

# Voice

National Union

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October 2007 Edition

News from the General Union (Kansai & Tokai), NUGW Tokyo South, Fukuoka General Union

## Union Demands Industry Reform

### Nova problems force union to re-examine its demands for change

*General Union & NUGW Tokyo South*

Recent demands made by NOVA unions to secure student refunds for cancelled lessons, automatically renewable contracts, and immediate enrolment in shakai hoken is not enough to stop the rot in the language teaching industry. Negotiating with an employer that fears bankruptcy but refuses to reform itself, will not in itself lead to industry wide changes, especially if the other industry employers fail to recognize they are essentially the same as NOVA.

For too long, GEOS, AEON, Berlitz, and ECC have mimicked NOVA's business style while boasting of their own better treatment of students and teachers. The unions must now push companies to stop copying a failed business model and move in a new direction which respects the needs of students, teachers and staff.

On September 28, the General Union and Tokyo Nambu made demands to Zengaikyo, an industry organization which comprises AEON, ECC, and Berlitz along with some smaller companies. The un-

ions' demands are simple and will go along way in improving student and worker confidence in these companies.

1. Establish an insurance system payable by all companies to guarantee student refunds in the case of bankruptcy.
2. In coordination with the union, create more opportunities for training and skill development for teachers to improve the educational quality of language schools.
3. End one year contracts and establish open ended employment for teachers as well as total enrolment in Shakai Hoken (health and pension insurance) and total compliance with all relevant labour laws in order to make a workplace that attracts and retains motivated workers.

An agreement between the unions, employers, and student organizations is now needed to restore teacher and student confidence in this industry. The union hopes to impress upon these companies the need for total industry improvement.

## Attention Nova Teachers & Staff

### Open Meeting

**Sunday, 14 October from 8:15pm**

**General Union Office, Temmabashi (06-6352-9619)**

**See [www.generalunion.org](http://www.generalunion.org) for map**

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# Nova workers now have a new choice

-General Union-

On 30 September over 100 NOVA teachers and staff packed themselves into the small General Union offices in Temmabashi with similar numbers attending meetings over two days in Tokyo.

The big question that everyone asked was if NOVA was going to go under. Seeing that no one except the president of NOVA knows the answer to this question, union organizers stuck to answering the questions they could.

The meeting covered topics regarding unpaid wages and what will happen to wages if the company goes into bankruptcy, which teachers qualified for unemployment insurance and how they could claim their benefits, JMA and shakai hoken, housing, and a host of other concerns that normal people have when they fear losing their livelihoods, especially those in a foreign country.

But more importantly the meeting covered in contents and feeling why the unionization of the language

teaching industry is necessary. In short, the general consensus was that without a union, teachers and staff have no way to balance the unbridled power of the eikaiwa industry, an industry that does have a reputation for unsavoury practices.

The General Union, as stated by one organizer, "Has accomplished far more at NOVA than what our numbers should have allowed us to, but this is not enough and sadly this condition will continue until the vast majority of eikaiwa workers see the need for unionization."

This is the one positive thing that may come out of this crisis. For the first time since the drug testing scandal at NOVA in 1994, hundreds of NOVA teachers are coming together, and are armed with information about the union and their rights. The climate of fear that has been NOVA for many years may have been broken and if the company survives and teachers and staff see to it that they do not lose their belief in the fairness that a union can bring, we may see real change; not only at NOVA, but throughout the industry. These teachers and staff that have now attended their first ever un-

ion meeting in Japan now have a real choice; build a union strong enough to challenge the big language schools or suffer with no information or support the next time bankruptcy rears its ugly head either at NOVA or some other chain school, or even high school or university.

Cynics, and there are many, will cry that the union is trying to take advantage of a large group of people simply to increase its numbers and is in fact happy about NOVA's possible demise. Let the cynics talk, but let's not believe them. The only party in the eikaiwa industry that has ever had the best interests of staff, teachers, and students at heart is the union, now teachers and staff have the information in front of their eyes, we hope that they will yearn for the fairness brought by mass unionization and join the union either at NOVA or their next workplace.

