

この労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律施行規則の翻訳は、平成十九年厚生労働省令第149号までの改正（平成19年12月14日施行）について、「法令用語日英標準対訳辞書」（平成19年3月版）に準拠して作成したものです。なお、この法令の翻訳は公定訳ではありません。法的効力を有するのは日本語の法令自体であり、翻訳はあくまでその理解を助けるための参考資料です。この翻訳の利用に伴って発生した問題について、一切の責任を負いかねますので、法律上の問題に関しては、官報に掲載された日本語の法令を参照してください。

This English translation of the Ordinance for Enforcement of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers has been prepared (up to the revisions of Ordinance of the Ministry of Health, Labour and Welfare No. 149 of 2007 (Effective December 14, 2007)) in compliance with the Standard Bilingual Dictionary (March 2007 edition). This is an unofficial translation. Only the original Japanese texts of laws and regulations have legal effect, and translations are to be used solely as reference material to aid in the understanding of Japanese laws and regulations. The Government of Japan will not be responsible for the accuracy, reliability or currency of the legislative material provided on this Website, or for any consequence resulting from use of the information on this Website. For all purposes of interpreting and applying the law to any legal issue or dispute, users should consult the original Japanese texts published in the Official Gazette.

労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律施行規則（昭和六十一年労働省令第二十号）

Ordinance for Enforcement of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Ordinance of the Ministry of Labour No. 20 of 1986)

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Chapter I Measures for Securing the Proper Operation of Worker Dispatching Undertakings

第一節 業務の範囲

Section 1 Scope of the Designated Work

第一条 (令第二条第一項の厚生労働省令で定める場所等)

Article 1 (Places Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Paragraph (1) of Article 2 of the Order)

1 労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律施行令(昭和六十一年政令第九十五号。以下「令」という。)第二条第一項の厚生労働省令で定めるものは、次に掲げる場所とする。

(1) The places specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in paragraph (1) of Article 2 of the Order for Enforcement of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Cabinet Order No. 95 of 1986; hereinafter referred to as the "Order") shall be the places listed as follows:

一 都道府県が医療法（昭和二十三年法律第二百五号）第三十条の十二第一項の協議を経て同項の必要な施策として地域における医療の確保のためには令第二条第一項第一号に掲げる業務に業として行う労働者派遣により派遣労働者を従事させる必要があると認めた病院等（同号に規定する病院等をいう。次号において同じ。）であって厚生労働大臣が定めるもの

(i) hospitals, etc., at which prefectures have, after going through the consultation

process referred to in paragraph (1) of Article 30-12 of the Medical Treatment Act (Act No. 205 of 1948), found that it is necessary, as one of the necessary measures referred to in the same paragraph, to have a dispatched worker engaged in work listed in item (i) of paragraph (1) of Article 2 of the Order, under arrangements for worker dispatching services carried out in the course of trade, for the purpose of securing medical care in the region (such hospitals, etc. shall refer to those prescribed in the same item; the same shall apply in the following item) and which are specified by the Minister of Health, Labour and Welfare;

二 前号に掲げる病院等に係わる患者の居宅

(ii) homes of patients related to the hospitals, etc. listed in the preceding item.

2 令第二条第一項第一号の厚生労働省令で定めるものは、次のとおりとする。

(2) Those specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in item (i) of paragraph (1) of Article 2 of the Order shall be as follows:

一 障害者自立支援法(平成十七年法律第百二十三号)第五条第十二項に規定する障害者支援施設の中に設けられた診療所

(i) clinics established in support facilities for persons with disabilities prescribed in paragraph (12) of Article 5 of the Act for Supporting the Independence of Persons with Disabilities (Act No. 123 of 2005);

二 生活保護法(昭和二十五年法律第百四十四号)第三十八条第一項第一号に規定する救護施設の中に設けられた診療所

(ii) clinics established in relief facilities prescribed in item (i) of paragraph (1) of Article 38 of the Public Assistance Act (Act No. 144 of 1950);

三 生活保護法第三十八条第一項第二号に規定する更生施設の中に設けられた診療所

(iii) clinics established in rehabilitation facilities prescribed in item (ii) of paragraph (1) of Article 38 of the Public Assistance Act;

四 独立行政法人労働者健康福祉機構法(平成十四年法律第百七十一号)第十二条第一項第七号に規定するリハビリテーション施設の中に設けられた診療所

(iv) clinics established in rehabilitation centers prescribed in item (vii) of paragraph (1) of Article 12 of the Japan Labour Health and Welfare Organization Act (Act No. 171 of 2002);

五 老人福祉法(昭和三十八年法律第百三十三号)第二十条の四に規定する養護老人ホームの中に設けられた診療所

(v) clinics established in nursing homes for the elderly prescribed in Article 20-4 of the Welfare Act for the Elderly (Act No. 133 of 1963);

六 老人福祉法第二十条の五に規定する特別養護老人ホームの中に設けられた診療所

(vi) clinics established in special nursing homes for the elderly prescribed in Article 20-5 of the Welfare Act for the Elderly;

七 原子爆弾被爆者に対する援護に関する法律(平成六年法律第百十七号)第三十九条に規定する養護事業を行う施設の中に設けられた診療所

- (vii) clinics established in facilities for nursing services prescribed in Article 39 of the Atomic Bomb Survivors' Assistance Act (Act No. 117 of 1994).

第二節 事業の許可等

Section 2 License for Worker Dispatching Undertakings, etc.

第一款 一般労働者派遣事業

Subsection 1 General Worker Dispatching Undertakings

第一条の二 (許可の申請手続)

Article 1-2 (Procedures for Applying for a License)

- 1 労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律(以下「法」という。)第五条第二項の申請書は、一般労働者派遣事業許可申請書(様式第一号)のとおりとする。
 - (1) The written application referred to in paragraph (2) of Article 5 of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Act") shall be in the form of a written application for a license for a general worker dispatching undertaking (Form 1).
- 2 法第五条第三項の厚生労働省令で定める書類は、次のとおりとする。
 - (2) The documents specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in paragraph (3) of Article 5 of the Act shall be as follows:
 - 一 申請者が法人である場合にあっては、次に掲げる書類
 - (i) where an applicant is a juridical person, the following documents:
 - イ 定款又は寄附行為
 - (a) articles of incorporation or articles of endowment;
 - ロ 登記事項証明書
 - (b) certificates of registered matters;
 - ハ 役員の住民票(外国人にあっては、外国人登録証明書。以下同じ。)の写し及び履歴書
 - (c) a copy of the certificate of residence of the officers (in the case of a foreign national, the alien registration certificate; the same shall apply hereinafter) and their curricula vitae;
 - ニ 役員が未成年者で一般労働者派遣事業に関し営業の許可を受けていない場合にあっては、その法定代理人の住民票の写し及び履歴書
 - (d) where an officer is a minor and has not obtained a license for the operation of a general worker dispatching undertaking, a copy of the certificate of residence and a curriculum vitae of his/her statutory representative;
 - ホ 一般労働者派遣事業を行う事業所ごとの個人情報の適正管理及び秘密の保持に関する規程(以下「個人情報適正管理規程」という。)

(e) rules concerning the proper management of personal information and protection of confidentiality (hereinafter referred to as "Rules for the Proper Management of Personal Information") for each place of business where the general worker dispatching undertaking is carried out;

へ 最近の事業年度における貸借対照表及び損益計算書

(f) a balance sheet and profit and loss statement for a recent business year;

ト 一般労働者派遣事業に関する資産の内容及びその権利関係を証する書類

(g) documents certifying the details of assets concerning the general worker dispatching undertaking and the relation of the rights;

チ 一般労働者派遣事業を行う事業所ごとに選任する派遣元責任者の住民票の写し及び履歴書

(h) a copy of the certificate of residence and curriculum vitae of a responsible person acting for the dispatching undertaking appointed for each place of business where the general worker dispatching undertaking is carried out;

二 申請者が個人である場合にあっては、次に掲げる書類

(ii) where an applicant is an individual, the following documents:

イ 住民票の写し及び履歴書

(a) a copy of the certificate of residence and curriculum vitae;

ロ 申請者が未成年者で一般労働者派遣事業に関し営業の許可を受けていない場合にあっては、その法定代理人の住民票の写し及び履歴書

(b) where an applicant is a minor and has not obtained a license for the operation of a general worker dispatching undertaking, a copy of the certificate of residence and a curriculum vitae of his/her statutory representative;

ハ 前号ホ、ト及びチに掲げる書類

(c) documents listed in (e), (g) and (h) of the preceding item.

3 法第五条第三項の規定により添付すべき事業計画書は、一般労働者派遣事業計画書(様式第三号)のとおりとする。

(3) The business plan to be attached pursuant to the provisions of paragraph (3) of Article 5 of the Act shall be in the form of a business plan of a general worker dispatching undertaking (Form 3).

4 法第二条第六号に規定する特定派遣元事業主(以下「特定派遣元事業主」という。)が法第五条第一項の規定による一般労働者派遣事業の許可を申請するときは、法人にあつては第二項第一号イからハまでに掲げる書類を、個人にあつては同項第二号イに掲げる書類を添付することを要しない。

(4) When a business operator of a specified dispatching undertaking prescribed in item (vi) of Article 2 of the Act (hereinafter referred to as a "Business Operator of a Specified Dispatching Undertaking") applies for a license for a general worker dispatching undertaking pursuant to the provisions of paragraph (1) of Article 5 of the Act, documents listed in (a) to (c) of item (i) of paragraph (2) are not required

in the case of a juridical person, and documents listed in (a) of item (ii) of paragraph (2) are not required in the case of an individual.

第一条の三 (法第七条第一項第一号の厚生労働省令で定める場合)

Article 1-3 (The Case Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Item (i) of Paragraph (1) of Article 7 of the Act)

法第七条第一項第一号の厚生労働省令で定める場合は、当該事業を行う派遣元事業主が雇用する派遣労働者のうち、十分の三以上の者が六十歳以上の者(他の事業主の事業所を六十歳以上の定年により退職した後雇い入れた者に限る。)である場合とする。

The case specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in item (i) of paragraph (1) of Article 7 of the Act shall be the case where 30 percent or more of all dispatched workers employed by a dispatching business operator who conducts said undertaking are 60 years of age or over (limited to those who were employed after retiring from a place of business of another business operator due to the age limit of over 60).

第二条 (許可証)

Article 2 (License Certificate)

法第八条第一項の許可証は、一般労働者派遣事業許可証(様式第四号。以下単に「許可証」という。)のとおりとする。

The license certificate referred to in paragraph (1) of Article 8 of the Act shall be in the form of a license certificate for general worker dispatching undertakings (Form 4; hereinafter simply referred to as a "License Certificate").

第三条 (許可証の再交付)

Article 3 (Reissuance of License Certificate)

法第八条第三項の規定により許可証の再交付を受けようとする者は、許可証再交付申請書(様式第五号)を、厚生労働大臣に提出しなければならない。

A person who intends to get his/her License Certificate reissued pursuant to the provisions of paragraph (3) of Article 8 of the Act shall submit a written application for the reissuance of a License Certificate (Form 5) to the Minister of Health, Labour and Welfare.

第四条 (許可証の返納等)

Article 4 (Return, etc. of License Certificate)

1 許可証の交付を受けた者は、次の各号のいずれかに該当することとなつたときは、当該事実のあつた日の翌日から起算して十日以内に、第一号又は第二号の場合にあつては一般労働者派遣事業を行うすべての事業所に係る許可証、第三号の場合にあつては発見し又は回復した許可証を厚生労働大臣に返納しなければならない。

(1) A person who has been issued License Certificates shall, when coming to fall

under any of the following items, return the License Certificates pertaining to all places of business for carrying out the general worker dispatching undertaking in the case of falling under item (i) or item (ii), and the License Certificates discovered or restored in the case of falling under item (iii) to the Minister of Health, Labour and Welfare, within ten days from the day following the day on which said fact occurred:

一 許可が取り消されたとき。

(i) when the license was revoked;

二 許可の有効期間が満了したとき。

(ii) when the valid period of the license expired;

三 許可証の再交付を受けた場合において、亡失した許可証を発見し、又は回復したとき。

(iii) in the case of having received the reissuance of the License Certificate, when the lost License Certificate was discovered or restored.

2 許可証の交付を受けた者が次の各号に掲げる場合のいずれかに該当することとなつたときは、当該各号に掲げる者は、当該事実のあつた日の翌日から起算して十日以内に、一般労働者派遣事業を行うすべての事業所に係る許可証を厚生労働大臣に返納しなければならない。

(2) When a person who has been issued License Certificates has come to fall under any of the cases listed in the following items, the person listed in said respective items shall return the License Certificates pertaining to all places of business for carrying out the general worker dispatching undertaking to the Minister of Health, Labour and Welfare, within ten days from the day following the day on which said fact occurred:

一 死亡した場合 同居の親族又は法定代理人

(i) when the person has died: A relative who had been living together with said person or a statutory representative;

二 法人が合併により消滅した場合 合併後存続し、又は合併により設立された法人の代表者

(ii) when the juridical person has been extinguished through a merger: A representative person of the juridical person surviving the merger or established through the merger.

第五条 (許可の有効期間の更新の申請手続)

Article 5 (Procedures for Applying for the Renewal of the Valid Period of the License)

1 法第十条第二項の規定による許可の有効期間の更新を受けようとする者は、当該許可の有効期間が満了する日の三十日前までに、一般労働者派遣事業許可有効期間更新申請書(様式第一号)を、厚生労働大臣に提出しなければならない。

(1) A person who wishes to obtain the renewal of the valid period of the license pursuant to the provisions of paragraph (2) of Article 10 of the Act shall submit a

written application for the renewal of the valid period of the license for general worker dispatching undertakings (Form 1) to the Minister of Health, Labour and Welfare, by 30 days prior to the expiration day of the valid period of the license.

2 法第十条第五項において準用する法第五条第三項の厚生労働省令で定める書類は、次のとおりとする。

(2) The documents specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in paragraph (3) of Article 5 of the Act which is applied mutatis mutandis pursuant to paragraph (5) of Article 10 of the Act shall be as follows:

一 申請者が法人である場合にあっては、第一条の二第二項第一号イ、ロ、ニ、ホ、へ及びトに掲げる書類

(i) where an applicant is a juridical person, the documents listed in (a), (b), (d), (e), (f) and (g) of item (i) of paragraph (2) of Article 1-2;

二 申請者が個人である場合にあっては、第一条の二第二項第一号ホ及びトに掲げる書類

(ii) where an applicant is an individual, the documents listed in (e) and (g) of item (i) of paragraph (2) of Article 1-2.

3 法第十条第五項において準用する法第五条第三項の規定により添付すべき事業計画書は、一般労働者派遣事業計画書(様式第三号)のとおりとする。

(3) The business plan to be attached pursuant to the provisions of paragraph (3) of Article 5 of the Act which is applied mutatis mutandis pursuant to paragraph (5) of Article 10 of the Act shall be in the form of a written business plan for a general worker dispatching undertaking (Form 3).

4 法第十条第二項の規定による許可の有効期間の更新は、当該更新を受けようとする者が現に有する許可証と引換えに新たな許可証を交付することにより行うものとする。

(4) The renewal of the valid period of a license pursuant to the provisions of paragraph (2) of Article 10 of the Act shall be completed by issuing a new License Certificate in exchange for the License Certificate currently held by the person intending to obtain said renewal.

第六条及び第七条 削除

Articles 6 and 7 Deleted

第八条 (変更の届出等)

Article 8 (Notification, etc. of Changes)

1 法第十一条の規定による届出をしようとする者は、法第五条第二項第四号に掲げる事項の変更の届出にあつては当該変更に係る事実のあつた日の翌日から起算して三十日以内に、同号に掲げる事項以外の事項の変更の届出にあつては当該変更に係る事実のあつた日の翌日から起算して十日以内に、当該届出に係る事項が許可証の記載事項に該当しない場合にあっては一般労働者派遣事業変更届出書(様式第五号)を、当該届出に係る事項が許可証の記載事項に該当する場合にあつては一般労働者派遣事業変更

届出書及び許可証書換申請書(様式第五号)を厚生労働大臣に提出しなければならない。

- (1) A person who intends to make a notification pursuant to the provisions of Article 11 of the Act shall submit a written notice of changes to a general worker dispatching undertaking (Form 5) in the case where the matters pertaining to said notification do not fall under any of the matters stated in the License Certificate, and a written notice of changes to a general worker dispatching undertaking and a written application for the rewriting of a License Certificate (Form 5) in the case where the matters pertaining to said notification fall under any of the matters stated in the License Certificate, to the Minister of Health, Labour and Welfare, within 30 days from the day following the day on which the fact pertaining to said changes occurred in the case of making a notification of changes listed in item (iv) of paragraph (2) of Article 5 of the Act, and within ten days from the day following the day on which the fact pertaining to said changes occurred in the case of making a notification of changes other than those listed in the same item.
- 2 法第十一条第一項の規定による届出のうち、事業所の新設に係る変更の届出を行う場合には、前項の一般労働者派遣事業変更届出書には、法人にあつては当該新設する事業所に係る第一条の二第二項第一号ホ、ト及びチに、個人にあつては当該新設する事業所に係る同項第二号ハに掲げる書類(一般労働者派遣事業に関する資産の内容を証する書類を除く。)を添付しなければならない。ただし、法第二条第六号に規定する一般派遣元事業主(以下「一般派遣元事業主」という。)が一般労働者派遣事業を行つてゐる他の事業所の派遣元責任者を当該新設する事業所の派遣元責任者として引き続き選任したときは、法人にあつては第一条の二第二項第一号チに掲げる書類のうち履歴書(選任した派遣元責任者の住所に変更がないときは、住民票の写し及び履歴書。以下この条において同じ。)を、個人にあつては同項第二号ハに掲げる書類のうち履歴書を添付することを要しない。
- (2) In the case of making a notification of changes related to the establishment of a new place(s) of business among notifications to be made pursuant to the provisions of paragraph (1) of Article 11 of the Act, the written notice of changes to a general worker dispatching undertaking referred to in the preceding paragraph shall be accompanied by documents related to said new place(s) of business which are listed in (e), (g) and (h) of item (i) of paragraph (2) of Article 1-2 in the case of a judicial person, and documents related to said new place(s) of business which are listed in (c) of item (ii) of the same paragraph in the case of an individual (excluding documents certifying the details of assets concerning the general worker dispatching undertaking); provided, however, that when a business operator of a general dispatching undertaking prescribed in item (vi) of Article 2 of the Act (hereinafter referred to as a "Business Operator of a General Dispatching Undertaking") has permanently appointed a responsible person acting for the dispatching undertaking for another place of business where a general worker dispatching undertaking has been conducted as the responsible person acting for

the dispatching undertaking for said new place(s) of business, his/her curriculum vitae is not required out of the documents listed in (h) of item (i) of paragraph (2) of Article 1-2 in the case of a juridical person, and his/her curriculum vitae are not required out of the documents listed in (c) of item (ii) of the same paragraph in the case of an individual (when there are no changes to the address of the appointed responsible person acting for the dispatching undertaking, a copy of his/her certificate of residence and his/her curriculum vitae are not required; hereinafter the same shall apply in this Article).

