

Voice

National Union

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

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July 2002, Vol. 1 No. 4

Make a Difference! Join the University Teachers' Union

-NUGW Tokyo South-

The economy in Japan is going down the pan. Banks are running by the seat of their pants, economic growth has been negligible over the last 13 years and unemployment, according to the latest statistics, is at a record high.

Add another drastic twist to Japan's economic woes, very low birth rates and the fact that people are living much longer, and the outlook for wealth production and job security for ordinary working people is very, very gloomy indeed. The impact of recession-racked Japan on all levels of society is grave. Much talk is made of how the situation could be reversed if only Japan had more

flexible labour markets, which really is a euphemism for eroding workers' rights. Indeed, some striking changes to employment conditions have already hit university teachers, and the outlook is bleak on contract and employment issues. Many teachers, mostly part-time, are faced with uncertain working futures. Limited term contracts abound, fuelling concern as to future job stability and number of hours of work available. Some universities, in their panic over falling student numbers due to the falling birth rates, are getting in 'dispatch' teachers from such businesses such as Nova and Berlitz to save on labour costs. These businesses supply teachers to a university but siphon off a considerable amount of

the salary of those they employ. Moreover, all universities in Japan rely on part-time teachers; Japanese universities have more than 50% of their workforce on a part-time contract of one form or another. This saves a lot of (see pg. 4 "Join UTU")

Berlitz Health & Safety

-NUGW Tokyo South-

A disturbing health-related incident recently occurred at a Kanto branch of Berlitz Language schools. In April and early May the exterior of the building in which the school is located was repainted. On April 18th at around 1:30pm workers started to apply a special coating to the roof deck outside the school's windows. These windows are the source of most of the school's ventilation and the air conditioning unit is on the deck outside. From 1:30pm until 2:40pm the air conditioner unit was operating while the special coating was being applied to the deck area. The fumes from this substance were sucked into the school in considerable

(see back page "Health and Safety")

A World of Difference

General Union

Union members at World Academy (a.k.a. ZIA) declared a new union branch in June to deal with a host of concerns including; overtime pay, no unemployment insurance coverage, and a generally chaotic work atmosphere. Before the declaration we had received many calls from World teachers who were unhappy with their jobs at the company. The basic union philosophy in this matter, save a few of the worst of the worst companies, is that teachers shouldn't leave their employment but rather organize to improve their own situations.

Fortunately, World teachers also shared our belief that there's no sense quitting

just to go somewhere else that may also have the same problems. After the declaration, World employees, along with officials of the General Union, met with company officials in collective bargaining to work out the problems employees were facing.

We are very pleased to announce a fantastic first collective agreement which includes an agreement on overtime pay, enrollment in the unemployment protection fund, and job and working conditions security clauses. Teachers also won the right to use a board on company premises to post union information, which is very important as all workers will now have access to union information, and a company/union joint grievance procedure

to deal with individual problems that may arise at work.

World employees made a world of difference by taking the union as a serious alternative to quitting. We hope that organizing efforts continue and we look forward to more victories for all World teachers and staff.

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
URL: 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
URL: www.generalunion.org

Tokai: General Union

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

Language Teachers Union of Sendai

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

Fukuoka General Union

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

Kumamoto General Union

Email: kumamoto@generalunion.org

National Union of General Workers

Tokyo International High School

NUGW Tokyo South

Problems at Work?

General Union – Tokai Branch

On June 7, 2002, NUGW Tokyo South's General Secretary Hirohiko Takasu testified before the Tokyo Labor Relations Commission regarding the foreign teachers' labor problems at Tokyo Metropolitan Kokusai High School. He gave a very good account of the events that led to the formation of the union in May 2000 and what has happened since that time. The union's attorney, Kunio Miyazato, questioned Takasu-san point by point following the deposition. Briefly, the Tokyo Board of Education refuses to recognize the assistant English teachers at Kokusai High as workers under the Japanese Labor Law. It does recognize the independent foreign teachers as employees under the law but refuses to negotiate with them regarding labor conditions for the upcoming academic year.

It does recognize the independent foreign teachers as employees under the law but refuses to negotiate....

The next session before the Commission, during which Takasu-san will be questioned by the legal counsel for the Board of Education, will take place on the 34th floor of the South Tower of Tokyo City Hall on July 26.

