Implication from the UK Individual Labour Dispute Resolution:
A UK-Japan Comparative Study

Masaharu NOSE

ABSTRACT

Recently the number of collective labour disputes is declining, but individual labour disputes are increasing. Nevertheless, there are fewer individual labour disputes in Japan compared to other countries, including the UK.

In this article, I first discuss the following four points regarding the manner in which individual labour disputes are conducted in the UK compared with Japan: 1. differences between the role of tribunal and an administrative bodies in Japan, 2. use of conciliation, 3. mechanisms of conciliation and 4. workplace norms.

After discussing these, I point out 1. Japanese administrative bodies should positively conciliate with the person concerned, 2. Japanese workplaces need norms where the person concerned is effectively conciliated and, 3. norms which are not laws, but guidance to promote conciliation, are needed at the stage where conflicts form in the workplace.

Prefectural Labour Bureaus in Japan should support persons concerned with conciliations, and laws promoting conciliation should be procedures that create the norms in a workplace.

Key Words: conciliation, ADR, norm, Code of Practice, informal approach, individual labour