

Fair and Ethical Recruitment Guidelines for Migrant Workers

Chapter 1 General Provisions

1.1 (Common Philosophy of the Guidelines)

The Fair and Ethical Recruitment Guidelines for Migrant Workers (hereinafter referred to as the “Guidelines”), aiming to promote fair and ethical international labor migration, which contributes to the economic development of both sending and host countries, based on the common recognition of the importance of promoting the rights of migrant workers and maximization of their competencies and opportunities in the expanding international labor movement, establish guidelines for the stakeholders in international labor migration, including migrant workers, country of origin’s (CoO’s) recruitment agencies , host country’s recruitment agencies, and employers, and for recruitment process, and thereby sharer a common philosophy to promote fair and ethical recruitment of migrant workers.

1.2 (Purpose of the Guidelines)

The purpose of the Guidelines is to establish the standards that CoO’s recruitment agencies, host country’s recruitment agencies, employers, migrant workers, and job-orders must meet in order to achieve fair and ethical recruitment in international labor migration.

1.3 (Structure of the Guidelines)

The Guidelines consist of “Chapter 1 General Provisions”, “Chapter 2 Guidelines for Country of Origin’s Recruitment Agencies ”, “Chapter 3 Guidelines for Host country’s Recruitment Agencies”, “Chapter 4 Guidelines for Employers”, “Chapter 5 Guidelines for Migrant Workers”, and “Chapter 6 Guidelines for Recruitment”, defying the standards for the stakeholders in Chapters 2 through 5, and specifying the recruitment process conducted by stakeholders who meet the standards in “Chapter 6 Guidelines for Recruitment”.

1.4 (Relationship with Other Norms)

- a. The Guidelines respect the human rights expressed in the International Bill of Human Rights, which stipulates human rights as universal values, and in the principles regarding fundamental rights stipulated by the International Labor Organization (ILO) Declaration on Fundamental Principles and Rights at Work.

- b. In the event that a conflict arises between the Guidelines and the human rights as universal values, the human rights shall be prioritized in resolving the issue.
- c. The Guidelines shall respect the conventions and international labor standards adopted by the ILO and promote the values presented in such conventions and international labor standards.
- d. When the provisions of the Guidelines fall short of the standards set by a certain law, the law, in addition to the Guidelines, shall be complied with.
- e. When the provisions of the Guidelines exceed the standards set by a certain law, and the law is intended to set minimum standards, the standards of the Guidelines shall be complied with in addition to the law.

1.5 (Overall Picture and Application of International Labor Migration)

- a. The Guidelines shall be referred to throughout the international labor migration process from the starting point of recruitment in countries of origin, including recruitment, upskilling, placement, processing, monitoring, protection, and re-integration in countries of origin, and recruitment, placement, processing, work, upskilling, monitoring, and protection in the host countries, in order to ensure fairness and equity and to promote the rule of law.
- b. The stakeholders of the Guidelines shall cooperate to ensure that the Guidelines are implemented throughout the international labor migration process.

1.6 (Relation between Sovereignty of States and Voluntary Actions)

- a. The Guidelines respect the sovereignty of states in international labor migration.
- b. The Guidelines do not prescribe content that conflicts with the sovereignty of states, but rather indicate standards as a voluntary initiative while the sovereignty of states provides certain standards.

1.7 (Mutual Cooperation among Stakeholders)

- a. The stakeholders of the Guidelines confirm that they have a common purpose and are in a mutually cooperative relationship.
- b. The stakeholders shall actively participate in mechanisms for building cooperative relationships.

1.8 (Importance of Dialogues among Stakeholders)

- a. The stakeholders of the Guidelines understand that dialogues among the stakeholders are important.

- b. In the event of consultation, dispute, or contingency arisen regarding the Guidelines, the stakeholders shall not give up on dialogue and aim for a solution through dialogue.

1.9 (Approaches to Nations)

The stakeholders of the Guidelines shall endeavor to make necessary efforts to encourage both sending and host countries in order to promote better international labor migration.

1.10 (Definitions)

- a. International labor migration:
The entire process by which people cross borders to obtain employment
- b. Migrant worker:
A person who voluntarily moves from his/her country of origin for the purpose of finding work
- c. Country of origin (CoO):
The country of origin of a migrant worker and is synonymous with sending country
- d. Host country:
A country to which a migrant worker moves to find work, and is synonymous with host country
- e. CoO's recruitment agency:
An organization that provides all or part of the functions of recruitment, upskilling, placement, processing, monitoring, protection, and re-integration to migrant workers, and is a business operator licensed under the laws and regulations of the country of origin
- f. Host country's recruitment agency:
An agency that provides all or part of the functions of recruitment, placement, processing, upskilling, monitoring, protection, and integration to migrant workers, and is a business operator licensed under the laws of the host country
- g. Employer:
A person or company that employs migrant workers in the host country
- h. Job-order:
Written or electromagnetic records that describes the conditions for employment when an employer hires a migrant worker
- i. FERI-Certified job-order:
A job-order that complies with the standards in Chapter 6 and has been certified by

a third party based on 6.13 (a) of the Guidelines

j. Semi-FERI-Confirmed job-order:

A job-order that has been confirmed in accordance with 6.13 (b) of the Guidelines

Chapter 2 Guidelines for Country of Origin's Recruitment Agencies

2.1 (Responsibility of CoO's Recruitment Agencies)

The CoO's recruitment agencies , considering that they serve as a point of contact between the country of origin's labor market and the international labor market, and that they are essential for migrant workers to connect to the international labor market, and that they are the important existence that provides the first point of contact for migrant workers to connect to the international labor market, shall acknowledge their responsibility to carry out fair and impartial business operations.