All of us in the language industry have the ability to revolutionize this industry, to take the whole industry and force it to change, so that the problems from this current crisis never have to be relived at either NOVA or another company.

## 姫路独協大学で支部結成

07年7月、これまで労組のなかった姫路独協大学に、ゼネラルユニオンの支部が結成され、多くの専任教員が結集している。

「大学全入」と「少子化」の中で、大学は、生き残りのために次々と改革を行っているが、残念ながら、その中で、労働者の軽視や使い捨ても横行している。そして、今や、使い捨てにされるのは、非正規教職員だけではない。

姫路独協大学支部は、交渉により、噂になっていた人員整理を行わないことを約束させるなど、既に大きな成果を上げている。

## Credu members reverse firing, win better schedules

-NUGW Tokyo Nambu-

Three of four teachers at Credu, a small English school / day care centre for toddlers, who are members of Tokyo Nambu, threatened a strike after one member, Larnach, was unfairly fired by the school saying it would go bankrupt unless they could reduce costs. The members stuck together despite the threat of more firings and even offered to take a pay cut to preserve all their jobs. A strike would have closed this

Chiba based school, so management was forced to negotiate with the union dispute previous refusals to do so.

The members' solidarity led to the school taking Larnach back and with no pay cuts. Furthermore management revised the teachers' schedules in line with union demands. During the dispute the other teacher joined the union, strengthening our solidarity and leading to job protection and improved conditions across the board.

# NOVAの勝利

VISAの期限がすぐの方は、今の内に、入管で、更新手続きを完了させ下さい。

## 行政も「永年の放置と企業癒着」の責任を取って、救済に動け

NOVAの消費者問題は、全国の消費者センターでのワースト1であり、労働・雇用問題は、ゼネラルユニオンでの、ワースト1であり続けた。裁判や告発は数えきれず、NOVAは敗訴しても、法に従わなかった。「消費者問題や偽装請負モミ消し」を、猿橋氏と自民党代議士から頼まれた甘利経産大臣や大阪・関市長の例も氷山の一角です。

経産省は、これらを知っておりながら、長期に渡って黙認し、「突然の処分発令」で、NOVAを抹殺しようと

してきている。この結果「チケットが紙切れとなる」40万の生徒と「一斉解雇になる」教職員7千人は、どうなるのか。早くから、適切な行政指導があれば、この戦後最大の消費者問題・雇用問題の被害も少なかっただろう。コムスンやグッドウィルと同様、派遣労働者や患者さんら、消費者にツケとシワ寄せがいく、こんな「処分」って何でしょうか？

## NOVA・猿橋社長宛、ゼネラルユニオンの「緊急要求書」

- 一未使用や解約されたレッスン料の全額返還をすみやかにこなうこと。
- 一職員への賃金を、定められた期日に支給すること
- 一これらを、本社・関連会社のみならず、猿橋氏の個人資産の投入による、連帯責任で弁済すること
- 一レッスン予約に対応するため、雇用

契約をすべて更新し、増員すること。

一NOVAは、労基法を遵守し、講師を社会保険＝健康保険に加入させること。

一NOVAは、偽装派遣をやめ、「講師と生徒の交際禁止」「薬物検査」等の人権侵害を行わないこと

なお、生徒さんや、教職員の皆さんからの、ゼネラルユニオンへの、お問合せや情報提供は、下記のアドレス宛、メールにてお願いします。

日本語 [novajp@generalunion.org](mailto:novajp@generalunion.org)

英語 [nova@generalunion.org](mailto:nova@generalunion.org) 詳細は、ゼネラルユニオンのHP参照下さい。

# GABA Workers Demand Dignity at Work

A General Union organizing project in cooperation with our sister union in Tokyo, started in January this year has borne fruit. On 6 September, GABA workers declared a union to their employer.

