

8 companies face order to stop illegal labor practice at Fukushima plant

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By TOSHIO TADA/ Staff Writer

The government will order eight companies to end an illegal dispatch arrangement that allowed a subcontractor to instruct workers to labor under dangerous conditions at the stricken Fukushima nuclear plant.

The labor ministry has already called on plant operator Tokyo Electric Power Co. and Tokyo Energy & Systems Inc., a TEPCO group company, to enhance monitoring over subcontractors at the plant.

The decision means the ministry has effectively acknowledged that an illegal structure of multilayer contractors threatened the safety of workers. TEPCO has consistently denied any illegal setup.

In the scandal, the president of Access Aomori, a construction company in Aomori Prefecture, ordered workers to cover their dosimeters with lead plates to keep radiation dose readings artificially low during pipe work on Dec. 1, 2011, at the Fukushima No. 1 nuclear plant. The workers were not allowed to continue working at a nuclear plant if their dose readings exceeded safety levels.

A criminal investigation is expected against Access Aomori and its president over the practice.

But Access Aomori also violated labor laws by engaging in a practice known as disguised contracting. Although it was a subcontractor, it accepted 10 workers dispatched by other companies and directly gave them instructions for work at the plant.

TEPCO awarded Access Aomori a contract through its parent, Build-Up, a construction company in Fukushima Prefecture. The president of Access Aomori, 55, served as a director at Build-Up.

The labor ministry concluded that the arrangement violated the Employment Security Law as well as the Worker Dispatch Law, which bans dispatching temporary workers to the construction industry.

It plans to order Build-Up, Access Aomori and six other businesses, which are either small or owned by individual operators, to end the practice.

“We knew it was illegal, but we had no other choice to secure profits,” said the manager of one of the six businesses.

It will be the first time for the labor ministry to issue a correction order to more than one company in connection with recovery work at the Fukushima plant.

The ministry effectively recognized the structure of multilayer contractors with TEPCO at the top. It called on TEPCO and Tokyo Energy & Systems to improve the situation because the arrangement makes it unclear who controls the safety of workers.

The ministry also acknowledges that it was difficult for the workers to reject the orders from Access Aomori because of their unstable employment status.

The practice of disguised contracting has come under fire because the employers' responsibility for workers becomes ambiguous and the businesses involved keep the workers' wages low.

In February, the labor ministry said the practice appeared to have spread to recovery work at the Fukushima No. 1 plant and called for improvements.

TEPCO has not made a full-scale investigation, denying violations on grounds that it asked primary contractors to abide by laws and regulations.

But after it received the labor ministry's improvement order, TEPCO said it will ask primary contractors to prevent a recurrence and will conduct on-site inspections to confirm compliance.

A labor standards inspection office in Fukushima Prefecture on Dec. 7 sent papers to the Fukushima District Public Prosecutors Office, accusing Access Aomori and its president of violating the Industrial Safety and Health Law.

According to the labor standards inspection office, the president ordered four workers, including one Access Aomori employee, to cover their dosimeters with 3-millimeter-thick lead plates, which kept dose records 30 percent lower.

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