3 法第十一条第一項の規定による届出のうち、事業所の新設に係る変更の届出以外の届出を行う場合には、第一項の一般労働者派遣事業変更届出書又は一般労働者派遣事業変更届出書及び許可証書換申請書には、第一条の二第二項に規定する書類のうち当該変更事項に係る書類(事業所の廃止に係る変更の届出にあつては、当該廃止した事業所に係る許可証)を添付しなければならない。

(3) In the case of making a notification of changes other than those related to the establishment of a new place(s) of business among notifications to be made pursuant to the provisions of paragraph (1) of Article 11 of the Act, the written notice of changes to a general worker dispatching undertaking or the written notice of changes to a general worker dispatching undertaking and the written application for the rewriting of a License Certificate referred to in paragraph (1) shall be accompanied by documents related to said changed matters out of the documents prescribed in paragraph (2) of Article 1-2 (in the case of making a notification of changes related to the abolition of a place(s) of business, the License Certificate(s) for said abolished place(s) of business).

4 法第五条第二項第四号に掲げる事項のうち派遣元責任者の氏名に変更があつた場合において、当該一般派遣元事業主が一般労働者派遣事業を行つている他の事業所の派遣元責任者を当該変更に係る事業所の変更後の派遣元責任者として引き続き選任したときは、法人にあつては第一条の二第二項第一号チに掲げる書類のうち履歴書を、個人にあつては同項第二号ハの書類のうち履歴書を添付することを要しない。

(4) In the case where there were changes to the names of responsible persons acting for the dispatching undertaking among the matters listed in item (iv) of paragraph (2) of Article 5 of the Act, when said Business Operator of a General Dispatching Undertaking has permanently appointed a responsible person acting for the dispatching undertaking for another place of business where a general worker dispatching undertaking has been conducted as the responsible person acting for the dispatching undertaking for the place of business related to said changes, his/her curriculum vitae is not required out of the documents listed in (h) of item (i) of paragraph (2) of Article 1-2 in the case of a juridical person, and his/her curriculum vitae is not required out of the documents listed in (c) of item (ii) of the same paragraph in the case of an individual.

第九条（事業所の新設に係る変更の届出があつた場合の許可証の交付）

Article 9 (Issuance of License Certificate in the Case Where a Notification of Changes Related to Establishment of a New Place(s) of Business Has Been Made)

法第十一条第三項の規定による許可証の交付は、当該新設に係る事業所ごとに交付するものとする。

A License Certificate under the provisions of paragraph (3) of Article 11 of the Act shall be issued for each of said new places of business.

第十条（廃止の届出）

Article 10 (Notification of Discontinuance of Business)

法第十三条第一項の規定による届出をしようとする者は、当該一般労働者派遣事業を廃止した日の翌日から起算して十日以内に、一般労働者派遣事業を行うすべての事業所に係る許可証を添えて、一般労働者派遣事業廃止届出書(様式第八号)を厚生労働大臣に提出しなければならない。

A person who intends to make a notification pursuant to the provisions of paragraph (1) of Article 13 of the Act shall submit a written notice of discontinuance of the general worker dispatching undertaking (Form 8) to the Minister of Health, Labour and Welfare, along with License Certificates related to all of his/her places of business for carrying out the general worker dispatching undertaking, within ten days from the day following the day of the discontinuance of said general worker dispatching undertaking.

第二款 特定労働者派遣事業

Subsection 2 Specified Worker Dispatching Undertakings

第十一条（届出書の提出手続）

Article 11 (Procedures for Submitting a Written Notice)

1 法第十六条第一項の届出書は、特定労働者派遣事業届出書(様式第九号)のとおりとする。

(1) The written notice referred to in paragraph (1) of Article 16 of the Act shall be in the form of a written notice of a specified worker dispatching undertaking (Form 9).

2 法第十六条第二項の厚生労働省令で定める書類は、次のとおりとする。

(2) The documents specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in paragraph (2) of Article 16 of the Act shall be as follows:

一 届出者が法人である場合にあっては、次に掲げる書類

(i) where a notifier is a juridical person, the following documents:

イ 第一条の二第二項第一号イからハまでに掲げる書類

(a) documents listed in (a) to (c) of item (i) of paragraph (2) of Article 1-2;

ロ 役員が未成年者で特定労働者派遣事業に関し営業の許可を受けていない場合に

あつては、その法定代理人の住民票の写し及び履歴書

- (b) where an officer is a minor and has not obtained a license for the operation of a specified worker dispatching undertaking, a copy of the certificate of residence and curriculum vitae of his/her statutory representative;

ハ 特定労働者派遣事業を行う事業所ごとの個人情報適正管理規程

- (c) Rules for the Proper Management of Personal Information for each place of business for carrying out a specified worker dispatching undertaking;

ニ 特定労働者派遣事業を行う事業所に係る権利関係を証する書類

- (d) documents certifying the relation of the rights to the place of business for carrying out a specified worker dispatching undertaking;

ホ 特定労働者派遣事業を行う事業所ごとに選任する派遣元責任者の住民票の写し及び履歴書

- (e) a copy of the certificate of residence and curriculum vitae of a responsible person acting for the dispatching undertaking appointed for each place of business for carrying out a specified worker dispatching undertaking;

二 届出者が個人である場合にあつては、次に掲げる書類

- (ii) where a notifier is an individual, the following documents:

イ 第一条の二第二項第二号イに掲げる書類

- (a) documents listed in (a) of item (ii) of paragraph (2) of Article 1-2;

ロ 届出者が未成年者で特定労働者派遣事業に関し営業の許可を受けていない場合にあつては、その法定代理人の住民票の写し及び履歴書

- (b) where a notifier is a minor and has not obtained a license for the operation of a specified worker dispatching undertaking, a copy of the certificate of residence and curriculum vitae of his/her statutory representative;

ハ 前号ハ、ニ及びホに掲げる書類

- (c) documents listed in (c), (d) and (e) of the preceding item.

3 法第十六条第二項の規定により添付すべき事業計画書は、特定労働者派遣事業計画書(様式第三号)のとおりとする。

- (3) The business plan to be attached pursuant to the provisions of paragraph (2) of Article 16 of the Act shall be in the form of a business plan of a specified worker dispatching undertaking (Form 3).

4 一般派遣元事業主又は法第五条第一項の規定による一般労働者派遣事業の許可の申請をしている者が法第十六条第一項の規定による特定労働者派遣事業の届出をするときは、法人にあつては第二項第一号イに掲げる書類を、個人にあつては同項第二号イに掲げる書類を添付することを要しない。

- (4) When a Business Operator of a General Dispatching Undertaking or a person who has filed an application for a license of a general worker dispatching undertaking under paragraph (1) of Article 5 of the Act intends to make a notification of a specified worker dispatching undertaking under paragraph (1) of Article 16 of the Act, documents listed in (a) of item (i) of paragraph (2) shall not be required in the

case of a juridical person and documents listed in (a) of item (ii) of the same paragraph shall not be required in the case of an individual.

- 5 届出者が一般労働者派遣事業を行っている場合において、当該届出者が一般労働者派遣事業を行っている他の事業所の派遣元責任者を当該届出に係る事業所の派遣元責任者として引き続き選任するときは、法人にあつては第二項第一号ホに掲げる書類のうち履歴書(選任する派遣元責任者の住所に変更がないときは、住民票の写し及び履歴書。以下この項において同じ。)を、個人にあつては同項第二号ハの書類のうち履歴書を添付することを要しない。

- (5) In the case where a notifier has been conducting a general worker dispatching undertaking, when the notifier intends to permanently appoint a responsible person acting for the dispatching undertaking for another place of business where a general worker dispatching undertaking has been conducted as the responsible person acting for the dispatching undertaking for said place of business related to said notification, his/her curriculum vitae is not required out of the documents listed in (e) of item (i) of paragraph (2) in the case of a juridical person, and his/her curriculum vitae is not required out of the documents listed in (c) of item (ii) of the same paragraph in the case of an individual (when there are no changes to the address of the responsible person acting for the dispatching undertaking to be appointed, a copy of his/her certificate of residence and his/her curriculum vitae are not required).

第十二条 (法第十八条の厚生労働省令で定める事項)

Article 12 (Matters Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Article 18 of the Act)

法第十八条の厚生労働省令で定める事項は、次のとおりとする。

The matters specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in Article 18 of the Act shall be as follows:

一 氏名又は名称及び法人にあつては、その代表者の氏名

(i) the name, and in the case of a juridical person, the name of the representative person;

二 事業所の名称及び所在地

(ii) the name and location of the place of business.

第十三条 削除

Article 13 Deleted

第十四条 (変更の届出)

Article 14 (Notification of Changes)

- 1 法第十九条の規定による届出をしようとする者は、法第五条第二項第四号に掲げる事項の変更の届出にあつては当該変更に係る事実のあつた日の翌日から起算して三十日以内に、同号に掲げる事項以外の事項の変更の届出にあつては当該変更に係る事実

のあつた日の翌日から起算して十日以内に、第十一条第二項に規定する書類のうち当該変更事項に係る書類を添えて、特定労働者派遣事業変更届出書(様式第十号)を厚生労働大臣に提出しなければならない。ただし、届出者が当該変更に係る法第十一条第一項の規定による届出をした際に、法人にあつては第一条の二第二項第一号イからハまでに掲げる書類のうち当該変更事項に係る書類、個人にあつては同項第二号イに掲げる書類のうち当該変更事項に係る書類を添付したときは、当該書類を添付することを要しない。

(1) A person who intends to make a notification pursuant to the provisions of Article 19 of the Act shall submit a written notice of changes to a specified worker dispatching undertaking (Form 10) to the Minister of Health, Labour and Welfare, along with documents related to said changed matters out of the documents prescribed in paragraph (2) of Article 11, within 30 days from the day following the day on which the fact pertaining to said changes occurred in the case of making a notification of changes listed in item (iv) of paragraph (2) of Article 5 of the Act, and within ten days from the day following the day on which the fact pertaining to said changes occurred in the case of making a notification of changes other than those listed in the same item; provided, however, that when a notifier has, on the occasion of making a notification under paragraph (1) of Article 11 of the Act with regard to said changes, attached documents related to said changed matters out of the documents listed in (a) to (c) of item (i) of paragraph (2) of Article 1-2 in the case of a juridical person, or documents related to said changed matters out of the documents listed in (a) of item (ii) of the same paragraph in the case of an individual, said documents are not required.

2 法第十九条第一項の厚生労働省令で定める書類は、法人にあつては当該新設する事業所に係る第十一条第二項第一号ハ、ニ及びホに、個人にあつては当該新設する事業所に係る同項第二号ハに掲げる書類とする。ただし、当該特定派遣元事業主が一般労働者派遣事業又は特定労働者派遣事業を行つている他の事業所の派遣元責任者を当該新設する事業所の派遣元責任者として引き続き選任したときは、法人にあつては同項第一号ホに掲げる書類のうち履歴書(選任した派遣元責任者の住所に変更がないときは、住民票の写し及び履歴書。以下この条において同じ。)を、個人にあつては同項第二号ハに掲げる書類のうち履歴書を添付することを要しない。

(2) The documents specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in paragraph (1) of Article 19 of the Act shall be the documents related to said new place(s) of business listed in (c), (d) and (e) of item (i) of paragraph (2) of Article 11 in the case of a juridical person, and the documents related to said place(s) of business listed in (c) of item (ii) of the same paragraph in the case of an individual; provided, however, that when said Business Operator of a Specified Dispatching Undertaking has permanently appointed a responsible person acting for the dispatching undertaking for another place of business where a general worker dispatching undertaking or a specified worker dispatching

undertaking has been conducted as the responsible person acting for the dispatching undertaking for said new place(s) of business, his/her curriculum vitae is not required out of the documents listed in (e) of item (i) of the same paragraph in the case of a juridical person, and his/her curriculum vitae is not required out of the documents listed in (c) of item (ii) of the same paragraph in the case of an individual (when there are no changes to the address of the appointed responsible person acting for the dispatching undertaking, a copy of his/her certificate of residence and his/her curriculum vitae are not required; hereinafter the same shall apply in this Article).

- 3 法第五条第二項第四号に掲げる事項のうち派遣元責任者の氏名に変更があつた場合において、当該特定派遣元事業主が一般労働者派遣事業又は特定労働者派遣事業を行っている他の事業所の派遣元責任者を当該変更に係る事業所の変更後の派遣元責任者として引き続き選任したときは、法人にあつては第十一条第二項第一号ホに掲げる書類のうち履歴書を、個人にあつては同項第二号ハの書類のうち履歴書を添付することを要しない。

- (3) In the case where there were changes to the name of the responsible person acting for the dispatching undertaking among the matters listed in item (iv) of paragraph (2) of Article 5 of the Act, when said Business Operator of a Specified Dispatching Undertaking has permanently appointed a responsible person acting for the dispatching undertaking for another place of business where a general worker dispatching undertaking or a specified worker dispatching undertaking has been conducted as the responsible person acting for the dispatching undertaking for the place of business related to said changes, his/her curriculum vitae is not required out of the documents listed in (e) of item (i) of paragraph (2) of Article 11 in the case of a juridical person, and his/her curriculum vitae is not required out of the documents listed in (c) of item (ii) of the same paragraph in the case of an individual.

第十五条 (廃止の届出)

Article 15 (Notification of Discontinuance of Undertaking)

法第二十条の規定による届出をしようとする者は、当該廃止の日の翌日から起算して十日以内に、特定労働者派遣事業廃止届出書(様式第八号)を厚生労働大臣に提出しなければならない。

A person who intends to make a notification pursuant to the provisions of Article 20 of the Act shall submit a written notice of discontinuance of the specified worker dispatching undertaking (Form 8) to the Minister of Health, Labour and Welfare, within ten days from the day following the day of the discontinuance of said specified worker dispatching undertaking.

第十六条 削除

Article 16 Deleted

第三節 補則

Section 3 Auxiliary Provisions

第十七条 (事業報告書及び収支決算書)

Article 17 (Business Reports and Settlements of Accounts)

- 1 法第二十三条第一項に規定する派遣元事業主(以下単に「派遣元事業主」という。)は、毎事業年度経過後三月以内に、当該事業年度に係る労働者派遣事業を行う事業所ごとの当該事業に係る事業報告書及び収支決算書を作成し、厚生労働大臣に提出しなければならない。ただし、派遣元事業主が当該事業年度に係る貸借対照表及び損益計算書を提出したときは、収支決算書を提出することを要しない。
- (1) A dispatching business operator prescribed in paragraph (1) of Article 23 of the Act (hereinafter simply referred to as a "Dispatching Business Operator") shall, within three months after the end of each business year, prepare business reports for the undertaking and settlements of accounts for each place of business for carrying out the worker dispatching undertaking and submit them to the Minister of Health, Labour and Welfare; provided, however, that when the Dispatching Business Operator has submitted a balance sheet and profit and loss statement for the business year, settlements of accounts are not required.
- 2 法第二十三条第一項の規定により提出すべき事業報告書及び収支決算書は、それぞれ労働者派遣事業報告書(様式第十一号)及び労働者派遣事業収支決算書(様式第十二号)のとおりとする。
- (2) The business reports and settlements of accounts to be submitted pursuant to the provisions of paragraph (1) of Article 23 of the Act shall be in the form of a business report for a worker dispatching undertaking (Form 11) and the form of settlements of accounts for a worker dispatching undertaking (Form 12), respectively.

第十八条 (海外派遣の届出)

Article 18 (Notification of Overseas Dispatching)

派遣元事業主は、法第二十三条第三項の規定による海外派遣(以下単に「海外派遣」という。)をしようとするときは、海外派遣届出書(様式第十三号)に第二十三条の規定による書面の写しを添えて厚生労働大臣に提出しなければならない。

When a Dispatching Business Operator intends to carry out an overseas dispatching pursuant to the provisions of paragraph (3) of Article 23 of the Act (hereinafter simply referred to as an "Overseas Dispatching"), he/she shall submit a written notice of an Overseas Dispatching (Form 13) along with a copy of documents under the provisions of Article 23 to the Minister of Health, Labour and Welfare.