Best Wishes to - The Chronicle

Look out for *The Chronicle*, a newspaper which has just been launched in Nagoya. It's aimed at migrant workers of all nationalities and deals with serious issues rather than trivia. We'd like to offer our best wishes for the success of this publication.

Discrimination at YMCA

General Union

Blonde-haired, blue-eyed.

Qualifications to teach English?

It seems so at Osaka YMCA. In planning to retract an offer of employment to a teacher of S.E Asian descent, a senior manager is reported to have said "We didn't even hire the Japanese American woman....." The rest was left unsaid but you can fill in the blanks.

Have you had a similar experience at the YMCA? Please contact the

The General Union – Tokai Branch is available to aid you in problems that you may have with your employer. Workers in the Tokai area are welcome to contact the union and come in for a consultation regarding workplace problems.

Before you come to us for a consultation, please bear the following in mind:

- we are not a free advice service for the general public; we are a Labour Union, and only our members have a right to our help
- we do not get any public funding; we do however have large expenses to bear every month, and our only income is from members' contributions. It follows that if you expect the Union to be there to advise or help you whenever you want, then you should be willing to become a member and pay membership dues
- you shouldn't join the Union with just an immediate material advantage for yourself in mind; join it because you also want to improve conditions at your company and conditions for other workers in Japan
- if you ask for the Union's advice or help with no intention of joining, then you are abusing our good will; if everybody did that, the Union would go out of existence
- before coming to a consultation, you should prepare a brief written statement of the facts of your grievance; this will save our time
- you should also bring your contract, workplace rules, pay slips, work schedules, letters or memoranda from management, and other relevant documents, with copies of the same that we can keep
- you should be willing to join the Union and pay membership dues on the day of the consultation, even if we cannot tell you immediately whether we can solve your problem (quite often, we need time before we can tell you this)
- when you have consulted us about your workplace problem, that is not the end of the story; it is only the *beginning*: you must stay in contact with us after the consultation, and you must follow any instructions we give you with the aim of resolving your problem. If, for example, we ask you to write a letter to your employer, then you should do so without delay. We look forward to hearing from you!

A sign of our growing visibility in the Tokai area is that we are starting to get enquiries from foreign employees of businesses not related to language teaching. For example, a worker at such a business recently contacted us for information about the law on overtime hours and pay.

The Labour Standards Law of Japan states that you must have working conditions worthy of a human being. To this end, it includes rules on pay and working hours, among other things. These provide that, unless your workplace has a staff-management agreement on flexible working hours, then the most hours your employer can oblige you to work are eight per day or forty per week.

If your employer forces you to work more than this, then he or she is breaking the law. If, as is sometimes the case with workers in non-teaching industries, you are expected to work fifty or sixty hours a week, then you are being deprived of the chance to have a life worthy of a human being.

Contact the Union for advice.

If you agree, you can work up to five hours' overtime per week, making a total working week of forty-five hours. This is the maximum number of weekly working hours *including voluntary overtime* allowed by law, unless there is a workplace agreement on flexible hours. Moreover, for all the hours you work over eight per day or forty per week, you must be paid at the normal hourly rate plus at least 25%. If you are not being paid at the appropriate rate for overtime hours, then your employer is exploiting you.

New Office Opening Hours!

General Union – Tokai Branch

With the increasing activity of the Tokai area Branch, the Union office in Chikusa Ward needs to be staffed five days a week. With the kind help of volunteers, we are now able to have the office open on

Monday	10-1
Tuesday	10-5
Wednesday	10-12 and 2-5
Thursday	10-12
Friday	2-5

When necessary, consultations can be held at other times by prior arrangement.

Paid Holidays

Under the Labour Standards Law, all workers regardless of their employment status or nationality are entitled to paid flexible days off.

These are the main features of the Paid Holiday System:

- The number of days off you have is based **ONLY** on the number of days you work per week or the number of days you work per qualifying period
- You are eligible for holidays after the first 6 months.
- Full or part time, foreign or Japanese, you are entitled to paid holidays, even if you work 1 day per week. These days are flexible and you can use them when you like.