## **Imagine working at a company with No paid holidays,**

NO insurance against unemployment or sickness, NO pension provision, NO transportation allowance, NO premium pay as assured in the Labour Standards Law for overtime or rest day work, and the LOWEST hourly rate amongst major industry employers. Top this up with the fact that teachers aren't even recognized

as employees and have only four month contracts and you have GABA; the future of every current and future language teacher in this country if GABA cannot be stopped, forced to recognize the law of the land, and respect the dignity of their own employees by offering the bare minimum of what the law stipulates. Enough is enough. GABA teachers and staff, through the union, now have a way to make the company recognize that they are not mere profit making tools, but human beings with dignity. GABA workers have stood up and are now refusing the company's move to bring the whole industry back to the bad old days before unionization made all the industry players follow the law.

The union has demanded that GABA: increase the pay to 1900yen per forty minute class, offer all the benefits guaranteed under the law and pay for all the benefits which they have lost out on since starting work at the company. We ask that all GABA teachers and staff join the union to make their voice heard and to demand that their dignity be respected.

Negotiations are scheduled to start on 18 October and we hope that all union members, regardless of workplace or location, support the new GABA branch in their demands for a better, more just workplace.

[www.gaba.generalunion.org](http://www.gaba.generalunion.org)

# Vo<sup>ナショナルユニオン</sup>ice

“Voice”の紙面

- ◇ GABAニュース
- ◇ 東京 Credu：解雇撤回勝利
- ◇ 経済産業省の要求
- ◇ 姫路独協大学

2007年10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

## NOVA=際限ない、解約授業料の返金の先延ばし。 教職員の賃金まで、遅配が発生

悪徳商法断定の最高裁判決と、経産省による「業務停止命令」から表面化した「NOVA—倒産か？」のカウンタダウンは、ますます、深刻化している。新規生徒の激減と解約の殺到は、「取り付け」的状況さえ生んでいます。

給料に遅配も発生していますが、賃金や借上げ社宅がなければ、不本意な大量帰国も発生しかねません。「NOVAの情報は、ゼネラルユニオンが最も正確で早い」と、マスコミ各社も連日詰めかけています。

### NOVAから返金なければ、ローン返済の停止可能

今春以降、激増した解約手続きについて、1か月でできる返還金支払いを、NOVAは「2か月間かかる」としました。だが、約束期日が来ても履行せず、今や、その先延ばしで、「3か月～4か月間」と言い直しています。資金繰りによる遅延は明白で、賃金遅配や、諸経費支払などの滞りが重なり、このように、一切返金しないのであれば、計算方法の判決や行政指導も無意

味です。

「解約や倒産でもローン返済は必要か」という法律問題を、ユニオンが経産省に確認すると、

「ローン会社は契約時に、NOVAに一括入金しており、用途を認識しており、NOVAから返金がナイ場合、ローン会社は、以降の分を生徒に請求できない」ことが判明しました。生徒さんは、NOVAへの返金請求・ローン会社への通告を内容証明で督促するとともに、銀行の自動引落としをやめるべきです。

### 従業員【講師・スタッフ】へのアドバイス

(1) 自分から退職したら損。閉鎖後も解雇まで賃金が出ますし、未払賃金なども、労組の交渉や、雇用保険基金【賃金確保法の立替払】により、必ず確保されます。雇用保険は、「自己都合」だと、失業給付が3か月間待機させられます。

(2) 未払賃金・未払残業代【始業前の早出強制分も含む】などが発生する可能性がありますので、現在の就労記録や、過去2年間の賃金明細票・雇用契約書・タイムカードのコピー、などをファイルしておいて下さい。

(3) 雇用保険・社会保険などの書類を、再確認して下さい。未加入の方は、確認請求を申請し、遡及加入する方法もあります。外国人講師の方で、「3ページに続く」

## NOVAの教職員の説明会

10月14日（日）20時～

ゼネラルユニオン事務所 — 天満橋

詳しくは[www.generalunion.org/map.htm](http://www.generalunion.org/map.htm)