2.2 (Functions Performed by CoO's Recruitment Agencies)

The CoO's recruitment agencies shall be responsible for the following functions:

- Provision of information to migrant workers
- Recruitment of migrant workers
- Improvement of the vocational skills of migrant workers
- Improvement of the language skills of migrant workers
- Provision of residential environment to migrant workers
- Selection of host country's recruitment agencies in the host country
- Securing employment opportunities in the host country
- Support for international movement to the host country
- Monitoring after movement to the host country
- Protection in the event of an emergency in the host country
- Support for returning to the country of origin
- Support for reintegration upon return to the country of origin
- Other functions stipulated by law

2.3 (Means for Recruitment)

- a. The CoO's recruitment agencies shall conduct recruitment activities by means (advertisements, seminars, etc.) permitted by the laws of the country of origin.
- b. The CoO's recruitment agencies shall comply with any restrictions set by the respective employers on the means for recruitment of the FERI-Certified job-orders.

2.4 (Provision of Information at the Time of Recruitment)

- a. The CoO's recruitment agencies shall endeavor to provide accurate information at the time of recruitment.
- b. The CoO's recruitment agencies shall provide accurate information when recruiting based on FERI-Certified job-orders.
- c. The information provided shall include the information listed on each job-order, the period of vocational training, the timing of the interview, and the timing and details of payment to the CoO's recruitment agency.

2.5 (Recruitment Routes)

- a. The CoO's recruitment agencies shall comply with the laws of the country of origin for recruitment.
- b. In the recruitment using FERI-Certified job-orders, the CoO's recruitment agencies shall conduct the recruitment directly and shall not recruit through third parties other than the CoO's recruitment agencies themselves (including, but not limited to, brokers).
- c. In the recruitment using a certain FERI-Certified job-order, the CoO's recruitment agencies shall provide information regarding recruitment routes to the host country's recruitment agency and the employer associated with the job-order.

2.6 (Prohibitions in Recruitment)

- a. The CoO's recruitment agencies shall not use inducements based on unfair profits, coercion, violence, threats, or the use of false information in their recruitment.
- b. The CoO's recruitment agencies shall not discriminate on the basis of age, gender, region of origin, race, or religion in recruitment.

2.7 (Conclusion of Contract)

- a. The CoO's recruitment agencies shall conclude contracts with migrant workers in accordance with laws and regulations, or, in the case of absence of such legal provision, shall endeavor to conclude contracts.
- b. When a CoO's recruitment agency concludes a contract with a migrant worker who has been recruited based on a FERI-Certified job-order, the CoO's recruitment agencies shall prepare the contract in the language understandable to the migrant worker, accurately explain the contract contents, and conclude the contract based on the understanding of the migrant worker.
- c. When a CoO's recruitment agency concludes a contract with a migrant worker recruited based on a FERI-Certified job-order, the CoO's recruitment agencies shall

deliver a copy of the contract to the host country's recruitment agency.

2.8 (Vocational Training)

- a. The CoO's recruitment agencies shall provide vocational training to each migrant worker based on the contract with the migrant worker.
- b. The CoO's recruitment agencies shall provide vocational training to the migrant workers recruited based on FERI-Certified job-orders without collecting any fees and costs (including the cost of training materials) from the migrant workers.

2.9 (Language Training)

- a. The CoO's recruitment agencies shall provide language training to each migrant worker based on the contract with the migrant worker.
- b. The CoO's recruitment agencies shall provide language training to the migrant workers recruited based on FERI-Certified job-orders without collecting any fees (including the cost of training materials) from the migrant workers.

2.10 (Residential Environment)

- a. The CoO's recruitment agencies may provide residence to each migrant worker based on the contract with the migrant worker while the migrant worker prepares to move to the host country.
- b. The CoO's recruitment agencies shall provide residence to the migrant workers recruited based on FERI-Certified job-orders without collecting any fees from the migrant workers.
- c. Pursuant to the preceding paragraph, the housing provided by CoO's recruitment agency to migrant workers shall be hygienic and safe, with emergency escape routes, hot water for showers, adequate lighting, adequate air conditioning, a security box that can be controlled by the individual, and personal living space.

2.11 (Provision of Meals)

- a. The CoO's recruitment agencies may provide meals to each migrant worker based on the contract with the migrant worker.
- b. The CoO's recruitment agencies shall provide meals to the migrant workers recruited based on FERI-Certified job-orders without collecting any fees from the migrant workers.
- c. Pursuant to the preceding paragraph, meals provided by CoO's recruitment agencies to migrant workers shall comply with CODEX standards.

2.12 (Loan Arrangement)

- a. When permitted by law, the CoO's recruitment agencies may arrange for a financial institution that will lend or guarantee the funds necessary for a migrant worker to travel to the host country based on legal authorization to provide such financial services.
- b. The CoO's recruitment agencies shall endeavor to monitor the institution to ensure that it should not conduct any collection of penalty fees from the migrant worker and his/her relatives, illegal collection, grossly unreasonable collection, or other violation of laws and regulations.
- c. The CoO's recruitment agencies shall not provide such a loan arrangement for the migrant workers recruited based on FERI-Certified job-orders.

2.13 (Setting of Compensation for Services)

- a. The CoO's recruitment agencies may charge compensation for their services to each migrant worker, host country's recruitment agency, or employer, in compliance with the maximum amount stipulated by law as the compensation for sending services.
- b. The CoO's recruitment agencies shall disclose the amount and details of the service fees on their respective website, etc.
- c. The CoO's recruitment agencies shall not be able to charge compensation for their services to the migrant workers recruited based on FERI-Certified job-orders.

2.14 (Selection of Host Country's Recruitment Agencies)

When a CoO's recruitment agencies starts business with a host country's recruitment agency that manages FERI-Certified job-orders, the CoO's recruitment agencies shall select the agency from the perspective of complying with laws and regulations, protecting the rights of migrant workers, and maximizing opportunities for success of migrant workers.

