

Voice

National Union

Inside the "Voice"

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February 2003, Vol. 1 No. 8

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

Industry Wide Solidarity

The Japan Times

General Workers Union

Twenty-six foreign staff workers formed a union at The Japan Times in response to a restructuring plan, including a 10% pay cut and other elements, brought on by deteriorating corporate performance.

Armed with strike authorization, negotiators forced management to withdraw the pay cut proposal.

The IHT/Asahi Employees Union

On November 28th, Japanese and foreign translators, editors and journalists at the Asahi Shimbun's English-language IHT/Asahi newspaper announced a union. The 18 member strong union is made up of foreign workers hired on one-year contracts and Japanese staff who are treated as freelance employees despite working on a full-time basis. The union is mainly seeking that the Japanese members be accorded regular worker status, social insurance coverage, and protection under Japanese Labor Law. Negotiations are in progress.

Nikkei Staff Union

At a subsidiary of Nikkei Shimbun Inc. called the Nikkei News Bulletin (NNB), four Japanese and foreign workers employed in the translation and editing of articles for Nikkei's English language outlets formed a union in December. Although nominally dispatched to NNB by the Nikkei Staff dispatch company, they have in fact been employed from day one at NNB in violation of the Dispatch Law. As a result of restructuring, these "dispatch workers" have been told their contracts expire at the end of February. Negotiations continue.

Along with those noted above, workers at the Yomiuri and Mainichi papers have also formed unions. As a result, all English language newspapers have unionized workplaces.

Although a small industry, we hope that the strength of the unions within it will grow as the exchanges among them progress.

Osaka YMCA Strike Deadline Extension Recommended

General Union

After many months of strikes and continued talks with the YMCA over outstanding grievances and the extension of union rights in the workplace, progress is finally being made. This is especially true after three outstanding grievances, which were in direct violation of collective agreements concerning pay and working hours, were settled.

we feel that sufficient progress has been made to continue talking

Although there are still some outstanding grievances to be dealt with and the issues around the extension of union rights in the workplace (i.e. office space, free access to all employees to distribute information) still have to be worked out, we feel that sufficient progress has been made to continue talking.

A determined branch effort that culminated in strikes over the summer and fall have made the YMCA realize that the need to deal fairly with the union buys peace and an open mind from union members.

More to follow in the next edition.

General Union Annual General Meeting Sunday, April 20 1:00-5:00 PM

As the General Union continues to grow, inside and outside of the Kansai area, it is becoming more difficult to achieve the 50% quorum necessary for our annual strike vote. Due to this fact a constitutional amendment leading to a representative system for the strike vote will be voted on at this AGM. We need a quorum for this vote to take place and therefore are expecting that all Kansai General Union members attend.

Please see inside this mailing for more information and a detailed map.

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
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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

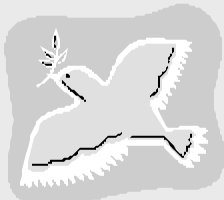
Antiwar Rally

University Teacher Union
NUGW Tokyo South

Antiwar rally in Tokyo

On Saturday, January 18th, in coordination with similar actions around the world, a rally to protest the continued buildup of troops in the Persian Gulf was held in Hibiya Park. The event, with the theme World Peace Now, was sponsored by a host of progressive organizations including the Pacific Asian Resource Center. Activist singers, student groups and a dance troop from Okinawa entertained the crowd of roughly 5,000 before they marched with signs and banners into the Hibiya district and through Ginza's busiest intersection.

Most Saturday afternoon shoppers gazed on in bewilderment although some bemused teenagers, perhaps believing it was just another festival, joined in with the antiwar chants. There was quiet applause from a number of older women. By far the largest single contingent of onlookers was the plainclothes police photographers who, with every snap of their shutters, betray a profound cynicism towards the right of peaceful protest in Japan.



