

OPPORTUNITIES FOR SSW NO.2 RESIDENCY STATUS: A CASE STUDY OF CHINESE MIGRANT WORKERS IN JAPAN

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Abstract: The issuance of unlimited residency status for foreign workers in the 3K job sectors has been in effect for almost five years. Unfortunately, the acquisition of Specified Skilled Worker (SSW) No.2 residency status remains considerably below the Japanese government's anticipated target. This research aims to analyze the opportunities of SSW No.2 residency status for foreign workers, focusing on the case study of Chinese migrant workers from the dual labor market theory perspective. A qualitative approach with data collection conducted through literature sources is employed in this research. Thus far, SSW No.2 is predominantly held by Chinese migrant workers. However, the opportunities for foreign workers to obtain this residency status are notably limited due to a complex and challenging acquisition process. Foreign workers holding this residency status are required to possess skills equivalent to those of local workers to secure employment in the secondary market. Aside from the benefit of bringing one's family, this residency status seems to offer no other long-term appeal. An urgent reevaluation of the procedures for obtaining SSW No.2 is deemed necessary as a long-term solution to address the labor crisis in Japan.

Keywords: Migration, Japan immigration policy, Chinese migrant workers, Unskilled worker, Specified Skilled Worker

INTRODUCTION

The younger generation's increasing education level in Japan has resulted in a lack of interest in unskilled labor sectors, leading to a significant number of vacancies. According to a report by the Ministry of Education, Culture, Sports, Science and Technology of Japan, the number of Japanese citizens enrolled in tertiary education was approximately 160 thousand in 1960. This figure experienced a substantial increase, reaching 420 thousand people during the period of high economic growth in the 1980s. As of now, the current enrollment in Japanese higher education institutions stands at around 630 thousand people.³ Jobs performed by unskilled labor are classified as 3K (*sankei*) jobs, an acronym for *kitsui* (difficult), *kitanai* (dirty), and *kiken* (dangerous). These

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³ Ministry of Education, Culture, Sports, Science and Technology, “大学入学者選抜関連基礎資料集,” March 23, 2020, https://www.mext.go.jp/content/20200318-mxt_daigakuc02-000005103_8.pdf.

jobs include roles with physically demanding tasks or potential hazards. 3K jobs in Japan are perceived as unappealing due to low incomes, minimal leave entitlements, and a terrible reputation, reflecting the increasing educational level of the population.⁴ Iskandar adds that there is a demand for 3K jobs that are left vacant by Japanese women, such as elderly caregivers.⁵ This aligns with Womenomics' aim to encourage educated Japanese women to actively pursue positions in the elite public sectors. Beyond income issues, certain occupations like elderly caregivers in Japan are perceived as ineligible for marriage, exacerbating the uncertainty surrounding the future of 3K jobs.⁶

Japan is currently grappling with a labor shortage attributed to demographic challenges such as an aging population and declining birth rates. To address this issue, the country is taking measures to attract foreign workers to fill the job vacancies in the domestic market. A study by the JICA Ogata Research Institute predicts that Japan will need four times more foreign workers than the number required in 2020, with approximately 6.74 million foreign workers by 2024, to sustain its economy.⁷ By the end of 2022, Japan's foreign residents had increased to 3 million⁸, up from 2.7 million in 2018⁹, with the most significant number coming from China. The Ministry of Health, Labour, and Welfare of Japan announced that the number of foreign workers in Japan broke a new record of 1,822,725 workers in 2022.¹⁰ Among them, there were 343,254 foreign workers participating in the Technical Intern Training Program (TITP), which is the primary source of labor for the 3K job sectors.

The 1989 amendments to Japan's immigration policy represent a turning point in the country's approach to foreign workers, indicating a more adaptable stance towards their significance. In 2019, Japan introduced a new work visa and residency status called the Specified Skilled Worker (SSW). The visa and residency status are specifically designed for foreign workers in the 3K job sectors. This is a significant change for Japan, which has historically been known for its strict immigration policies. In contrast to TITP, which has faced criticism for numerous violations and exploitation, the SSW program treats foreign workers the same as Japanese workers in compliance with Japanese labor laws. The Japanese government has set a target of 345,150

⁴ Gabriele Vogt, "Foreign Workers in Japan," in *The SAGE Handbook of Modern Japanese Studies*, ed. James Babb (London: SAGE Publications, 2015), 571.

⁵ Kurniawaty Iskandar, "Japan Aging Issues, Long Term Care Insurance (LTCI) and the Migration of Indonesian Nurse to Enter Japan Labor Market," *Journal of Strategic and Global Studies* 2, no. 2 (2020): 36, <https://doi.org/10.7454/jsgs.v2i2.1020>.

⁶ Masayasu Mori et al., "A Research on How Carework Is Perceived by the High School Students," *Matsuyama Shinonome Junior College Research Papers* 41 (2011): 9, <http://iyokan.lib.ehime-u.ac.jp/dspace/handle/iyokan/1050>.

⁷ JICA Ogata Sadako Research Institute for Peace and Development, "Toward an Inclusive Society Where Diverse People, Regardless of Their Nationality, Can Thrive Together: Research Outcomes Discussed at a Symposium on Foreign Worker Acceptance," June 10, 2022, https://www.jica.go.jp/Resource/jica-ri/news/topics/20220203_02.html.

⁸ Immigration Services Agency, "令和 4 年末現在における在留外国人数について," March 24, 2023, https://www.moj.go.jp/isa/publications/press/13_00033.html.

⁹ Ministry of Justice, "平成 30 年末現在における在留外国人数について," October 1, 2019, <https://www.moj.go.jp/isa/content/001342033.pdf>.

¹⁰ Ministry of Health, Labour, and Welfare "「外国人雇用状況」の届出状況まとめ（令和 4 年 10 月末現在）," January 27, 2023, https://www.mhlw.go.jp/stf/newpage_30367.html.

workers obtaining this residency status by 2024.¹¹ The SSW program has two categories: SSW No.1, which allows a stay of up to five years in Japan, and SSW No.2, which allows an indefinite stay. As of March 2022, the number of foreign workers with SSW No.1 had only reached 64,730. On the other hand, not a single foreign worker had obtained SSW No.2.¹²

In April 2022, marking three years since the introduction of the SSW, a Chinese migrant worker achieved a significant milestone by becoming the first foreign worker to obtain SSW No.2 in the construction field.¹³ Foreign workers with SSW No.2 can bring family members and renew residency but require specialized skills and higher Japanese proficiency than technical trainees or SSW No.1. What are the opportunities for foreign workers to obtain SSW No.2 residency status and reside in Japan indefinitely? This research analyzes the opportunities for foreign workers to obtain SSW No.2 residency status, focusing on a case study of Chinese migrant workers. The choice of Chinese migrant workers as a case study is grounded in their historical background as a country that has long sent labor to Japan, providing valuable insights into the challenges and opportunities they face in obtaining SSW No.2 residency status.