第十九条 (書類の提出の経由)

Article 19 (Route to Submit Documents)

法第二章又はこの章の規定により厚生労働大臣に提出する書類は、派遣元事業主の主たる事務所の所在地を管轄する都道府県労働局長を経由して提出するものとする。ただし、法第八条第三項、法第十一条第一項若しくは第四項、法第十九条第一項又は第四条第一項の規定により厚生労働大臣に提出する書類(許可証を含む。)のうち、法第五条第二項第一号及び第二号に規定する事項以外の事項に係るものについては、当該事業所の所在地を管轄する都道府県労働局長を経由して提出することができる。

The documents to be submitted to the Minister of Health, Labour and Welfare under the provisions of Chapter II of the Act or this Chapter shall be submitted via the Prefectural Labour Director who governs the location of the principal office of a Dispatching Business Operator; provided, however, that the documents related to matters other than those prescribed in items (i) and (ii) of paragraph (2) of Article 5 of the Act, out of the documents (including License Certificates) to be submitted to the Minister of Health, Labour and Welfare pursuant to the provisions of paragraph (3) of Article 8 of the Act, paragraph (1) or paragraph (4) of Article 11 of the Act, paragraph (1) of Article 19 of the Act or paragraph (1) of Article 4, may be submitted via the Prefectural Labour Director who governs the location of said place of business.

第二十条 (提出すべき書類の部数)

Article 20 (The Number of Copies of Documents to be Submitted)

法第二章又はこの章の規定により厚生労働大臣に提出する書類(許可証を除く。)は、正本にその写し二通(第一条の二第二項、第五条第二項、第八条第二項若しくは第三項、第十一条第二項又は第十四条に規定する書類にあつては、一通)を添えて提出しなければならない。

The original of the documents (excluding License Certificates) to be submitted to the Minister of Health, Labour and Welfare under the provisions of Chapter II of the Act or this Chapter shall be submitted, along with two copies thereof (one copy, in the case of documents prescribed in paragraph (2) of Article 1-2, paragraph (2) of Article 5, paragraph (2) or paragraph (3) of Article 8, paragraph (2) of Article 11 or Article 14).

第二章 派遣労働者の就業条件の整備等に関する措置

Chapter II Measures for Securing Improved Working Conditions for Dispatched Workers

第一節 労働者派遣契約

Section 1 Worker Dispatch Contract

第二十一条（労働者派遣契約における定めの方法等）

Article 21 (Methods to Stipulate Matters under a Worker Dispatch Contract, etc.)

- 1 法第二十六条第一項の規定による定めは、同項各号に掲げる事項の内容の組合せが一であるときは当該組合せに係る派遣労働者の数を、当該組合せが二以上であるときは当該それぞれの組合せの内容及び当該組合せごとの派遣労働者の数を定めることにより行わなければならない。
- (1) When there is only one combination of the contents of the matters listed in the items of paragraph (1) of Article 26 of the Act, such matters shall be stipulated by specifying the number of dispatched workers for said combination, and when there are two or more combinations, such matters shall be stipulated by specifying the details of each of the combinations and the number of dispatched workers for each of the combinations, pursuant to the provisions of the same paragraph.
- 2 法第二十六条第一項第一号の業務の内容に令第四条各号に掲げる業務が含まれるときは、当該号番号を付するものとする。
- (2) When the contents of the work referred to in item (i) of paragraph (1) of Article 26 of the Act contains the work listed in the items of Article 4 of the Order, the relevant item numbers shall be attached.
- 3 労働者派遣契約の当事者は、当該労働者派遣契約の締結に際し法第二十六条第一項の規定により定めた事項を、書面に記載しておかなければならない。
- (3) The parties of a worker dispatch contract shall, when concluding the worker dispatch contract, record in writing the matters stipulated under the provisions of paragraph (1) of Article 26 of the Act.
- 4 派遣元事業主から労働者派遣の役務の提供を受ける者は、当該労働者派遣契約の締結に当たり法第二十六条第四項の規定により明示された内容を、前項の書面に併せて記載しておかなければならない。
- (4) A person who receives the provision of worker dispatching services from a Dispatching Business Operator shall, when concluding the worker dispatch contract, record the contents clearly indicated under the provisions of paragraph (4) of Article 26 of the Act, along with the written matters referred to in the preceding paragraph.

第二十二条（法第二十六条第一項第十号の厚生労働省令で定める事項）

Article 22 (Matters Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Item (x) of Paragraph (1) of Article 26 of the Act)

法第二十六条第一項第十号の厚生労働省令で定める事項は、次のとおりとする。

The matters specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in item (x) of paragraph (1) of Article 26 of the Act shall be as follows:

- 一 派遣元責任者及び派遣先責任者に関する事項
- (i) the matters concerning a responsible person acting for the dispatching

undertaking and a responsible person acting for the Client;

二 労働者派遣の役務の提供を受ける者が法第二十六条第一項第四号に掲げる派遣就業をする日以外の日に同項第二号に規定する派遣就業(以下単に「派遣就業」という。)をさせることができ、又は同項第五号に掲げる派遣就業の開始の時刻から終了の時刻までの時間を延長することができる旨の定めをした場合における当該派遣就業をさせることができる日又は延長することができる時間数

(ii) in the case where a person receiving the provision of worker dispatching services has stipulated that he/she may have workers perform the dispatch work prescribed in item (ii) of paragraph (1) of Article 26 of the Act (hereinafter simply referred to as the "Dispatch Work") on days other than the days on which the Dispatch Work is to be performed as listed in item (iv) of the same paragraph or that he/she may extend the hours between the start time and the end time of the Dispatch Work listed in item (v) of the same paragraph, said extra days on which he/she may have workers perform the Dispatch Work or the number of hours by which he/she may extend;

三 派遣元事業主が、法第三十一条に規定する派遣先(以下単に「派遣先」という。)である者又は派遣先となろうとする者との間で、これらの者が当該派遣労働者に対し、診療所、給食施設等の施設であつて現に当該派遣先である者又は派遣先になろうとする者に雇用される労働者が通常利用しているものの利用、レクリエーション等に関する施設又は設備の利用、制服の貸与その他の派遣労働者の福祉の増進のための便宜を供与する旨の定めをした場合における当該便宜供与の内容及び方法

(iii) in the case where a Dispatching Business Operator has stipulated with a person who is or is going to be a client prescribed in Article 31 of the Act (hereinafter simply referred to as a "Client") that such person shall provide said dispatched workers with the right to use facilities such as clinics and food service facilities which workers employed by said person who is or is going to be a Client are currently using on a regular basis, the right to use facilities or equipment for recreational purposes, the lending of uniforms and other advantages for promoting dispatched workers' welfare, the details of such advantages and the methods of providing them.

第二十二條の二 (契約に係る書面の記載事項)

Article 22-2 (Matters to be Recorded in Writing Pertaining to Contract)

第二十一条第三項に規定する書面には、同項及び同条第四項に規定する事項のほか、次の各号に掲げる場合の区分に応じ、それぞれ当該各号に定める事項を記載しなければならない。

The written matters prescribed in paragraph (3) of Article 21 shall contain the matters prescribed in the same paragraph and paragraph (4) of the same Article and the matters prescribed respectively in the following items, in accordance with the categories of the cases listed as follows:

一 紹介予定派遣の場合 当該派遣先が職業紹介を受けることを希望しない場合又は職業紹介を受けた者を雇用しない場合には、派遣元事業主の求めに応じ、その理由を、書面の交付若しくはファクシミリを利用してする送信又は電子メールの送信(以下「書面の交付等」という。)により、派遣元事業主に対して明示する旨

(i) in the case of employment placement dispatching: the fact that where the Client does not wish to accept an employment placement or does not employ a person who has been introduced to him/her, the reason thereof shall be clearly indicated to the Dispatching Business Operator, at his/her request, by way of delivery of the written matters, transmission by facsimile or transmission by e-mail (hereinafter referred to as "Delivery of the Written Matters, etc.");

二 法第四十条の二第一項第二号イの業務について行われる労働者派遣の場合 同号イに該当する旨

(ii) in the case of worker dispatching carried out for the work referred to in (a) of item (ii) of paragraph (1) of Article 40-2 of the Act; the fact that the work falls under (a) of the same item;

三 法第四十条の二第一項第二号ロの業務について行われる労働者派遣の場合 次のイからハまでに掲げる事項

(iii) in the case of worker dispatching carried out for the work referred to in (b) of item (ii) of paragraph (1) of Article 40-2 of the Act; matters listed in (a) to (c) below;

イ 法第四十条の二第一項第二号ロに該当する旨

(a) the fact that the work falls under (b) of item (ii) of paragraph (1) of Article 40-2 of the Act;

ロ 当該派遣先において当該業務が一箇月間に行われる日数

(b) the number of working days per month on which the work is performed at the Client's place of business;

ハ 当該派遣先に雇用される通常の労働者の一箇月間の所定労働日数

(c) the normal prescribed number of working days per month for ordinary workers employed by the Client;

四 法第四十条の二第一項第三号の業務について行われる労働者派遣の場合 次のイ及びロに掲げる事項

(iv) in the case of worker dispatching carried out for the work referred to in item (iii) of paragraph (1) of Article 40-2 of the Act; matters listed in (a) and (b) below:

イ 労働基準法(昭和二十二年法律第四十九号)第六十五条第一項若しくは第二項の規定による休業(以下「産前産後休業」という。)、育児休業、介護休業等育児又は家族介護を行う労働者の福祉に関する法律(平成三年法律第七十六号。以下「育児・介護休業法」という。)第二条第一号に規定する育児休業(以下「育児休業」という。)又は第三十三条に規定する場合における休業をする労働者の氏名及び業務

(a) the name and work of a worker who takes leave under the provisions of

paragraph (1) or (2) of Article 65 of the Labor Standards Act (Act No. 49 of 1947) (hereinafter such leave shall be referred to as "Maternity Leave Before or After Childbirth"), child care leave prescribed in item (i) of Article 2 of the Act on the Welfare of Workers Who Take Care of Children or Other Family Members Including Child Care and Family Care Leave (Act No. 76 of 1991; hereinafter referred to as the "Child Care and Family Care Leave Act") (hereinafter such leave shall be referred to as "Child Care Leave"), or leave in the case prescribed in Article 33;

ロ イの労働者がする産前産後休業、育児休業又は第三十三条に規定する場合における休業の開始及び終了予定の日

(b) the date of the start and the scheduled end of Maternity Leave Before or After Childbirth, Child Care Leave or leave in the case prescribed in Article 33 taken by the worker referred to in (a);

五 法第四十条の二第一項第四号の業務について行われる労働者派遣の場合 次のイ及びロに掲げる事項

(v) in the case of worker dispatching carried out for the work referred to in item (iv) of paragraph (1) of Article 40-2 of the Act: matters listed in (a) and (b) below:

イ 育児・介護休業法第二条第二号に規定する介護休業(以下「介護休業」という。)又は第三十三条の二に規定する休業をする労働者の氏名及び業務

(a) the name and work of a worker who takes family care leave prescribed in item (ii) of Article 2 of the Child Care and Family Care Leave Act (hereinafter referred to as "Family Care Leave") or leave prescribed in Article 33-2;

ロ イの労働者がする介護休業又は第三十三条の二に規定する休業の開始及び終了予定の日

(b) the date of the start and the scheduled end of Family Care Leave or leave prescribed in Article 33-2 taken by the worker referred to in (a);

第二十三条 (海外派遣に係る労働者派遣契約における定めの方法)

Article 23 (Methods to Stipulate Matters under Worker Dispatch Contract for Overseas Dispatching)

派遣元事業主は、海外派遣に係る労働者派遣契約の締結に際し、法第二十六条第三項の規定により定めた事項を書面に記載して、当該海外派遣に係る役務の提供を受ける者に当該書面の交付等をしなければならない。

A Dispatching Business Operator shall, when concluding a worker dispatch contract for Overseas Dispatching, record in writing the matters stipulated under the provisions of paragraph (3) of Article 26 of the Act and provide Delivery of the Written Matters, etc. to a person who receives the provision of services pertaining to said Overseas Dispatching.

第二十四条 (法第二十六条第三項第三号の厚生労働省令で定める措置)

Article 24 (Measures Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Item (iii) of Paragraph (3) of Article 26 of the Act)

法第二十六条第三項第三号の厚生労働省令で定める措置は、次のとおりとする。

The measures specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in item (iii) of paragraph (3) of Article 26 of the Act shall be as follows:

- 一 法第二十六条第五項に規定する法第四十条の二第一項の規定に抵触することとなる最初の日の通知
(i) notification of the first day on which receiving worker dispatching services will be in conflict with the provisions of paragraph (1) of Article 40-2 of the Act as prescribed in paragraph (5) of Article 26 of the Act;
- 二 法第三十九条の労働者派遣契約に関する措置
(ii) measures concerning a worker dispatch contract referred to in Article 39 of the Act;
- 三 法第四十条第一項の苦情の内容の通知及び当該苦情の処理
(ii) notification of the contents of the complaint and handling of the complaint referred to in paragraph (1) of Article 40 of the Act;
- 四 法第四十条の三から第四十条の五までに規定する派遣労働者の雇用に関する事項に関する措置
(iv) measures concerning matters related to the employment of dispatched workers prescribed in Articles 40-3 to 40-5 inclusive of the Act;
- 五 疾病、負傷等における療養の実施その他派遣労働者の福祉の増進に係る必要な援助
(v) provision of medical treatment in the case of illness or injury and other assistance necessary for promoting the welfare of dispatched workers;
- 六 前各号に掲げるもののほか、派遣就業が適正かつ円滑に行われるようにするため必要な措置
(vi) in addition to what is listed in the preceding items, measures necessary for the appropriate and smooth performance of Dispatch Work.

第二十四条の二 (法第二十六条第五項に規定する法第四十条の二第一項の規定に抵触することとなる最初の日の通知の方法)

Article 24-2 (Methods to Make a Notification of the First Day on which Receiving Worker Dispatching Services will be in Conflict with the Provisions of Paragraph (1) of Article 40-2 of the Act as Prescribed in Paragraph (5) of Article 26 of the Act)

法第二十六条第五項に規定する法第四十条の二第一項の規定に抵触することとなる最初の日の通知は、労働者派遣契約を締結するに当たり、あらかじめ、法第二十六条第五項の規定により通知すべき事項に係る書面の交付等により行わなければならない。

When concluding a worker dispatch contract, a notification shall be made in advance with regard to the first day on which receiving worker dispatching services will be in conflict with the provisions of paragraph (1) of Article 40-2 of the Act as prescribed in paragraph (5) of Article 26 of the Act, by way of Delivery of the Written Matters, etc. concerning matters to be notified under the provisions of paragraph (5) of Article 26 of the Act.

第二節 派遣元事業主の講ずべき措置等

Section 2 Measures to Be Taken by Dispatching Business Operators, etc.

第二十五条 (就業条件の明示の方法等)

Article 25 (Methods for Clear Indication of Working Conditions, etc.)

- 1 法第三十四条第一項及び第二項の規定による明示は、当該規定により明示すべき事項を次のいずれかの方法により明示することにより行わなければならない。ただし、同条第一項の規定による明示にあつては、労働者派遣の実施について緊急の必要があるためあらかじめこれらの方法によることができない場合において、当該明示すべき事項をあらかじめこれらの方法以外の方法により明示したときは、この限りでない。
 - (1) The matters to be clearly indicated under the provisions of paragraphs (1) and (2) of Article 34 of the Act shall be clearly indicated by any of the following methods; provided, however, that this shall not apply to the case of a clear indication of working conditions under the provisions of paragraph (1) of the same Article, where such matters cannot be clearly indicated in advance by any of the following methods because the worker dispatching is urgently needed and such matters have been clearly indicated in advance by methods other than the following methods:
 - 一 書面の交付の方法
 - (i) Delivery of the Written Matters;
 - 二 次のいずれかの方法によることを当該派遣労働者が希望した場合における当該方法
 - (ii) either of the following methods by which the dispatched worker wishes to have the matters indicated:
 - イ ファクシミリを利用してする送信の方法
 - (a) transmission by facsimile;
 - ロ 電子メールの送信の方法
 - (b) transmission by e-mail.
 - 2 前項ただし書の場合であつて、次の各号のいずれかに該当するときは、当該労働者派遣の開始の後遅滞なく、当該事項を前項各号に掲げるいずれかの方法により当該派遣労働者に明示しなければならない。
 - (2) In the case referred to in the proviso of the preceding paragraph which falls under any of the following items, the relevant matters shall be clearly indicated to the dispatched worker by any of the methods listed in the items of the preceding

paragraph, without delay after the commencement of the worker dispatching:

一 当該派遣労働者から請求があつたとき

(i) when a request has been made by the dispatched worker;

二 前号以外の場合であつて、当該労働者派遣の期間が一週間を超えると

(ii) when the period of the worker dispatching exceeds one week in the case other than that referred to in the preceding item.

第二十六条 削除

Article 26 Deleted

第二十七条 (派遣先への通知の方法等)

Article 27 (Methods for Notification to Client)

1 法第三十五条の規定による通知は、法第二十六条第一項各号に掲げる事項の内容の組合せが一であるときは当該組合せに係る派遣労働者の氏名及び次条各号に掲げる事項を、当該組合せが二以上であるときは当該組合せごとに派遣労働者の氏名及び次条各号に掲げる事項を通知することにより行わなければならない。

(1) When there is only one combination of the contents of matters listed in the items of paragraph (1) of Article 26 of the Act, the names of the dispatched workers pertaining to the combination and the matters listed in the items of the following Article shall be notified, and when there are two or more combinations, the names of the dispatched workers for each of the combinations and the matters listed in the items of the following Article shall be notified, pursuant to the provisions of Article 35 of the Act.