Not Good Enough, Mr. Imanishi

General Union

Worst LS inspector we've seen

The General Union recently handled a case at a hospital in Nara called 'Grandsoul', run by a company called U-Medics. A Canadian employee there was fired without notice one day, as they 'could not afford to pay his salary any more'. The Canadian paid a visit to the Labour Standards Office (LSO) in Osaka, to demand his rightful 30 days' dismissal allowance, and they were very helpful, but they had to transfer the case to Sakurai LSO in Nara, where the whole issue started to get bogged down. Sakurai officials visited the hospital on October 3rd, and the company agreed to pay the dismissal notice allowance, but sent the member e-mails demanding payment of 300,000 yen as 'key money'. Rather strange, considering he had lived in the company apartment for 1 and a half years without a contract or any talk of key money. The employee then came to the union for help. We sent formal demands for the money on 11 October, but the company answered that they would settle the issue with our member.

Threatening e-mails

On 15 October, he received a threatening e-mail from the company, saying 'you are now under the (sic) very difficult condition', and demanding about 1,000,000 yen for unpaid Health Insurance and pension premiums, in addition to the 300,000 yen. Never mind that the company had never enrolled him anyway, as was their duty. The astonishing part was the comment, 'The Sakurai Labor Standards Inspection

Officer said the above'. We instantly assumed this was a lie, so the GU General Secretary visited Sakurai with the member, and reported this to the office. The officials there were appalled, and said the LSO would never get involved in that kind of thing. The inspector handling the case, Mr Imanishi, was out, but they said they would report it to him. A few days later, however, Imanishi called the member's girlfriend to say he would not deal through the General Union, as they couldn't speak Japanese, and that he must pay the 1 million yen. This, despite the fact that the general secretary had spoken only Japanese during his visit to the LSO.

Do your job

We then knew we were dealing with a bad inspector. The union chairman made several calls to put pressure on Imanishi, who continued to display a completely uncooperative attitude. On 28 October, the member received another e-mail, demanding 54,000 yen in water bills, for no obvious reason. All this time, the money due to him remained unpaid, and Imanishi was doing nothing about it, and in fact backing up the company in all the conditions they set, recommending a meeting at which the monies could be exchanged. Payment of 30 days' dismissal allowance is unconditional, and a LS Inspector has no right to get involved in such things. Imanishi's job is strictly to uphold the Labour Standards Law, but he was meddling in other laws and matters he clearly knew nothing about. Finally, the GU demanded that the LSO prosecute the company for refusal of payment. Imanishi's answer was predictable: 'That's our choice'.

The money was finally paid on 30 November, nearly two months after Imanishi's first visit to the company. The Labour Standards Law allows no such delays, stipulating a period of only 7 days from the last day of employment for the payment of all outstanding monies to the employee.

Not good enough

Not good enough, Mr Imanishi, not good enough by far. We taxpayers pay your salary, and the job of a Labour Standards Inspector is to uphold the Labour Standards Law, not to take the company's side and allow them to flout the laws of the country. Next time we deal with a Labour Standards Inspector like you, we may not be so patient.

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), 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, Kitano Catholic Church (Umeda), Murphy's Irish Pub, The Plavden.

Nagoya Area: Queen's Head, Pub Restaurant Usquebaugh, 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, Desperados.

Fukuoka Area: Sakae Sushi, The Hacienda.

Okayama Area: Varie Mitsukete Bar

Employees English Skills

The advance in internationalization, with more companies conducting business activities overseas and collaborating with foreign-capital companies, has resulted in an increased number of companies demanding that their employees attain high proficiency in "practical" English.

subsidies of 300,000 yen per year for further English studies

More and more companies are requiring a set score or higher in the Test of English for International Communication, TOEIC for employee promotion. Some companies even mandate the use of English as their in-house standard language. Sumida Corporation, a company specializing in coil manufacture, introduced a system in 2000 for offering English conversation classes for one year, then providing, to individuals scoring 500 TOEIC points or higher, subsidies of 300,000 yen per year for further English studies. Last year, the company mandated that approximately 300 employees at its head office use English as the standard language.