MIGRANT WORKERS IN THE PERSPECTIVE OF DUAL LABOR MARKET THEORY

Several concepts and theories can explain the phenomenon of foreign workers entering Japan. Migration is the act or process of moving from one place to another, as defined by IOM UN Migration. It can occur within the same country, between rural and urban areas, or across different countries and regions.¹⁴ People who engage in migration are known as migrants. Doeringer and Piore described the process of international migration through the dual labor market theory.¹⁵ The labor market is divided into two segments: the primary labor market, primarily designated for local residents, and the secondary labor market, encompassing migrant workers.¹⁶ In contrast to the primary market, the secondary market is characterized by low incomes, limited benefits, poor working conditions, high labor turnover, limited promotional opportunities, and arbitrary management supervision.¹⁷ The demand for migrant workers can be attributed to three key factors: first, as a response to labor shortages; second, fulfilling the need to fill bottom-tier positions within

¹¹ Cabinet Office, “政策課題分析シリーズ 18 企業の外国人雇用に関する分析 —取組と課題について—,” September 4, 2019, <https://www5.cao.go.jp/keizai3/2019/09seisakukadai18-6.pdf>.

¹² Immigration Services Agency, “特定技能在留外国人数の公表 (令和 4 年 3 月末),” 2022, <https://www.moj.go.jp/isa/content/001348990.pdf>.

¹³ Kyodo News, “Chinese Man Gets Japan’s 1st Skilled Worker Visa with No Time Limit,” April 14, 2022, <https://english.kyodonews.net/news/2022/04/213d74066b53-chinese-man-gets-japans-1st-skilled-worker-visa-with-no-time-limit.html>.

¹⁴ International Organization for Migration, “World Migration Report 2022” (Switzerland: United Nations, 2022), <https://worldmigrationreport.iom.int/wmr-2022-interactive/>.

¹⁵ Peter B. Doeringer and Michael J. Piore, *International Labor Markets and Manpower Analysis* (Lexington: Heath Lexington Books, 1970), 271–304.

¹⁶ Michael J. Piore, *Birds of Passage: Migrant Labor and Industrial Societies* (Cambridge: Cambridge University Press, 1979), <https://doi.org/https://doi.org/10.1017/CBO9780511572210>, 35.

¹⁷ Doeringer and Piore, *International Labor Markets*, 275.

the social hierarchy; and lastly, meeting the needs of the secondary labor market in the dual labor market.¹⁸

METHODOLOGY

This research employs a qualitative methodology to provide descriptive results and discussions. The choice of methodology is justified by the need for a comprehensive analysis of specific cases or situations that emerge in everyday social interactions within the context of international labor migration to Japan.¹⁹ Data collection for this research involves obtaining information from literature sources and the internet. The researcher collected data through Japanese government agency websites such as the Immigration Services Agency of Japan (ISA), the Ministry of Health, Labour, and Welfare of Japan (MHLW), the Japan International Training Cooperation Organization (JITCO), and the Organization for Technical Intern Training (OTIT) due to their credibility and authority in providing official information on labor migration. In addition, data from online news portals such as Kyodo News, The Asahi Shimbun, The Japan Times, and other online news sources were retrieved to obtain the most current and relevant information from 2019 until 2023. Data collection from literature sources involved the examination of books and journal articles related to the phenomenon of international labor migration to Japan. These sources were selected based on relevance and alignment with the research focus.

CHINESE MIGRANT WORKERS IN JAPAN

The presence of Chinese migrant workers in Japan dates back to before World War II when they were brought over as forced laborers. Approximately 130,000 Chinese migrants settled in Japan during the colonization of the Japanese Empire.²⁰ Regarding chronological divisions, there are two groups of Chinese migrants in Japan: oldcomers who arrived before World War II and newcomers who came after the mid-1970s.²¹ In 1978, the Chinese government implemented the Open Door Policy, which resulted in relaxed immigration regulations. This led to an increase in the number of Chinese students and workers migrating to Japan.²² As a result, most of these newcomers entered Japan through student visas and trainee programs.²³

The Plaza Accord, a multilateral agreement reached in 1985 among major economies, led to a recession that had significant implications for Japan's export sector in the international market. To sustain its industries, Japan amended its immigration policy in 1989, as specified under the Immigration Control and Refugee Recognition Act. These changes allowed Japanese companies to recruit foreign workers through a foreign trainee program, later known as the Technical Intern Training Program (TITP). Foreign workers will receive job training for a specified period to fill

¹⁸ Piore, *Birds of Passage*, 26.

¹⁹ William Lawrence Neuman, *Social Research Methods: Qualitative and Quantitative Approaches* (Edinburgh Gate: Pearson, 2014), 167.

²⁰ Keiko Yamanaka, "New Immigration Policy and Unskilled Foreign Workers in Japan," *Pacific Affairs* 66, no. 1 (1993): 73, <https://doi.org/https://doi.org/10.2307/2760016>,

²¹ Hélène Le Bail, "The New Chinese Immigration to Japan," *China Perspectives* 61 (October 2005): 2, <https://doi.org/10.4000/chinaperspectives.521>.

²² Tien-Shi Chen, "The Increasing Presence of Chinese Migrants in Japan," *Transnational Migration in East Asia Senri Ethnological Reports* 77 (2008): 42, <https://doi.org/http://doi.org/10.15021/00001268>.

²³ Vogt, "Foreign Workers in Japan.," 576.

the 3K job sector vacancies. Yamanaka asserts that the trainee program was a covert means to employ cheap labor, including labor from China.²⁴

In 2007, China surpassed South Korea to become Japan's largest group of foreign residents.²⁵ As of 2022, Chinese migrants account for 24.8 percent of Japan's 3,075,213 foreign residents.

Table 1. Chinese migrants in Japan by 2022

Status of Residence	Number
Permanent Resident	314,354
Technical Intern Trainee	28,802
Engineer/Specialist in Humanities/International services	82,502
Student	125,940
Dependent	67,735
Long Term Resident	26,950
Japanese Spouse	25,960
Specified Skilled Worker	8,888
Designated Activities	11,193
Other	68,526
Special Permanent Resident	713
Total	761,563

Source: Immigration Services Agency²⁶

China has consistently been the largest source of technical trainees since TITP was established in 1993. In 1994, Chinese technical trainees accounted for 67.6% of the total, reaching 1,446 technical trainees.²⁷ By 2012, China reached a peak of 111,395 technical trainees.²⁸ Unfortunately, the number of Chinese technical trainees has steadily declined in subsequent years, primarily due to China's economic resurgence and rapid growth.²⁹ Saka argues that Japan's need for labor in specific sectors is no longer confined to Chinese labor alone, as rising labor costs and the prolonged yen depreciation have prompted China to reduce the dispatch of technical trainees.³⁰ China is now shifting its focus toward addressing domestic labor issues and improving working conditions to create new job opportunities.³¹

²⁴ Yamanaka, "New Immigration Policy", 73.