2 法第三十五条の規定による通知は、労働者派遣に際し、あらかじめ、同条により通知すべき事項に係る書面の交付等により行わなければならない。ただし、労働者派遣の実施について緊急の必要があるためあらかじめ書面の交付等ができない場合において、当該通知すべき事項をあらかじめ書面の交付等以外の方法により通知したときは、この限りでない。

(2) The notification under the provisions of Article 35 of the Act shall be made in advance, when carrying out worker dispatching, by way of Delivery of the Written Matters, etc. concerning the matters to be notified under the same Article; provided, however, that this shall not apply to the case where Delivery of the Written Matters, etc. cannot be provided in advance because the worker dispatching is urgently needed and the matters to be notified have been notified in advance by methods other than by way of Delivery of the Written Matters, etc.:

3 前項ただし書の場合であつて、当該労働者派遣の期間が二週間を超えると(法第二十六条第一項各号に掲げる事項の内容の組合せが二以上である場合に限る。)は、当該労働者派遣の開始の後遅滞なく、当該事項に係る書面の交付等をしなければならない。

(3) In the case referred to in the proviso of the preceding paragraph and where the term of the worker dispatching exceeds two weeks (limited to the case where there

are two or more combinations of the contents of matters listed in the items of paragraph (1) of Article 26 of the Act), Delivery of the Written Matters, etc. concerning said matters shall be provided, without delay after the commencement of the worker dispatching.

- 4 法第三十五条の二第二項の規定による通知は、派遣先への通知にあつては同項により通知すべき事項に係る書面の交付等により、派遣労働者への通知にあつては同項により通知すべき事項を次のいずれかの方法により通知することにより行わなければならない。

- (4) Under the provisions of paragraph (2) of Article 35-2 of the Act, the notification to a Client shall be made by way of Delivery of the Written Matters, etc. concerning the matters to be notified under the same paragraph and the notification to a dispatched worker shall be made by notifying the matters to be notified under the same paragraph by any of the following methods:

一 書面の交付の方法

(i) Delivery of the Written Matters:

二 次のいずれかの方法によることを当該派遣労働者が希望した場合における当該方法

(ii) either of the following methods by which the dispatched worker wishes to have the matters notified:

イ ファクシミリを利用してする送信の方法

(a) transmission by facsimile;

ロ 電子メールの送信の方法

(b) transmission by e-mail.

第二十七条の二 (法第三十五条第二号の厚生労働省令で定める事項)

Article 27-2 (Matters Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Item (ii) of Article 35 of the Act)

- 1 法第三十五条第二号の厚生労働省令で定める事項は、当該労働者派遣に係る派遣労働者に関して、次の各号に掲げる書類がそれぞれ当該各号に掲げる省令により当該書類を届け出るべきこととされている行政機関に提出されていることの有無とする。

(1) The matters specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in item (ii) of Article 35 of the Act shall be whether the document listed in the following items has been submitted to the relevant administrative organ under the Ministerial Ordinance listed in said respective items:

一 健康保険法施行規則(大正十五年内務省令第三十六号)第二十四条第一項に規定する健康保険被保険者資格取得届

(i) written notice of acquisition of the health insurance qualification prescribed in paragraph (1) of Article 24 of the Ordinance for Enforcement of the Health Insurance Act (Ordinance of the Ministry of Home Affairs No. 36 of 1926);

二 厚生年金保険法施行規則(昭和二十九年厚生省令第三十七号)第十五条に規定する厚生年金保険被保険者資格取得届

(ii) written notice of acquisition of the welfare pension insurance qualification prescribed in Article 15 of the Ordinance for Enforcement of the Welfare Pension Insurance Act (Ordinance of the Ministry of Health and Welfare No. 37 of 1954);

三 雇用保険法施行規則(昭和五十年労働省令第三号)第六条に規定する雇用保険被保険者資格取得届

(iii) written notice of acquisition of the employment insurance qualification prescribed in Article 6 of the Ordinance for Enforcement of the Employment Insurance Act (Ordinance of the Ministry of Labour No. 3 of 1975).

2 派遣元事業主は、前項の規定により前項各号に掲げる書類が提出されていないことを派遣先に通知するときは、当該書類が提出されていない具体的な理由を付さなければならない。

(2) When a Dispatching Business Operator notifies the Client that the document listed in the items of the preceding paragraph has not been submitted under the provisions of the preceding paragraph, he/she shall present concrete reasons why said document has not been submitted.

第二十八条 (法第三十五条第三号の厚生労働省令で定める事項)

Article 28 (Matters Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Item (iii) of Article 35 of the Act)

法第三十五条第三号の厚生労働省令で定める事項は、次のとおりとする。

The matters specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in item (iii) of Article 35 of the Act shall be as follows:

一 派遣労働者の性別(派遣労働者が四十五歳以上である場合にあってはその旨及び当該派遣労働者の性別、派遣労働者が十八歳未満である場合にあっては当該派遣労働者の年齢及び性別)

(i) the sex of a dispatched worker (when a dispatched worker is 45 years of age or over, such fact and the sex of the worker; and when a dispatched worker is under 18 years of age, the age and the sex of the worker);

二 派遣労働者に係る法第二十六条第一項第四号、第五号又は第十号に掲げる事項の内容が、同項の規定により労働者派遣契約に定めた当該派遣労働者に係る組合せにおけるそれぞれの事項の内容と異なる場合における当該内容

(ii) when the contents of the matters related to dispatched workers listed in item (iv), (v) or (x) of paragraph (1) of Article 26 of the Act are different from the contents of the respective matters for combinations related to the dispatched workers specified under the worker dispatch contract pursuant to the provisions of the same paragraph, said different contents.

第二十九条 (派遣元責任者の選任)

Article 29 (Appointment of a Responsible Person Acting for the Dispatching Undertaking)

法第三十六条の規定による派遣元責任者の選任は、次に定めるところにより行わなければならない。

The appointment of a responsible person acting for the dispatching undertaking under the provisions of Article 36 of the Act shall be made as follows:

一 派遣元事業主の事業所(以下この条において単に「事業所」という。)ごとに当該事業所に専属の派遣元責任者として自己の雇用する労働者の中から選任すること。ただし、派遣元事業主(法人である場合は、その役員)を派遣元責任者とする 것을妨げない。

(i) a dedicated responsible person acting for the dispatching undertaking shall be appointed for each place of business of a Dispatching Business Operator (hereinafter simply referred to as a "Place of Business" in this Article) from among workers the Dispatching Business Operator employs; provided, however, that this shall not preclude the Dispatching Business Operator (in the case of a juridical person, the officer thereof) from becoming a responsible person acting for the dispatching undertaking;

二 当該事業所の派遣労働者の数が百人以下のときは一人以上の者を、百人を超え二百人以下のときは二人以上の者を、二百人を超えるときは、当該派遣労働者の数が百人を超える百人ごとに一人を二人に加えた数以上の者を選任すること。

(ii) when the number of dispatched workers working for said Place of Business is 100 or less, one or more responsible person(s) shall be appointed; when the number is over 100 but 200 or less, two or more responsible persons shall be appointed; and when the number exceeds 200, the number of responsible persons to be appointed shall be over two plus one for each 100 dispatched workers over 100;

三 法附則第四項に規定する物の製造の業務(以下「製造業務」という。)に労働者派遣をする事業所にあつては、当該事業所の派遣元責任者のうち、製造業務に従事する派遣労働者の数が百人以下のときは一人以上の者を、百人を超え二百人以下のときは二人以上の者を、二百人を超えるときは、当該派遣労働者の数が百人を超える百人ごとに一人を二人に加えた数以上の者を当該派遣労働者を専門に担当する者(以下「製造業務専門派遣元責任者」という。)とすること。ただし、製造業務専門派遣元責任者のうち一人は、製造業務に従事しない派遣労働者を併せて担当することができる。

(iii) with regard to a Place of Business which carries out worker dispatching for the services of manufacturing products prescribed in paragraph (4) of the Supplementary Provisions of the Act (hereinafter referred to as "Manufacturing Services"); when the number of dispatched workers engaged in Manufacturing Services is 100 or less, one or more out of all responsible persons acting for the dispatching undertaking shall be exclusively in charge of said dispatched

workers; when the number is over 100 but 200 or less, two or more responsible persons shall be exclusively in charge of said dispatched workers; and when the number exceeds 200, the number of responsible persons to be exclusively in charge of said dispatched workers shall be over two plus one for each 100 dispatched workers over 100 (hereinafter such responsible person shall be referred to as a "Responsible Person Acting for the Dispatching Undertaking Exclusively in Charge of Manufacturing Services"); provided, however, that one of the responsible persons acting for the dispatching undertaking exclusively in charge of Manufacturing Services may also take charge of dispatched workers who are not engaged in Manufacturing Services.

第三十条 (派遣元管理台帳の作成及び記載)

Article 30 (Preparation and Entry of Management Record of Dispatching Undertaking)

- 1 法第三十七条第一項の規定による派遣元管理台帳の作成は、派遣元事業主の事業所ごとに、行わなければならない。
- (1) A management record of dispatching undertaking under the provisions of paragraph (1) of Article 37 of the Act shall be prepared for each place of business of a Dispatching Business Operator.
- 2 法第三十七条第一項の規定による派遣元管理台帳の記載は、労働者派遣をするに際し、行わなければならない。
- (2) The entry in a management record of a dispatching undertaking under the provisions of paragraph (1) of Article 37 of the Act shall be made when carrying out worker dispatching.
- 3 前項に定めるもののほか、法第四十二条第三項の規定による通知が行われる場合において、当該通知に係る事項が法第三十七条第一項各号に掲げる事項に該当する場合であつて当該通知に係る事項の内容が前項の記載と異なるときは、当該通知が行われた都度、当該通知に係る事項の内容を記載しなければならない。
- (3) In addition to what is prescribed in the preceding paragraph, in the case where a notification under the provisions of paragraph (3) of Article 42 of the Act is made and the matters related to said notification fall under the matters listed in the items of paragraph (1) of Article 37 of the Act, if the contents of the matters related to said notification differ from the entries referred to in the preceding paragraph, the contents of the matters related to said notification shall be entered each time said notification is made.

第三十一条 (法第三十七条第一項第八号の厚生労働省令で定める事項)

Article 31 (Matters Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Item (viii) of Paragraph (1) of Article 37 of the Act)

法第三十七条第一項第八号の厚生労働省令で定める事項は、次のとおりとする。

The Matters specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in item (viii) of paragraph (1) of Article 37 of the Act shall be as follows:

一 派遣労働者の氏名

(i) the name of a dispatched worker;

二 事業所の名称

(ii) the name of a place of business;

三 派遣元責任者及び派遣先責任者に関する事項

(iii) the matters concerning a responsible person acting for the dispatching undertaking and a responsible person acting for the Client;

四 法第四十条の二第一項第一号の業務について労働者派遣をするときは、第二十一条第二項の規定により付することとされる号番号

(iv) when carrying out worker dispatching for the work referred to in item (i) of paragraph (1) of Article 40-2 of the Act, the item number to be attached under the provisions of paragraph (2) of Article 21;

五 法第四十条の二第一項第二号イの業務について労働者派遣をするときは、第二十二條の二第二号の事項

(v) when carrying out worker dispatching for the work referred to in (a) of item (ii) of paragraph (1) of Article 40-2 of the Act, the matters referred to in item (ii) of Article 22-2;

六 法第四十条の二第一項第二号ロの業務について労働者派遣をするときは、第二十二條の二第三号の事項

(vi) when carrying out worker dispatching for the work referred to in (b) of item (ii) of paragraph (1) of Article 40-2 of the Act, the matters referred to in item (iii) of Article 22-2;

七 法第四十条の二第一項第三号の業務について労働者派遣をするときは、第二十二條の二第四号の事項

(vii) when carrying out worker dispatching for the work referred to in item (iii) of paragraph (1) of Article 40-2 of the Act, the matters referred to in item (iv) of Article 22-2;

八 法第四十条の二第一項第四号の業務について労働者派遣をするときは、第二十二條の二第五号の事項

(viii) when carrying out worker dispatching for the work referred to in item (iv) of paragraph (1) of Article 40-2 of the Act, the matters referred to in item (v) of Article 22-2;

九 第二十七条の二の規定による通知の内容

(ix) the contents of a notification under the provisions of Article 27-2.

第三十二条 (保存期間の起算日)

Article 32 (Initial Date for Calculating the Retention Period)

法第三十七条第二項の規定による派遣元管理台帳を保存すべき期間の計算についての起算日は、労働者派遣の終了の日とする。

The initial date for calculating the period for retaining a management record of dispatching undertaking under the provisions of paragraph (2) of Article 37 of the Act shall be the day of the termination of the worker dispatching.

第三節 派遣先の講ずべき措置等

Section 3 Measures to Be Taken by Clients, etc.

第三十三条（法第四十条の二第一項第三号の厚生労働省令で定める場合）

Article 33 (Matters Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Item (iii) of Paragraph (1) of Article 40-2 of the Act)

法第四十条の二第一項第三号の厚生労働省令で定める場合は、労働基準法第六十五条第一項の規定による休業に先行し、又は同条第二項の規定による休業若しくは育児休業に後続する休業であつて、母性保護又は子の養育をするためのものをする場合とする。

The case specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in item (iii) of paragraph (1) of Article 40-2 of the Act shall be the leave for maternal protection and child care that precedes the leave under paragraph (1) of Article 65 of the Labor Standards Act and follows the leave under paragraph (2) of the same Article or Child Care Leave.

第三十三条の二（法第四十条の二第一項第四号の厚生労働省令で定める休業）

Article 33-2 (Leave Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Item (iv) of Paragraph (1) of Article 40-2 of the Act)

法第四十条の二第一項第四号の厚生労働省令で定める休業は、介護休業に後続する休業であつて育児・介護休業法第二条第四号に規定する対象家族を介護するためにする休業とする。

The leave specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in item (iv) of paragraph (1) of Article 40-2 of the Act shall be the leave following Family Care Leave which is taken for taking care of family members prescribed in item (iv) of Article 2 of the Child Care and Family Care Leave Act.

第三十三条の三（労働者派遣の役務の提供を受けようとする期間に関する事項）

Article 33-3 (Matters Concerning the Period for Receiving the Provision of Worker Dispatching Services)

法第四十条の二第三項の規定により労働者派遣の役務の提供を受けようとする期間を定めるに当たっては、次に掲げる事項を書面に記載し、当該労働者派遣の終了の日から三年間保存しなければならない。

When stipulating the period for receiving the provision of worker dispatching

services under the provisions of paragraph (3) of Article 40-2 of the Act, the following matters shall be recorded in writing and be retained for three years from the day of the termination of the worker dispatching:

一 意見を聴いた法第四十条の二第四項に規定する労働者の過半数で組織する労働組合(以下この条及び次条において「過半数組合」という。)の名称又は労働者の過半数を代表する者(以下この条及び次条において「過半数代表者」という。)の氏名

(i) the name of the labour union comprising a majority of the workers prescribed in paragraph (4) of Article 40-2 of the Act (hereinafter referred to as the "Majority Union" in this Article and the following Article) or the person who represents a majority of the workers (hereinafter referred to as the "Representative of a Majority" in this Article and the following Article) whose opinions have been collected;

二 次条第四項の規定により過半数組合又は過半数代表者に通知した事項及び通知した日

(ii) the matters that have been notified to the Majority Union or the Representative of a Majority under the provisions of paragraph (4) of the following Article and the date of the notification;

三 過半数組合又は過半数代表者から意見を聴いた日及び当該意見の内容

(iii) the date on which opinions were collected from the Majority Union or the Representative of a Majority and the details of said opinions;

四 意見を聴いて、次条第四項第二号の労働者派遣の役務の提供を受けようとする期間又は変更しようとする期間を変更したときは、その変更した期間

(iv) when a Client has listened to the opinions and changed the period for receiving the provision of worker dispatching services or changed the period for change as referred to in item (ii) of paragraph (4) of the following Article, the changed period.

第三十三条の四

Article 33-4

1 過半数代表者は、次の各号のいずれにも該当する者とする。

(1) The Representative of a Majority shall be a person who falls under all of the following items:

一 労働基準法第四十一条第二号に規定する監督又は管理の地位にある者でないこと。

(i) the person is not in a supervisory or management position prescribed in item (ii) of Article 41 of the Labor Standards Act;

二 法第四十条の二第四項の規定により意見を聴取される者を選出することを明らかにして実施される投票、挙手等の方法による手続により選出された者であること。

(ii) the person has been selected through procedures by methods such as voting or a show of hands after clarifying an intention to select a person from whom opinions are collected under the provisions of paragraph (4) of Article 40-2 of the

Act.

2 前項第一号に該当する者がいない事業所にあつては、過半数代表者は前項第二号に該当する者とする。

(2) At a place of business where there are no persons falling under item (i) of the preceding paragraph, the Representative of a Majority shall be a person falling under item (ii) of the preceding paragraph.

3 派遣先は、労働者が過半数代表者であること若しくは過半数代表者になろうとしたこと又は過半数代表者として正当な行為をしたことを理由として不利益な取扱いをしないようにしなければならない。

(3) A Client shall not treat a worker in any disadvantageous manner on the ground that the worker is the Representative of a Majority, has attempted to become the Representative of a Majority, or has performed a justifiable act as the Representative of a Majority.