2.15 (Fair Business Activities)

- a. The CoO's recruitment agencies shall not engage in business that provides benefits, tangible or intangible, to any host country's recruitment agencies or employers, such as providing entertainment or money, which are not appropriate based on socially accepted principles, in connection with transactions.
- b. The CoO's recruitment agencies shall not engage in business that provides benefits, tangible or intangible, such as the provision of entertainment or money, to any host

country's recruitment agencies or employers in connection with transactions related to FERI-Certified job-orders.

2.16 (Provision of Benefits)

- a. Even after forming a business relationship with any host country's recruitment agencies or employes, the CoO's recruitment agencies shall not provide any tangible or intangible benefits, such as entertainment, money, or interpreters for free at the migrant workers' place of work that should be prepared and covered by the respective host country's recruitment agencies, which are inappropriate based on socially accepted standards.
- b. With regard to transactions related to FERI-Certified job-orders, even after the CoO's recruitment agencies have formed a business relationship with any host country's recruitment agencies or employers, the CoO's recruitment agencies shall not provide any tangible or intangible benefits, such as entertainment, money, interpreters for free at the migrant workers' place of work.

2.17 (Provision of Job Information to Migrant Workers)

- a. The CoO's recruitment agencies shall endeavor to provide accurate job information to migrant workers.
- b. The CoO's recruitment agencies shall provide accurate job information to the migrant workers to be recruited based on FERI-Certified job-orders and shall offer them opportunities to obtain the explanation of the job information individually or in groups.

2.18 (Respect for Migrant Workers' Freedom to Choose Their Occupation)

The CoO's recruitment agencies shall respect the freedom of migrant workers to choose their occupation and endeavor to allow them to choose their occupation from multiple job-orders.

2.19 (Prohibition of Restriction of Rights of Migrant Workers)

The CoO's recruitment agencies shall not restrict migrant workers' rights, including freedom of reproduction and private life.

2.20 (Measures to Maximize the Competencies of Migrant Workers)

The CoO's recruitment agencies shall endeavor to provide vocational and language training to migrant workers so that the migrant workers can achieve self-realization and

maximize their own competencies.

2.21 (Implementation of PDO)

- a. The CoO's recruitment agencies shall, in accordance with laws and regulations, provide migrant workers with a Pre-Departure Orientation (PDO) that will help the migrant workers smoothly carry out their lives and occupations in the host country, as well as ensure their physical and mental safety, or have migrant workers attend to a PDO conducted by an institution designated by law, or, in the case of absence of such legal provision, endeavor to provide migrant workers with the opportunity to receive a PDO.
- b. When there is a provision for implementing a specific PDO in a certain FERI-Certified job-order, for the migrant workers recruited based on the FERI-Certified job-order, the CoO's recruitment agencies shall conduct a PDO in accordance with that provision.

2.22 (Support for Smooth International Migration)

- a. The CoO's recruitment agencies shall endeavor to support migrant workers in cooperation with other appropriate stakeholders so that the migrant workers can move smoothly to the host country.
- b. For the migrant workers recruited based on FERI-Certified job-orders, the CoO's recruitment agencies shall cooperate with other appropriate stakeholders to support the migrant workers so that the migrant workers can move smoothly to the host country.

2.23 (Monitoring after Moving to Host Country)

- a. The CoO's recruitment agencies shall cooperate with other appropriate stakeholders to monitor the living and working conditions of migrant workers even after they have moved to the host country, and endeavor to provide assistance to migrant workers if necessary.
- b. The CoO's recruitment agencies shall monitor the living and working conditions of migrant workers recruited based on FERI-Certified job-orders and shall provide support to migrant workers if necessary.

2.24 (Protection after Moving to Host Country)

- a. The CoO's recruitment agencies shall endeavor to cooperate with other appropriate stakeholders to protect migrant workers who face difficulties in the host country

and require protection.

- b. For the migrant workers recruited based on FERI-Certified job-orders, the CoO's recruitment agencies shall cooperate with other appropriate stakeholders to provide the migrant workers with protection who face difficulties in the host country and require protection.

2.25 (Prohibition of Participation in Forced Return)

The CoO's recruitment agencies shall not cooperate with any other stakeholders that attempt to return migrant workers without the genuine consent of the migrant workers.

2.26 (Smooth Social Reintegration after Returning Home)

- a. The CoO's recruitment agencies shall endeavor to support migrant workers so that they can smoothly reintegrate into the country of origin's society when they return to the country of origin after completing their employment in the host country.
- b. The CoO's recruitment agencies shall support the migrant workers recruited based on FERI-Certified job-orders so that they can smoothly reintegrate into the society of the country of origin.

2.27 (Prevention of Forced Labor, Human Trafficking, and Human Rights Violations)

The CoO's recruitment agencies shall regularly provide their personnel with necessary training to prevent forced labor, human trafficking, and human rights violations.

2.28 (Substantial Compliance with the Guidelines)

The CoO's recruitment agencies shall substantially comply with the Guidelines and shall not evade compliance with the Guidelines by interpreting the terms differently.

2.29 (Prohibition of Acts Involving Third Parties)

The CoO's recruitment agencies shall not allow any third parties to engage in any acts that do not comply with the Guidelines.

2.30 (Provision of Information)

- a. Before recruiting migrant workers through FERI-Certified job-orders, the CoO's recruitment agencies shall provide the following information to the respective host country's recruitment agencies and employers:
 - Utilization or no-utilization of any third parties, such as brokers
 - Number of contracts with migrant workers in the past two years

- Number of migrant workers who were able to travel overseas
 - Average amount of compensation for services provided in contracts concluded with migrant workers in the past two years
 - Number of missing migrant workers in the host country in the past two years
- b. The CoO's recruitment agencies shall provide the following information to the respective recruitment agencies and employers when transferring the migrant workers recruited based on FERI-Certified job-orders to the host country's recruitment agencies:
- Recruitment route for each migrant worker
 - Amount and breakdown of expenses paid by each migrant worker to the CoO's recruitment agency (in the case of zero, indicate so)

2.31 (Compliance with Laws and Regulations)

The CoO's recruitment agencies shall operate their business in compliance with the laws of the country of origin and the laws of the host country.