²⁵ Hélène Le Bail, "Skilled and Unskilled Chinese Migrants in Japan: Context and Perspectives," *Les Cahiers d'Ebisu. Occasional Papers*, no. 3 (2013): 4, https://www.mfj.gr.jp/publications/_data/e-CahiersEbisu3_double-pages-printer.pdf.

²⁶ Immigration Services Agency, "令和4年末現在における在留外国人数について."

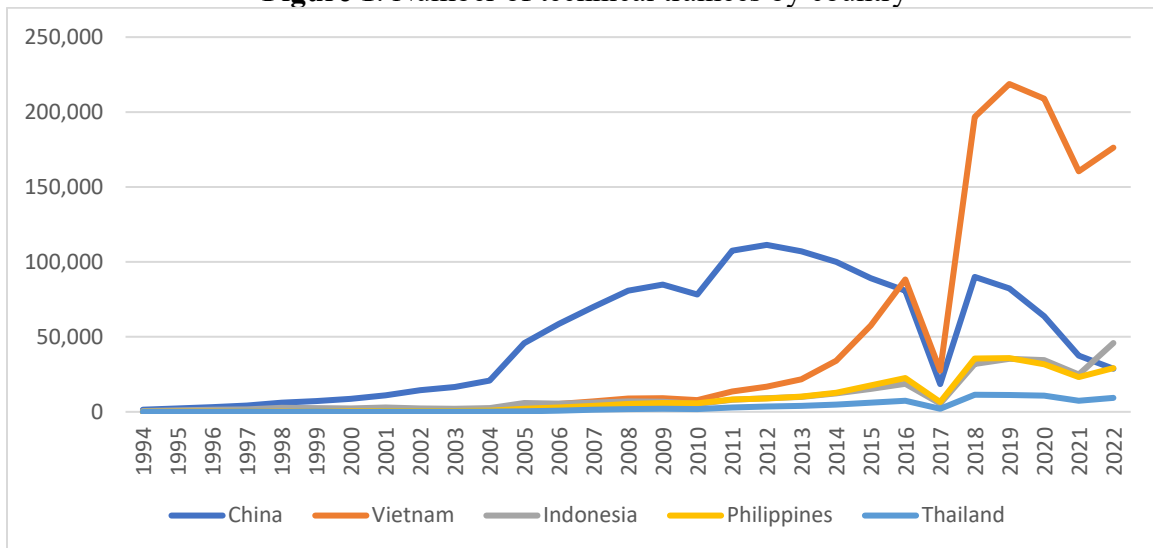
²⁷ Piyadasa Ratnayake, Saliya De Silva, and Rie Kage, "Workforce Development with Japanese Technical Intern Training Program in Asia: An Overview of Performance," *佐賀大学経済論集* 49, no. 3 (2016): 23, <http://id.nii.ac.jp/1730/00021809/>.

²⁸ Ibid.

²⁹ Yoshihisa Godo and Tai Wei Lim, "Exportation of Manpower: A Case Study of Chinese Seasonal Laborers in an Agricultural District in Hokkaido," *China and the World: Ancient and Modern Silk Road* 03, no. 02 (June 2020): 16, <https://doi.org/https://doi.org/10.1142/S2591729320500054>.

³⁰ Yukio Saka, "中国人技能実習生の減少とインドネシア人技能実習生 —東アジア共同体との関連で—," *富山大学紀要. 富大経済論集* 59, no. 3 (2014): 122, <https://core.ac.uk/reader/70330790>.

³¹ Ratnayake, Silva, and Kage, "Workforce Development with Japanese Technical Intern Training Program in Asia: An Overview of Performance," 22.

Figure 1. Number of technical trainees by country

Source: JITCO as cited in Ratnayake et al.³², Ministry of Justice (MOJ)³³, Organization for Technical Intern Training (OTIT)³⁴, and Immigration Services Agency (ISA)³⁵

SPECIFIED SKILLED WORKER (SSW)

In 2019, the Japanese government introduced the Specified Skilled Worker (SSW) to address the diminishing workforce by attracting more foreign workers possessing “specific skills.” The motivation behind the SSW was to serve as an extension of the TITP. Due to visa limitations, technical trainees who completed 3 to 5 years of technical training must return to their home countries. To ensure that technical trainees can maximize their training in Japan, they can extend their stay by obtaining SSW residency status.³⁶ The Japanese government also aims to resolve the issues with TITP by implementing the SSW program. The problems associated with TITP include

³² Ratnayake, Silva, and Kage, “Workforce Development with Japanese Technical Intern Training Program in Asia: An Overview of Performance,” 23.

³³ Ministry of Justice, “在留審査について,” 2017, <https://www.moj.go.jp/isa/content/930003317.pdf>.

³⁴ Organization for Technical Intern Training, “平成 29 年度業務統計 (国籍・地域別 技能実習計画認定件数 (構成比)),” 2018, <https://www.otit.go.jp/files/user/191001-17-1-5%20.pdf>; Organization for Technical Intern Training, “平成 30 年度業務統計 (国籍・地域別 技能実習計画認定件数 (構成比)),” 2019, <https://www.otit.go.jp/files/user/191001-18-1-5.pdf>.

³⁵ Immigration Services Agency, “令和元年末現在における在留外国人数について,” March 27, 2020, https://www.moj.go.jp/isa/publications/press/nyuukokukanri04_00003.html; Immigration Services Agency, “令和 2 年末現在における在留外国人数について,” March 31, 2021, https://www.moj.go.jp/isa/publications/press/13_00014.html; Immigration Services Agency, “令和 3 年末現在における在留外国人数について,” March 29, 2022, https://www.moj.go.jp/isa/publications/press/13_00001.html; Immigration Services Agency, “令和 4 年末現在における在留外国人数について.”

