

# Voice

National Union

Inside the "Voice"

- ◇ News from Nagoya
- ◇ Fukuoka Circus
- ◇ Tokyo Kokusai HS
- ◇ 10,000 Sign Petition

March 2002, Vol. 1 No. 2

News from the General Union (Kansai & Tokai), NUGW Tokyo South, Fukuoka General Union, Kumamoto General Union, and the Language Teachers' Union of Sendai

## NUGW Part-time Lecturers Unions Joint Negotiations Held at National Ministries

*-NUGW Tokyo South-*

In February, the University Teachers Union of NUGW Tokyo South participated in joint negotiations on the plight of 'sengyou hijoukin koushi' or 'full-time part-time Lecturers' at Japanese Universities with the Ministries of Health, Welfare and Labor and the Ministry of Education, Culture, Sports and Science. These negotiations were arranged by the Union of Part-time Lecturers Tokyo Area, which held a series of meetings with Social Democratic (SDPJ) and Communist Party politicians last fall to discuss the impact this situation is having

on the quality of university education and the careers of highly-trained researchers and teachers. They were also endorsed by the Hanshin and Keiji Chiku branches of this union as well as General Union.

The first round of negotiations were held on February 20 with the Ministry of Health, Welfare and Labor from 3:30 to 5:00 pm. Demands included that the Ministry help improve the pay for part-time lecturers, to conduct a general survey of working conditions for part-time lecturers at universities nationwide, to approve and ratify ILO and UNESCO treaties concerning the rights of part-time (see "Tokyo Joint..." p.2)

## Cartoons from Carol Simpson

The National Union "Voice" will run labour cartoons which have been graciously donated by cartoonist Carol Simpson. You can check out more of her work at [www.cartoonwork.com](http://www.cartoonwork.com). We would like to thank Ms. Simpson for her very generous contribution to improving the "Voice". (see p. 5)

## Greetings from Sendai

The Miyagi Amalgamated Union sends its greetings to the second edition of the National Union "Voice".

Miyagi Union will be handling inquiries in regards to joining the Language Union Teachers Union of Sendai. They can be reached by telephone in Japanese or by fax and e-mail in English.

## Kansai & Tokai Spring Bargaining-Still Moving Forward

*-General Union-*

Despite the fact that Nichibei Eigo Gakuin (a Kansai Eikaiwa) presented us at collective bargaining with an article entitled "End of the Shunto", the GU is continuing its spring negotiations. While some goals went unachieved in this year's negotiations, we were still able to win moderate increases and protect working conditions from employers' demands for cutbacks.

### YMCA - ¥5000 Increase Won

At the beginning of spring bargaining back in December the YMCA had warned the union that the traditional wage increase bargained with the union was possibly in jeopardy. The union's answer was simple; if the company couldn't afford the pay raise for all full time foreign teachers, just give the union teachers a raise.

Sound selfish? Not really, considering that non-union teachers have constantly received the benefits negotiated by the majority of their coworkers who are union members. While their coworkers have dedicated themselves to the union and paid

union dues, the non-union teachers have had a free ride. The YMCA, not knowing how to handle the union's position, decided that the traditional ¥ 5000 pay rise was still possible. (see "Shunto" p.3)

## GU 2002 Annual General Meeting

**All Members Expected to Attend**

Date: April 21, 2002

Time: 6:00-9:00PM

Location: L-Osaka

### Kanto: NUGW Tokyo South

Tokyo-to, Minato-ku, Shimbashi 5-17-7-2F  
Tel: 03-3434-0669 Fax: 03-3433-0334  
Email: [nugw\\_ts@jca.apc.org](mailto:nugw_ts@jca.apc.org)  
URL: [www.ktuf.org](http://www.ktuf.org)

### Kansai: General Union

Osaka-shi, Kita-ku, Temma 2-1-17-3F  
Tel: 06-6352-9619 Fax: 06-6352-9630  
Email: [gu@generalunion.org](mailto:gu@generalunion.org)  
URL: [www.generalunion.org](http://www.generalunion.org)

### Tokai: General Union

Nagoya-shi, Chikusa-ku, Uchiyama 3-28-2-5F  
Tel/Fax: 052-735-9704  
Email: [tokai@generalunion.org](mailto:tokai@generalunion.org)  
URL: [www.generalunion.org](http://www.generalunion.org)

### Language Teachers Union of Sendai

Tel: 022-261-4392 Fax: 022-222-7734  
Email: [ltus@generalunion.org](mailto:ltus@generalunion.org)

### Fukuoka General Union

Kasuga-shi, Kasugabaru Kitamachi 1-3-24-207  
Tel/Fax: 092-573-3094  
Email: [GZC05153@nifty.ne.jp](mailto:GZC05153@nifty.ne.jp)

### Kumamoto General Union

Email: [kumamoto@generalunion.org](mailto:kumamoto@generalunion.org)

**National Union of General Workers**

# Tokyo Joint Negotiations

workers and part-time university staff, to eliminate term-limits on full-time positions and to strongly advise private university administrations to recognize union representation and respond to demands for collective bargaining. About 20 representatives of the sponsoring unions attended along with 9 junior and mid-ranking staff of the Ministry and 3 members of the House of Representatives, including the SDPJ sponsor, Kaneko Tetsuo. Predictably, the bureaucrats evaded responding to the demands by saying that the universities are not violating any laws in employing lecturers on a part-time basis and that other issues would have to be dealt with by the Ministry of Education. The Diet members pointed out that the Ministry has an obligation to develop measures for growing social problems not addressed by the law, such as the plight of part-time workers. It was agreed that these negotiations would continue on a semi-annual basis.