2.32 (Disclosure of Information)

The CoO's recruitment agencies shall post the following information on the respective CoO's recruitment agencies' website.

- Number of contracts with migrant workers in the past two years
- Number of migrant workers who were able to travel overseas
- Expected amount of service fees and breakdown

2.33 (Handling of Semi-FERI-Confirmed Job-Orders)

The CoO's recruitment agencies shall apply the provisions of FERI-Certified job-orders to the extent that they can be applied mutatis mutandis to the Semi-FERI-Confirmed job-orders.

Chapter 3 Guidelines for Host Country's Recruitment Agencies

3.1 (Responsibility of Host Country's Recruitment Agencies)

The host country's recruitment agencies, considering that they serve as a point of contact between the host country's labor market and the international labor market, and that they are essential for migrant workers and CoO's recruitment agencies to connect to the host country's labor market, and that they are the important existence that mediates the conclusion of employment contracts between migrant workers and

employers, shall acknowledge their responsibility to conduct fair and impartial business operations.

3.2 (Functions Performed by Host Country's Recruitment Agencies)

The host country's recruitment agencies shall be responsible for the following functions:

- Selection of CoO's recruitment agencies
- Provision of information to the respective employer candidates (hereinafter, employers and employer candidates are referred to as "employers, etc.")
- Call for applications from employers, etc.
- Support for employers, etc. in receiving migrant workers
- Reception of job-orders from employers
- Provision of job-orders to CoO's recruitment agencies
- Mediation for the conclusion of employment contracts between employers and migrant workers
- Support for international movement to the host country
- Support for living and working in the host country
- Monitoring after movement to the host country
- Support for returning to the country of origin
- Other functions stipulated by law

3.3 (Selection of CoO's Recruitment Agencies)

When a host country's recruitment agencies starts business with a CoO's recruitment agency that mediates FERI-Certified job-orders, the host country's recruitment agencies shall select the CoO's recruitment agency from the perspective of complying with laws and regulations, protecting the rights of migrant workers, and maximizing opportunities for success of migrant workers.

3.4 (Provision of Information)

In the selection of CoO's recruitment agencies that intermediate FERI-Certified job-orders, the host country's recruitment agencies shall provide the CoO's recruitment agencies and migrant worker with the following information:

- Utilization or no-utilization of any third parties, such as brokers
- Number of job-orders received in the past two years
- Number of the successfully mediated employment contracts out of the abovementioned job-orders
- Number of missing migrant workers in the host country in the past two years

3.5 (Fair Business Activities)

- a. The host country's recruitment agencies shall not engage in business that provides benefits, tangible or intangible, to any CoO's recruitment agencies or employers, such as providing entertainment or money, which are not appropriate based on socially accepted principles, in connection with transactions.
- b. The host country's recruitment agencies shall not engage in any business that provides benefits, tangible or intangible, such as the provision of money, to any CoO's recruitment agencies or employers in connection with transactions related to FERI-Certified job-orders.

3.6 (Provision of Benefits with CoO's Recruitment Agencies)

- a. The host country's recruitment agencies shall not request any CoO's recruitment agencies to provide benefits, tangible or intangible, such as the provision of entertainment or money, which are contrary to laws or regulations or inappropriate based on socially accepted standards, in connection with transactions.
- b. The host country's recruitment agencies shall not request any CoO's recruitment agencies to provide benefits, tangible or intangible, such as the provision of entertainment or money, in connection with transactions related to FERI-Certified job-orders.

3.7 (Selection of Employers, etc.)

- a. In the selection of employers, etc., the host country's recruitment agencies shall endeavor to select employers, etc. from the perspective of complying with laws and regulations, protecting the rights of migrant workers, and maximizing opportunities for success of migrant workers.
- b. In the selection of employers, etc. for FERI-Certified job-orders, the host country's recruitment agencies shall select employers, etc. from the perspective of complying with laws and regulations, protecting the rights of migrant workers, and maximizing opportunities for success of migrant workers.

3.8 (Provision of Information to Employers, etc.)

The host country's recruitment agencies shall provide the following information to the employers, etc. with whom they conduct transactions regarding FERI-Certified job-orders.

- CoO's recruitment agency that mediates job-orders

- Utilization or no-utilization of any third parties, such as brokers, by the CoO's recruitment agency
- Number of job-orders received in the past two years
- Number of the successfully mediated employment contracts out of the abovementioned job-orders

3.9 (Collecting Accurate Job Information)

- a. In the reception of job-orders from employers, the host country's recruitment agencies shall endeavor to ensure the accuracy of job information.
- b. In the reception of FERI-Certified job-orders, the host country's recruitment agencies shall visit the respective employers' place of work and confirm that the information stated in the respective job-orders is true.

3.10 (Improvement of Working Conditions and Working Environment)

The host country's recruitment agencies shall endeavor to improve the working conditions and working environment of migrant workers.

3.11 (Provision of Job Information)

- a. The host country's recruitment agencies shall endeavor to accurately provide job information received from employers, etc. to CoO's recruitment agencies and migrant workers.
- b. The host country's recruitment agencies shall accurately provide the job information contained in FERI-Certified job-orders to CoO's recruitment agencies and migrant workers.