³⁶ William Brooks, “The Socioeconomic Impact of the Transition from Technical Intern Trainees (TIT) to Specified Skilled Workers (SSW) in Japan,” *Aichi University Journal of Economics* 213 (2020): 31, <http://id.nii.ac.jp/1082/00010075/>.

low wages, overtime and job mobility restrictions, physical and mental abuse, as well as passport retention.³⁷ In other words, the SSW program attempts to effectively address the violations associated with TITP, which has often been criticized as a form of human trafficking, modern-day slavery, and neocolonialism under the guise of international development.³⁸ Iskandar interprets that the term "specific skills" in the context of SSW refers to skills in jobs that are now abandoned and no longer attractive to Japanese citizens rather than highly specialized or rare skills.³⁹

SSW is divided into SSW No.1 and SSW No.2. SSW No.1 allows foreign workers over 18 with Japanese language proficiency (equivalent to N4) and specific skills to work in Japan for up to 5 years in 14 job fields. According to the Ministry of Foreign Affairs of Japan (MOFA), three job fields under the jurisdiction of the Ministry of Economy, Trade, and Industry (METI) were merged into one field in 2022.⁴⁰ This resulted in a reduction of the coverage of SSW No.1, which now covers a total of 12 job fields. The job fields covered by SSW No.1 include nursing, agriculture, fishing, and other 3K job fields currently experiencing a labor shortage due to disinterest among Japanese citizens. Technical trainees who have completed three years of intern training (technical trainee No.2) and are working in the same field can obtain SSW No.1 without taking an examination. However, this status does not allow foreign workers to bring their families to Japan.

By the end of 2022, 130,915 foreign workers had obtained SSW No.1. The most prominent group came from Vietnam, Indonesia, the Philippines, China, and Myanmar.⁴¹

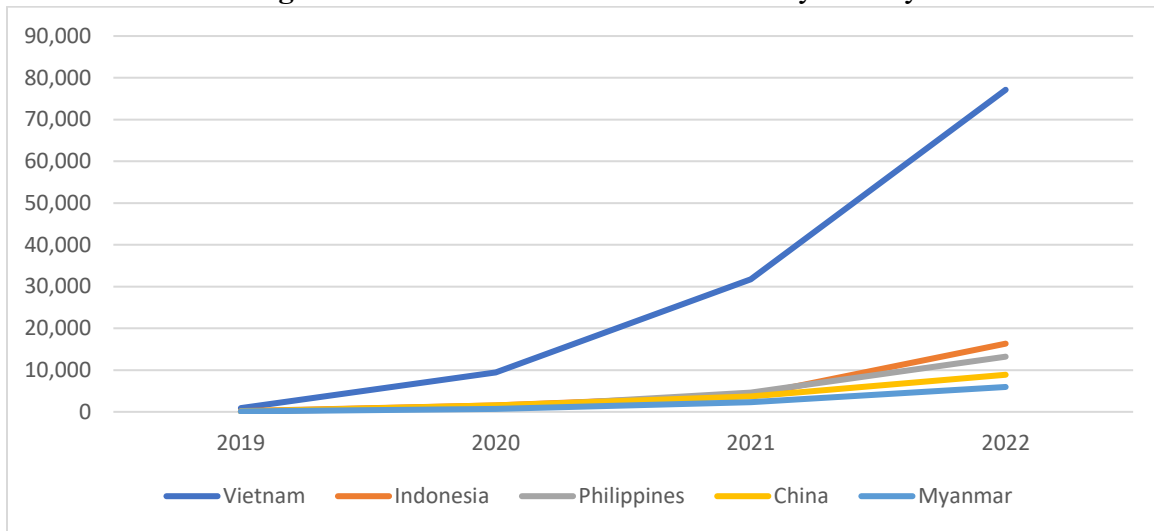
³⁷ Toake Endoh, "The Politics of Japan's Immigration and Alien Residence Control," *Asian and Pacific Migration Journal* 28, no. 3 (September 2019): 331, <https://doi.org/10.1177/0117196819873733>.

³⁸ Muhammad Reza Rustam, "Violence, Silence, and Vulnerabilities of Migrant Workers in Japan: A Study of Indonesian Technical Intern Trainees in Japan" (Hiroshima University, 2023), <https://ir.lib.hiroshima-u.ac.jp/54289/files/46396>, 143.

³⁹ Kurniawaty Iskandar, "Skema Specified Skilled Worker (SSW)/Tokutei Ginou: Peluang Peningkatan Status PMI Eks-Trainee IJEPa Menjadi 'pekerja' Di Jepang Pada Era Pandemi?," Seminar Daring Nasional Strategi, Peluang, dan Tantangan Pekerja Migran Indonesia (PMI) Memasuki Pasar Tenaga Kerja Jepang di Masa Pandemi: Isu Specified Skill Worker/Tokutei Ginou, September 7, 2020.

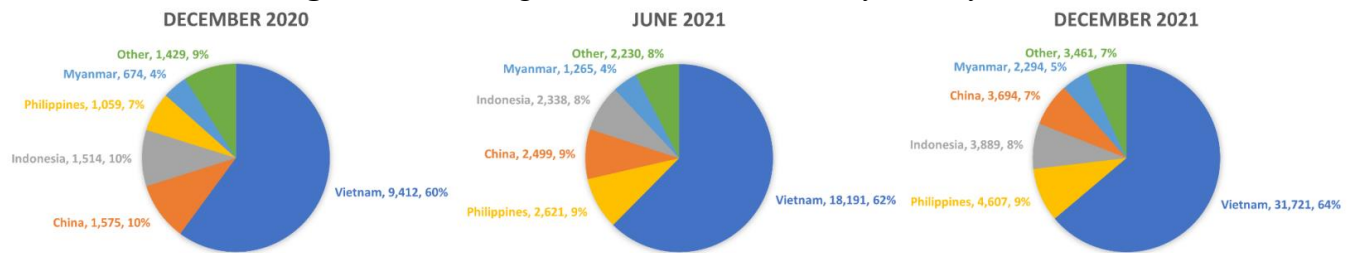
⁴⁰ Ministry of Foreign Affairs of Japan, "What Is the SSW?," accessed June 7, 2023, <https://www.mofa.go.jp/mofaj/ca/fna/ssw/us/overview/>.

⁴¹ Immigration Services Agency, "特定技能在留外国人数の公表 (令和4年12月末)," 2022, <https://www.moj.go.jp/isa/content/001389884.pdf>.

Figure 2. Number of SSW No.1 workers by country

Source: Immigration Services Agency (ISA)⁴²

Notably, China experienced a shift in its ranking from the second position in 2020 to the third in mid-2021 and, eventually, the fourth by the end of 2021.⁴³ This change underscores the dynamic nature of labor migration patterns, which can be influenced by factors like evolving labor market demands and policy changes in China. Despite a consistent annual increase in Chinese migrant workers obtaining SSW, China no longer holds the position of Japan's leading labor supplier. This trend aligns with the gradual decline in the dispatch of Chinese technical trainees since 2012.