As the very first negotiation it was a significant start but the members found themselves confused about how to explain their demands in such a limited time. It

was unfortunate that employment insurance was not included, which is something the Labor section of the Ministry should be monitoring and expanding. Most part-time Lecturers had given up on qualifying for it but realized that they should include it in the next set of demands.

On Monday, February 25, negotiations were held with the Ministry of Education from 2-3 pm. They were originally told that the meeting could only go for 30 minutes but there was so much to discuss that they lasted twice as long. There were 28 members present from the sponsoring unions, facing 8 bureaucrats; two Diet members, Hayashi Toshiko and Yamauchi Keiko of the SDPJ, facilitated the talks. The MoE bureaucrats again tried to evade the demands by saying that no laws are being violated, so the discussion turned to the deleterious impact the over-reliance and exploitation of part-time Lecturers is having on the quality of university education in Japan.

The Japanese unionists even pointed out that while universities need more and better research, the best teaching and research staff tend to leave the field of

education and even Japan. Full-timers are treated too well while part-timers are given little opportunity to do research. There was much applause but the officials abruptly ended the meeting. The next negotiations are scheduled for September.

For the sake of improving the quality of education and research at Japanese universities and strengthening solidarity across the divisive status distinctions made among full-time lecturers, part-time lecturers and contract lecturers, it is important that Japanese and foreign unionists, both sennin koushi (full-time lecturers) and sengyouteki hijoukin koushi support these demands and negotiations. They bring a lot of common issues into focus and give us a purpose to work together. The primarily Japanese unions have done a tremendous job of compiling national data on employment and working conditions at Japanese universities. We need to publicize this information in English as well.

## Tokyo Kokusai High Labour Commission

-NUGW Tokyo South-

The Kokusai High School Union of Foreign Teachers has filed an appeal to the Tokyo Labor Relations Commission against the Tokyo Office of Education because the latter refuses to recognize the assistant teachers as workers under the Japanese Labor Standards Law and because it refuses to negotiate with the independent teachers regarding working conditions for the coming year.

Douglas Marvin, president of the Tokyo Metropolitan Kokusai High School Union of Foreign Teachers/NUGW Tokyoc South, is scheduled to testify before the Tokyo Labor Relations Commission on April 4, 2002. Hirohiko Takasu, General Secretary of NUGW Tokyo South, will also offer testimony. Counsel for the union is Kunio Miyazato. The witnesses will speak on the reasons the union was formed in May 2000 and working conditions.

Informed sources note that this is the first time testimony by a non-Japanese is being brought to bear against the hiring and labor practices of a division of the Tokyo government, in this case, the Tokyoc Office of Education. As head of the government of Tokyo, Governor Shintaro Ishihara is also named a defendant in this case.

## BEGUNTO Election Results

**The election results for Berlitz General Union Tokyo are as follows:**

|                                       |                         |
|---------------------------------------|-------------------------|
| <b>President</b>                      | Stephan W Billingsley   |
| <b>Vice President</b>                 | Jean Dacher             |
| <b>Vice President</b>                 | Adam Gelman             |
| <b>Treasurer</b>                      | Scott Sherwood          |
| <b>General Secretary</b>              | Ellen Ebata             |
| <b>Other Languages Representative</b> | El Hadji Massamba Diouf |
| <b>Auditor</b>                        | Robert P Lohmann        |

### PLEASE SEND ME MORE INFORMATION

|  |                  |
|--|------------------|
| <b>Name:</b>   | <b>Employer:</b> |
| <b>Address:</b>  |                  |
| <b>Tel:</b>  | <b>Email</b>     |
| <p><b>Fax entire sheet to a local union listed on the front page or email to the local union involved. For all other areas, fax to the General Union at (06)6352-9630 or email to <a href="mailto:voice@generalunion.org">voice@generalunion.org</a></b></p> |                  |

# Shunto 2002 Report

## Human Univ.-Cuts Fought

The union had made a very simple demand at this university; no cuts and no contract non-renewals.

In an apparent attempt to try to scare the union members, the university proposed a 10% pay cut and a 6-hour increase in teaching hours.

We are happy to report that the company has backed down completely and all union members were offered a new contract.