Foreign affiliates are not the only companies that emphasize English skills

IBM Japan, a foreign capital company, uses English as the standard language in most situations. For example, Japanese staff members stationed overseas converse with other Japanese staff members in English, and e-conference minutes and other documents are all written in English. Because of this, in 2000, the company began including TOEIC scores as a criterion for managerial promotion. Requirements for promotion are a minimum of 600 points for section managers and 730 points for assistant department directors. Foreign affiliates are not the only companies that emphasize English skills. Beginning FY2000, Matsushita Electric Industrial has required a minimum TOEIC score of 450 points for promotion to section manager.

(Sankei Shimbun, January)

Spring Labour Offensive

General Union

The General Union will be participating in the Osaka Union Network Shunto (Spring Labour Offensive) Day of Action on Wednesday, February 26th.

All members and supporters who have time on the day are urged to participate when time allows. The Day of Action is a traditional event when unions in the Network come together to support those in struggle. It is a time-honoured practice where the traditions of unionism, struggle and solidarity, are displayed.

All members and supporters who have time on the day are urged to participate

In the past many unions and individual unionists have supported the GU in various struggles, notably those against GEOS and Nichibeji Eigo Gakuin.

Whilst we have no major targets of our own this year this is an opportunity to support our sister unions, build inter-union links and individual ties between members of different unions. Next year we may need help in disputes of our own. The day will begin at 8.30am. Meet outside the NTT Nishi Nihon Head office, the nearest station is Tanimachi 4-chome, Exit 9, on the Tanimachi subway line.

The next meeting place will be from 12.30 - 1.00pm in front of the Osaka City Hall, (Midosuji line, Yodoyabashi station, Exit1.)

For those free in the evening we will meet at 6-7.00pm outside the Kinki Area Post Office HQ, Temmabashi, (Tanimachi & Keihan lines).

Walk along Tosabori-dori towards Tenjinbashi for 4-5 minutes.

The NTT and post office activities are to protest against restructuring involving huge job losses and pay cuts.

Throughout the day we will be participating in demonstrations and leafleting activities at various companies where disputes exist.

If you require further details contact the GU office or if you are a GU member already check out regular e-mail updates for more information.

Organizing Drive

As part of a wider GU organizing campaign all members are asked where time allows to take part in organizing activities or leafleting activities in their areas during late February and March.

A short questionnaire is included with this newsletter for members to return if they haven't done so already through e-mail.

Please take a few minutes to fill it in and help increase the GU presence and reach more prospective members in the areas we organise in.

Annual General Meeting

General Union Annual General Meeting, Sunday April 20th, 1.30-5pm, Dawn Centre, Temmabashi.

All GU members are expected to attend this important event in the life of the union. A map will follow nearer the date. Please put this date in your diary now.

General Union members are reminded that one of the conditions of membership is to maintain paid up membership at all times. Your 'paid up to' date should be on your address label. Help the union help you by paying your dues promptly.

GU High School Victory

The GU signed a collective agreement with a well known high school in Osaka recently. In November the part-time teachers were told that neither contracts nor hours could be guaranteed for them for the 2003-04 academic year and that non-renewals were possible. Several of the teachers were already union members and promptly contacted the office for advice. A branch of the union was formed at the school and demands presented demanding that no major changes to union members' conditions be made without union agreement. An agreement to this effect was reached and we can report that no lay-offs occurred and only very minor changes (reflecting normal scheduling at private high schools) in hours were made.

Days of Action and Solidarity

Berlitz Receive Warning over Unfair Labour Practice

General Union

Berlitz are aware that any such further violations will lead to sterner action.

Berlitz received an unfair labour practice warning on December 12, 2002, after the G.U. Berlitz Branch Chair, was told not to perform union duties in Umeda Language Center; namely advising teachers about their rights under Berlitz Work rules and Procedures.