4 法第四十条の二第四項の規定により過半数組合又は過半数代表者に対し意見を聴く場合は、当該過半数組合又は過半数代表者に、次に掲げる事項を書面により通知しなければならない。

(4) Where opinions are collected from the Majority Union or the Representative of a Majority under the provisions of paragraph (4) of Article 40-2 of the Act, the following matters shall be notified in writing to said Majority Union or Representative of a Majority:

一 労働者派遣の役務の提供を受けようとする業務

(i) work for which the provision of worker dispatching services is to be received;

二 労働者派遣の役務の提供を受けようとする期間を新たに定める場合にあっては当該労働者派遣の役務の提供を受けようとする期間及び開始予定時期、労働者派遣の役務の提供を受けようとする期間を変更しようとする場合にあっては当該変更しようとする期間

(ii) when newly stipulating the period for receiving the provision of worker dispatching services, said period and the scheduled time to start receiving the provision of worker dispatching services, and when changing the period for receiving the provision of worker dispatching services, said period for change.

5 法第四十条の二第五項の規定による通知は、同項の規定により通知すべき事項に係る書面の交付等により行わなければならない。

(5) A notification under the provisions of paragraph (5) of Article 40-2 of the Act shall be made by way of Delivery of the Written Matters, etc. concerning matters to be notified under the provisions of the same paragraph.

第三十四条 (派遣先責任者の選任)

Article 34 (Appointment of a Responsible Person Acting for the Client)

法第四十一条の規定による派遣先責任者の選任は、次に定めるところにより行わなければならない。

The appointment of a responsible person acting for the Client under the provisions of Article 41 of the Act shall be made as follows:

一 事業所その他の派遣就業の場所(以下この条及び次条において「事業所等」という。)ごとに当該事業所等に専属の派遣先責任者として自己の雇用する労働者の中から選任すること。ただし、派遣先(法人である場合は、その役員)を派遣先責任者とすることを妨げない

(i) a dedicated responsible person acting for the Client shall be appointed for each place of business or any other place for Dispatch Work (hereinafter referred to as a "Place of Business, etc." in this Article and the following Article) from among workers the Client employs; provided, however, that this shall not preclude the Client (in the case of a juridical person, the officer thereof) from becoming a responsible person acting for the Client;

二 事業所等において派遣先がその指揮命令の下に労働させる派遣労働者の数が百人以下のときは一人以上の者を、百人を超え二百人以下のときは二人以上の者を、二百人を超えるときは当該派遣労働者の数が百人を超える百人ごとに一人を二人に加えた数以上の者を選任すること。ただし、当該派遣労働者の数に当該派遣先が当該事業所等において雇用する労働者の数を加えた数が五人を超えないとき、又は当該労働者派遣の期間が一日を超えないときは、派遣先責任者を選任することを要しない。

(ii) when the number of dispatched workers whom the Client causes to work under his/her instruction at a Place of Business, etc. is 100 or less, one or more responsible person(s) shall be appointed; when the number is over 100 but 200 or less, two or more responsible persons shall be appointed; and when the number exceeds 200, the number of responsible persons to be appointed shall be over two plus one for each 100 dispatched workers over 100; provided, however, that when the total number of said dispatched workers and the workers employed by the Client at said Place of Business, etc. is less than five, or when the period of said worker dispatching does not exceed one day, a responsible person acting for the Client does not need to be appointed;

三 製造業務に五十人を超える派遣労働者を従事させる事業所等にあつては、当該事業所等の派遣先責任者のうち、製造業務に従事させる派遣労働者の数が五十人を超え百人以下のときは一人以上の者を、百人を超え二百人以下のときは二人以上の者を、二百人を超えるときは、当該派遣労働者の数が百人を超える百人ごとに一人を二人に加えた数以上の者を、当該派遣労働者を専門に担当する者(以下「製造業務専門派遣先責任者」という。)とすること。ただし、製造業務専門派遣先責任者のうち一人は、製造業務に従事させない派遣労働者を併せて担当することができ、また、製造業務に従事させる派遣労働者と製造業務に付随する製造業務以外の業務(以下「製造付随業務」という。)に従事させる派遣労働者を、同一の派遣先責任者が担当することが、当該製造付随業務に従事させる派遣労働者の安全衛生の確保のために必要な場合においては、一人の製造業務専門派遣先責任者が担当する製造業務に従

事させる派遣労働者と製造付随業務に従事させる派遣労働者の合計数が百人を超えない範囲内で、製造業務専門派遣先責任者に製造付随業務に従事させる派遣労働者を併せて担当させることができる。

- (iii) with regard to a Place of Business, etc. where more than 50 dispatched workers are caused to be engaged in Manufacturing Services, when the number of dispatched workers caused to be engaged in Manufacturing Services is over 50 but 100 or less, one or more out of all responsible persons acting for the Client at said Place of Business, etc. shall be exclusively in charge of said dispatched workers; when the number is over 100 but 200 or less, two or more responsible persons shall be exclusively in charge of said dispatched workers; and when the number exceeds 200, the number of responsible persons to be exclusively in charge of said dispatched workers shall be over two plus one for each 100 said dispatched workers over 100 (hereinafter such responsible person shall be referred to as a "Responsible Person Acting for the Client Exclusively in Charge of Manufacturing Services"); provided, however, that one of the Responsible Persons Acting for the Client Exclusively in Charge of Manufacturing Services may also take charge of dispatched workers who are not caused to be engaged in Manufacturing Services, and when it is required that the same responsible person acting for the Client should take charge of both dispatched workers caused to be engaged in Manufacturing Services and dispatched workers caused to be engaged in other work incidental to Manufacturing Services (hereinafter referred to as "Work Incidental to Manufacturing Services") in order to ensure the safety and health of said dispatched workers caused to be engaged in work incidental to Manufacturing Services, a single responsible person acting for the Client may also take charge of dispatched workers caused to be engaged in work incidental to Manufacturing Services, only within the limit that the total number of both types of dispatched workers that he/she shall take charge of does not exceed 100.

第三十五条（派遣先管理台帳の作成及び記載）

Article 35 (Preparation and Entry of Client's Management Record)

- 1 法第四十二条第一項の規定による派遣先管理台帳の作成は、事業所等ごとに行わなければならない。
- (1) A Client's management record under the provisions of paragraph (1) of Article 42 of the Act shall be prepared for each Place of Business, etc.
- 2 法第四十二条第一項の規定による派遣先管理台帳の記載は、労働者派遣の役務の提供を受けるに際し、行わなければならない。
- (2) The entry in a Client's management record under the provisions of paragraph (1) of Article 42 of the Act shall be made when receiving the provision of worker dispatching services.

3 前二項の規定にかかわらず、当該派遣先が当該事業所等においてその指揮命令の下に労働させる派遣労働者の数に当該事業所等において雇用する労働者の数を加えた数が五人を超えないとき、又は当該労働者派遣の期間が一日を超えないときは、派遣先管理台帳の作成及び記載を行うことを要しない。

(3) In addition to what is prescribed in the preceding two paragraphs, in the case where the total number of dispatched workers whom the Client causes to work under his/her instruction at the Place of Business, etc. and the workers employed by the Client at said Place of Business, etc. is less than five, or when the period of said worker dispatching does not exceed one day, the preparation of and entry into a Client's management record is not required.

第三十六条 (法第四十二条第一項第七号の厚生労働省令で定める事項)

Article 36 (Matters Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Item (vii) of Paragraph (1) of Article 42 of the Act)
法第四十二条第一項第七号の厚生労働省令で定める事項は、次のとおりとする。

The Matters specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in item (vii) of paragraph (1) of Article 42 of the Act shall be as follows:

一 派遣労働者の氏名

(i) the name of a dispatched worker;

二 派遣元事業主の事業所の名称

(ii) the name of a place of business of a Dispatching Business Operator;

三 派遣元事業主の事業所の所在地

(iii) the location of a place of business of a Dispatching Business Operator;

四 派遣先責任者及び派遣元責任者に関する事項

(iv) the matters concerning a responsible person acting for the dispatching undertaking and a responsible person acting for the Client;

五 法第四十条の二第一項第一号の業務について労働者派遣をするときは、第二十一条第二項の規定により付することとされている号番号

(v) when carrying out worker dispatching for the work referred to in item (i) of paragraph (1) of Article 40-2 of the Act, the item number to be attached under the provisions of paragraph (2) of Article 21;

六 法第四十条の二第一項第二号イの業務について労働者派遣をするときは、第二十二条の二第二号の事項

(vi) when carrying out worker dispatching for the work referred to in (a) of item (ii) of paragraph (1) of Article 40-2 of the Act, the matters referred to in item (ii) of Article 22-2;

七 法第四十条の二第一項第二号ロの業務について労働者派遣をするときは、第二十二条の二第三号の事項

(vii) when carrying out worker dispatching for the work referred to in (b) of item

(ii) of paragraph (1) of Article 40-2 of the Act, the matters referred to in item (iii) of Article 22-2;

八 法第四十条の二第一項第三号の業務について労働者派遣をするときは、第二十二條の二第四号の事項

(viii) when carrying out worker dispatching for the work referred to in item (iii) of paragraph (1) of Article 40-2 of the Act, the matters referred to in item (iv) of Article 22-2;

九 法第四十条の二第一項第四号の業務について労働者派遣をするときは、第二十二條の二第五号の事項

(ix) when carrying out worker dispatching for the work referred to in item (iv) of paragraph (1) of Article 40-2 of the Act, the matters referred to in item (v) of Article 22-2;

十 第二十七条の二の規定による通知の内容

(x) the contents of a notification under the provisions of Article 27-2.

第三十七条 (保存期間の起算日)

Article 37 (Initial Date for Calculating the Retention Period)

法第四十二条第二項の規定による派遣先管理台帳を保存すべき期間の計算についての起算日は、労働者派遣の終了の日とする。

The initial date for calculating the period for retaining a Client's management record under the provisions of paragraph (2) of Article 42 of the Act shall be the day of the termination of the worker dispatching.

第三十八条 (派遣元事業主に対する通知)

Article 37 (Notification to Dispatching Business Operator)

1 法第四十二条第三項の規定による派遣元事業主に対する通知は、派遣労働者ごとの同条第一項第二号及び第三号並びに第三十六条第一号に掲げる事項を、一箇月ごとに一回以上、一定の期日を定めて、書面の交付等により通知することにより行わなければならない。

(1) The notification to a Dispatching Business Operator under the provisions of paragraph (3) of Article 42 of the Act shall be made by way of Delivery of the Written Matters, etc., with regard to the matters for each dispatched worker listed in items (ii) and (iii) of paragraph (1) of the same Article and item (i) of Article 36, once or more for each month, specifying a certain date.

2 前項の規定にかかわらず、派遣元事業主から請求があつたときは、前項に定める事項を、遅滞なく、書面の交付等により通知しなければならない。

(2) Notwithstanding the provisions of the preceding paragraph, when there is a request from a Dispatching Business Operator, the matters prescribed in the preceding paragraph shall be notified, without delay, by way of Delivery of the Written Matters, etc.

第四節 労働基準法等の適用に関する特例等

Section 4. Special Application of the Labor Standards Act and Related Acts, etc.

第三十九条 (労働基準法施行規則を適用する場合の読替え)

Article 39 (Replacement of Terms when Applying the Ordinance for Enforcement of the Labor Standards Act)

法第四十四条の規定により同条第一項に規定する派遣中の労働者(以下単に「派遣中の労働者」という。)の派遣就業に関する労働基準法施行規則(昭和二十二年厚生省令第二十三号)の規定の適用については、同令第十九条中「法第三十三条若しくは法第三十六条第一項の規定」とあるのは「労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律(以下「労働者派遣法」という。)第四十四条第二項の規定により適用される法第三十三条若しくは法第三十六条第一項の規定」と、同令第二十条中「法第三十三条又は法第三十六条第一項の規定」とあるのは「労働者派遣法第四十四条第二項の規定により適用される法第三十三条又は法第三十六条第一項の規定」と、同令第二十四条中「使用者」とあるのは「労働者派遣法第四十四条第二項の規定により同条第一項に規定する派遣先の事業の法第十条に規定する使用者とみなされる者」とする。

With regard to the application of the provisions of the Ordinance for Enforcement of the Labor Standards Act (Ordinance of the Ministry of Health and Welfare No. 23 of 1947), under the provisions of Article 44 of the Act, to Dispatch Work of a worker under dispatching prescribed paragraph (1) of the same Article (hereinafter simply referred to as a "Worker Under Dispatching"), the term "the provisions of Article 33 of the Act or paragraph (1) of Article 36 of the Act" in Article 19 of the same Ordinance shall be deemed to be replaced with "the provisions of Article 33 of the Act or paragraph (1) of Article 36 of the Act which are applied pursuant to the provisions of paragraph (2) of Article 44 of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Worker Dispatching Act")"; the term "the provisions of Article 33 of the Act or paragraph (1) of Article 36 of the Act" in Article 20 of the same Ordinance shall be deemed to be replaced with "the provisions of Article 33 of the Act or paragraph (1) of Article 36 of the Act which are applied pursuant to the provisions of paragraph (2) of Article 44 of the Worker Dispatching Act"; and the term "An Employer" in Article 24 of the same Ordinance shall be deemed to be replaced with "a person who is, pursuant to the provisions of paragraph (2) of Article 44 of the Worker Dispatching Act, deemed to be an employer prescribed in Article 10 of the Act of a Client Undertaking prescribed in paragraph (1) of Article 44 of the Worker Dispatching Act".

第四十条 (法第四十五条の厚生労働省令で定める事項等)

Article 40 (Matters, etc. Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Article 45 of the Act)

1 法第四十五条第一項の厚生労働省令で定める労働安全衛生法(昭和四十七年法律第五十七号)第六十六条第二項後段の規定による健康診断は、法第四十四条第三項に規定する派遣元の事業(以下単に「派遣元の事業」という。)の事業者が労働安全衛生法第六十六条第二項後段の規定により派遣中の労働者に対して行う健康診断とする。

(1) The medical examinations under the provisions of the second sentence of paragraph (2) of Article 66 of the Industrial Safety and Health Act (Act No. 57 of 1972) which are specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in paragraph (1) of Article 45 of the Act shall be the medical examinations conducted by a business operator of the dispatching undertaking prescribed in paragraph (3) of Article 44 of the Act (hereinafter simply referred to as the "Dispatching Undertaking") for Workers Under Dispatching pursuant to the provisions of the second sentence of paragraph (2) of Article 66 of the Industrial Safety and Health Act.

2 労働安全衛生法第十三条第一項の健康管理その他の厚生労働省令で定める事項のうち派遣中の労働者に関して法第四十五条第一項の厚生労働省令で定めるものは、次の事項で医学に関する専門的知識を必要とするものとする。

(2) The health care referred to in paragraph (1) of Article 13 of the Industrial Safety and Health Act and other matters specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in paragraph (1) of Article 45 of the Act concerning Workers Under Dispatching shall be the following matters which require expertise on medical science:

一 労働安全衛生規則(昭和四十七年労働省令第三十二号)第十四条第一項第一号に掲げる事項のうち労働安全衛生法第六十六条第一項の規定による健康診断(前項の健康診断を含む。)の実施及びその結果に基づく労働者の健康を保持するための措置に関すること。

(i) the matters concerning the implementation of medical examinations under the provisions of paragraph (1) of Article 66 of the Industrial Safety and Health Act (including medical examinations referred to in the preceding paragraph) and measures for maintaining the good health of workers based on the examination results, among the matters listed in item (i) of paragraph (1) of Article 14 of the Ordinance on Industrial Safety and Health (Ordinance of the Ministry of Labour No. 32 of 1972);

二 労働安全衛生規則第十四条第一項第五号に掲げる事項

(ii) the matters listed in item (v) of paragraph (1) of Article 14 of the Ordinance on Industrial Safety and Health;

三 労働安全衛生規則第十四条第一項第六号に掲げる事項のうち労働安全衛生法第五十九条第一項及び第二項の規定による衛生のための教育に関すること。

(iii) the matters concerning education for health under the provisions of paragraphs

- (1) and (2) of Article 59 of the Industrial Safety and Health Act, among the matters listed in item (vi) of paragraph (1) of Article 14 of the Ordinance on Industrial Safety and Health.
- 3 労働安全衛生法第十八条第一項各号の事項のうち派遣中の労働者に関して法第四十五条第一項の厚生労働省令で定めるものは、次のとおりとする。
- (3) The matters concerning Workers Under Dispatching specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in paragraph (1) of Article 45 of the Act among the matters referred to in the items of paragraph (1) of Article 18 of the Industrial Safety and Health Act shall be as follows:
- 一 労働安全衛生法第十八条第一項第一号に掲げる事項のうち前項第一号に掲げるものに係るものに関する事。
- (i) the matters concerning those that pertain to those listed in item (i) of the preceding paragraph, among the matters listed in item (i) of paragraph (1) of Article 18 of the Industrial Safety and Health Act;
- 二 労働安全衛生法第十八条第一項第二号に掲げる事項
- (ii) the matters listed in item (ii) of paragraph (1) of Article 18 of the Industrial Safety and Health Act;
- 三 労働安全衛生法第十八条第一項第四号に掲げる事項のうち次に掲げるもの
- (iii) the following matters among the matters listed in item (iv) of paragraph (1) of Article 18 of the Industrial Safety and Health Act:
- イ 労働安全衛生規則第二十二条第一号に掲げる事項のうち前項第一号に規定する健康診断に係るものに関する事。
- (a) the matters concerning those that pertain to medical examinations prescribed in item (i) of the preceding paragraph, among the matters listed in item (i) of Article 22 of the Ordinance on Industrial Safety and Health;
- ロ 労働安全衛生規則第二十二条第四号に掲げる事項のうち前項第三号に規定する衛生のための教育に係るものに関する事。
- (b) the matters concerning those that pertain to education for health prescribed in item (iii) of the preceding paragraph, among the matters listed in item (iv) of Article 22 of the Ordinance on Industrial Safety and Health;
- ハ 労働安全衛生規則第二十二条第七号に掲げる事項のうち前項第一号に規定する健康診断の結果に係るものに関する事。
- (c) the matters concerning those that pertain to the results of medical examinations prescribed in item (i) of the preceding paragraph, among the matters listed in item (vii) of Article 22 of the Ordinance on Industrial Safety and Health;
- ニ 労働安全衛生規則第二十二条第八号に掲げる事項
- (d) the matters listed in item (viii) of Article 22 of the Ordinance on Industrial Safety and Health.
- 4 労働安全衛生法第十三条第一項の健康管理その他の厚生労働省令で定める事項のう

ち派遣中の労働者に関して法第四十五条第二項の厚生労働省令で定めるものは、第二項各号に掲げる事項で医学に関する専門的知識を必要とするものとする。

(4) The health care referred to in paragraph (1) of Article 13 of the Industrial Safety and Health Act and other matters specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in paragraph (2) of Article 45 of the Act concerning Workers Under Dispatching shall be the matters listed in the items of paragraph (2) which require expertise on medical science.