No. of days worked per week	Years Worked						
	0.5	1.5	2.5	3.5	4.5	5.5	6.5
5 days or 30 hrs/wk	10	11	12	14	16	18	20
4 days/ 169 to 216days	7	8	9	10	12	13	15
3 days/ 121-168days	5	6	6	7	9	10	11
2 days/ 73-120 days	3	4	4	5	6	6	7
1 day 48-72 days	1	2	2	2	3	3	3



"...and stop smirking when I spread nasty rumors about the union. I have feelings too, you know."

Don't Forget the Union -Pay Your Union Dues-

-General Union-

The heat is upon us again and while many have been able to escape the torture, the union is still around dealing with the problems that will probably still be with us upon your return. You can help keep the heat off the union by remembering to pay your union dues. We always suffer a wee setback when the heat sets in, so we ask that all make an effort to remember the union and the work that is still going on.

If you are an avid reader of the "Voice", you'll know of the massive expansion that is going on so we need you, as always, to continue with your dues payment. We are happy to report that paid up percentages are higher than ever, but we also have the largest expenses we've ever had.

Let's all remember our duty to the union and pay our dues today.

Joining a Union

Article 28 of the Japanese Constitution guarantees the rights of all residents of Japan to form a union and to partake in its activities.

Article 7 of the Trade Union Law forbids employers from harassing, firing, or treating union members in a discriminatory manner.

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: Jerry's Uno, Queen's Head, Pub Restaurant Usquebaugh, Bumphy's Irish Pub, Marky's, Pelican Pete's, The Lazy Lizard, Kakuozan Bar, The Exit, The Book Shack, Tokuzo, Jazz Room Exit, Nagoya International Centre, The Elephant's Nest, Red Rock Bar and Grill, Dos Delfines, Desparados.

Fukuoka Area: Kambal Restaurant, Sakae Sushi, The Hacienda.

Okayama Area: Varie Mitsukete Kure Bar

Join the UTU! Performance Pay Protest

NUGW Tokyo South

money for the universities and gives them the flexibility to terminate contracts or re-write them at will. At the full-time employment level, universities are weakening employment conditions through the use of limited term contracts, which are largely renewable at the whim of the university. There have even been reports of some universities abusing contract issues by deliberately leaving it unclear until the hapless teacher is employed and finds out that it is not a tenured post after all, but a limited term contract.

So, is there any hope for university teachers in the future? The answer is, yes, but a qualified yes. The stark reality is that all the bargaining power concerning university teachers' working conditions is centred within the management of any given university. Generally, teachers' interests are not represented by the teachers themselves (especially the case with part-time teachers), and this means that contract/employment decisions made are always one-sided; management sided, to be more precise. However, there is hope. The comparatively newly formed University Teachers Union (UTU) is trying to restore some balance in order

give teachers a voice at their place of work. The UTU's goal is to allow teachers to have a constructive say in the future of all aspects of education and employment issues in Japan. The UTU is affiliated with the National Union of General Workers (Zenrokyo), and is open to all teachers at Universities in Japan. Although it is based in Tokyo, it co-operates with sister unions in Kansai and Kyushu. Its goal is to engage employers positively in order to address the serious issues that face part-time and full-time university teachers regardless of nationality or gender - issues that will only become more critical in the coming crunch years as student numbers tumble. However, in order for the UTU to make a difference, it needs a large inflow of university teachers to join. A strong union with large numbers will have more bargaining power and be able to make a difference to pay, working conditions and job security. The crucial question is whether the workforce will rise to the challenge and join, or take the soft option of rolling over, allowing their rights to be trampled on by management in any way they see fit. Make the difference.

Join the UTU today!

Contact: utujapan@yahoo.com

On May 15, 2002 representatives of NUGW Nambu unions demonstrated in front of AC Neilsen Company in Roppongi, Tokyo offices in support of the AC Neilsen Company Union's protest of performance pay evaluations which had resulted in no pay increases for regular or part-time employees and pay cuts for 2 union members. In February, Nambu president Hiraga traveled to Korea to consult members of the Neilsen subsidiary union there.

Late Wages at Interac

General Union

The General Union has received some complaints and information regarding late wage payments at a dispatch company called Interac. At this moment we would like to ask that any Interac employee who is experiencing this problem should contact the General Union immediately.

