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Abstract

Anti-discrimination and Disability Employment Quota in Japan

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In Japan the quota-levy system has played a major role in the disability employment system. Today, the Japanese government is in the process of adopting a new approach to disability employment, the so-called anti-discrimination law, out of a necessity to ratify the CRPD. The quota-levy system adopts a responsibility-based approach, and works in the paradigm of employer initiatives. On the other hand, the anti-discrimination law adopts a rights-based approach, and works in the paradigm of persons with disabilities initiatives. In this study, we explore how we can and should, pragmatically, incorporate the anti-discrimination law into the existing quota-centered employment policy, focusing on the reasonable accommodation mandate. In this regard, in order to provide some possible policy options with regard to the effective implementation of this mandate, we consider two important economic issues: (1) how much cost should employers incur to provide reasonable accommodation, and (2) how should the government financially support these employers who are providing reasonable accommodation?