Berlitz are well aware that such actions are in violation of Trade Union Law and the Constitution of Japan. The G.U. Berlitz Branch Chair made this comment about Berlitz's actions;

"It's a shame that Berlitz do not appreciate our union's fundamental rights as protected by the Japanese Constitution and Trade Union Law. Without the protection of my union rights, I could have faced a disciplinary proceeding. I was elected as Branch Chair to protect my colleague's interests and improve working conditions, and that's what I shall endeavour to do. I'm fortunate that we live in a country that has laws actively promoting the formation and development of trade unions."

Article 28 of the Japanese Constitution. The right of workers to organize and to bargain and act collectively is guaranteed.

Article 7 of the Trade Union Law. Employers shall not treat workers in a disadvantageous manner for being members or performing proper duties of a trade union.

Act of good faith

On December 13, 2002, in an act of good faith, Berlitz encouraged the G.U. Berlitz Branch Chair to construct a specific Berlitz Umeda website that allows teachers to access Berlitz Work rules and Policy / Procedures online.

The General Union recognizes such acts of good faith and appreciates that all teachers will now be able to view this literature without having to negotiate with their local management.

A Short Union History

In western industrialized countries during the Industrial Revolution and after, there were laws prohibiting combinations of workers. Freedom of trade was emphasized as the fundamental right in labour relations. Strikes and picketing were outlawed, and courts imposed civil liability for damages resulting from strikes and picketing. This means workers could be sued for damages resulting from a strike or other kinds of dispute actions. The formation of a union was considered a 'conspiracy in restraint of trade' in English common law.

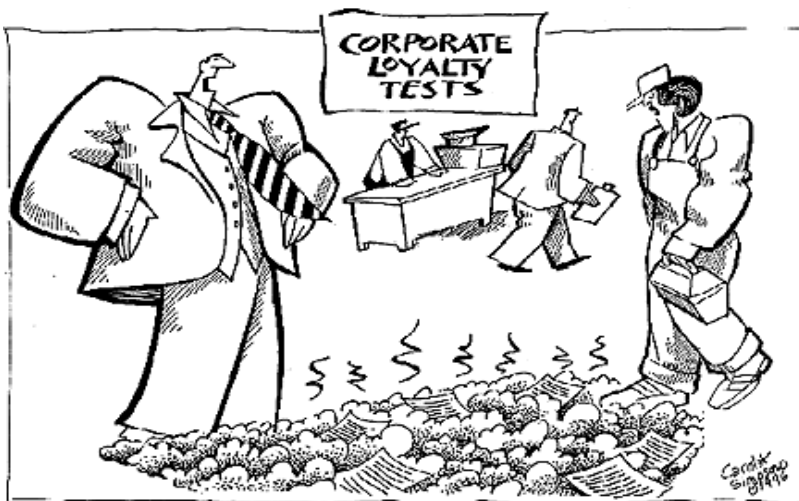
In 1998, the General Union was threatened by Nichibei Eigo Gakuin with legal action for 'Obstruction of business'. This is the kind of offence which used to outweigh all rights of employees.

Word Search

The National Union VOICE welcomes submissions from all members. This word search was kindly donated by a G.U. YMCA Branch member.

- AGREEMENT
- BARGAINING
- BROTHERHOOD
- COLLECTIVE
- CONDITIONS
- CONTRACT
- GENERAL HOLIDAYS
- ILLEGAL LABOR
- MEMBERSHIP
- NEGOTIATIONS
- RIGHTS SHUNTO
- STANDARDS
- STRIKE
- UNEMPLOYMENT
- UNFAIR
- UNION
- WAGES
- WORKERS
- WORKING

Y H T S R C T J X W W G P N J
 S Y C H D I B N Q Y O A G L W
 N B A U R E G O E J R M Q A E
 O B R N N A K H C M K I U B N
 I R T T G E V I T C E L L O C
 T O N O D N M C R S R E C R B
 I T O C N B I P G T S N R V E
 D H C U N I O N L E S M Y G E
 N E G O T I A T I O N S E R A
 O R G N I K R O W A Y E M M P
 C H S E G A W T V D G M R W F
 H O L I D A Y S R X S R E A Q
 T O M E M B E R S H I P A N L
 S D R A D N A T S Y H D B B T
 R I A F N U B Z I L L E G A L



"Now, walk down this pathway of burning union contracts."