Figure 3. Percentage of SSW No.1 workers by country

Source: Immigration Service Agency (ISA) as cited in Ministry of Health, Labour, and Welfare⁴⁴

⁴² Immigration Services Agency, “特定技能在留外国人数公表 (令和元年 1 2 月末),” 2019, <https://www.moj.go.jp/isa/content/930004756.pdf>; Immigration Services Agency, “特定技能在留外国人数公表 (令和 2 年 1 2 月末),” 2020, <https://www.moj.go.jp/isa/content/001348999.pdf>; Immigration Services Agency, “特定技能在留外国人数公表 (令和 3 年 1 2 月末),” 2021, <https://www.moj.go.jp/isa/content/001367366.pdf>; Immigration Services Agency, “特定技能在留外国人数公表 (令和 4 年 1 2 月末).”

⁴³ Ministry of Health, Labour, and Welfare “特定技能制度運用状況等について,” 2021, <https://www.mhlw.go.jp/content/12000000/000931860.pdf>.

⁴⁴ Ibid.

Despite being in operation for four years, the SSW program has fallen short of the Japanese government's expectations. The comparison of data released by the Immigration Services Agency of Japan (ISA) reveals a significant disparity between the number of technical trainees and SSW No.1 in 2022. There were 324,940 technical trainees, while SSW No.1 had only 130,923 in 2022.⁴⁵ This significant difference raises an important question: Why do foreign workers prefer TITP when SSW offers safer working conditions? According to Rehm, there are several obstacles that hinder the transition from TITP to SSW.⁴⁶ Firstly, TITP's long existence over 30 years makes the transition to SSW more time-consuming. Secondly, the COVID-19 pandemic hindered foreign workers' entry into Japan, emerging one year after SSW's release. Thirdly, stricter requirements for SSW than for TITP, including passing the Japanese language proficiency test (equivalent to N4) and the skills proficiency test. Fourthly, technical trainees seeking to switch to SSW must complete at least three years of intern training. Additionally, the job fields offered by SSW overlap with TITP. Lastly, there is increased focus on employers and brokers due to entitlements and protections equivalent to Japanese labor laws for foreign workers with SSW status. The cost of hiring foreign workers with SSW status is significantly higher than hiring technical trainees.

Table 2. Differences between technical TITP, SSW No.1, and SSW No.2

	TITP	SSW No.1	SSW No.2
Status of Residence	Technical Intern Training	Specified Skilled Worker No.1	Specified Skilled Worker No.2
Field of work	88 types of work	12 fields	11 fields (originally only 2 fields. Additional 9 fields approved in June 2023)
Period of stay	Technical trainee No.1: up to 1 year Technical trainee No.2: up to 2 years Technical trainee No.3: up to 2 years (maximum of 5 years in total)	Up to 5 years in total. Renewable every 4 months, 6 months, or 1 year	No set limit. Renewable every 6 months, 1 year, or 3 years
Skill level	No special skill or experience is required	Confirmed through an examination. Technical trainee No.2 is exempt from the examination as long as they remain in the same field	Confirmed through an examination
Japanese Language Proficiency Level	Depending on the specific industry and type of training.	Japanese language skills for day-to-day activities and work are	Confirmation by an examination is not required

⁴⁵ Immigration Services Agency, “令和4年末現在における在留外国人数について.”

⁴⁶ Maximilien Xavier Rehm, “A New Immigration Regime for Low- and Medium-Skilled Labor in Japan? Assessing the 2019 Amendment to the Immigration Control Act at the Two-Year Mark,” *Journal of Global Studies* 12 (2021): 157–161, <https://global-studies.doshisha.ac.jp/en/research/journal.html>.

	Nursing care workers need to fulfill the N4 level Japanese language skills requirement at entry into Japan	required. Confirmed through an examination. Technical trainee No.2 is exempt from the examination	
Activity details	-Receive training and participate in activities related to the skills based on Technical Intern Training Plan No.1 -Participate in activities requiring skills based on Technical Intern Training Plan No.2, No.3 (Non-professional or technical field)	Related to work that requires skills from considerable expertise or experience (specialized fields and technical fields)	Related to work that requires skills from higher expertise or experience (specialized fields and technical fields)
Transfer or change of job	Not allowed	Allowed as long as in the same field	Allowed as long as in the same field
Transfer or Change of Status of Residence	Can switch to SSW No.1 while holding technical trainee No.2	Can switch to SSW No.2 as long as pass the examination	Can become a permanent resident if certain criteria are satisfied
Accompaniment by family members	Not allowed	Not allowed	Allowed to bring spouses and children if certain criteria are satisfied
Wages (per Month in 2022)	177,800 Yen	205,700 Yen	205,700 Yen (There is no wage differential between SSW No.1 and No.2, according to data from the Ministry of Health, Labour, and Welfare.)

Source: Immigration Services Agency (ISA)⁴⁷, Japan International Training Cooperation Organization (JITCO)⁴⁸, and Ministry of Health, Labour, and Welfare of Japan (MHLW)⁴⁹

⁴⁷ Immigration Services Agency, “Initiatives to Accept Foreign Nationals and for the Realization of Society of Harmonious Coexistence,” 2023, <https://www.moj.go.jp/isa/content/930004452.pdf>; Immigration Services Agency, “外国人技能実習制度について,” 2023, <https://www.moj.go.jp/isa/content/930005177.pdf>.

⁴⁸ Japan International Training Cooperation Organization, “What Is a ‘Specified Skilled Worker’ Residency Status?,” accessed September 15, 2023, <https://www.jitco.or.jp/en/skill/>.

⁴⁹ Ministry of Health, Labour, and Welfare “在留資格区別にみた賃金,” 2022, <https://www.mhlw.go.jp/toukei/itiran/roudou/chingin/kouzou/z2022/dl/08.pdf>.

In contrast to SSW No.1, SSW No.2 was initially limited to only two fields: construction, and shipbuilding and ship machinery manufacturing. Although SSW No.2 does not explicitly aim at foreign workers with SSW No.1, the information provided on the website of the Japan International Training Cooperation Organization (JITCO)⁵⁰ and the Ministry of Foreign Affairs of Japan (MOFA)⁵¹ suggests that holding SSW No.1 may be a prerequisite for obtaining SSW No.2. Foreign workers with SSW No.2 can bring their family members and potentially become permanent residents of Japan. As of early 2022, no foreign worker had obtained SSW No.2. Therefore, the procedure for acquiring this status needs to be clarified.