5 労働安全衛生法第十八条第一項各号の事項のうち派遣中の労働者に関して法第四十五条第二項の厚生労働省令で定めるものは、第三項各号に掲げるものとする。

(5) The matters concerning Workers Under Dispatching specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in paragraph (2) of Article 45 of the Act among the matters referred to in the items of paragraph (1) of Article 18 of the Industrial Safety and Health Act shall be those listed in the items of paragraph (3).

6 法第四十五条第十項に規定する派遣中の労働者を使用する事業者とみなされた者は、同項の健康診断の結果を記載した書面の作成を、当該派遣中の労働者が受けた健康診断の種類に応じ、労働安全衛生規則様式第五号、有機溶剤中毒予防規則(昭和四十七年労働省令第三十六号)様式第三号、鉛中毒予防規則(昭和四十七年労働省令第三十七号)様式第二号、四アルキル鉛中毒予防規則(昭和四十七年労働省令第三十八号)様式第二号、特定化学物質障害予防規則(昭和四十七年労働省令第三十九号)様式第二号、高気圧作業安全衛生規則(昭和四十七年労働省令第四十号)様式第一号、電離放射線障害防止規則(昭和四十七年労働省令第四十一号)様式第一号又は石綿障害予防規則(平成十七年厚生労働省令第二十一号)様式第二号によるそれぞれの書面の写しを作成することにより行わなければならない。

(6) A person deemed to be a business operator employing a Worker Under Dispatching prescribed in paragraph (10) of Article 45 of the Act shall prepare a copy of the written matters containing the results of medical examinations referred to in the same paragraph, by using Form 5 of the Ordinance on Industrial Safety and Health, Form 3 of the Ordinance on the Prevention of Organic Solvent Poisoning (Ordinance of the Ministry of Labour No. 36 of 1972), Form 2 of the Ordinance on Prevention of Lead Poisoning (Ordinance of the Ministry of Labour No. 37 of 1972), Form 2 of the Ordinance on Prevention of Tetraalkyl Lead Poisoning (Ordinance of the Ministry of Labour No. 38 of 1972), Form 2 of the Ordinance on Prevention of Hazards due to Specified Chemical Substances (Ordinance of the Ministry of Labour No. 39 of 1972), Form 1 of the Ordinance on Safety and Health of Work under High Pressure (Ordinance of the Ministry of Labour No. 40 of 1972), Form 1 of the Ordinance on Prevention of Ionizing Radiation Hazards (Ordinance of the Ministry of Labour No. 41 of 1972) or Form 2 of the Ordinance on Prevention of Asbestos Hazards (Ordinance of the Ministry of Health, Labour and Welfare No. 21 of 2005), respectively, in accordance with the

types of medical examinations that the Worker Under Dispatching received.

- 7 派遣元の事業の事業者は、法第四十五条第十項の規定により送付を受けた同項の書面を五年間(当該書面が特定化学物質障害予防規則様式第二号によるもの(同令第四十条第二項に規定する業務に係るものに限る。))又は電離放射線障害防止規則様式第一号によるものである場合(同令第五十七条ただし書の規定の例により同条の機関に引き渡す場合を除く。))にあつては三十年間、石綿障害予防規則様式第二号によるものである場合にあつては当該労働者が常時当該業務に従事しないこととなつた日から四十年間)保存しなければならない。

- (7) A business operator of the Dispatching Undertaking shall retain the written matters referred to in paragraph (10) of Article 45 of the Act which he/she has received under the provisions of the same paragraph for five years (in the case of the written matters prepared using Form 2 of the Ordinance on Prevention of Hazards due to Specified Chemical Substances (limited to those that pertain to the work prescribed in paragraph (2) of Article 40 of the same Ordinance) or Form 1 of the Ordinance on Prevention of Ionizing Radiation Hazards (excluding the case where the written matters are delivered to the organization referred to in Article 57 of the same Ordinance under the provisions of the proviso of the same Article), for 30 years; and in the case of the written matters prepared using Form 2 of the Ordinance on Prevention of Asbestos Hazards, for 40 years from the day on which said worker ceased to be engaged regularly in said work).

- 8 法第四十五条第十項に規定する派遣中の労働者を使用する事業者とみなされた者は、同条第十四項の通知を、当該派遣中の労働者が受けた健康診断の種類に応じ、同項の医師又は歯科医師の意見が記載された労働安全衛生規則様式第五号、有機溶剤中毒予防規則様式第三号、鉛中毒予防規則様式第二号、四アルキル鉛中毒予防規則様式第二号、特定化学物質障害予防規則様式第二号、高気圧作業安全衛生規則様式第一号、電離放射線障害防止規則様式第一号又は石綿障害予防規則様式第二号によるそれぞれの書面の写しを作成し、同項の派遣元の事業の事業者に送付することにより行わなければならない。

- (8) A person deemed to be a business operator employing a Worker Under Dispatching prescribed in paragraph (10) of Article 45 of the Act shall prepare a copy of the written notice referred to in paragraph (14) of the same Article containing the opinion of a physician or dentist referred to in the same paragraph, by using Form 5 of the Ordinance on Industrial Safety and Health, Form 3 of the Ordinance on the Prevention of Organic Solvent Poisoning, Form 2 of the Ordinance on Prevention of Lead Poisoning, Form 2 of the Ordinance on Prevention of Tetraalkyl Lead Poisoning, Form 2 of the Ordinance on Prevention of Hazards due to Specified Chemical Substances, Form 1 of the Ordinance on Safety and Health of Work under High Pressure, Form 1 of the Ordinance on Prevention of Ionizing Radiation Hazards or Form 2 of the Ordinance on Prevention of Asbestos Hazards, respectively, in accordance with the types of medical

examinations that the Worker Under Dispatching received and send the copy to the business operator of the Dispatching Undertaking referred to in the same paragraph.

第四十一条（労働安全衛生規則を適用する場合の読替え等）

Article 41 (Replacement of Terms when Applying the Ordinance on Industrial Safety and Health, etc.)

1 法第四十五条の規定により法第四十四条第一項に規定する派遣先の事業(以下単に「派遣先の事業」という。)に関し労働安全衛生規則の規定を適用する場合における法第四十五条第十七項の規定による同令の規定の技術的読替えは、次の表のとおりとする。

(1) When applying the provisions of the Ordinance on Industrial Safety and Health, pursuant to the provisions of Article 45 of the Act, to a Client Undertaking prescribed in paragraph (1) of Article 44 of the Act (hereinafter simply referred to as a "Client Undertaking"), the technical replacement of terms of the same Ordinance pursuant to the provisions of paragraph (17) of Article 45 of the Act shall be as follows:

| 読替えに係る労働安全衛生規則の規定 Provisions of the Ordinance on Industrial Safety and Health for which a term is deemed to be replaced | 読み替えられる字句 Term deemed to be replaced | 読み替える字句 Term to be used as replacement |
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| 第十二条 Article 12 | 事業者 A business operator | 労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律(以下「労働者派遣法」という。)第四十五条第一項の規定により衛生管理者を選任すべき事業者とみなされる者 A person deemed to be a business operator who shall appoint a health manager pursuant to the provisions of paragraph (1) of Article 45 of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched |

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| | | Workers (hereinafter referred to as the "Worker Dispatching Act") |
| | <p>第七条第一項第六号</p> <p>item (vi) of paragraph (1) of Article 7</p> | <p>労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律施行規則(以下「労働者派遣法施行規則」という。)第四十一条第四項の規定により適用される第七条第一項第六号</p> <p>item (vi) of paragraph (1) of Article 7 which is applied pursuant to the provisions of paragraph (4) of Article 41 of the Ordinance for Enforcement of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Ordinance for Enforcement of the Worker Dispatching Act")</p> |
| | <p>法第十条第一項各号の業務</p> <p>the work referred to in the items of paragraph (1) of Article 10 of the Act</p> | <p>労働者派遣法第四十五条第一項に規定する派遣先安全衛生管理業務</p> <p>safety and health management at the Client's place of business prescribed in paragraph (1) of Article 45 of the Worker Dispatching Act</p> |
| 第十四条第三項 Paragraph (3) of Article 14 | <p>第一項各号に掲げる事項</p> <p>the matters listed in the items of paragraph (1)</p> | <p>第一項各号に掲げる事項(労働者派遣法第四十四条第一項に規定する派遣中の労働者(以下単に「派遣中の労働者」という。)に関しては、第一項各号に掲げる事項のうち労働者派遣法施行規則第四十条第二項各号に掲げる事項以外の事項)</p> <p>the matters listed in the items of paragraph (1) (with regard to a worker under dispatching prescribed in paragraph (1) of Article 44 of the Worker Dispatching Act (hereinafter simply referred to as a "Worker Under Dispatching"), the matters other than those listed in the items of paragraph (2) of Article 40 of the Ordinance for Enforcement of the Worker Dispatching Act among the matters listed in the items of paragraph (1))</p> |
| 第十四条第五項 Paragraph (5) of | <p>事業者</p> <p>A business</p> | <p>労働者派遣法第四十五条第三項の規定により歯科医師による健康診断を行うべき事業者とみな</p> |

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| Article 14 | operator | <p>される者</p> <p>A person deemed to be a business operator who shall conduct medical examinations by dentists pursuant to the provisions of paragraph (3) of Article 45 of the Worker Dispatching Act</p> |
| | 労働者 workers | <p>労働者(派遣中の労働者を含む。)</p> <p>workers (including Workers Under Dispatching)</p> |
| | <p>第一項各号に掲げる事項</p> <p>the matters listed in the items of paragraph (1)</p> | <p>第一項各号に掲げる事項(派遣中の労働者に関しては、同項各号に掲げる事項のうち労働者派遣法施行規則第四十条第二項各号に掲げる事項以外の事項)</p> <p>the matters listed in the items of paragraph (1) (with regard to a Worker Under Dispatching, the matters other than those listed in the items of paragraph (2) of Article 40 of the Ordinance for Enforcement of the Worker Dispatching Act among the matters listed in the items of paragraph (1))</p> |
| 第十四条第六項 Paragraph (6) of Article 14 | 労働者 workers | <p>労働者(派遣中の労働者を含む。)</p> <p>workers (including Workers Under Dispatching)</p> |
| | 事業者 a business operator | <p>労働者派遣法第四十五条第三項の規定により歯科医師による健康診断を行うべき事業者とみなされる者</p> <p>a person deemed to be a business operator who shall conduct medical examinations by dentists pursuant to the provisions of paragraph (3) of Article 45 of the Worker Dispatching Act</p> |
| 第十五条第二項 Paragraph (2) of Article 15 | 事業者 A business operator | <p>労働者派遣法第四十五条第三項の規定により産業医を選任すべき事業者とみなされる者</p> <p>A person deemed to be a business operator who shall appoint an industrial physician(s) pursuant to the provisions of paragraph (3) of Article 45 of the Worker Dispatching Act</p> |
| | <p>前条第一項に規定する事項</p> <p>the matters prescribed in</p> | <p>前条第一項に規定する事項(派遣中の労働者に関しては、同項に規定する事項のうち労働者派遣法施行規則第四十条第二項各号に掲げる事項以外の事項)</p> |

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| | paragraph (1) of the preceding Article | the matters prescribed in paragraph (1) of the preceding Article (with regard to a Worker Under Dispatching, the matters other than those listed in the items of paragraph (2) of Article 40 of the Ordinance for Enforcement of the Worker Dispatching Act among the matters listed in the items of paragraph (1)) |
| 第十五条の二第二項 Paragraph (2) of Article 15-2 | 事業者 A business operator | 労働者派遣法第四十五条第一項の規定により事業者とみなされる者 A person deemed to be a business operator pursuant to the provisions of paragraph (1) of Article 45 of the Worker Dispatching Act |
| | 労働者の健康管理等 health care, etc. for workers | 労働者の健康管理等(派遣中の労働者に関しては、労働者派遣法第四十五条第一項の規定により産業医に行わせなければならないものとされる労働者の健康管理等) health care, etc. for workers (with regard to a Worker Under Dispatching, health care, etc. for workers which shall be conducted by an industrial physician(s) pursuant to the provisions of paragraph (1) of Article 45 of the Worker Dispatching Act) |
| 第三十五条第一項 Paragraph (1) of Article 35 | 事業者 A business operator | 労働者派遣法第四十五条第一項の規定により事業者とみなされる者 A person deemed to be a business operator pursuant to the provisions of paragraph (1) of Article 45 of the Worker Dispatching Act |
| | 又は労働者 of the worker | 又は労働者(派遣中の労働者を含む。) of the worker (including the Worker Under Dispatching) |
| | 事業場の労働者 workers for a place of work | 事業場の労働者(派遣中の労働者を含む。) workers (including Workers Under Dispatching) for a place of work |
| 第三十五条第二項 Paragraph (2) of Article 35 | 事業者 A business operator | 労働者派遣法第四十五条第一項の規定により事業者とみなされる者 A person deemed to be a business operator pursuant to the provisions of paragraph (1) of Article 45 of the Worker Dispatching Act |
| | 労働者 workers | 労働者(派遣中の労働者を含む。) workers (including Workers Under |

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| | Dispatching) |
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2 その事業場に使用する労働者が派遣先の事業における派遣就業のために派遣されている派遣元の事業に関し労働安全衛生規則の規定を適用する場合における法第四十五条第十七項の規定による同令の規定の技術的読替えは、次の表のとおりとする。

(2) When applying the provisions of the Ordinance on Industrial Safety and Health to a Dispatching Undertaking in which workers employed in said undertaking are dispatched for Dispatch Work in a Client Undertaking, the technical replacement of terms of the same Ordinance pursuant to the provisions of paragraph (17) of Article 45 of the Act shall be as follows:

| 読替えに係る労働安全衛生規則の規定 Provisions of the Ordinance on Industrial Safety and Health for which a term is deemed to be replaced | 読み替えられる字句 Term deemed to be replaced | 読み替える字句 Term to be used as replacement |
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| 第十二条 Article 12 | 事業者 A business operator | 労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律(以下「労働者派遣法」という。)第四十四条第三項に規定する派遣元の事業(以下単に「派遣元の事業」という。)を行う者 A person who carries out a dispatching undertaking prescribed in paragraph (3) of Article 44 of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Worker Dispatching Act") (hereinafter such undertaking shall be simply referred to as a "Dispatching Undertaking") |
| | 法第十条第一項各号の業務 the work referred | 労働者派遣法第四十五条第二項に規定する派遣元安全衛生管理業務 safety and health management in a worker |

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| | to in the items of paragraph (1) of Article 10 of the Act | dispatching undertaking prescribed in paragraph (2) of Article 45 of the Worker Dispatching Act |
| 第十四条第三項 Paragraph (3) of Article 14 | 第一項各号に掲げる事項 the matters listed in the items of paragraph (1) | 第一項各号に掲げる事項(労働者派遣法第四十四条第一項に規定する派遣中の労働者(以下単に「派遣中の労働者」という。))に関しては、労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律施行規則(以下「労働者派遣法施行規則」という。)第四十条第二項各号に掲げる事項) the matters listed in the items of paragraph (1) (with regard to a worker under dispatching prescribed in paragraph (1) of Article 44 of the Worker Dispatching Act (hereinafter simply referred to as a "Worker Under Dispatching")), the matters listed in the items of paragraph (2) of Article 40 of the Ordinance for Enforcement of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Ordinance for Enforcement of the Worker Dispatching Act")) |
| 第十五条第二項 Paragraph (2) of Article 15 | 前条第一項に規定する事項 the matters prescribed in paragraph (1) of the preceding Article | 前条第一項に規定する事項(派遣中の労働者に関しては、労働者派遣法施行規則第四十条第二項各号に掲げる事項) the matters prescribed in paragraph (1) of the preceding Article (with regard to a Worker Under Dispatching, the matters listed in the items of paragraph (2) of Article 40 of the Ordinance for Enforcement of the Worker Dispatching Act) |
| 第十五条の二第二項 Paragraph (2) of Article 15-2 | 労働者の健康管理等 health care, etc. for workers | 労働者の健康管理等(派遣中の労働者に関しては、労働者派遣法第四十五条第二項の規定により産業医に行わせなければならないものとされる労働者の健康管理等) health care, etc. for workers (with regard to a Worker Under Dispatching, health care, etc. for workers which shall be conducted by an |

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| | | industrial physician(s) pursuant to the provisions of paragraph (2) of Article 45 of the Worker Dispatching Act) |
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3 前二項に定めるもののほか、法第四十五条の規定により労働安全衛生規則の規定を適用する場合における同条第十七項の規定による同令の規定の技術的読替えは、次の表のとおりとする。

