



Tokyo

Overview

With the ongoing globalization of business, many Japanese companies are expanding into the U.S. and Mexico to diversify beyond Asian markets and leverage historically strong economic ties. As they do, they need effective counsel to comply with the myriad of applicable labor and employment laws. At the same time, U.S. and Mexican businesses operating in Japan require keen legal guidance to adhere to the country's unique labor and business culture.

Fisher Phillips is the only U.S.-based labor and employment law firm with an office in Japan, providing trusted legal counsel to companies expanding on both sides of the Pacific. Our team of bilingual attorneys, led by Nan Sato, a U.S.-licensed attorney, helps clients bridge legal and cultural differences, ensuring seamless compliance with local labor regulations while achieving their business goals.

Supporting Japanese Companies Expanding in the U.S. & Mexico

Japanese companies entering North America often face challenges in understanding U.S. and Mexican labor laws, which differ significantly from Japan's employment framework. Our team assists clients in various industries – including manufacturing, hospitality, retail, technology, and medical devices – by assisting with:

- **Global Compliance & Employment Law Counseling:**
 - Wage and hour regulations, including minimum wage, overtime, and worker classification
 - Hiring, terminations, severance pay, and employment agreements
 - Non-compete agreements
 - Workplace safety standards (OSHA)
 - Privacy laws and federal/state paid leave requirements
- **Litigation Avoidance & Dispute Resolution:**
 - Proactive strategies to prevent employment-related lawsuits
 - Risk assessments and response strategies for discrimination, harassment, and leave claims
- **Internal Investigations:**
 - Investigations into anti-discrimination, harassment, and wrongful termination claims
 - Workplace audits for wage compliance, employee classification, and immigration issues
 - Investigating allegations of employee financial misconduct including theft, fraud, embezzlement, self-dealing, bribery and corruption, kickbacks, and insider trading
- **Labor Relations:**
 - Strategies to maintain a union-free workplace
 - Addressing union organizing efforts and negotiating collective bargaining agreements under U.S. and Mexican law
 - Representation in labor disputes, strikes, and alternative dispute resolution proceedings
- **Immigration & Work Visas:**
 - U.S. visa support (H-1B, L-1, E-2) for transferring employees
 - I-9 employment verification compliance
- **Corporate Governance & Compliance:**
 - Executive compensation, fiduciary duties, and corporate ethics programs

- Compliance with U.S. data privacy laws, FCPA, and cybersecurity governance
- **Government Relations & Policy Advocacy:**
 - Regulatory monitoring and engagement with U.S. agencies to ensure compliance
 - Advocacy at the federal and state levels to shape labor and employment policies affecting U.S. operations
- **Training Programs:**
 - Compliance training on U.S. anti-discrimination and harassment laws for Japanese executives and HR teams

Supporting U.S. & Mexican Companies in Japan

U.S. and Mexican businesses expanding into Japan must navigate strict labor laws and established workplace norms. Our Tokyo-based team assists clients with:

- **Employment Law Compliance & HR Strategies:**
 - Hiring, employment agreements, performance management, and termination laws
 - Compensation models, paid leave, and social insurance requirements
 - Worker classification
 - Non-compete agreements
 - Pay equity issues including audits, wage gaps, fair compensation policies, and transparency requirements

Labor Relations & Workplace Audits:

- Compliance with Japan's working hours, overtime laws, and collective bargaining rights
- Preventive measures against labor disputes
- Office audits for compliance with Japanese employment regulations
- **Work Visas & Immigration Compliance:**
 - Assistance with Japan's strict visa regulations for expatriate employees

- Work authorization compliance for foreign employees
- **Data privacy:**
 - Ensuring the proper collection, use, and transfer of data under Japan's Act on the Protection of Personal Information (APPI)
 - Cross-border data transfers
 - Drafting and updating privacy policies and contracts and ensuring employee and vendor compliance
 - Regulatory filings and notifications
 - Data breach response

By leveraging our deep understanding of both U.S. and Japanese labor and employment law, Fisher Phillips helps businesses expand confidently, ensuring legal compliance while fostering productive and culturally informed workplaces.

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