CASE STUDY OF SPECIFIED SKILLED WORKER (SSW) NO.2 CHINESE MIGRANT WORKERS

In April 2022, Weng Fei, a 35-year-old male migrant worker from China, made history as the first foreign worker to secure SSW No.2, granting him indefinite working privileges in Japan.⁵² His journey began in 2010 as a technical trainee at a concrete pump company in Kakamigahara City, Gifu Prefecture. The primary driving force behind Weng's decision to pursue employment in Japan was financial struggles. Approximately 90 percent of his earnings were remitted to his family in China.⁵³

After successfully completing a three-year technical internship training program, Weng adhered to the program's regulations and returned to China, a mandatory step before transitioning to technical trainee No.3. As stipulated by the program, trainees must return to their home country for over a month or within one year after starting as technical trainee No.3.⁵⁴ In response to the preparations for the 2020 Tokyo Olympics, Japan implemented emergency measures in 2014 by importing labor through the Technical Intern Training Program (TITP) and designated activities.⁵⁵ In 2015, Weng returned to Japan on a designated activities visa as a concrete pump construction worker. After three years of service, he returned to China. In November 2018, Weng embarked on his third visit to Japan, this time as a technical trainee, aiming to complete the remaining two years of the program. Following the successful conclusion of his five-year technical training, Weng's status was upgraded to SSW No.1 in 2020. This transition didn't require an examination as he had already achieved the status of technical trainee No.3, a designation reserved for those in their fourth and fifth years of technical training.⁵⁶

Before obtaining SSW No.2, Weng worked as a company's chief technician and field supervisor for approximately 9.5 years in Japan. To obtain SSW No.2, Weng must pass a grade 1 technical skills examination by the Ministry of Labour. This involves at least seven years of on-site work experience, as well as passing written and practical skill tests covering knowledge of industrial law in their field of work in Japanese. The passing rate for the examination has been

⁵⁰ Japan International Training Cooperation Organization, "What Is a 'Specified Skilled Worker' Residency Status?"

⁵¹ Ministry of Foreign Affairs of Japan, "What Is the SSW?"

⁵² Kyodo News, "Chinese Man Gets Japan's 1st Skilled Worker Visa with No Time Limit."

⁵³ NHK World-Japan, "Chinese Weng Fei Has Achieved Some Solid Results from Pouring His Life into the Concrete Business," May 14, 2023, <https://www.facebook.com/watch/?v=159350960418643>.

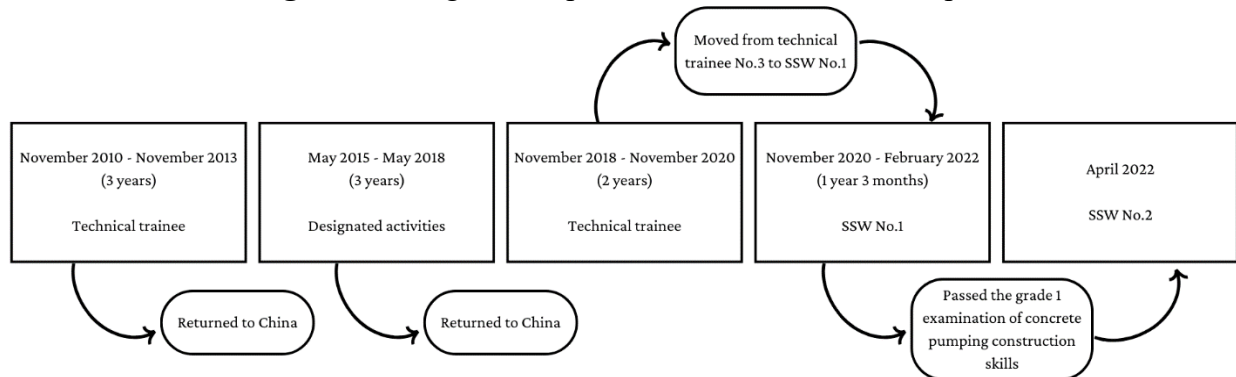
⁵⁴ Organization for Technical Intern Training, *Buku Pedoman Untuk Pemegang Kerja Teknis (Versi Bahasa Indonesia)*, 7th ed., 2022, https://www.otit.go.jp/files/user/WEB_2023_インドネシア版.pdf.

⁵⁵ Gracia Liu-Farrer, "Japan and Immigration: Looking Beyond the Tokyo Olympics," *The Asia-Pacific Journal | Japan Focus* 18, no. 4 (2020): 1–2, <https://apjif.org/2020/4/Liu-Farrer.html>.

⁵⁶ Yoshinobu Matsunaga, "1st Foreigner under New Visa Setup Can Bring Family to Japan," *The Asahi Shimbun*, May 29, 2022, <https://www.asahi.com/ajw/articles/14620601>.

reported to be around 40 percent in recent years.⁵⁷ Japanese workers, regardless of language proficiency, have a passing rate of only 50 to 60 percent.⁵⁸ Based on the latest information available, foreign workers need to fulfill three requirements to be eligible for SSW No.2. These requirements include having a Level 3 Business and Career Certificate, passing a technical skills examination in the manufacturing field for SSW No.2, and having a minimum of three years of work experience in manufacturing at a Japan-based company.⁵⁹ The previous requirement of seven years of work experience for taking examinations has been relaxed to three years, indicating that the earlier requirements were too burdensome.

Figure 4. Weng Fei's experience as a 3K worker in Japan



Source: The Asahi Shimbun⁶⁰ and The Japan Times⁶¹

Following Weng's successful journey in securing SSW No.2, his colleagues from China, namely Hao Qingsong and Wu Haiming, also achieved the same status in a short span of time. As reported by The Japan Times, it is extremely unusual for a company to have multiple workers with SSW No.2.⁶² This is because passing the grade 1 technical skills examination requires a high level of language proficiency, knowledge, and skills. By the end of 2022, the number of foreign workers with SSW No.2 was only eight, with six migrant workers from China and two migrant workers from Vietnam.⁶³

⁵⁷ The Japan Times, "Gifu Construction Firm Paves the Way in Developing Skilled Foreign Workers," January 30, 2023, <https://www.japantimes.co.jp/news/2023/01/30/national/gifu-construction-work/>.

⁵⁸ The Mainichi, "Japan Construction Firm Training Foreign Workers to Become Core of Workforce," June 9, 2023, <https://mainichi.jp/english/articles/20230609/p2a/00m/0bu/018000c>.

⁵⁹ System for Foreign Human Resources with Specified Skills, "製造分野特定技能 2 号評価試験," 2023, https://www.sswm.go.jp/exam_f_02/examination.html.