## Osaka Gaigo-Part Timers Make Gains

Union members at this Semmon Gakko were able to win a small pay rise (1%) for both full and part-time workers but the biggest victory went to the part timers.

After numerous bargaining attempts, we were able to guarantee that part-timers would be paid when classes are cancelled for events. Part-timers will now receive one third of their wages when classes are cancelled.

## Mabuchi-New Benefits

Teachers at this children's school were able to win some improvements to working conditions and also won some right to strengthen union organizing in the future.

From April, teachers will be enrolled in

the unemployment insurance plan and the company and union will examine ways to provide health insurance. The company will also provide the union with a space for its news and advertisements in the school.

In a major development, the union was able to secure employment for a union member after the company had fired him.

## Chris English-Bargaining

Bargaining is still continuing at Chris but we are happy to report that some headway has been made for union rights in the workplace.

Union members will now be able to post union information which should help in recruiting as new teachers will see that the company does indeed recognize the union. We will report more in the next edition.

## ECC-Paid Holiday Campaign Continues

ECC union members in Tokai and Kansai have been campaigning to remove a limit on their paid holidays (please see the February "Voice").

The campaign has been moving along successfully with many Kansai teachers signing a petition against the company's holiday system. Updates will follow as we continue the campaign.

# American English Academy

The American English Academy case was finally settled through the mediation of the Osaka Labour Commission on 30 January.

In December 2000 the union sent a demand to the company for payment of unpaid wages, but after several such letters and even demands for collective bargaining were ignored, the union had to take action. Preparations for a picketing were quite far advanced, but in the end, in October last year, we decided to try mediation at the Labour Commission. The commissioners worked very hard to convince the company that they could not refuse payment or pull out of the talks; obviously the union would simply go ahead and file a full unfair labour practices case against them.

The settlement reached involved payment of unpaid wages, and a written apology from the company to the union in which they admitted their lack of understanding of labour law, and promised to study it in order to avoid this kind of dispute in the future.

It was a long-drawn out dispute, but one that the union, in line with its 'zero tolerance' policy, was determined to win. If anyone has had a similar problem at this company over the past two years, please let us know.

# Problems at Work? Join the Union!

The General Union, as always, continues to plug away on problems faced individually by both old and new members. If you are having a problem at work that looks like the ones you see in these pages, or other issues, please make sure you contact the union immediately when you feel something is going to happen. Better yet, join the union before you have a problem, so you can learn to identify certain issues and act before the problem occurs.

Below are some of the individual problems we are working on at the moment.

## Shin'ai Wedding Services-Finally Pays Up!

This purportedly Christian organization was refusing to pay wages owed to a union member. The reason why they believed it wasn't necessary to pay is that the union member refused to take on a certain wedding ceremony, even though the assignments are all voluntary and the worker clearly has the right to refuse each assignment.

When the member received his next pay package, he found one day's wages missing. When he approached the employer, he was told that this was his punishment for not taking on an assignment. We've spoken to the minister on numerous occasions and tried to explain that this act is in clear violation of the Labour Standards Law, but to no avail. We had to ask the Labour Standards Office to intervene. The end result: they paid. How much easier it would have been just to settle the problem with us!

## Doshisha High School

As reported in last month's "Voice", our member had a massive cut in teaching hours, from 18 to 12. Seeing that no reason was offered for the cut in hours and the impact that it would have had on our member's livelihood, the union decided to act.

The high school first used the old "we don't have to deal with you or meet you in collective bargaining" trick but soon found themselves in violation of the Trade (see "Join Today" p.6)

GU Hanami Party  
 GU Hanami Party  
 At the River by the Union Office  
 06-6352-9619 to reserve  
 April 7  
 from 11:30  
 1000 yen - Food Will Be Supplied  
 Beer and Soft Drinks Sold

# 10,000 Sign Petition for Reinstatement

*-Kumamoto General Union-*

The campaign to reinstate KGU's former President and Vice-President came to a climax at the end of January with two days of activities which included a court hearing, the delivery of a 10,000 strong appeal and a well-attended symposium.

10,330 signatures were submitted to the governor of Kumamoto and the president of the Prefectural University of Kumamoto (PUK) on February 1, 2002. Those signatures represent the effort of The Coalition Against Discrimination by the Prefectural University and the Kumamoto General Union (KGU) over four years to arouse public concern and support for our petitions calling upon the Kumamoto Prefectural government and PUK to work actively toward eliminating discriminatory employment conditions and reinstating the two foreign teachers, Dr. Cynthia Worthington and Ms. Sandra Mitchell, who were unfairly dismissed on April 1, 2000 (See Union Voice January issue).

