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LABOR AND EMPLOYMENT LAW BULLETIN (NO. 4) **Vocational Students' Application for a Work Visa in Japan**

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Based on the decision of the Ministry of Justice, the Immigration Bureaus will accept a foreign vocational student's application for a work visa in Japan, under the condition that such student should satisfy the following requirements:

1. The applicant has finished the specialized course at a vocational school with a degree of “*Senmon-Si*”;
2. The applicant's expected duties and responsibilities fall under an “Engineer” or “Specialist in Humanities/International Services” visa; and
3. The applicant's job is related to the subjects he/she has learned at his/her vocational school.

It is advisable for a vocational school graduate to file the visa application and complete all the process within the territory of Japan. In other words, the applicant needs to stay in Japan until the Immigration Bureaus permit the application for a work visa. If the applicant leaves Japan before the procedure has been finalized, his/her entry into Japan in order to work will be rejected, since there is a basic requirement that the landing permit to work in Japan should be granted to a foreign national who has graduated from college/university or acquired equivalent education and the applicant in this case does not satisfy this requirement.

It is true that even if the applicant leaves Japan after his/her graduation, the applicant will be allowed to enter Japan with a work visa as long as he/she has a 10-year work experience or a bachelor's degree. However, the procedures to be followed outside of the territory of Japan for the purpose of obtaining a work visa are more complicated and time-consuming, as they have to involve the Immigration Bureaus in Japan and a Japanese Consulate abroad.

専門学校卒の留学生が日本での就労を希望する場合、各地の入国管理局がビザ変更許可申請を受け付ける要件は次のとおりです。① 当留学生が「専門士」の称号を有すること。② 日本での勤務が「技術」および「人文知識・国際業務」といった就労ビザに該当すること。③ 専門学校での履修内容と日本勤務の内容に関連性があること。

ご注意いただきたいのは、専門学校卒の外国人については、一連の就労ビザへの変更許可手続きを日本国内で行うほうがよい、ということです。専門学校卒の外国人が一度日本を出国し、新たに就労目的で日本に入国しようとする場合、大卒程度の学歴を有するという要件(就労目的で入国するにはこれが基本的要件です)に適合しないため、上陸許可を受けられないことになりかねないからです。

たしかに、日本の専門学校卒の外国人であっても、10年間の職歴またはすでに学士号を有している場合は、日本を出国した場合でも就労ビザを取得すれば入国可能です。しかし、その場合、通常、日本の入管から在留資格認定証明書を得、かつ在外公館にて査証発給を受けてから日本入国せざるを得ない

こととなりますので、手続きが煩雑となります。

Should you wish to receive further information as to the above-mentioned, and/or how your company is in compliance with labor/employment law, please contact your regular attorney or Hideki Thurgood Kano (e-mail: hidekithurgood.kano@andersonmori.com, tel: 81-3-6888-1061) or our Immigration Attorney Urara Tajima (e-mail: urara.tajima@andersonmori.com, tel: 81-3-6888-1266).