3.12 (Implementation of Fair Selection)

- a. In the selection of migrant workers, the host country's recruitment agencies shall endeavor to avoid making selections based on any matters unrelated to migrant workers' competencies.
- b. In the selection of migrant workers based on FERI-Certified job-orders, the host country's recruitment agencies shall not make selections based on any matters unrelated to migrant workers' competencies.

3.13 (Prohibitions in Selection of Migrant Workers)

The host country's recruitment agencies shall not discriminate on the basis of age, gender, region of origin, race, or religion during the recruitment process of migrant

workers.

3.14 (Explanation of Job Conditions)

- a. The host country's recruitment agencies shall endeavor to explain the information contained in the respective job-orders to migrant workers individually or in groups, either by themselves or through the respective CoO's recruitment agencies.
- b. The host country's recruitment agencies shall explain the information contained in the respective FERI-Certified job-orders to migrant workers individually or in groups, either by themselves or through the respective CoO's recruitment agencies.
- c. The host country's recruitment agencies shall deliver the information contained in the respective FERI-Certified job-orders to migrant workers in writing or by electromagnetic record, either by themselves or through the respective sending agencies.

3.15 (Migrant Workers' Consent)

- a. In the conclusion of an employment contract between a migrant worker and an employer, the host country's recruitment agencies shall endeavor to obtain the consent of the migrant worker and conclude the contract in writing.
- b. In the conclusion of an employment contract between a migrant worker and an employer regarding a FERI-Certified job-order, the host country's recruitment agencies shall prepare the contract in the language understandable to the migrant worker, obtain the consent of the migrant worker, and conclude the contract in writing.

3.16 (Consideration to the Period Required for International Movement)

The host country's recruitment agencies shall understand that it takes time for migrant workers to move across borders, and endeavor to reduce the burden on migrant workers over residential and food expenses while preparing for the move.

3.17 (Support for Smooth International Movement)

- a. The host country's recruitment agencies shall endeavor to support migrant workers in cooperation with other appropriate stakeholders so that migrant workers can move smoothly to the host country.
- b. The host country's recruitment agencies shall cooperate with other appropriate stakeholders to support the migrant workers recruited based on FERI-Certified job-orders, so that they can move smoothly to the host country.

3.18 (Support during Immigration and Emigration)

- a. The host country's recruitment agencies shall provide migrant workers with support, such as transportation upon arrival at and departure from the host country in accordance with laws and regulations, or, in the case of absence of such legal obligation, shall endeavor to provide such support.
- b. The host country's recruitment agencies shall provide the migrant workers recruited based on FERI-Certified job-orders with support, such as transportation upon arrival at and departure from the host country.

3.19 (Implementation of PAO)

- a. The host country's recruitment agencies shall, in accordance with laws and regulations, directly provide migrant worker with a Post Arrival Orientation (PAO) that will help them smoothly carry out their life and occupation in the host country and ensure their physical and mental safety, or have migrant workers attend a PAO conducted by an appropriate third party, or, in the case of absence of such legal provision, endeavor to provide migrant workers with a PAO .
- b. When there is a separate provision in a certain FERI-Certified job-order for the migrant workers recruited based on the FERI-Certified job-order, the host country's recruitment agencies shall conduct a PAO in accordance with that provision.

3.20 (Implementation of Monitoring of Working Conditions)

- a. In accordance with laws and regulations, the host country's recruitment agencies shall cooperate with other appropriate stakeholders to monitor the living and working conditions of migrant workers and provide the migrant workers with assistance when necessary, or, in the case of absence of such legal obligation, shall endeavor to assist them.
- b. For the migrant workers recruited based on FERI-Certified job-orders, the host country's recruitment agencies, in cooperation with other appropriate stakeholders, shall monitor the living and working conditions of the migrant workers and provide them with assistance when necessary.

3.21 (Protection of Migrant Workers)

- a. In accordance with laws and regulations, the host country's recruitment agencies shall cooperate with other appropriate stakeholders to protect migrant workers who face difficulties in the host country and require protection, or, in the case of absence

of such legal obligation, shall endeavor to protect migrant workers.

- b. For the migrant workers recruited based on FERI-Certified job-orders, the host country's recruitment agencies shall cooperate with other appropriate stakeholders to provide the migrant workers with protection who face difficulties in the host country and require protection.

3.22 (Prohibition of Participation in Forced Return)

The host country's recruitment agencies shall not cooperate with any other stakeholders that attempt to return migrant worker without the genuine consent of the migrant workers.

3.23 (Securement of Fairness in the Case of Conflict of Interest)

The host country's recruitment agencies shall endeavor to prioritize the interests of migrant workers in the event of a conflict of interest between any other stakeholders and migrant workers.

3.24 (No-Exploitation of Vulnerability)

The host country's recruitment agencies shall not exploit the vulnerability of migrant workers to induce migrant workers to act against their wishes.

3.25 (Prohibition of Restriction of Rights of Migrant Workers)

The host country's recruitment agencies shall not restrict migrant workers' rights, including freedom of reproduction and private life.

3.26 (Prohibition of Retainment of Goods, etc.)

- a. The host country's recruitment agencies shall not keep migrant workers' passports, identification cards, certifications of educational background or test results, money, or any other goods (hereinafter referred to as "goods, etc."), unless there is a rational reason such as for the purpose of conducting procedures for changing or renewing migrant workers' status of residence.
- b. When a host country's recruitment agency keeps any migrant worker's goods, etc. and the migrant worker requests the host country's recruitment agency to return, the host country's recruitment agencies shall promptly make the restitution of the goods, etc. to the migrant worker.

3.27 (Prevention of Forced Labor, Human Trafficking, and Human Rights Violations)

The host country's recruitment agencies shall regularly provide their personnel with necessary training to prevent forced labor, human trafficking, and human rights violations.

3.28 (Substantial Compliance with the Guidelines)

The host country's recruitment agencies shall substantially comply with the Guidelines and shall not evade compliance with the Guidelines by interpreting the terms differently.