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.

Aichi Zenrokyo

General Union

Does the General Union battle bravely all on its lonesome? In fact no. You may not know this, but your Union is part of Zenrokyo (National Trade Union Council), one of the big three Japanese trade union federations. This organisation is independent of any political party, and it tends to be more active in defence of workers' interests than the other two federations. It is the only one with a policy of recruiting and helping foreign workers. Thus, it is a natural home for the GU.

Here in Tokai we work closely with the Aichi chapter of Zenrokyo. Our staff regularly attends its meetings, and Zenrokyo members here gave us invaluable support during our dispute with Linguaphone Academy last autumn. In the future we in turn may be called upon to support Zenrokyo members in disputes, and we hope that GU Tokai members will stand shoulder to shoulder with them as they have stood shoulder to shoulder with us. To give you an idea of what Zenrokyo stands for, here is an outline of the policies affirmed at the annual meeting of Aichi chapter on January 25:

- Zenrokyo will strive to defend workers' living standards
- it will promote peace, human rights, and democracy
- it opposes destruction of the natural environment through projects such as the 2005 World Expo
- it opposes restructuring, pay cuts, loosening of legal restrictions on dismissal, and job insecurity
- it demands fair treatment for foreign workers (including undocumented ones), dispatch workers, contract workers, casual workers, and all those in insecure employment
- it opposes the planned war on Iraq
- it will support workers in other countries who are suffering labour rights violations by Japanese-owned companies

Let's take pride in our federation!

Whether Japanese workers or foreign, we're all in the same struggle to defend our standard of living and quality of life.

In unity is our strength.

Fred Shannon - Berlitz Timeline

Continued from

'The return to Berlitz -Japan'

May 23, 2002

Given a second Written Warning. The Nakano I.S. (Instructional Supervisor) who is now a Shinjuku pay per lesson instructor serves me with the letter. Reasons cited were student complaints. No information provided within the content of the letter as to the nature of the complaints i.e. from whom, the date of the complaints or the reasons for the alleged complaints. The letter appears to be very generic and mentions no specifics.

May/June, 2002

Nakano I.S. advises me that I will lose my Sunday Premium Pay Rate because I have blocked too much time off from the schedule. The I.S. also tells me that I will not receive the company Sumitomo Medical Insurance benefits because I do not teach enough lessons. I did not get this in writing but asked the I.S. to confirm this verbally. He did not get back to me verbally to confirm this before he resigned from his position as Nakano L.C. (Language Center) I.S.

He attempts to convince me to resign. I advise him that I would not submit my resignation.

June, 2002

I asked the new I.S. if I would lose my Sunday Premium Pay Rate and he said, "no, it's not gonna happen." I asked him to confirm this and he said that one of the secretaries would phone Human

Resources to confirm. I have the pay slip that indicates that there were zero (0) lessons recorded under the Rest Day column. However, I did receive pay for the Sundays that I worked. I was told that the Nakano L.C. had changed it on the computer before they were sure that they could take away my Sunday Premium Pay Rate.

July 15, 2002

Nakano IS tells me that I will be receiving my 3rd and final Berlitz Reprimand. He alleges that I have received 11 or 12 complaints. He emphasizes to me that I will no longer be receiving lessons. He told me that I would only be called in to teach under emergency circumstances. He attempts to convince me to resign. I advise him that I would not submit my resignation.

