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Masahito Toki

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Research Areas

My research interests are in the area of labor and employment law. My recent works focus on how labor and employment law regulations regulate third parties that control contractual employers or that affect the compliance with labor laws by contractual employers.

Education

- J.D.** the University of Tokyo (Japan) 2013
Honors: *magna cum laude*
LL.B. the University of Tokyo (Japan) 2011

Professional Experience

- October/2017 to present:
Associate Professor of Labor and Employment Law, Graduate School of Humanities and Social Sciences / Faculty of Law, Okayama University
April/2017 to September/2017:
Specially Appointed Lecturer, Institute of Business Law and Comparative Law & Politics, Graduate Schools for Law and Politics, the University of Tokyo
April/2016 to March/2017:
Lecturer, Graduate Schools of Law and Politics, the University of Tokyo
April/2013 to March 2016:
Research Associate, Graduate Schools of Law and Politics, the University of Tokyo

Association Memberships

- Japan Labor Law Association (May/2013 to present)
International Society for Labour and Social Security Law (July/2018 to present)

Awards

- Incentive Award, Japan Labor Law Association (October/2018)
Okinaga Prize, Labor Research Center (March/2019)

Publications

Articles

- Business Organization Structured by Outsourcing Contracts, and the Concept of Employee and Employer, 267 Rodoho 70 (2019) [in Japanese]

- How Are Third Parties Regulated by Labour Laws?, *in* Stefano Bellomo and Antonio Preteroti (eds.), *RECENT LABOUR LAW ISSUES – A MULTILEVEL PERSPECTIVE* (G. Giaplichelli Editore, 2019), pp. 14-25
- Legal Liability of Third-Party Companies That May Be Involved in the Enforcement of Labor Laws and the Protection of Human Rights, *in* *THE DIVERSIFICATION OF SERVICE PROVIDE AND THE CHALLENGES OF LEGAL SYSTEM* (Labor Research Center, 2019), pp. 85-110 [in Japanese]
- Gig-Economy and Labor and Employment Law in the United States, *in* *THE INDUSTRY 4.0 AND CHALLENGES OF LABOR LAW* (Labor Research Center, 2018), pp. 116-138 [in Japanese]
- Possibility and Limit of Labor Law Regulation beyond Boundary of Legal Entity — A Comparative Study of Individual Labor Law in Germany, the US and Japan (6), 134-11 *Hogaku Kyokai Zasshi*, 2186 (2017) [in Japanese]
- Possibility and Limit of Labor Law Regulation beyond Boundary of Legal Entity — A Comparative Study of Individual Labor Law in Germany, the US and Japan (5), 134-10 *Hogaku Kyokai Zasshi*, 1934 (2017) [in Japanese]
- Possibility and Limit of Labor Law Regulation beyond Boundary of Legal Entity — A Comparative Study of Individual Labor Law in Germany, the US and Japan (4), 134-9 *Hogaku Kyokai Zasshi*, 1633 (2017) [in Japanese]
- Possibility and Limit of Labor Law Regulation beyond Boundary of Legal Entity — A Comparative Study of Individual Labor Law in Germany, the US and Japan (3), 134-8 *Hogaku Kyokai Zasshi*, 1411 (2017) [in Japanese]
- Disparity Issue on Dispatched Workers and Contracted Workers and Its Resolution in Japan, *in* *DISPARATE SOCIETY AND THE ROLE OF LABOR LAW* (Labor Research Center, 2017), pp. 43-60 [in Japanese]
- Possibility and Limit of Labor Law Regulation beyond Boundary of Legal Entity — A Comparative Study of Individual Labor Law in Germany, the US and Japan (2), 134-6 *Hogaku Kyokai Zasshi*, 962 (2017) [in Japanese]
- Possibility and Limit of Labor Law Regulation beyond Boundary of Legal Entity — A Comparative Study of Individual Labor Law in Germany, the US and Japan (1), 134-5 *Hogaku Kyokai Zasshi*, 669 (2017) [in Japanese]
- Work Rule Amendment and Validity of Employees' Consent to It, 436 *Hogaku Kyoshitsu* 8 (2017) [in Japanese]
- Franchisors' Liability to Their Franchisees' Employees under US Labor Law, 678 *Nihon Rodo Kenkyu Zasshi* 63 (2017) [in Japanese]
- Expansion of Addressee of the Occupational Safety and Health Act in the United States, *in* *MODERN ISSUES ON EFFECTIVENESS OF LABOR LAW REGULATIONS* (Labor Research Center, 2015), pp. 83-116 [in Japanese]
- Legal Issues on Individual Employment Law in Company Group in Germany, *in* *CHANGES IN ENTERPRISE BEHAVIOR AND ISSUES OF LABOR LAW POLICY* (Labor Research Center, 2014), pp. 76-103 [in Japanese]
- Legal Issues on the Law Concerning Stabilization of Employment of Elderly Persons, *in* *CHANGES IN ENTERPRISE BEHAVIOR AND ISSUES OF LABOR LAW POLICY* (Labor Research Center, 2014), pp. 292-330 [in Japanese]

Case Notes

- Case Comment on the Takatsuki City case (Osaka High Court, 17 September 2018), 1250 Chuo Rodo Jihou 4 (2019) [in Japanese]
- Case Comment on the Sapporo Daigaku case (Sapporo High Court, 4 October 2017), 1530 Jurist 127 (2019) [in Japanese]
- Case Comment on the Ibaden case (Supreme Court, 15 February 2018), 264 Jurist 147 (2019) [in Japanese]
- Case Comment on the Kuchofuku case (Tokyo High Court, 3 August 2016), 1525 Jurist 146 (2018) [in Japanese]
- Case Comment on the Fuji Bijutsu Insatsu case (Tokyo High Court, 4 July 2016), 261 Rodoho 171 (2018) [in Japanese]
- Case Comment on the Avon Products case (Tokyo District Court, 28 March 2017), 1518 Jurist 230 (2018) [in Japanese]
- Case Comment on the Human Consulting case (Yokohama District Court, 27 August 2014), 1502 Jurist 131 (2017) [in Japanese]
- Case Comment on the Credit Suisse case (Supreme Court, 5 March 2015), 1501 Jurist 124 (2016) [in Japanese]
- Case Comment on the Hanshin Bus case (Kobe District Court, 22 April 2012), 1484 Jurist 131 (2015) [in Japanese]
- Case Comment on the Kumamoto Shinyo Kinko case (Kumamoto District Court, 24 January 2014), 1478 Jurist 115 (2015) [in Japanese]
- Case Comment on the Victor Service Engineering case (Supreme Court, 21 February 2012), 132-2 Hogaku Kyokai Zasshi 335 (2015) [in Japanese]
- Case Comment on the Newlong case (Tokyo District Court, 11 October 2012), 1470 Jurist 116 (2015) [in Japanese]
- Case Comment on the Turkish Airlines case (Tokyo District Court, 5 December 2012), 1470 Jurist 99 (2014) [in Japanese]
- Case Comment on the Corps case (Tokyo District Court, 17 July 2012), 1465 Jurist 115 (2014) [in Japanese]

Other Competencies

Passed Japanese bar examination (September/2013)