3.29 (Prohibition of Acts Involving Third Parties)

The host country's recruitment agencies shall not allow any third parties to engage in any acts that do not comply with the Guidelines.

3.30 (Compliance with Laws and Regulations)

The host country's recruitment agencies shall operate their business in compliance with the laws of the country of origin and the laws of the host country.

3.31 (Disclosure of Information)

The host country's recruitment agencies shall post the following information on the respective host country's recruitment agencies' website:

- Number of job-orders received in the past two years
- Number of successful mediations for the conclusion of employment contracts out of those received job-orders

3.32 (Applicable mutatis mutandis in the Separation of Host country's recruitment agency and Support Agency)

When a host country's recruitment agency does not double as a support agency, which refers to an organization that provides support services, commissioned by employers, to facilitate the living and working of migrant workers in the host country, the standards of this chapter shall also apply to the support agency working for such host country's recruitment agency.

3.33 (Handling of Confirmed Job-Orders)

The host country's recruitment agencies shall apply the provisions of FERI-Certified job-orders to the extent that they can be applied mutatis mutandis to the Semi-FERI-Confirmed job-orders.

Chapter 4 Guidelines for Employers

4.1 (Responsibility of Employers)

The employers, considering that they are indispensable entities that provide migrant workers with the basis for living and working in the host country, and that they are important entities that are able to exert influence over the entire labor migration process, shall acknowledge their responsibility to conduct fair and impartial business operations.

4.2 (Functions Performed by Employers)

The employers shall be responsible for the following functions:

- Selection of host country's recruitment agencies
- Determination of working conditions
- Provision of job information to host country's recruitment agencies
- Selection and recruitment of migrant workers
- Support for international movement of migrant workers
- Provision of appropriate working environments for migrant workers
- Securement of occupational safety and health for migrant workers
- Provision of appropriate residential environments for migrant workers
- Support on the living and employment of migrant workers
- Support for capacity building of migrant workers
- Other functions stipulated by law

4.3 (Responsibility of Understanding Recruitment Routes)

The employers shall understand that they are able to exert influence on the entire international labor migration process, so to endeavor to capture the entire process from the point of recruitment, the employer's hiring, to the return to their country of origin.

4.4 (Selection of Host country's recruitment agencies)

- a. In the selection of host country's recruitment agencies, the employers shall endeavor to select host country's recruitment agencies from the perspective of complying with laws and regulations, protecting the rights of migrant workers, and maximizing opportunities for success of migrant workers.
- b. In the selection of host country's recruitment agencies to request recruitment based on FERI-Certified job-orders, the employers shall select host country's recruitment agencies from the perspective of complying with laws and regulations, protecting the rights of migrant workers, and maximizing opportunities for success of migrant

workers.

4.5 (Selection of CoO's recruitment agencies)

- a. In the selection of CoO's recruitment agencies, the employers shall endeavor to select CoO's recruitment agencies from the perspective of complying with laws and regulations, protecting the rights of migrant workers, and maximizing opportunities for success of migrant workers.
- b. In the selection of CoO's recruitment agencies to mediate recruitment based on FERI-Certified job-orders, the employers shall select CoO's recruitment agencies from the perspective of complying with laws and regulations, protecting the rights of migrant workers, and maximizing opportunities for success of migrant workers.

4.6 (Provision of Information)

The employers shall provide the following information to host country's recruitment agencies and CoO's recruitment agencies that conduct transactions regarding FERI-Certified job-orders.

- Number of migrant workers hired in the past two years
- Number of migrant workers who returned to their country of origin earlier than originally planned

4.7 (Inappropriate Demands)

- a. The employers shall not demand any host country's recruitment agencies or CoO's recruitment agencies to provide any benefits, such as entertainment, which are inappropriate based on socially accepted standards, or unreasonable price reductions, etc.
- b. With regard to FERI-Certified job-orders, the employers shall not demand any host country's recruitment agencies or CoO's recruitment agencies to provide any benefits, such as entertainment, or unreasonable price reductions, etc.

4.8 (Appropriate Burden of Expenses)

- a. The employers shall endeavor to bear an appropriate amount of expenses required for migrant workers in the process before start working for the respective employers.
- b. For the migrant workers recruited based on FERI-Certified job-orders, the employers shall not make the migrant workers bear any costs incurred in the process until the migrant workers start working for the respective employers, except for the following expenses:

- Domestic transportation costs within the country of origin

4.9 (Prohibition of Discriminatory Recruitment)

The employers shall not discriminate on the basis of nationality, gender, age, or race during the recruitment process of migrant workers.

4.10 (Provision of Accurate Job Information to Host country's recruitment agencies)

- a. The employers shall endeavor to provide accurate job information to host country's recruitment agencies.
- b. The employers shall provide host country's recruitment agencies with accurate job information on FERI-Certified job-orders.

4.11 (Provision of Accurate Job Information to Migrant Workers)

- a. In interacting with migrant workers during the recruitment process, the employers shall endeavor to re-provide migrant workers with accurate job information.
- b. In interacting with the migrant workers recruited based on FERI-Certified job-orders, the employers shall re-provide the migrant workers with accurate job information.

4.12 (Consent with Written Documentation for Recruitment)

- a. In hiring migrant workers, the employer shall endeavor to conduct the notification of employment in writing or by electromagnetic record.
- b. In hiring the migrant workers based on FERI-Certified job-orders, the employers shall conduct the notification of employment in writing or by electromagnetic record.

4.13 (Understanding and Consideration for International Movement)

The employers shall understand and consider the time and expenses required for migrant workers to move across borders until migrant workers start working for the respective employers.