July 31, 2002

Given third Written Warning. My I.S. said to me today during the meeting that if he had told me on Monday, July 15th that I was receiving a 3rd Berlitz Reprimand that he was mistaken and that this would only be my 3rd Berlitz Written Warning. He explained that Berlitz uses a system of 3 Written Warnings and 3 Reprimands. He also advised me, contrary to what he told me during a meeting on Monday, July 15th, that my status with Berlitz was as a Paid Per-Lesson Instructor. On Monday, July 15th, he had advised me that I would no longer be receiving lessons and that it may be within my best interest to resign.

More to follow.

<h2>JOIN THE GENERAL UNION ONLINE</h2> <p>www.generalunion.org click JOIN NOW</p>	
Name:	Employer:
Address:	
Tel:	Email
Or fax this page to 06-6352-9630 (Osaka) or 052-735-9704 (Nagoya).	

Voice

ナショナルユニオン

“Voice”の紙面

- ◇ セネラルユニオン総会
- ◇ Y M C A 争議報告
- ◇ 愛知全労協
- ◇ U T U の活動

2 0 0 3 年 2 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

General Union Open Legal Seminars

What are the Legal Seminars?

The legal seminars are open forums for members and non-members alike where you can get information that directly affects your life. There will be a lecture on the main points followed by a Q&A session. There will be three lectures on the topics outlined in this article.

Where will the seminars be held?

All Osaka seminars will be held at the General Union office in Temmabashi and the Nagoya seminar will be held at the Nagoya office. Please see www.generalunion.org for a map.

My questions are pretty in-depth and I don't want to use everyone's time up at a seminar. Should I attend?

We encourage everyone to find out more about their workplace rights. If you feel that you need more info, please feel free to set up an appointment by calling the numbers below, or speak to a union organizer at the seminar.

Seminar 1. Labour Standards Law

A common problem for teachers and staff in language schools is that many companies fail to meet the minimum requirements set forth in the law.

- Do you have the minimum legal number of paid holidays? No paid holidays because you're part time?
- Can my employer withhold my wages if I quit my contract?
- Fined for lateness? Find out if your employer is allowed to do this.
- Are you forced to prep your lessons for free?

Find out if your contract is up to scratch. This law sets forth the minimum standards that your employer MUST offer.

Seminar 2. Social Insurance

Despite the fact that the union has forced all the major language schools to enroll in the unemployment insurance scheme, many schools, colleges and universities, and many small language schools remain outside of the law. Most language industry workers are also not offered

medical and pension even though they are qualified to join.

- I work full time. Am I eligible to get unemployment and medical insurance, and pension? Part timers?
- My employer says that if I enroll in unemployment insurance, I'll also have to join the expensive state medical and pension insurance. Really?
- How can I get my pension premiums back now that I'm leaving?

Seminar 3. Colleges & Universities Are you a non-eikaiwa teacher?

We have seen a marked drop in working conditions for teachers in this sector. What can teachers do to protect their working life and pay?

This seminar is especially designed to answer questions for teachers who are being dispatched.

- Are you affected by contract limits (limits on the number of contract renewals)? We forced the Nishinomiya Board of Education to cancel this system.
- Is your school failing to enroll you in unemployment insurance, even though you work 20 hours per week?
- Are directly hired teachers being replaced by dispatched workers on worse working conditions?
- Want to know if your contract follows the minimums set forth in the law?

If you have questions about the above issues, or have other concerns affecting school, college, or university teachers, then this seminar is for you.

Seminar	Osaka	Nagoya
Labour Standards	Mar. 16 6:00-9:00	Mar. 10 6:00-8:00
	Mar. 17 9:30-12:00	Mar. 23 9:30-12:00
Social Insurance	Mar. 12 6:00-9:00	
	Mar. 27 6:00-9:00	
School & University Teachers	Mar. 3 6:00-9:00	

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