Under the Labour Standards Law, all wages must be paid in full at least once per month.

Berlitz Apologizes for Breach of Collective Agreement Grandom Academy To Close

General Union

A collective agreement giving the General Union posting rights at Berlitz schools throughout Kansai and Tokai region was breached on numerous occasions throughout May and June at the Umeda School. The IS involved was later spoken to by the company and an apology was made by Berlitz management for the violation of the

collective agreement.

A collective agreement is an agreement between a union and an employer or employers that sets out mutually agreeable working conditions. Collective agreements benefit both the employees and employer. In breaching a collective agreement, companies create an environment of distrust and resentment. We appreciate the fact that Berlitz sees this and has apologized.

General Union - Tokai Branch

The new General Union - Grandom Branch was formed in expectation of a possible closing of the Grandom Nagoya School, after similar closings throughout the whole country.

Our first bargaining session brought some benefits as the company agreed to enroll in unemployment insurance.

Grandom has announced that the Nagoya school will now close and the union will begin negotiations over this matter in the near future.

PLEASE SEND ME MORE INFORMATION

Name:	Employer:
Address:	
Tel:	Email

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 voice@generalunion.org

Firings

- If you are fired, except in the most extreme situations, your employer must give you 30 days notice or 30 days pay in lieu of notice.
- Do not negotiate with your employer over your severance as this may mean that you accept the dismissal. Call the Union.

The Berlitz Method General Union 10 Year History Project

General Union - Tokai Branch

This company is up to its old tricks again. Last month yet another Berlitz per-lesson teacher told us that he had been refused further hours of work at the company and then been asked to quit. The company seems to be afraid to fire employees, perhaps because it could be liable to them in damages for unfair dismissal, so it tries to force them to resign instead. This practice is clearly intended to allow the company to dispose of employees arbitrarily, illegally, and without even the thirty days' notice of dismissal required by law. It is a totally unacceptable way to treat workers. After we had resolved a case for one GU member who was a victim of this practice by Berlitz in 2001, we thought that the company had learned its lesson. It seems not to have. Last month we had to intervene on behalf of another per-lesson Berlitz teacher who had been asked to resign in the same circumstances.

That teacher is now receiving hours of work from Berlitz as before. We want to put an end to this disgraceful and abusive practice. Have you been forced to resign in this way? Has someone you know suffered this fate? Let us know. Some say we're "too militant". Well, we're too busy defending workers' rights

Overtime Pay

- The maximum hours per week that you can be made to work are 40.
- All work over 40 hours must be paid at 125%.
- If you work on your rest day, the premium is 135%.
- Work between 10:00PM and 5:00AM is 135%.

Fines for Lateness

- A fine is a deduction over the number of minutes you were actually late.
- The maximum fine for one day cannot exceed half a day's pay.
- Your total monthly fines cannot exceed 10% of your monthly pay.
- You can only be fined if your company has proper working rules (if there are over 10 employees).

1997 marked another year of increase growth in union membership and activity, and the declaration of new union branches. The "Real Jobs Campaign" was also launched which included demands for the end of the one year contract system and demands for companies to improve their teacher training and educational quality. The highlights of 1997 include: an increase in union activity at NOVA; Higashi Osaka Board of Education's decision to back down from three year limits (but later extending it to five); the declaration of three new union branches; and a formal end to the GEOS dispute. For more information about the union's history and other information, please see www.generalunion.org.

1997	
Jan 23	GEOS uses Shukan Bunshun article 'NOVA's union trouble' for sales purposes, displays it in all schools.
26	GU Women's Forum 'Women of Asia'
March 2	GEOS students, YMCA, 'Good education, good employment' 'Eikaiwa: Is this good enough?'
3	'Real Job Campaign' Joint demands to all schools
5	Higashi Osaka Board of Education apologises for and withdraws 3-year contract limits.
15	General Action Day, Osaka. Protest at Nomura Securities over NOVA's public stock offering.
April 1	Sumitomo Seimei Union, Mr Adachi. Demands for workers' accident compensation.
May 1	General Union Higashi Osaka AET Branch leader speaks at May Day.
June 17	Victory in Osaka LC settlement with Geos. Dennis's firing withdrawn.
July 7	GU Leap Branch declared with 18 members. Company enters pre-consultation agreement with GU.
Aug 25	Revived GU Nichibeï Eigo Gakuin Branch makes demands. Union busting begins.
Sept 14	With GU's support, Liverpool Dockers visit Osaka.
Nov 7	GU Tokai Branch wins legal paid holidays at ECC Chubu.
25	GU Nichibeï Koryu Gakuin Branch declared
30	GU General Meeting
Dec 8	GU and ECC HQ start joint grievance system
15	Dennis introduces GU on FM COCOLO
26	Osaka LC judgement: American Plaza's firing of GU member and refusal of Collective Bargaining 'illegal'.