4.14 (Revocation of Employment)

- a. Once an employment is already notified to a migrant worker, the employer may revoke it only when it is possible based on laws and regulations.
- b. The employers shall endeavor to bear the additional expenses required for migrant workers to re-prepare for the next recruitment opportunity.

- c. In the case of revocation of the notification of employment to the migrant workers recruited based on FERI-Certified job-orders, the respective employers shall bear the additional expenses required for the migrant workers to re-prepare for the next opportunity of recruitment.

4.15 (Cooperation for Smooth International Movement)

- a. The employers shall endeavor to cooperate with other appropriate stakeholders to support migrant workers so that they can move smoothly to the host country.
- b. The employers shall cooperate with other appropriate stakeholders to support the migrant workers hired based on FERI-Certified job-orders, so that they can move smoothly to the host country.

4.16 (Provision of Appropriate Support)

- a. The employers shall provide migrant workers with support, such as transportation upon arrival at and departure from the host country either by themselves or through respective host country's recruitment agencies, or, in the case of absence of such legal obligation, shall endeavor to provide such support.
- b. The employers shall provide the migrant workers hired based on FERI-Certified job-orders with support, such as transportation upon arrival at and departure from the host country either by themselves or through respective host country's recruitment agencies.

4.17 (Provision of Appropriate Working Environment)

The employers shall provide migrant workers with appropriate working environment.

4.18 (Importance of Occupational Safety and Health)

The employers shall understand the importance of occupational safety and health, so to propel the creation of workplace with ensured occupational safety and the health-promotion of migrant workers when migrant workers work for the respective employers.

4.19 (Occupational Safety and Health at the Start of Employment)

- a. The employers, in accordance with laws and regulations, shall provide migrant workers with education and training necessary to ensure occupational safety and health at the start of employment.
- b. The employers, in accordance with laws and regulations, shall conduct necessary medical examinations of migrant workers at the start of employment.

4.20 (Provision of Working Environment Consistent with Provided Job Information)

The employers shall provide migrant workers with labor conditions, etc. that are consistent with the labor conditions, working environment, living environment, etc. stated in the respective job-orders or FERI-Certified job-orders.

4.21 (Promotion of Vocational Competencies Improvement)

- a. The employers shall provide migrant workers with necessary guidance regarding vocational competencies so that they can improve their vocational competencies in accordance with laws and regulations, or, in the case of absence of such legal obligation, shall endeavor to provide such guidance.
- b. The employers shall encourage migrant workers to take public skill tests and endeavor to bear the costs thereof, so that their vocational competencies can be measured objectively.

4.22 (Fair Evaluation and Promotion)

The employers shall fairly evaluate the competencies of migrant workers and provide promotions and raises in salary accordingly.

4.23 (Consideration for Diversity regarding Working Environment)

- a. The employers shall endeavor to provide necessary consideration so that workers with diverse roots can work together.
- b. The employers shall take necessary measures to foster understanding among the entire executives and regular employees of the respective employers regarding the working environment of migrant workers in which workers with diverse roots work together.

4.24 (Consideration for Temporary Return to the Country of Origin)

- a. The employers shall provide necessary consideration to allow migrant workers to temporarily return to their home country when they wish.
- b. With regard to migrant workers recruited based on a FERI-Certified job-order, employers shall allow migrant workers to acquire necessary paid leave to return home temporarily when they wish, unless there are unavoidable business-related circumstances, and shall allow them to acquire unpaid leave if there is no paid leave remaining.
- c. If an employer is unable to allow a migrant worker to acquire paid leave or unpaid

leave for temporary return home at the time desired by the migrant worker due to unavoidable business-related circumstances as described in the preceding paragraph, the employer shall consult with the migrant worker and suggest an alternative time for taking leave.

- d. The costs of temporary return home shall, in principle, be borne by the migrant worker.

4.25 (Provision of Appropriate Residential Environment)

- a. The employers shall provide migrant workers with appropriate residential environment, either by themselves or through respective host country's recruitment agencies.
- b. Pursuant to the preceding paragraph, the housing provided by employers to migrant workers shall be hygienic and safe, with emergency escape routes, hot water for showers, adequate lighting, adequate air conditioning, a security box that can be controlled by the individual, and personal living space.
- c. The employers may, with the consent of migrant workers, collect housing expenses from migrant workers within the scope of the actual costs required to provide residence.

4.26 (Provision of Meals)

- a. The employers may provide migrant workers with adequate meals either by themselves or through a third party.
- b. Pursuant to the preceding paragraph, meals provided by employers to migrant workers shall comply with CODEX standards.
- c. For the provision of meals, the employers may, with the consent of migrant workers, collect meal fees from migrant workers within the scope of the actual cost of providing meals.

4.27 (Prohibition of Restriction of Rights of Migrant Workers)

The employers shall not restrict migrant workers' rights, including freedom of reproduction and private life.

4.28 (Prohibition on Retainment of Goods of Migrant Workers)

- a. The employers shall not keep any migrant workers' goods, etc. unless there is a rational reason such as for the purpose of conducting procedures for changing or renewing migrant workers' status of residence.

- b. When an employer keeps any migrant workers' goods, etc. and the migrant worker requests the employer to return, the employer shall promptly make the restitution of the goods, etc. to the migrant worker.

4.29 (No-Exploitation of Vulnerability)

The employers shall not exploit the vulnerability of migrant workers to induce migrant workers to act against their wishes.

4.30 (Prevention of Forced Labor, Human Trafficking, and Human Rights Violations)

The employers shall regularly provide their personnel with the necessary training to prevent forced labor, human trafficking, and human rights violations.

4.31 (Substantial Compliance with the Guidelines)

The employers shall substantially comply with the Guidelines and shall not evade compliance with the Guidelines by interpreting the terms differently.

4.32 (Prohibition of Acts Involving Third Parties)

The employers shall not allow any third parties to engage in any acts that do not comply with the Guidelines.