It is now almost two years since their court action for reinstatement began. On January 31, 2002, Cynthia Worthington gave plaintiff's testimony and was able to

describe in detail the way the Prefecture and University first promised her full-time employment, and then imposed irregular "part-time" status. The defense has not challenged most of our claims, conceding that they asked us to sign official documents in 1993 accepting employment as full-time teachers and that they reported us to the Ministry of Education as full-time teachers. They have accepted that they were wrong in believing this was compatible with the part time, special, temporary, irregular employment which they imposed on the teachers from April 1994. They claim that it was an honest mistake, based on mistaken understanding of the Ministry categories. In other words, they have accepted that the foreign teachers at the PUK were right all along when they insisted that only full-time employment would be compatible with the acceptance of employment documents. The defense has failed to offer any rational explanation for the imposition of term employment on foreign teachers on the basis of nationality. They simply persist with the implausible argument that the 1982 Special Provisory law which allows universities to employ foreign teachers on a full-time basis also gives them *carte blanche* to impose

discriminatory limits on those teachers. The District court is expected to render its decision by the summer.

The Symposium on February 1 2002, featured Dr. Ivan Hall and David Aldwinckle (Arudon Debito), as well as Professor Lee Hyun Ok who won her court case for unfair and discriminatory treatment against a private university in Kumamoto last year. It was well and enthusiastically attended by members of the local community, as well as NUGW members arriving in force from Kitakyushu and as far away as Osaka. The media (radio, TV, and newspapers) covered this and the submission of signatures earlier that day. And, for the first time three PUK Japanese faculty members attended a public event sponsored by the KGU and the support group.

Our thanks to all of you who cooperated in the long and difficult effort to collect the large number of signatures to our petitions and supported our union in its effort to redress unreasonable discriminatory employment conditions at PUK and the unfair dismissal of its teachers. We hope it will lead the prefecture and university to take steps to resolve the conflict.

## Kakunima Circus - Dispute Over Unpaid Wages

*-Fukuoka General Union-*

Six foreign circus performers in Kyushu joined the Fukuoka General Union (FGU) after their employer since February 2001, Kakinuma Circus, refused to pay more than \$80,000USD.

The performers were contracted to perform a very dangerous flying trapeze act and therefore their show made up about 70% of the circus' programme.

Despite many promises from the employer to pay their salaries in full, the money was not forthcoming and so on December 22<sup>nd</sup> the performers vowed to strike (stop working) until their salaries were paid in full.

The owner was quite shocked by this strike but still refused to pay their salaries. Instead of trying to resolve the problem, the owner then went on to contract other circus performers from the Philippines

who probably haven't been paid either. At a meeting on January 23<sup>rd</sup>, 2002, the circus performers met with FGU and decided to join the union.

The circus, along with their labour advisor, met with the FGU for negotiations on four occasions and admits that the salaries have never been paid in full. In response to our demand for full payment, the owner announced that she had very little money to pay the salaries and asked the union where she could get it from.

We received a promise from the employer to pay the wages by February 18<sup>th</sup> (the members' visas were only valid until February 21<sup>st</sup>) but this promise has not been upheld. We've now visited the Labour Standards Office, and they are now investigating this case.

The members were able to attend the Kyushu-Yamaguchi Block Shunto meeting, at which it was decided to go to court. We are now preparing our court case against Kakinuma Circus and hope that you will all support us in our dispute against this employer.

**(Watch this Page for Updates)**

## Thanks

NUGW would like to thank the following establishments for displaying copies of the National Union "Voice".

**Kanto Area:** Dubliners (Shinjuku)

**Kansai Area:** Balabushka (Shinsaibashi), Bar Isn't It (Abeno), The Cellar (Shinsaibashi), Dubliners' (Kobe), Pig and Whistle (Kyoto, Shinsaibashi & Umeda), Ryan's Irish Pub (Sannomiya), Someplace Else (Shinsaibashi), Tin's Hall (Tennoji), Tramps (Kyobashi), Rumours (Nara), Bar and Grill Pump (Shinsaibashi), Green Leaf, Rakkan (Shinsaibashi), Community House Information Centre (CHIC-Kobe), Kitano

Catholic Church (Umeda).

**Nagoya Area:** Shooters Sports Cafe, Tacos Café, Boozy's, Queen's Head, Pub Restaurant Usquebaugh, Bumphy's Irish Pub, Marky's, Pelican Pete's, The Lazy Lizard, Kakuozan Bar, The Exit, Nagoya International Centre, The Book Shack, Tokuzo, Jazz Room Exit, Nagoya International Centre.

# Tokai Gakuen HS Putting Down Our Roots - 1995

-General Union Tokai Branch-

This establishment decided to make its long-serving native speaker English teachers redundant, in order to replace them with dispatch company staff. The advantage for the school: minimal, as far as we can discern. The outcome for the teachers: a serious diminution of their living standards. Had they been hired by the dispatch company to continue working at the school, they would have been expected to do the same job for little more than half their previous salary while working about double the time.

The General Union was not prepared to see professional educators treated in this fashion, and therefore summoned the school management to a bargaining session. Unfortunately, the school could not cancel its contract with the dispatch company, but nonetheless agreed to pay one year's salary to each teacher. While this cannot be considered a full victory, as jobs that still exist were subcontracted at very poor rates, this is a warning to employers that they cannot just do as they please.