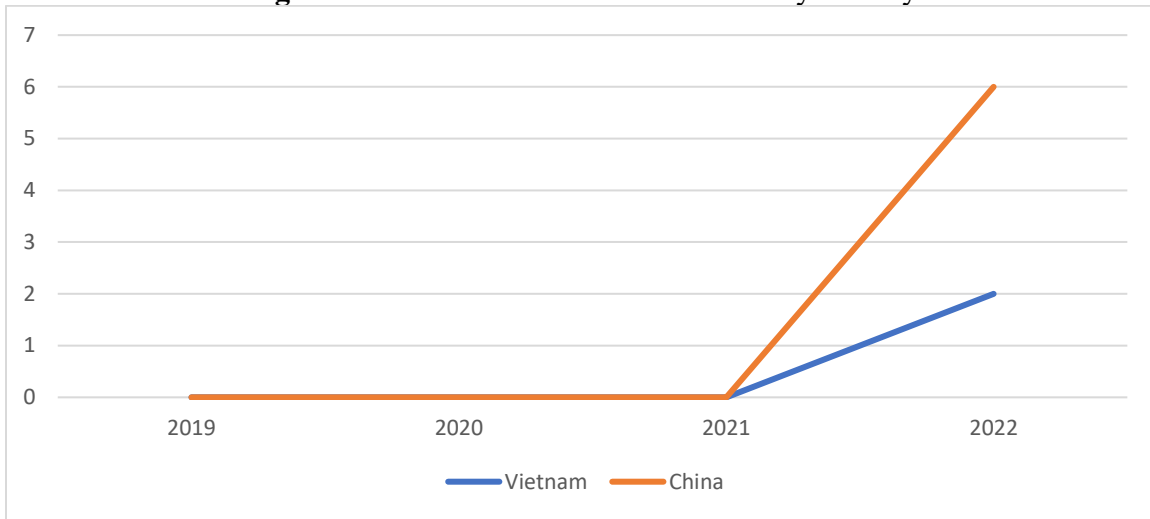
⁶⁰ Matsunaga, "1st Foreigner under New Visa Setup Can Bring Family to Japan."

⁶¹ The Japan Times, "Gifu Construction Firm Paves the Way in Developing Skilled Foreign Workers."

⁶² Ibid.

⁶³ Immigration Services Agency, "特定技能在留外国人数の公表 (令和 4 年 1 2 月末)."

Figure 5. Number of SSW No.2 workers by country



Source: Immigration Services Agency (ISA)⁶⁴

Chinese migrant workers have a better opportunity to obtain SSW No. 2 due to their linguistic, cultural, and historical backgrounds. Firstly, Mandarin's use of Kanji characters gives Chinese migrants a language advantage, making the challenging SSW No.2 examination more accessible than other migrant workers. Secondly, developing transnational economies between Japan and China has led to a significant influx of Chinese migrant workers.⁶⁵ This trend aligns with the longstanding historical presence of Chinese migrant workers in Japan. Recruiting Chinese migrant workers becomes crucial for gaining insights into both the Chinese and Japanese markets.

Foreign workers with SSW No.2 can work in Japan without any time restrictions and may become permanent residents if they meet the required conditions. The Immigration Services Agency (ISA) has specific requirements that individuals must meet to become permanent residents in Japan⁶⁶:

1. Having a good conduct record.
2. Possessing sufficient financial assets or skills to support oneself.
3. Being recognized as beneficial to Japan, based on the following criteria:
 - a. Resided in Japan for ten years or more. During this period, the individual must have maintained a residence in Japan for at least five years with a work status (excluding technical trainee and SSW No.1) or another residential status.
 - b. No history of fines or imprisonment (no criminal record).
 - c. Lived for the maximum duration of their current residential status.

⁶⁴ Immigration Services Agency, “特定技能在留外国人数の公表 (令和元年 1 2 月末)”；Immigration Services Agency, “特定技能在留外国人数の公表 (令和 2 年 1 2 月末)”；Immigration Services Agency, “特定技能在留外国人数の公表 (令和 3 年 1 2 月末)”；Immigration Services Agency, “特定技能在留外国人数の公表 (令和 4 年 1 2 月末).”

⁶⁵ Gracia Liu-Farrer, “Making Careers in the Occupational Niche: Chinese Students in Corporate Japan’s Transnational Business,” *Journal of Ethnic and Migration Studies* 37, no. 5 (May 2011): 800, <https://doi.org/10.1080/1369183X.2011.559718>.

⁶⁶ Immigration Services Agency, “永住許可に関するガイドライン (令和 5 年 4 月 2 1 日改定),” 2023, https://www.moj.go.jp/isa/publications/materials/nyukan_nyukan50.html.

d. Poses no public health risk.

Foreign workers who entered Japan through the SSW program can change professions beyond the 3K jobs and alter their status as unskilled labor by becoming permanent residents of Japan (see Table 3). As of now, Chinese migrants have the highest number of permanent residents in Japan, totaling 314,354 (see Table 1). The Philippines follows with 137,615 permanent residents, considerably fewer than China. Despite dominating in technical trainees and SSW No.1, Vietnam has only 22,360 permanent residents. However, foreign workers holding SSW No. 2 must reside in Japan for ten years after obtaining this status. When considering their time as technical trainees, these foreign workers will have spent a cumulative 20 years in Japan: five years as technical trainees, five years as SSW No.1, and 10 years under permanent residence with SSW No.2.

Table 3. Japan's status of residence for foreign nationals

Status of residence based on personal status or position (without restrictions)	Status of residence eligible for work (with restrictions on activity)		Status of residence, which is specifically designated	Status of residence not to permit work activities
Permanent Resident	Diplomat	Researcher	Designated Activities	Cultural Activities
Spouse or Child of Japanese National	Official	Instructor		Temporary Visitor
Spouse or Child of Permanent Resident	Professor	Engineer/Specialist in Humanities/ International services		Student
Long Term Resident	Artist	Intra-company Transferee		Trainee
	Religious Activities	Nursing carer		Dependent
	Journalist	Entertainer		
	Highly Skilled Professional	Skilled Labor		
	Business Manager	Specified Skilled Worker		
	Legal/Accounting services	Technical Intern Training		
	Medical Services			

Source: Immigration Services Agency (ISA)⁶⁷

Regardless of nationality, foreign workers face limited opportunities to obtain SSW No.2 due to several challenges. Firstly, the examination is rigorous and complex, making it a significant

⁶⁷ Immigration Services Agency, "Initiatives to Accept Foreign Nationals and for the Realization of Society of Harmonious Coexistence."

challenge even for Japanese citizens. Secondly, foreign workers are required to obtain SSW No.1 as a prerequisite to be eligible for SSW No.2. According to The Japan Times, most foreign workers with SSW No.1 start their careers in Japan as technical trainees.⁶⁸ In other words, it takes a considerable amount of time to obtain SSW No.2. Thirdly, Japan's current economic conditions no longer serve as a solid attraction for foreign workers. Due to the depreciation of the Japanese yen, some foreign workers have left Japan because of reduced remittances. Lastly, there is no wage differential between SSW No.1 and SSW No.2 (per data from the Ministry of Health, Labour, and Welfare of Japan). Nonetheless, per the Vice President's statement from the concrete pump company where Weng Fei works, it has been confirmed that the three employees who have obtained SSW No.2 are given higher wages for their hard work.