(3) In addition to what is prescribed in the preceding two paragraphs, when applying the provisions of the Ordinance on Industrial Safety and Health pursuant to the provisions of Article 45 of the Act, the technical replacement of terms of the same Ordinance pursuant to the provisions of paragraph (17) of Article 45 of the Act shall be as follows:

| 読替えに係る労働安全衛生規則の規定 Provisions of the Ordinance on Industrial Safety and Health for which a term is deemed to be replaced | 読み替えられる字句 Term deemed to be replaced | 読み替える字句 Term to be used as replacement |
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| 第六条第二項 Paragraph (2) of Article 6 | 事業者 A business operator | 事業者(労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律(以下「労働者派遣法」という。)第四十五条第三項の規定により安全管理者を選任すべき事業者とみなされる者を含む。) A business operator (including a person deemed to be a business operator who shall appoint a safety manager pursuant to the provisions of paragraph (3) of Article 45 of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Worker Dispatching Act")) |
| 第十一条第二項 Paragraph (2) of | 事業者 A business | 事業者(労働者派遣法第四十五条第一項の規定により衛生管理者を選任すべき事業者とみなされ |

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| Article 11 | operator | <p>る者を含む。)</p> <p>A business operator (including a person deemed to be a business operator who shall appoint a health manager pursuant to the provisions of paragraph (1) of Article 45 of the Worker Dispatching Act)</p> |
| 第十二条の四 Article 12-4 | 事業者 A business operator | <p>事業者(労働者派遣法第四十五条第一項の規定により安全衛生推進者又は衛生推進者を選任すべき事業者とみなされる者を含む。)</p> <p>A business operator (including a person deemed to be a business operator who shall appoint a safety and health promoter or a health promoter pursuant to the provisions of paragraph (1) of Article 45 of the Worker Dispatching Act)</p> |
| 第十四条第四項 Paragraph (4) of Article 14 | 事業者 A business operator | <p>事業者(労働者派遣法第四十五条第一項の規定により産業医を選任すべき事業者とみなされる者を含む。)</p> <p>A business operator (including a person deemed to be a business operator who shall appoint an industrial physician(s) pursuant to the provisions of paragraph (1) of Article 45 of the Worker Dispatching Act)</p> |
| 第十七条、第十八条 Article 17 and Article 18 | 事業者 A business operator | <p>事業者(労働者派遣法第四十五条第三項の規定により作業主任者を選任すべき事業者とみなされる者を含む。)</p> <p>A business operator (including a person deemed to be a business operator who shall appoint an operation chief pursuant to the provisions of paragraph (3) of Article 45 of the Worker Dispatching Act)</p> |
| 第十八条の五 Article 18-5 | 事業者 A business operator | <p>事業者(労働者派遣法第四十五条第三項の規定により元方安全衛生管理者を選任すべき事業者とみなされる者を含む。)</p> <p>A business operator (including a person deemed to be a business operator who shall appoint a master safety and health supervisor pursuant to the provisions of paragraph (3) of Article 45 of the Worker Dispatching Act)</p> |
| | 労働者 | 労働者(労働者派遣法第四十四条第一項に規定す |

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| | workers | る派遣中の労働者(以下単に「派遣中の労働者」という。)を含む。) workers (including Workers Under Dispatching prescribed in paragraph (1) of Article 44 of the Worker Dispatching Act (hereinafter simply referred to as a "Worker(s) Under Dispatching")) |
| 第二十三条第一項 Paragraph (1) of Article 23 | 事業者 A business operator | 事業者(労働者派遣法第四十五条第一項又は第三項の規定により派遣中の労働者を使用する事業者とみなされる者を含む。) A business operator (including a person deemed to be a business operator who employs a Worker Under Dispatching pursuant to the provisions of paragraph (1) or (3) of Article 45 of the Worker Dispatching Act) |
| 第二十三条第三項 Paragraph (3) of Article 23 | 事業者 A business operator | 事業者(労働者派遣法第四十五条第一項又は第三項の規定により派遣中の労働者を使用する事業者とみなされる者を含む。) A business operator (including a person deemed to be a business operator who employs a Worker Under Dispatching pursuant to the provisions of paragraph (1) or (3) of Article 45 of the Worker Dispatching Act) |
| | 労働者 workers | 労働者(派遣中の労働者を含む。) workers (including Workers Under Dispatching) |
| 第二十三条の二 Article 23-2 | 事業者 A business operator | 事業者(労働者派遣法第四十五条第一項又は第三項の規定により派遣中の労働者を使用する事業者とみなされる者を含む。) A business operator (including a person deemed to be a business operator who employs a Worker Under Dispatching pursuant to the provisions of paragraph (1) or (3) of Article 45 of the Worker Dispatching Act) |
| 第二十四条の八 Article 24-8 | 事業者 A business operator | 事業者(労働者派遣法第四十五条第三項の規定により救護に関する技術的事項を管理する者を選任すべき事業者とみなされる者を含む。) A business operator (including a person deemed to be a business operator who shall appoint a person in charge of the technical |

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| | | matters on relief work pursuant to the provisions of paragraph (3) of Article 45 of the Worker Dispatching Act) |
| 第四十条の三第一項 Paragraph (1) of Article 40-3 | 事業者 A business operator | 事業者(労働者派遣法第四十五条第三項の規定により派遣中の労働者を使用する事業者とみなされる者を含む。) A business operator (including a person deemed to be a business operator who employs a Worker Under Dispatching pursuant to the provisions of paragraph (3) of Article 45 of the Worker Dispatching Act) |
| 第四十二条第一項 Paragraph (1) of Article 42 | 事業者 A business operator | 事業者(労働者派遣法第四十四条第一項に規定する派遣先の事業を行う者を含む。次項において同じ。) A business operator (including a person who carries out a Client Undertaking prescribed in paragraph (1) of Article 44 of the Worker Dispatching Act; the same shall apply in the following paragraph) |
| | 労働者(workers (| 労働者(派遣中の労働者を含み、 workers (including Workers Under Dispatching; |
| 第四十八条 Article 48 | 雇入れの際 when employing him/her | 雇入れの際(派遣中の労働者については、当該派遣中の労働者に係る労働者派遣法第二条第一号に規定する労働者派遣の役務の提供の開始の際) when employing him/her (with regard to a Worker Under Dispatching, when the provision of worker dispatching services prescribed in item (i) of Article 2 of the Worker Dispatching Act commenced for said Worker Under Dispatching) |
| 第九十九条 Article 99 | 法及びこれに基づく命令 The Act and orders issued thereunder | 法及びこれに基づく命令(労働者派遣法第四十五条の規定により適用される場合を含む。) The Act and orders issued thereunder (including the case where they are applied pursuant to the provisions of Article 45 of the Worker Dispatching Act) |
| 第一百条 Article 100 | 法 the Act | 法(労働者派遣法第四十五条の規定により適用される場合を含む。) the Act (including the case where it is applied |

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| | | pursuant to the provisions of Article 45 of the Worker Dispatching Act) |
| 第六百六十七条 Article 667 | その使用する労働者 a worker whom he/she employs | その使用する労働者(労働者派遣法第四十五条第三項の規定によりその使用する労働者とみなされる者を含む。) a worker whom he/she employs (including a person deemed to be a worker whom he/she employs pursuant to the provisions of paragraph (3) of Article 45 of the Worker Dispatching Act) |
| 第六百七十一条、 第六百七十七条 Article 671 and Article 677 | 労働者 workers | 労働者(派遣中の労働者を含む。) workers (including Workers Under Dispatching) |

4 労働者がその事業場における派遣就業のために派遣されている派遣先の事業の事業場に関する労働安全衛生規則第七条第一項第四号から第六号まで、第十二条の二並びに第十三条第一項第二号及び第三号の規定の適用については、当該派遣先の事業の事業場もまた当該派遣中の労働者を使用する事業場とみなす。

(4) With regard to the application of the provisions of items (iv) to (vi) of paragraph (1) of Article 7, Article 12-2, and items (ii) and (iii) of paragraph (1) of Article 13 of the Ordinance on Industrial Safety and Health to a workplace of a Client Undertaking where a worker is dispatched for the Dispatch Work performed at the workplace, said workplace of the Client Undertaking shall also be deemed to be the workplace where said Worker Under Dispatching is employed.

5 労働者がその事業場における派遣就業のために派遣されている派遣先の事業の事業場に関する労働安全衛生規則第四条第一項第四号の規定の適用については、当該派遣先の事業の事業場を当該派遣中の労働者を使用する事業場とみなす。

(5) With regard to the application of the provisions of item (iv) of paragraph (1) of Article 4 of the Ordinance on Industrial Safety and Health to a workplace of a Client Undertaking where a worker is dispatched for the Dispatch Work performed at the workplace, said workplace of the Client Undertaking shall be deemed to be the workplace where said Worker Under Dispatching is employed.

6 その事業場に使用する労働者が派遣先の事業における派遣就業のために派遣されている派遣元の事業場に関する労働安全衛生規則第四条第一項第四号の規定の適用については、当該派遣元の事業の事業場は当該派遣中の労働者を使用しないものとみなす。

(6) With regard to the application of the provisions of item (iv) of paragraph (1) of Article 4 of the Ordinance on Industrial Safety and Health to a workplace of a Dispatching Undertaking where a worker employed for the workplace is dispatched for Dispatch Work for a Client Undertaking, said workplace of the Dispatching

Undertaking shall be deemed to be a workplace where said Worker Under Dispatching is not employed.

第四十二条 (派遣中の労働者に係る労働者死傷病報告の送付)

Article 42 (Sending of Reports of Worker's Death, Illness or Injuries Concerning Workers under Dispatching)

派遣先の事業を行う者は、労働安全衛生規則第九十七条第一項の規定により派遣中の労働者に係る同項の報告書を所轄労働基準監督署長に提出したときは、遅滞なく、その写しを当該派遣中の労働者を雇用する派遣元の事業の事業者に送付しなければならない。

A person carrying out a Client Undertaking shall, when he/she has submitted a report referred to in paragraph (1) of Article 97 of the Ordinance on Industrial Safety and Health concerning a Worker Under Dispatching to the head of the relevant Labor Standards Supervision Office pursuant to the provisions of the same paragraph, send a copy of the report, without delay, to the business operator of the Dispatching Undertaking who employs said Worker Under Dispatching.

第四十三条 (ボイラー及び圧力容器安全規則等を適用する場合の読替え)

Article 43 (Replacement of Terms when Applying the Ordinance on Safety of Boilers and Pressure Vessels, etc.)

1 法第四十五条の規定によりボイラー及び圧力容器安全規則(昭和四十七年労働省令第三十三号)の規定を適用する場合における同条第十七項の規定による同令の規定の技術的読替えは、次の表のとおりとする。

(1) When applying the provisions of the Ordinance on Safety of Boilers and Pressure Vessels (Ordinance of the Ministry of Labour No. 33 of 1972) pursuant to the provisions of Article 45 of the Act, the technical replacement of terms of the same Ordinance pursuant to the provisions of paragraph (17) of Article 45 of the Act shall be as follows:

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| 読替えに係るボイラー及び圧力容器安全規則の規定 Provisions of the Ordinance on Safety of Boilers and Pressure Vessels for which a term is deemed to be | 読み替えられる字句 Term deemed to be replaced | 読み替える字句 Term to be used as replacement |
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| replaced | | |
| 第二十三条第一項 Paragraph (1) of Article 23 | 安衛則第四十二条 Article 42 of the Ordinance on Industrial Safety and Health | 安衛則第四十二条(労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律施行規則(以下「労働者派遣法施行規則」という。))第四十一条第三項の規定により適用される場合を含む。) Article 42 of the Ordinance on Industrial Safety and Health (including the case where it is applied pursuant to the provisions of paragraph (3) of Article 41 of the Ordinance for Enforcement of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Ordinance for Enforcement of the Worker Dispatching Act")) |
| 第四十四条第一項、第四十八条、第七十九条、第八十三条 Paragraph 1 of Article 44, Article 48, Article 79 and Article 83 | 事業者 a business operator | 事業者(労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律第四十四条第一項に規定する派遣先の事業を行う者を含む。) a business operator (including a person who carries out a Client Undertaking prescribed in paragraph (1) of Article 44 of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers) |
| 第二百二十五条第一号 Item (i) of Article 125 | 第三十六条から第五十四条まで Articles 36 to 54 | 第三十六条から第五十四条まで(第四十四条第一項及び第四十八条の規定にあつては、労働者派遣法施行規則第四十三条第一項の規定により適用される場合を含む。) Articles 36 to 54 (for the provisions of paragraph (1) of Article 44 and Article 48, including the case where they are applied pursuant to the provisions of paragraph (1) of Article 43 of the Ordinance for Enforcement of the Worker Dispatching Act) |
| 第二百二十五条第一号から第三号まで Items (i) to (iii) | 第七十一条から第八十五条まで Articles 71 to 85 | 第七十一条から第八十五条まで(第七十九条及び第八十三条の規定にあつては、労働者派遣法施行規則第四十三条第一項の規定により適用される場合を含む。) |

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| of paragraph (1) of Article 125 | | Articles 71 to 85 (for the provisions of Article 79 and Article 83, including the case where they are applied pursuant to the provisions of paragraph (1) of Article 43 of the Ordinance for Enforcement of the Worker Dispatching Act) |
| 第百二十五条第四号 Item (iv) of Article 125 | 第七十一条から第八十三条まで Articles 71 to 83 | 第七十一条から第八十三条まで(第七十九条及び第八十三条の規定にあつては、労働者派遣法施行規則第四十三条第一項の規定により適用される場合を含む。) Articles 71 to 83 (for the provisions of Article 79 and Article 83, including the case where they are applied pursuant to the provisions of paragraph (1) of Article 43 of the Ordinance for Enforcement of the Worker Dispatching Act) |

2 法第四十五条の規定により有機溶剤中毒予防規則、鉛中毒予防規則、四アルキル鉛中毒予防規則及び高気圧作業安全衛生規則の規定を適用する場合における同条第十七項の規定によるこれらの命令の規定の技術的読替えは、有機溶剤中毒予防規則第二十九条第二項、鉛中毒予防規則第五十三条第一項、四アルキル鉛中毒予防規則第二十二条及び高気圧作業安全衛生規則第三十八条第一項の規定中「雇入れの際」とあるのは「雇入れの際(労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律第四十四条第一項に規定する派遣中の労働者については、当該派遣中の労働者に係る同法第二条第一号に規定する労働者派遣の役務の提供の開始の際)」と読み替えるものとする。

(2) When applying the provisions of the Ordinance on the Prevention of Organic Solvent Poisoning, the Ordinance on Prevention of Lead Poisoning, the Ordinance on Prevention of Tetraalkyl Lead Poisoning and the Ordinance on Safety and Health of Work under High Pressure pursuant to the provisions of Article 45 of the Act, with regard to the technical replacement of terms of these orders under the provisions of paragraph (17) of the same Article, the term "when employing him/her" in paragraph (2) of Article 29 of the Ordinance on the Prevention of Organic Solvent Poisoning, paragraph (1) of Article 53 of the Ordinance on Prevention of Lead Poisoning, Article 22 of the Ordinance on Prevention of Tetraalkyl Lead Poisoning and paragraph (1) of Article 38 of the Ordinance on Safety and Health of Work under High Pressure shall be deemed to be replaced with "when employing him/her (with regard to a Worker Under Dispatching prescribed in paragraph (1) of Article 44 of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions

for Dispatched Workers, when the provision of worker dispatching services prescribed in item (i) of Article 2 of the same Act commenced for said Worker Under Dispatching)".

- 3 法第四十五条の規定により特定化学物質障害予防規則、電離放射線障害防止規則及び石綿障害予防規則の規定を適用する場合における同条第十六項の規定によるこれらの命令の規定の技術的読替えは、特定化学物質障害予防規則第三十九条第一項、電離放射線障害防止規則第五十六条第一項及び石綿障害予防規則第四十条第一項中「雇入れ」とあるのは「雇入れ(労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律第四十四条第一項に規定する派遣中の労働者については、当該派遣中の労働者に係る同法第二条第一号に規定する労働者派遣の役務の提供の開始)」と、電離放射線障害防止規則第六十二条中「事業者及びその使用する労働者」とあるのは「事業者(労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律第四十五条第三項の規定により派遣中の労働者を使用する事業者とみなされる者を含む。)及びその使用する労働者(同法第四十五条第三項の規定によりその使用する労働者とみなされる者を含む。)」と読み替えるものとする。

- (3) When applying the provisions of the Ordinance on Prevention of Hazards due to Specified Chemical Substances, the Ordinance on Prevention of Ionizing Radiation Hazards, and the Ordinance on Prevention of Asbestos Hazards pursuant to the provisions of Article 45 of the Act, with regard to the technical replacement of terms of these orders under the provisions of paragraph (16) of the same Article, the term "when employing him/her" in paragraph (1) of Article 39 of the Ordinance on Prevention of Hazards due to Specified Chemical Substances, paragraph (1) of Article 56 of the Ordinance on Prevention of Ionizing Radiation Hazards, paragraph (1) of Article 40 of the Ordinance on Prevention of Asbestos Hazards shall be deemed to be replaced with "when employing him/her (with regard to a Worker Under Dispatching prescribed in paragraph (1) of Article 44 of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers, when the provision of worker dispatching services prescribed in item (i) of Article 2 of the same Act commenced for said Worker Under Dispatching)"; and the term "a business operator and workers whom he/she employs" in Article 62 of the Ordinance on Prevention of Ionizing Radiation Hazards shall be deemed to be replaced with "a business operator (including a person deemed to be a business operator who employs a Worker Under Dispatching pursuant to the provisions of paragraph (3) of Article 45 of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers) and workers whom he/she employs (including persons deemed to be workers whom he/she employs pursuant to the provisions of paragraph (3) of Article 45 of the same Act)".

