

What is “maternity harassment?”

Maternity harassment (matahara) means inappropriate/unfair deal such as dismissal, transfer, salary cut, and demotion on the grounds of pregnancy, childbirth, or taking maternity/childcare leave. There are some legal systems related to maternity: “Law for Equal Employment Opportunity of Men and Women”, “Labor Standards Law”, “Child Care and Family Care Leave Law”, etc. They prohibit matahara. For example, “Labor Standards Law” provides “If a woman who is giving birth within 6 weeks requests leave from work, the employer shall not make her work”, “Employers shall not have a woman work within 8 weeks after childbirth”, “Employers shall not dismiss any woman within 30 days after work-leave”, “If a pregnant woman requests so, the employer shall transfer her to other light activities”, etc.

In 2015, there were 4,269 cases of matahara consultation to prefectural labor departments, which was larger by 19% compared to the previous year and the largest number ever (ref. Nihon KeizaiShimbun electronic version).

According to the 2015 survey by a NPO “matahara net”, while the most common harasser was male boss (30.1%), the second was female boss (12.5%) and the third was female colleague/staff (10.3%). Thus women often become harassers, which is characteristic of matahara. The victims of matahara wish that the importance of women resources, knowledge of the related laws, and current situation of childcare are well informed among the business managers.

* The term “maternity harassment” was first used in English media to report the situation in Japan. The term “pregnancy discrimination” is used in USA.

「Four categories of maternity harassment」

Individual	Impose traditional gender-based values	Bullying by words or ignoring
	“Child is your priority” “I am saying so because I am worrying about your health”	“You cause inconvenience” “I am so envious that you can take days off” “You are selfish”
Institutional	Power harassment (enforcement of working long hours)	Forced out (dismissal, transfer, demotion, etc.)
	“We do not need permanent employees who leave the office early” “Pregnancy is not a disease”	“You have to resign when you have a baby” “My company does not have enough resources to keep pregnant employees”

* from “matahara net”

An example of matahara lawsuit

In a matahara suit filed by a woman physical therapist in Hiroshima who was demoted due to pregnancy and resigned, in October 23th 2014, the Supreme Court judged that “demotion due to pregnancy is prohibited in principle” and remanded the case. At the appeal hearing, in August 27th 2015, the high court in Hiroshima ordered the hospital side to pay 1,750,000 yen compensation which included the sum of sub-chief allowance between demotion and resignation in 2011 (except maternity/childcare leave) and the consolation money for mental distress by saying “Her pride as a professional was hurt and isolation due to demotion and friction in the office caused the resignation.”



Harassment Consultation Center receives complaints related to matahara.



Nagoya University Harassment Consultation Center

Tel: 052-789-5806 2nd floor, Engineering Building 7-B Opening hours: Monday~Friday (excluding holidays) 9:00~17:00
h-help@adm.nagoya-u.ac.jp <http://www.sh-help.provost.nagoya-u.ac.jp/>

Tsurumi, and Daiko sections are also available.

For more information, please see the website.