IOM UN Migration states that demographic factors will impact a country's future migration policies.⁶⁹ This can be seen in the significant increase in job vacancies, particularly in the nursing sector. Furthermore, there is an observable trend toward adopting more inclusive migration policies to accommodate foreign workers. In June 2023, Prime Minister Kishida approved the expansion of the SSW No.2 categories by adding nine new fields in agriculture, aviation, manufacturing technology, food and beverage production, food service, building cleaning management, hospitality, fisheries and aquaculture, and automotive repair and maintenance.⁷⁰ This step was taken to facilitate the transition of foreign workers from SSW No.1 to SSW No.2, as the residency permits for SSW No.1 are set to expire in 2024 after five years. Higuchi argues that the SSW No.2 policy represents an incremental policy that slowly modifies existing policies.⁷¹

According to Piore's theory, migration can be understood as a reaction to the appeal exerted by industrialized nations.⁷² Employers in the 3K job sectors often rely on migrant workers as locals are reluctant to take up these jobs. Most migrant workers may lack skills, education, and proficiency in the local language, and some may even be illiterate. Initially, migrant workers were considered a temporary solution with the expectation that workers would return to their home countries. However, many migrant workers did not meet this expectation by returning multiple times to industrialized countries or not returning at all.

Piore's theory does not fully apply in the case of SSW. Migrant workers indeed come to Japan to fill the labor shortage. Yet, migrant workers who wish to work in the 3K job sectors must possess Japanese language skills and adequate qualifications. Considering the high examination requirements and low pass rates for Japanese workers, migrant workers with SSW No.2 can be considered on par with Japanese workers regarding language proficiency and qualifications. The requirements established to obtain SSW No.2 create significant barriers for migrant workers, making it exceedingly difficult to obtain favorable conditions and opportunities. In the end, most migrant workers will continue to work under SSW No.1 and go back to their home countries owing to the limited chances of obtaining SSW No.2. The SSW No.2 scheme is not genuine but instead a strategy to encourage technical trainees to extend their stay in Japan under SSW status.

⁶⁸ The Japan Times, "Gifu Construction Firm Paves the Way in Developing Skilled Foreign Workers."

⁶⁹ International Organization for Migration, "Labour Migration in Asia: What Does the Future Hold?" (Switzerland: United Nations, 2023), <https://publications.iom.int/books/labour-migration-asia-what-does-future-hold>.

⁷⁰ Anika Osaki Exum, "Japan's Cabinet OKs Expansion of Skilled Worker Visa Eligibility," *The Japan Times*, June 9, 2023, <https://www.japantimes.co.jp/news/2023/06/09/national/skilled-visa-industries-expansion/>; Immigration Services Agency, "特定技能 2号の対象分野の追加について（令和 5年 6月 9日閣議決定）," 2023, https://www.moj.go.jp/isa/policies/ssw/03_00067.html.

⁷¹ Naoto Higuchi, "Japan's Incremental Immigration Reform: A Recipe for Failure," *Nippon.Com*, August 25, 2023, <https://www.nippon.com/en/in-depth/d00920/>.

⁷² Piore, *Birds of Passage*.

The introduction of the term "skilled worker" in the SSW blurs the existing definition. It introduces a new concept not described in the dual labor market theory by Doeringer and Piore. The term "skilled" has traditionally been associated with occupations requiring higher education or specialized training. However, the definition of the term is evolving. The term is being redefined to include individuals with specific skills, even in 3K job positions. Over time, the classification of workers referred to as "unskilled" has been updated to "skilled workers."⁷³ The SSW website explicitly states that SSW No.2 is a status for skilled labor or management positions in the manufacturing industry.⁷⁴ The Japanese government has revised the definition of skilled labor to address the demand for workers in lower positions within the Japanese social hierarchy. The term "specified skilled worker" is used to attract foreign workers to fill 3K job sectors. If the skills required for these jobs are truly special or scarce, migrant workers with this status should receive higher wages.

The acquisition of SSW No.2, predominantly dominated by only two countries, China and Vietnam, raises significant questions about the policy behind this status. Is Japan intentionally complicating the process of obtaining this status to regulate the influx of labor migration in the 3K job sectors? Or are there prejudices against certain countries, limiting this status to just Chinese and Vietnamese applicants? Further research is needed to investigate the factors contributing to the success of migrant workers in entering the specialized SSW No.2 scheme and its implications for residency status in Japan, particularly when they bring their families. It is important to consider the integration of migrant workers' families into Japanese society when they relocate to Japan.

CONCLUSION

Japan has previously limited its recognition of immigrants to accepting only skilled workers while refraining from acknowledging itself as a migration destination. However, the SSW residency status introduction suggests that Japan now provides a route for foreign workers to enter the secondary labor market, also known as the 3K job sectors. This marks a significant shift in Japan's immigration policy. SSW No.2 is a residency status designed to retain foreign workers for extended periods, which can serve as a stepping stone for those who want to settle in Japan without time restrictions. Nevertheless, the chances of obtaining this status are exceedingly low. To fill jobs in Japan's secondary labor market, foreign workers must possess skills equivalent to those of Japanese workers, without any specific guarantees or wage differentials based on their previous status. The process for foreign workers to obtain SSW No.2 status is excessively burdensome and does not seem proportional to their benefits. In the long term, there seem to be no benefits or incentives for foreign workers to obtain SSW No.2. Japan needs to reevaluate its policies, requirements, and procedures for obtaining SSW No.2 to address long-term labor crisis issues. Japan's ambiguous policies regarding the acceptance of foreign workers could potentially impede Japan's economic growth. To address the labor shortage issue in the future, Japan should take a more proactive approach to accommodating the needs of foreign workers and their families.

⁷³ Nana Oishi, "Skilled or Unskilled?: The Reconfiguration of Migration Policies in Japan," *Journal of Ethnic and Migration Studies* 47, no. 10 (2020): 2260, <https://doi.org/10.1080/1369183X.2020.1731984>.

⁷⁴ System for Foreign Human Resources with Specified Skills, "Notification of Changes in the Specified Skilled No. 1 Assessment Test for Manufacturing Industry and Addition of Specified Skilled Worker No. 2," 2023, https://www.sswm.go.jp/assets/files/exam_f/news_change_point_202307_en.pdf.

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