Attempts by dispatch companies to control the supply of native speaker English teachers to high schools are a major threat to the living standards of teachers and to the quality of English language education in this country. The Union will continue to resist the encroachments of dispatch companies into the labour market for education staff.

## KTC-Peppy Kids Club

-General Union Tokai Branch-

A teacher from this school asked us if he was being given the correct amount of paid holidays by his company. It turned out that he wasn't, because the company had not been giving him his full allowance of flexible paid holidays. According the Japanese Labour Standards Law, Article 39, full-time employees MUST be given at least ten days' paid holiday a year, and they are to be allowed to take these holidays at a time that suits them. Any fixed paid holidays granted in an employment contract must be granted in addition to the flexible ones, not instead of them. Once the Union had told the teacher what his legal rights were, he was able to claim twenty-three days' extra paid holidays from his company! Are you getting all the paid holidays you are entitled to?

- General Union -

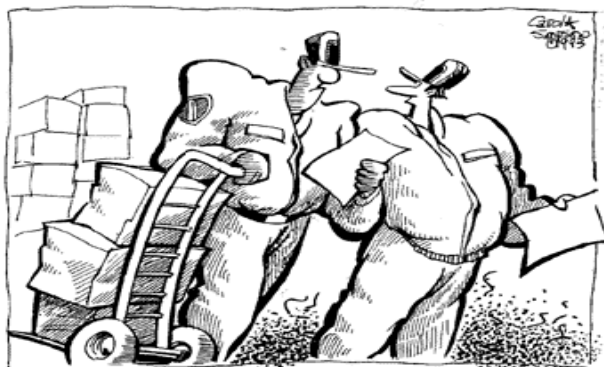
This was a tremendous growth and reorganization year for the General Union as a whole. Aside from acquiring our first office, which gave the union activists a centre for their activity, organizing started to take off.

The two new language school branches declared in 1995 would become major strike battlegrounds and increased the

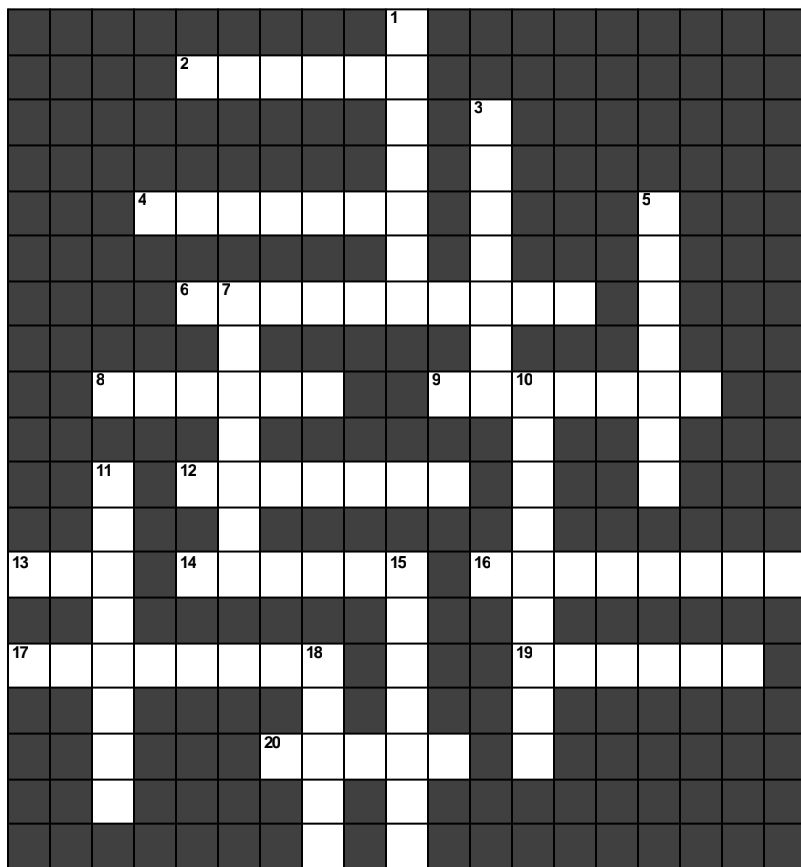
media exposure of our growing union.

