluation and issues⁶⁾.

1) Methods

We looked for appropriate cases from existing reports and information from related organizations, taking regionality into account, and conducted surveys from six cases who agreed to cooperate with our survey and participate in interviews (2005).

The cases were female farmers (mothers of pre-school children) and their families from farm households with pre-school children who had clear provisions for maternity leave in signed Family Management Agreements. The contents were the details of the maternity leave in the Agreement, its background and evaluation, and state of work ante- and post-partum and the current state of changes in labor amount.

We chose two prefectures from the North-East (Tohoku) region of Japan, “A” and “B”, and two from the southern Kyushu region, “C” and “D”. When we look at the labor situation of young female farmers in terms of the ratio of “Population mainly engaged in farming” and “Core persons mainly engaged in farming,” of women aged 20 to 30 among the entire farm family members, we see that A, C, and D are, as of the year 2000, above the national average (18% and 5.1%, respectively). Also, the number of cases which had signed Family Management Agreements, and where we could determine that maternity leave was clearly specified, was 474 and 3 for Prefecture A, 407 and 2 for Prefecture B, 1,090 and 3 for Prefecture C, and 927 and 5 for Prefecture D (at the time of the survey). Therefore, we can say that cases where maternity leave is part of the agreement are exceedingly rare.

2) Findings

a. Outline of the Farm Households

The six case farm households were all dedicated farming households, and the main management items were rice, flowers and ornamental plants, vegetables, and fruits. The labor structures were of three types: family only, employed workers during busy periods, and employed workers throughout the year, with there being no particular

limit on the type of management.

b. Special Points seen in the Agreements

The limits of the signees to the Agreements included both two generations and just the husband and wife. Maternity leave was positioned as part of the labor conditions such as “leave or rest,” or “labor conditions” in some cases, and as part of the lifestyle items such as “child-raising and education” in other cases. Phrases used to describe maternity leave included cases where it was made clear that time could be taken off work, and cases where the time to be taken was specifically spelled out. In this way, the contents of the Agreements were diverse, reflecting the needs and ideas of each family and farm households.

c. Background to Bringing in Maternity Leave and Evaluations of the Principals

In the background to bringing in maternity leave, we found that a common theme was the mother of the parental generation not wanting her daughter or daughter-in-law to go through the same hardships as she had. Also, from the male members (father and husband), we could see a concern for the new member of the household by marriage. In the same way as general Family Management Agreements, there were many cases where they said that the Agreement was merely a writing down of promises and customs that had always existed in the family.

In terms of evaluations from the female farmers themselves, it was noted that written down items made it easy to take leave. While not a total leave as promised, there was a sense of “better written than verbal promises,” and it was said to be easy to take leave. Also, there were those that positively evaluated the clarification of roles, saying “the timing and limits of duties when I returned to work were made clear.” Furthermore, they positively evaluated the fact that they were able to learn about working on a farm before they got married.

d. Labor Force Changes and Supplementation due to Leave

Finally, we will check how the limited labor force due to maternity leave by the women was considered and dealt with based on cases when the women worked both ante- and post-partum.

In the farm household cases, the effects of leave due to childbirth were divided into considering that labor was insufficient, and considering that there was no (or minimal) effect.

Those that considered that the labor force was insufficient due to the women’s leave were cases where the woman had been involved in farm work for a certain period

of time before giving birth, and were dealt with by increasing the amount of work of each family member, or by hiring workers (increasing wage costs), and many people pointed out the need for substitute workers. For example, in a case with a couple running a farm, while there was no room to decrease the labor amount, but the wife was given maternity leave. The husband felt the loss of one person's worth of labor force, but found it preferable to increase his hours in light of the amount it would cost to hire an extra worker. The wife couldn't bear to see how hard her husband worked, and resumed farm work three months after giving birth.

On the other hand, for those who considered there was no effect, there were cases where this period was seen as a time when the woman could not work, and had already prepared for the effects of the loss of labor force by restricting management expansion, or by adjusting the amount of work in anticipation of the period until child-raising reached a certain level.

3) Discussion

We have confirmed that under the current system in Japan, making express provision for maternity leave in Family Management Agreements is one realistic method of arranging an environment where leave is easy to take. In particular, it is considered effective in assuring a psychological "ease of leave" state.

However, we also found that in the current state changes in labor force must be adapted to within the family or farm households. Therefore, provision of substitute workers applied to maternity leave and subsidize the expenditure like France may be one of an option.

Though, to that end, it is perhaps necessary to clarify the position of women in farm management at the same time. This is because even if we construct a support system, if we do not clarify who can use it, and who supports it, it will become difficult to run.

5. Conclusions

In this report, we have put the focused on maternity leave, giving a quick sketch of the state of maternity leave for farmers in various countries, and considered arrangements for maternity leave in Family Management Agreements as one solution in Japan, a country which does not apply maternity leave in a legal form to farmers.

Finally, in this report we have focused on maternity leave, but for women to safely and comfortably give birth, raise children, and continue to work, continuance of their career and individual financial problems (if personal income is made clear to begin with, then it will be possible to calculate leave subsidies in the same manner as for

other industries), are among the many issues that remain to be examined.

In terms of setting up conditions where female farmers in Japan can easily take leave, and also in terms of development support for women who are responsible for farm work from an early stage, and furthermore looking at it from the direction of supporting birth and child-raising through society as the low birth rate continues, we believe that it is necessary to consider further support measures.

Reference

- 1) Harada S. France no shin nougyou no houkoudsuke no horitsu no naiyou to tokucyou. Nousei Cyosa Jihou 2003; 550: 2-35. (in Japanese)
- 2) Katayama C, Fujimoto Y and Kudo K. The work, lifestyle and support environment for female farmers during the period when they give birth to and raise their children in rural France: from a series of interviews in Morbihan. Journal of the rural life society of Japan 2006; 50: 47-57. (in Japanese)
- 3) National Institute for Rural Engineering. Nougyousya no syussanzengo no hatarakikata yasumikata. Heisei 16 nendo nousonseikatsu-sougou-cyousakenkyu -jigyou houkokusyo 2005; 3: 1-40. (in Japanese)
- 4) Rural life research Institute. The support for womens work and maternity leave in agriculture. Rural life research series 2004; 60. (in Japanese)
- 5) Ministry of Agriculture, Forestry and Fisheries. Kazoku-keiei-kyoutei ni kansuru jittaicyousa kekka ni tsuite 2007. URL <http://www.maff.go.jp/danjo/19kyoutei.pdf> (in Japanese)
- 6) National Institute for Rural Engineering. Syussanzengo no nougyousya eno shien. Heisei 17 nendo nousonseikatsu-sougou-cyousakenkyu-jigyou houkokusyo 2006; 3: 1-50. (in Japanese)