第四十四条 (法第四十六条の厚生労働省令で定める事項)

Article 44 (Matters Specified by an Ordinance of the Ministry of Health, Labour and Welfare Referred to in Article 46 of the Act)

- 1 法第四十六条第一項の規定により同項に規定する派遣中の労働者(次条第三項において単に「派遣中の労働者」という。)を使用する事業者とみなされた者は、同条第七項のじん肺健康診断の結果を記載した書面の作成を、じん肺法施行規則(昭和三十五年労働省令第六号)様式第三号による書面の写しを作成することにより行わなければならない。
- (1) A person deemed to be a business operator employing a Worker Under Dispatching prescribed in paragraph (1) of Article 46 of the Act (simply referred to as a "Worker Under Dispatching" in paragraph (3) of the following Article) shall prepare a copy of the written matters containing the results of pneumoconiosis examinations referred to in paragraph (7) of Article 46 of the Act, pursuant to the provisions of paragraph (1) of the same Article, by using Form 3 of the Ordinance for Enforcement of the Pneumoconiosis Act (Ordinance of the Ministry of Labour No. 6 of 1960).
- 2 前項の者は、法第四十六条第七項の通知の内容を記載した書面の作成を、じん肺法施行規則第十六条のじん肺管理区分決定通知書の写しを作成することにより行わなければならない。
- (2) A person referred to in the preceding paragraph shall prepare a copy of the written notice of decision of the classification for supervision of pneumoconiosis referred to in Article 16 of the Ordinance for Enforcement of the Pneumoconiosis Act which contains the contents of the notification referred to in paragraph (7) of Article 46 of the Act.
- 3 派遣元の事業を行う者は、法第四十六条第七項の規定により送付を受けた同項の書面を、じん肺健康診断の結果を記載した書面にあつては七年間、通知の内容を記載した書面にあつては三年間保存しなければならない。
- (3) A person carrying out a Dispatching Undertaking shall retain the written matters referred to in paragraph (7) of Article 46 of the Act which he/she has received under the provisions of the same paragraph for seven years in the case of written matters containing the results of pneumoconiosis examinations and for three years in the case of written matters containing the contents of the notification.

第四十五条 (じん肺法施行規則を適用する場合の読替え)

Article 45 (Replacement of Terms when Applying the Ordinance for Enforcement of the Pneumoconiosis Act)

- 1 法第四十六条(第六項を除く。)の規定によりじん肺法施行規則の規定を適用する場合における同条第十四項の規定による同令の規定の技術的読替えは、次の表のとおりとする。
- (1) When applying the provisions of the Ordinance for Enforcement of the

Pneumoconiosis Act pursuant to the provisions of Article 46 (excluding paragraph (6)) of the Act, the technical replacement of terms of the same Ordinance pursuant to the provisions of paragraph (14) of Article 46 of the Act shall be as follows:

| 読替えに係るじん肺法施行規則の規定 Provisions of the Ordinance for Enforcement of the Pneumoconiosis Act for which a term is deemed to be replaced | 読み替えられる字句 Term deemed to be replaced | 読み替える字句 Term to be used as replacement |
|--|--|---|
| 第十八条 Article 18 | 使用されている間 while they were being employed | 使用されている間(労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律第四十六条第一項に規定する派遣中の労働者(以下単に「派遣中の労働者」という。)については、同法第四十四条第一項に規定する派遣先の事業(以下「派遣先の事業」という。)における同法第二十六条第一項第二号に規定する派遣就業のために派遣されている間) while they were being employed (with regard to workers under dispatching prescribed in paragraph (1) of Article 46 of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter simply referred to as "Workers Under Dispatching"), while they were being dispatched for Dispatch Work prescribed in item (ii) of paragraph (1) of Article 26 of the same Act in a client undertaking prescribed in paragraph (1) of Article 44 of the same Act (hereinafter referred to as a "Client Undertaking")) |
| | 離職した者 those who separated from | 離職した者(派遣中の労働者については、当該派遣中の労働者に係る労働者派遣法第二条第一号に規定する労働者派遣の役務の提供を終了した |

| | | |
|--|------------|---|
| | employment | 者を含む。) those who separated from employment (with regard to Workers Under Dispatching, including those for whom the provision of worker dispatching services prescribed in item (i) of Article 2 of the Worker Dispatching Act has terminated) |
|--|------------|---|

2 法第四十六条第六項の規定によりじん肺法第二条第一項第五号の事業者とみなされる者に関して同項の規定によりじん肺法施行規則の規定を適用する場合における同条第十四項の規定による同令の規定の技術的読替えは、同令第十条、第十四条及び第二十二条中「法第七条から第九条の二」とあるのは「法第八条から第九条の二」と読み替えるものとする。

(2) When applying the provisions of the Ordinance for Enforcement of the Pneumoconiosis Act to a person deemed to be a business operator referred to in item (v) of paragraph (1) of Article 2 of the Pneumoconiosis Act, pursuant to the provisions of paragraph (6) of Article 46 of the Act, with regard to the technical replacement of terms of the same Ordinance pursuant to the provisions of paragraph (14) of the same Article, the term "Article 7 to Article 9-2 of the Act" in Article 10, Article 14, and Article 22 of the same Ordinance shall be deemed to be replaced with "Article 8 to Article 9-2 of the Act".

3 令第六条第二項の規定によりじん肺法第十八条第一項の規定が適用される場合における派遣中の労働者又は派遣中の労働者であつた者に係る同項の審査請求に係る同法第十九条第五項の利害関係者は、じん肺法施行規則第二十五条の規定にかかわらず、次の各号に掲げる審査請求人ごとに、それぞれ各号に掲げる者とする。

(3) In the case where the provisions of paragraph (1) of Article 18 of the Pneumoconiosis Act are applied pursuant to the provisions of paragraph (2) of Article 6 of the Order, the interested party referred to in paragraph (5) of Article 19 of the Pneumoconiosis Act concerning application for examination under paragraph (1) of Article 18 of the same Act shall be a person listed in the following items for an applicant listed in the respective items, notwithstanding the provisions of Article 25 of the Pneumoconiosis Act:

一 派遣中の労働者 法第四十六条第一項の規定により当該派遣中の労働者を使用するじん肺法第二条第一項第五号に規定する事業者(以下この項において「事業者」という。)とみなされる派遣先の事業を行う者及び当該派遣中の労働者を雇用する派遣元の事業を行う者

(i) a Worker Under Dispatching: a person carrying out a Client Undertaking who is deemed to be a business operator prescribed in item (v) of paragraph (1) of Article 2 of the Pneumoconiosis Act who employs said Worker Under Dispatching pursuant to the provisions of paragraph (1) of Article 46 of the Act (hereinafter

such business operator shall be referred to as a "Business Operator" in this paragraph) and a person carrying out a Dispatching Undertaking who employs said Worker Under Dispatching;

二 法第四十六条第六項の規定によりその者について派遣元の事業を行う者が事業者とみなされる労働者 当該派遣元の事業を行う者

(ii) a worker for whom a person carrying out a Dispatching Undertaking is deemed to be a Business Operator pursuant to the provisions of paragraph (6) of Article 46 of the Act: said person carrying out a Dispatching Undertaking;

三 派遣先の事業において常時粉じん作業(じん肺法第二条第一項第三号に規定する粉じん作業をいう。以下同じ。)に従事したことのある労働者であつて現に派遣元の事業を行う者に雇用されていないもの 当該派遣元の事業を行う者であつた者

(iii) a worker who has once been engaged regularly in dust work (which means dust work prescribed in item (iii) of paragraph (1) of Article 2 of the Pneumoconiosis Act; the same shall apply hereinafter) in a Client Undertaking and is not currently employed by a person carrying out a Dispatching Undertaking: said person who used to carry out the Dispatching Undertaking;

四 法第四十六条第一項の規定により派遣中の労働者を使用する事業者とみなされる派遣先の事業を行う者 当該派遣中の労働者及び当該派遣中の労働者を雇用する派遣元の事業を行う者

(iv) a person carrying out a Client Undertaking who is deemed to be a Business Operator who employs a Worker Under Dispatching pursuant to the provisions of paragraph (1) of Article 46 of the Act: said Worker Under Dispatching and a person carrying out a Dispatching Undertaking who employs said Worker Under Dispatching;

五 派遣中の労働者を雇用する派遣元の事業を行う者 当該派遣中の労働者及び当該派遣中の労働者に係る派遣先の事業を行う者

(v) a person carrying out a Dispatching Undertaking who employs a Worker Under Dispatching: said Worker Under Dispatching and a person carrying out a Client Undertaking related to said Worker Under Dispatching;

六 法第四十六条第六項の規定によりその雇用する労働者について事業者とみなされる派遣元の事業を行う者 当該労働者

(vi) a person carrying out a Dispatching Undertaking who is deemed to be a Business Operator with regard to a worker whom he/she employs pursuant to the provisions of paragraph (6) of Article 46 of the Act: said worker;

七 その事業に使用する労働者を派遣先の事業における派遣就業のために派遣し、常時粉じん作業に従事させた派遣元の事業を行う者であつて現に当該労働者を雇用していないもの 当該労働者であつた者

(vii) a person carrying out a Dispatching Undertaking who dispatched a worker employed for his/her undertaking for Dispatch Work in a Client Undertaking to cause the worker to be engaged regularly in dust work and does not currently

employ said worker: said person who used to be the worker;

八 前各号に掲げる者以外の者 派遣中の労働者又は派遣中の労働者であつた者及び当該派遣中の労働者を雇用する派遣元の事業を行う者又は派遣元の事業を行う者であつた者(派遣中の労働者にあつては、法第四十六条第一項の規定により当該派遣中の労働者を使用する事業者とみなされる派遣先の事業を行う者を含む。)

(viii) a person other than those listed in the preceding items: a Worker Under Dispatching or a person who used to be a Worker Under Dispatching and a person carrying out a Dispatching Undertaking who employs said Worker Under Dispatching or a person who used to be a person carrying out a Dispatching Undertaking (with regard to a Worker Under Dispatching, including a person carrying out a Client Undertaking who is deemed to be a Business Operator who employs said Worker Under Dispatching pursuant to the provisions of paragraph (1) of Article 46 of the Act).

第四十六条 (雇用の分野における男女の均等な機会及び待遇の確保等に関する法律施行規則を適用する場合の読替え)

Article 46 (Replacement of Terms when Applying the Ordinance for Enforcement of the Act on Securing, etc. of Equal Opportunity and Treatment between Men and Women in Employment)

法第四十七条の二の規定により同条に規定する労働者派遣の役務の提供を受ける者に関し雇用の分野における男女の均等な機会及び待遇の確保等に関する法律施行規則(昭和六十一年労働省令第二号)を適用する場合における同令の規定の技術的読替えは、同令第二条の三中「事業主」とあるのは「労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律(昭和六十年法律第八十八号)第四十七条の二の規定により派遣労働者を雇用する事業主とみなされる者」と、「女性労働者」とあるのは「女性労働者(労働者派遣の役務の提供を受ける者がその指揮命令の下に労働させる女性の派遣労働者を含む。)」と読み替えるものとする。

When applying the provisions of the Ordinance for Enforcement of the Act on Securing, etc. of Equal Opportunity and Treatment between Men and Women in Employment (Ordinance of the Ministry of Labour No. 2 of 1986), pursuant to the provisions of Article 47-2 of the Act, to a person who receives the provision of worker dispatching services prescribed in the same Article, with regard to the technical replacement of terms of the same Ordinance, the term "A Business Operator" in Article 2-3 of the same Ordinance shall be deemed to be replaced with "A person deemed to be a business operator who employs dispatched workers pursuant to the provisions of Article 47-2 of the Act for Securing Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985)" and the term "Women Workers" in the same Article shall be deemed to be replaced with "Women Workers (including women dispatched workers whom a person receiving the provision of worker dispatching services causes to work

under his/her instruction)".

第三章 雑則

Chapter III Miscellaneous Provisions

第四十七条（報告等）

Article 47 (Reporting, etc.)

厚生労働大臣は、法第五十条の規定により、労働者派遣事業を行う事業主及び当該事業主から労働者派遣の役務の提供を受ける者に対し必要な事項を報告させるときは、当該報告すべき事項及び当該報告をさせる理由を書面により通知するものとする。

When the Minister of Health, Labour and Welfare requests a business operator carrying out a worker Dispatching Undertaking and a person receiving the provision of worker dispatching services from said business operator to report necessary matters pursuant to the provisions of Article 50 of the Act, he/she shall notify them in writing the matters to be reported and the reason to have them make a report.

第四十八条(立入検査のための証明書)

Article 48 (Certificate for On-Site Inspections)

法第五十一条第二項の証明書は、様式第十四号による。

The certificate referred to in paragraph (2) of Article 51 of the Act shall be in Form 14.

第四十九条から第五十三条まで 削除

Articles 49 to 53 Deleted

第五十四条（手数料の納付方法等）

Article 54 (Methods for Payment of Fees, etc.)

1 法第五十四条の規定による手数料は、申請書に当該手数料の額に相当する額の収入印紙をはつて、納付しなければならない。

(1) The fees under the provisions of Article 54 of the Act shall be paid by attaching revenue stamps for an amount corresponding to the amount of the relevant fees to a written application.

2 前項の手数料は、これを納付した後においては、返還しない。

(2) The fees referred to in the preceding paragraph shall not be returned, once paid.

第五十五条（権限の委任）

Article 55 (Delegation of Authority)

次に掲げる厚生労働大臣の権限は、労働者派遣事業を行う者の主たる事務所及び当該事業を行う事業所の所在地を管轄する都道府県労働局長に委任する。ただし、厚生労働大臣が自らその権限を行うことを妨げない。

The following authority of the Minister of Health, Labour and Welfare shall be delegated to the Prefectural Labour Director who governs the location of the principal office of a person carrying out a worker Dispatching Undertaking and the place of business where said undertaking is carried out; provided, however, that it shall not prevent the Minister of Health, Labour and Welfare from exercising the authority *per se*:

一 法第十四条第二項の規定による命令

(i) order under the provisions of paragraph (2) of Article 14 of the Act;

二 法第二十一条第二項の規定による命令

(ii) order under the provisions of paragraph (2) of Article 21 of the Act;

三 法第四十八条第一項の規定による指導及び助言並びに同条第二項の規定による勧告

(iii) guidance and advice under the provisions of paragraph (1) of Article 48 of the Act and recommendation under the provisions of paragraph (2) of the same Article;

四 法第四十九条第一項及び第二項の規定による命令

(iv) order under the provisions of paragraphs (1) and (2) of Article 49 of the Act;

五 法第四十九条の二第一項及び第二項の規定による勧告

(v) recommendation under the provisions of paragraphs (1) and (2) of Article 49-2 of the Act;

六 法第五十条の規定による報告徴収

(vi) collection of reports under the provisions of Article 50 of the Act;

七 法第五十一条の規定による立入検査

(vii) on-site inspection under the provisions of Article 51 of the Act.

附 則

Supplementary Provisions

1 この省令は、法の施行の日(昭和六十一年七月一日)から施行する。

(1) This Ministerial Ordinance shall come into force as from the date of enforcement of the Act (July 1, 1986).

2 法附則第四項の規定により読み替えて適用される法第五条第二項第三号の厚生労働省令で定めるものは、製造業務のうち、労働者が産前産後休業、育児休業若しくは第三十三条に規定する場合における休業又は介護休業若しくは第三十三条の二に規定する休業をする場合において当該労働者の業務について労働者派遣事業が行われるときの当該業務以外の業務とする。

(2) What is specified by an Ordinance of the Ministry of Health, Labour and Welfare referred to in item (iii) of paragraph (2) of Article 5 of the Act which is applied by replacing the terms pursuant to the provisions of paragraph (4) of the Supplementary Provisions of the Act shall be work other than the Manufacturing Services of a worker who takes Maternity Leave Before or After Childbirth, Child

Care Leave or leave in the case prescribed in Article 33, or Family Care Leave or leave prescribed in Article 33-2 for which a worker Dispatching Undertaking is carried out.

附 則 (平成一八年八月二日厚生労働省令第一四七号)

Supplementary Provisions (Ordinance of the Ministry of Health, Labour and Welfare
No. 147 of August 2, 2006)

第一条 (施行期日)

Article 1 (Effective Date)

この省令は、労働安全衛生法施行令の一部を改正する政令の施行の日(平成十八年九月一日)から施行する。

This Ministerial Ordinance shall come into force as from the date of enforcement of the Cabinet Order on the Partial Revision of the Industrial Safety and Health Act (September 1, 2006).

第八条 (罰則の適用に関する経過措置)

Article 8 (Transitional Measures Concerning the Application of Penal Provisions)

この省令の施行の日前にした行為及び附則第四条の規定によりなおその効力を有することとされる場合におけるこの省令の施行後にした行為に対する罰則の適用については、なお従前の例による。

With regard to the application of penal provisions to any acts committed prior to the enforcement of this Ministerial Ordinance and any acts committed after the enforcement of this Ministerial Ordinance in the case where the provisions then in force shall remain in force pursuant to the provisions of Article 4 of the Supplementary Provisions, the provisions then in force shall remain applicable.

附 則 (平成一八年一〇月一一日厚生労働省令第一八三号)

Supplementary Provisions (Ordinance of the Ministry of Health, Labour and Welfare
No. 183 of October 11, 2006)

この省令は、平成十九年四月一日から施行する。

This Ministerial Ordinance shall come into force as from April 1, 2007.

様式第1号～第14号 略

Forms 1-14 Omitted