Voice

ナショナルユニオン

“Voice”の紙面

- ◇ BERLITZ の雇用制度
- ◇ 東京国際高校
- ◇ Grandom 名古屋校
- ◇ 労働基準法

2 0 0 2 年 7 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

Health & Safety ゼネラルユニオン10年のあゆみ～1997年

quantity. Two teachers were present at this time. At 2:30 one complained of nausea, dizziness and a headache. After discussing the matter they decided to advise the clerical staff to cancel all further lessons. They were both beginning to experience similar symptoms; headaches, loss of nervous control (slight shaking, inability to complete tasks involving hand/eye coordination quickly), and nausea.

The staff were unsupportive and mainly concerned about lessons. They quickly contacted the director and supervisor who were not present at the time. Staff arranged for a teacher to come from another branch without apprising him of the conditions. One of the two teachers involved was eventually pressured into teaching two of the children's lessons that began at 3:15pm, one on the building stairway and the other in a classroom with no ventilation. After the second lesson she felt even worse than before. When she telephoned her supervisor, he attempted to downplay the situation and apparently never considered canceling any of the five children's lessons scheduled. The mothers who accompanied their children that day were not accurately informed of the danger of the situation or the condition of the two children's teachers in the school.

The staff were unable to ventilate the school because of the proximity of the windows to the freshly applied deck coating. This teacher involved later contacted the supervisor to tell him she would be unable to teach the last two classes 7:45 - 9:10pm. He treated her in an offensive manner. On Friday April 19th the teachers sought diagnoses and were given doctors' notes attesting to the fact they were

exposed to chemical fumes. The supervisor was informed of this. Nevertheless, he allowed scheduled children's classes to proceed although a second layer of coating was being applied. One teacher returned to the school in the late afternoon of April 19th to find the area once again permeated

with fumes and a children's class in progress, being taught by a teacher from another Berlitz branch with no knowledge of the risks. Berlitz so far has refused to hold its local management responsible. This matter is presently being addressed by BEGUNTO, the Berlitz teacher's union.

- 1月 23日 ジオス本社が週間文春「ユニオンのNOVA 批判」記事を営業に活用せよ、と全校に指示
- 26日 ユニオン女性フォーラム「アジアの女性たち」
- 3月 2日 まともな教育・まともな雇用「これでいいのか英会話学校」ジオス生徒・YMCA使用者
- 3日 リアルジョブキャンペーン 各社に統一要求
- 5日 東大阪市教委、3年限度の雇止めを撤回謝罪
- 15日 大阪総行動 NOVA上場で野村證券抗議
- 4月 1日 住友生命労組・足立さん。労災補償要求
- 5月 1日 メーカー HONETU【東大阪市NET】登場
- 6月 17日 ジオス地労委で勝利和解。デニス氏解雇撤回
- 7月 7日 リープ18名で支部結成。事前同意約款締
- 8月 25日 日米英語学院、支部結成。組合つぶし始まる
- 9月 14日 ユニオンの招待で、リバプール全港湾来阪。
- 11月 7日 東海T I Uも、E C C 中部と適法な年休獲得
- 30日 ユニオン総会。10分散会に分かれ討論
- 12月 8日 E C C 本社とユニオン間で苦情処理制度開始
- 15日 デニス氏、FM COCOLO 出演でユニオン紹介
- 26日 アメリカンプラザのフィリピン人組合員への解雇と団交拒否は違法」の地労委命令

関東：全国一般東京南部

東京都港区新橋 5-17-7-2F
Tel: 03-3434-0669 Fax: 03-3433-0334
Email: nugw_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

Tokai: General Union

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