Along with a new office and more press, the General Union took on its first two part time staff. This allowed a membership database to be built which allowed regular contact with members about the union's activities and reminders to pay union dues. The General Union's newsletter also became a regular feature as there were now people able to regularly publish it.

| 1995           |   |
|----------------|---|
| <b>Jan. 17</b> | GU member Bonnie dies in Great Hanshin Earthquake.  |
| <b>23</b>      | Attn'y President apologises and pays apology money to Peter Gordon for his physical attack against Peter.   |
| <b>Feb. 21</b> | Shunto General Action Day. Protests at Interac, Nichibei Eigo Gakuin.   |
| <b>27</b>      | GU America Eigo Gakuin (AEG) Branch declared.   |
| <b>Mar. 6</b>  | Agreement at AIM (Japanese school) in case of teacher Moriwaki  |
| <b>Mar. 17</b> | AEG Branch leader Jennifer fired. Strikes begin.  |
| <b>Mar. 23</b> | General action against firings after Great Hanshin Earthquake, NOVA   |
| <b>May 9</b>   | GU files case against Hanshin Kogyo at Osaka LC over discrimination against Japanese member.  |
| <b>16</b>      | GU acquires its first office.   |
| <b>Jul. 25</b> | GU files against NOVA at Osaka Bar Association Human Rights Committee for Drug test clauses in contracts. Committee declares clause breach of human rights. NOVA refuses order. |
| <b>Aug. 2</b>  | Tokyo South files Unfair Labour Practices case against NOVA.  |
| <b>Aug. 4</b>  | Osaka Gakuin Univ and lawyer Nakabo apply for restraining order injunction banning GU from grounds.   |
| <b>Nov. 7</b>  | GU GEOS Branch declared.  |
| <b>Nov. 26</b> | GU holds 'Foreign Activists Training Course' in English on Trade Union Law, Labour Standards Law, Collective Bargaining, Labour Disputes, etc.                                  |
| <b>Dec. 8</b>  | GU GEOS Branch wins collective agreement on freedom of residence, training, etc.  |
| <b>Dec. 16</b> | GU YMCA Branch wins union notice boards.  |



"I got a blank memo too.  
Management must have added another unwritten rule."

**Across**

- 1 Japan's 3rd-largest city
- 2 Joanne Kathleen \_\_\_\_\_
- 3 10th month on Roman calendar
- 4 Eikaiwa endorsed by Hikaru Nishida
- 5 David's on-ice partner
- 6 Korean name for Sea of Japan
- 7 Edo-era road or modern-day Shinkansen line
- 8 The King who Returns
- 9 Kyushu arm of General Union
- 10 Cassius' current moniker

**Down**

- 1 4 years and 3 Prime Ministers ago
- 2 Union tactical option
- 3 John \_\_\_\_\_ Lindh, George \_\_\_\_\_ Bush
- 4 English for 'Rodosha'
- 5 Daily Japan Times comic strip
- 6 I am writing in the present \_\_\_\_\_ tense
- 7 Japanese Winter Olympic site
- 8 Diet member or her P.M. father
- 9 2001 Person of the Year
- 10 Formerly the Ryukyu Kingdom

## Problems With Company Housing?

The rights of workers living as tenants in company accommodation are an important concern for many EFL teachers.

Late last year a Nova teacher contacted us because, after vacating his company apartment, he had been charged for replacement of the door lock, even though he had returned the door key to the company. Nova claimed that it had never received the key.

Whether this claim was true or not, the Labour Standards Law, Article 24 forbids employers to make deductions from salaries (except for income tax or to recover money stolen from the company). Even if you damage your apartment, your company cannot compensate itself out of your wages, any more than your landlord Mr Takahashi from across the road can. Moreover, Nova's accommodation rules seem to be particularly unfair as they require employees to mail apartment keys back to the company offices, but hold them responsible if the keys are lost in the post.

Do you want to put an end to such unfair practices? Join a General Union branch. Foreign workers in company apartments are sometimes afraid that their employer can have them evicted without delay if

they are fired or resign. Indeed, some employers threaten to do this. What are your rights as a tenant in company accommodation?

Landlord-tenant relationships between companies and employees are governed by the Civil Law and the Land and Building Act. Between them, these provide that:

Where a contractual provision specifies a date by which company accommodation is to be vacated, the employee is obliged to comply with that provision.

Where an employment relationship is terminated by resignation or dismissal, the employee must be allowed to remain in the accommodation for a reasonable period, to enable him/her to find a new place to live.

This applies even if the contract states that the employee must immediately give up company accommodation in the event of resignation or dismissal.

Landlords have no right to attempt to evict tenants by force.

Don't like the colour of the wallpaper in your apartment? Sorry, there's nothing we can do. Are you being fined for alleged damage to your apartment, or threatened with eviction? Contact us.

## Join Today!

Union Law for refusing to negotiate. Feeling that their strategy was not working, and not being able to provide any reasons for the cut, the high school restored the teaching hours to the same level as the year before, sixteen. Again, wouldn't it have been easier just to deal with us on the telephone?

### Seisen Jr. College

Another cut in hours, this time all the way down to zero, and after about fourteen years of employment. Well the department was closing but after fourteen years we thought some severance was warranted. The union negotiated a one year retirement allowance for the member.

### Bunkyo

One more cut-in-hours story. This time we weren't able to help and the member decided to accept the new conditions. Remember, the only reason we're able to help you is due to the fact that most members, with no pending problems, continue to pay their union dues and keep the union going for when you need us.