4.33 (Compliance with Laws and Regulations)

The employers shall operate their business in compliance with the laws and regulations of the country of origin and the host country.

4.34 (Disclosure of Information)

The employees shall post the following information on the respective employers' website:

- Number of migrant workers hired in the past two years
- Number of migrant workers who returned to their country of origin earlier than originally planned

4.35 (Handling of Semi-FERI-Confirmed Job-Orders)

The employers shall apply the provisions of FERI-Certified job-orders to the extent that they can be applied mutatis mutandis to the Semi-FERI-Confirmed job-orders.

Chapter 5 Guidelines for Migrant Workers

5.1 (Rights of Migrant Workers)

The migrant workers are subject to the human rights expressed in the International Bill of Human Rights, which stipulates human rights as universal values, and in the principles regarding fundamental rights stipulated by the International Labor Organization (ILO) Declaration on Fundamental Principles and Rights at Work, and acknowledge that their rights as labor are guaranteed in the country of origine, the host country, and the process of international labor migration as well.

5.2 (Responsibility Migrant Workers)

The migrant workers shall acknowledge that they are parties to international labor movement and indispensable entities to form international labor movement and shall endeavor to promote fair international labor movement.

5.3 (Application through Legal, Ethical, and Fair Recruitment Channels)

- a. The migrant workers shall apply through legal, ethical, and fair recruitment channels.
- b. The migrant workers shall not apply through third parties such as brokers.

5.4 (Provision of Benefits such as Money during Recruitment Process)

The migrant workers shall not respond to any requests for money or other benefits during the recruitment process.

5.5 (Efforts towards Self-realization)

The migrant workers shall endeavor to optimize their migrant work opportunities so to achieve self-realization.

5.6 (Understanding of International Movement)

The migrant workers shall understand that international movement requires time and expenses and endeavor to prepare for international movement in a planned manner.

5.7 (Understanding of Diverse Cultures)

The migrant workers shall understand that they are living and working in the environment with diverse cultures and endeavor to acclimatize to diverse cultures.

5.8 (Understanding to Those Who Bear Expenses)

The migrant workers shall understand that there is someone to cover their expenses during the recruitment process and that the financial burden on migrant workers is

reduced.

5.9 (Cooperation in Building Mechanisms)

The migrant workers, to the extent that the migrant workers wish, shall cooperate in building mechanisms for fair international labor movement.

5.10 (Compliance with Laws and Regulations)

The migrant workers shall comply with laws and regulations during the migration process and after moving to the host country.

5.11 (Cooperation with Disclosure of Information, Interviews and Surveys)

a. The migrant workers, to the extent that their privacy and confidentiality rights are not violated, shall cooperate with information disclosure, interviews, and surveys to be conducted by other appropriate stakeholders.

b. Such interviews and surveys shall include the recruitment channels taken and the expenses paid by the respective migrant workers.

5.12 (No Unfavorable Treatment)

Immediately because the migrant workers do not comply with the Guidelines, they shall not be treated unfavorably.

Chapter 6 Recruitment Guidelines

6.1 (About the Parties)

The job-orders that conform to the Guidelines shall be managed among the CoO's recruitment agencies, the host country's recruitment agencies, and the employers that comply with the Guidelines.

6.2 (Preparation of Job-orders)

In the preparation of job-orders, the employers shall conduct it in writing or by electromagnetic record so that the job-orders remain recorded.

6.3 (Accuracy of Job Information)

In the preparation of job-orders, the employers shall ensure their accuracy.

6.4 (Entry of Legal Matters)

The employers shall enter the necessary information in the job-orders in accordance with laws and regulations.

6.5 (Standards for Works to be Engaged in by Migrant Workers)

The employers shall confirm that the respective works to be recruited are appropriate and are not prohibited by any laws.

6.6 (Standards for Workplaces to be Engaged in by Migrant Workers)

The employers shall confirm that the respective workplaces, where the works to be recruited are performed, are ensured with occupational safety and suitable for conducting proper operations.

6.7 (Considerations for Temporary Return to the Country of Origin)

When an employer wishes to provide certain consideration to migrant workers' temporary return to his or her country of origin, the employer shall state so in the applicable job-orders.

6.8 (Standards for Residences to be Provided)

The employers shall indicate the standards of residences to be provided to migrant workers.

6.9 (Pre-departure Vocational Training)

The employers shall indicate the standard of pre-departure vocational training required for migrant workers.

6.10 (Pre-departure Language Training)

The employers shall indicate the standard of pre-departure language training required for migrant workers.

6.11 (Burden of Expenses Required for Recruitment)

The employers, for the recruitment based on FERI-Certified job-orders, shall bear all expenses associated with the employment of migrant workers (that cover the fees and costs from when a migrant worker signs a contract with a CoO's recruitment agency until he or she begins working for an employer) by the respective employers and shall clearly state so in the applicable job-orders.

6.12 (Clarification of Recruitment Consultation and Relief Desk in Job-orders)

The employers, throughout the recruitment process, shall specify a consultation and relief desk that migrant workers can use in their respective countries of origin regarding recruitment, and clearly indicate how to make inquiries on the applicable job-orders.

6.13 (Certification of Conformity to Job-orders)

- a. The employers may receive certification as to whether their respective job-orders comply with the Guidelines.
 - b. When a job-order does not comply with only 6.11 of the Guidelines, the employer of the job-order may request confirmation that the job-order does comply with all standards of the Guidelines except for 6.11. Specifically, when a part of the fees or costs that are prescribed by the Guidelines as being exempt from payment by migrant workers, with regard to the cost-related provisions of paragraphs 2.8b, 2.9b, 2.10b, 2.11b, 2.13c and 4.8b, are paid by the migrant workers, and the other portions comply with the Guidelines, the job order can obtain confirmation.
-