Don't wait. Join today!

# 福岡ゼネラルユニオン ゼネラルユニオン10年のあゆみ～1994年

い入れているようです。

現団長の柿沼千枝子氏の祖父が創業者です。創業者の死後、他のサーカスでライオン猛獣ショーをしていた柿沼千枝子氏の夫が後を継ぎ、その夫が亡くなった3年前から千枝子氏が団長を勤めています。

## 労働相談の経過

昨年12月22日から佐賀県上峰町でテントを張っています(ちなみにその前は熊本天草)。

その初演当日、彼らはストライキを宣言し未払い賃金の即時支払を要求しました。慌てた団長は、翌年1月15日に全額支払う事を書面で約束しましたが、ストライキが継続されたため急きょ新たにフィリピン人と契約して興行を継続しています。ただし、彼らと同等の演技が出来ないため、公演時間も1時間に短縮し、入場料も割り引いています。しかし、正月の期間には1日50名を予定していた入場者も10名を割ることが続き、苦しい興行になっています。彼らは約束の1月15日に未払い賃金を要求しましたが支払われず、17日に新たによく18日に全額支払うという「誓約書」を団長との間に交わされました。しかし、結局1ドルたりとも支払われませんでした。

その後、彼らは外へ向けて行動を開始します。まず、メキシコ大使館へ相談しましたが「忙しい」と断られています。また、メキシコ等のスペイン語を話す仲間のアドバイスで佐賀労働基準監督署へ行きましたが、契約書にsalary(給与)ではなくremuneration(報酬)との記載があったこと、つまり「賃金」ではなく「出演料」との判断により、いわゆる「未払い賃金」として「申告」が受理されていません。

そこで彼らは、カトリック教会に相談を持ち込み、福岡で外国人のさまざまな問題を取り組んでいる美野島カトリック司牧センターにその声が届きました。1月23日(水)のことです。また、彼らは積極的に無料法律相談や労働福祉事務所への足を運び、福岡市の労働福祉事務所の協力で「未払い賃

- |     |     |   |
|-----|-----|---|
| 1月  | 17日 | 阪神大震災。アメリカ人組合員ボニー氏死亡                    |
|     | 23日 | アトニー元社長がゴードン氏に謝罪と感謝料                    |
| 2月  | 21日 | 総行動【インタラック・日米・AIM抗議】                    |
|     | 27日 | AE G【アメリカ英語学院和歌山】支部結成                   |
| 3月  | 6日  | AIM【日本語学校】森脇講師の件で合意書                    |
|     | 17日 | AE G ジェニファー支部長解雇。スト開始                   |
|     | 23日 | 「震災解雇を許すな春闘総行動」NOVAへ                    |
| 5月  | 9日  | 阪神興業の日本人組合員の差別で地労委申立                    |
|     | 16日 | ゼネラルユニオン事務所が同フロアで独立                     |
| 7月  | 25日 | 雇用契約の薬物検査条項で、人権擁護委がNOVAに人権侵害認定勧告【会社は拒否】 |
| 8月  | 2日  | 東京南部がNOVAを都労委に訴え                        |
|     | 4日  | 大阪学院大【中坊代理人】が大学と弁護士事務所へのユニオンの立入禁止の仮処分申請 |
| 11月 | 7日  | ゼネラルユニオン・ジオス支部。要求提出                     |
|     | 26日 | ユニオン「外国人活動家」養成講座 労組法・労基法・団交・争議などを英語で研修  |
| 12月 | 8日  | ジオス支部「居住の自由・研修」など協定化                    |
|     | 16日 | ユニオン・YMCA支部 組合掲示板獲得                     |

金として正式に受理できるかもしれない」との返答を労基署から得ることが出来たこと、さらに無料法律相談の弁護士が「労働組合として取り組むのがいい」と助言したこともあり、福岡ゼネラルユニオンに6人全員加入(1月26日)してこの問題を取り組み事になりました。

## 協議の経過

まず情報収集も含めて24日に佐賀のカトリック教会神父が団長と会い話し合いを持っています。その場には原田経営コンサルタントが同席し、当該6名の参加を拒否した上で、「現在払える資金がない」「一旦2月末に全員メキシコへ帰ってもらい、その後2名だけ再契約再入国して、資金が出来次第未払い分を支払う」「信じて欲しい」と発言しています。神父は「相談します」として帰っています。当然こうした内容に納得できるわけがありません。そこで、1月26日(土)、29日(火)、2月7日(木)、美野島カトリック司牧センターと福岡ゼネラルユニオンで団

長の柿沼氏と団交を持ちました。18日(月)には、弁護士の立会いで協議しましたが、結局、帰る直前の20日に、それぞれに10万円ずつ渡すに止まりました。

## 今後の方針

入国ビザの期限が2月21日に切れてしまったため、彼らはそれぞれメキシコ、フィリピン、中国に帰りました。

しかし、彼らは2月18日に開催された九州での春闘討論集會に参加し、力強いアピールをしました。「私たちは決して諦めない。私たちの闘いは、私たちだけではなく、サーカスなどのショーをやっている全ての外国人のための闘いだ。二度と、私たちのような外国人を出してはいけない」私たちは今、彼らの意志を受け継ぎ、裁判の準備をしています。3ヵ月後には、3名が日本に来る事になっています。それまでには、解決させるために奮闘したいと思っています。裁判費用など、カンパを要請したいと思いますので、よろしくご協力ください。

- ◇ 熊本県立大学
- ◇ 福岡ゼネラルユニオン報告
- ◇ 東京国際高校
- ◇ 関西・東海の勝利報告

2 0 0 2 年 3 月 号

ゼネラルユニオン(関西・東海)、全国一般東京南部、福岡ゼネラルユニオン、熊本ゼネラルユニオン、仙台外国語教員労組

# サーカス団員の未払い賃金問題

福岡ゼネラルユニオン

主に九州各地で興行しているサーカス団「カキヌマサーカス」(団長=柿沼千枝子)の興行で空中ブランコなどを演じている外国人の団員から、賃金の未払いに関する労働相談がありました。相談者はメキシコ人が4名、中国人が1名そしてキューバ人が1名の合計6人(女性3名、男性3名)です。彼ら6名はグループで世界各地のサーカスを渡り歩きながら、空中ブランコやロープだけで空中で華麗な演技をする危険な演目を演じています。今回の「カキヌマサーカス」の興行でも1時間半の公演の7割を彼らが占めていました。つまり、彼らがいないとサーカスそのものが成り立たないのです。

彼らは1年前、東京の芸能プロデ

ュース会社を通して半年契約で「カキヌマサーカス」にやってきました。ところがその直後から一ヶ月20万円の賃金がまともに支払われたことはなく、半年後の昨年8月にはすでに一人数十万円の未払い賃金がありました。そこで、契約をあと半年延長しその間に未払い賃金を清算するという約束を「団」が提案し、契約が延長されました。その後も彼らは「カキヌマサーカス」のメインとして空中ブランコなどを演じ続けました。ところが、昨年未の12月、その後も全く約束が履行されなかったためストライキを宣告し、未払い賃金の即時支払いを要求しました。

慌てた「団」は、その場しのぎに年始に全額支払う事を約束し、急きょフィリピン人と契約して興行を続けています。今年になって、再度未払い賃金を要求したところ、一旦は期日を切って書面で支払いを約束しましたが、その期日になっても未払い賃金は支払われませんでした。彼らはその後もストライキを継続しています。現在未払いとなっている賃金は、6人合計で少なくとも8万ドル=1000万円です。

## 「カキヌマサーカス」

現在、日本には4つのサーカス団があります。木下サーカス、キグレサーカス、ザ・ポップサーカス、そしてこのカキヌマサーカス

です。カキヌマサーカスは創立から46年の歴史をもつ歴史のあるサーカス団で、全盛期は象やトラなどの猛獣ショーで一世を風靡し、中国雑技団などの興行でも名を馳せています。

その後、地方の小さな町で興行を続けていますが、日本人スタッフは少人数で、実際の出演者は外国人エンターティナーをその都度雇

## ゼネラルユニオン 2002年定期大会

日時：4月21日(日)  
18時から21時  
場所：エル大阪

## 宮城労組のあいさつ

宮城合同労組は1965年の結成から37年間、地域で闘ってきました。現在やく20の事業所に職場支部・分会が作られており、この他に個人加入の組合員が近年増えてますし、倒産・失業という事態に直面して大勢で加入する労働者も増えています。

私たちは今後も小泉政権の「痛みを労働者に落着ける政策」と全面的に対決する決意です。

ゼネラルユニオン花見  
ゼネラルユニオン花見  
天満橋横公園  
予約06-6352-9619へ  
4月1日  
11:30~  
大人¥1000

### 関東：全国一般東京南部

東京都港区新橋 5-17-2F  
Tel: 03-3434-0669 Fax: 03-3433-0334  
Email: nuqw\_ts@jca.apc.org  
URL: www.ktuf.org

### 仙台外国語教員労組

Tel: 022-261-4392 Fax: 022-222-7734  
Email: ltus@generalunion.org

### 関西：ゼネラルユニオン

大阪市北区天満 2-1-17-3F  
Tel: 06-6352-9619 Fax: 06-6352-9630  
Email: gu@generalunion.org  
URL: www.generalunion.org

### 福岡ゼネラルユニオン

春日市春日原北町 1-3-24-207  
Tel/Fax: 092-573-3094  
Email: GZC05153@nifty.ne.jp

### 東海：ゼネラルユニオン

名古屋市千種区内山 3-28-2-5F  
Tel/Fax: 052-735-9704  
Email: tokai@generalunion.org  
URL: www.generalunion.org

### 熊本ゼネラルユニオン

Email: kumamoto@generalunion.org