

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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- ◇ Tokyo Nambu – AGM
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December 2004, Vol. 1 No. 19

Health and Pension Rights Now!

GU Meeting Passes Shakai Hoken Resolution

Unhappy with the lack of proper health and pension rights for foreign workers in Japan, General Union members voted almost unanimously to adopt a resolution regarding Shakai Hoken (SH - Employees Health and Pension Insurance). The resolution calls on the union to deal with the following points:

- ◆ To raise demands to all Eikaiwa employers regarding SH.
- ◆ To campaign around SH so that workers, especially foreign workers, are aware of the benefits of SH.
- ◆ To raise demands to the Ministry of Health, Welfare, and Labour to ease the requirements for enrollment so that part timers become eligible for SH. Many union members, especially those at universities and high schools often have many part time jobs but not enough hours at any one school to qualify.
- ◆ To demand that the government make a larger part of the pension payments refundable to foreign workers when they leave Japan.

In short; for compliance with the present law, and reform for a better system.

Big Lies from the Big Eikaiwas

Big Lie #1 – It's not mandatory.

According to the Social Insurance Agency, it is compulsory for the employer to enroll anyone who works three-quarters of full-timers' hours based on job classification. This means that 100% of NOVA, GEOS, and AEON full time teachers must be enrolled (since they work over thirty hours per week). Also, since a full timer can be any number of hours, ECC teachers who have 29.5 hour contracts and are called full timers are eligible. Simply put, if you work 'full-time', you are basically eligible. We believe that even MG teachers at Berlitz would be eligible even though they only work 23.5 hours per week.

Big Lie #2 – It's a waste of money for foreigners because of the pension.

Due to the fact that most foreign workers (90%), especially Eikaiwa teachers, return home within three years, most of the employee's pension premiums will be returned. The only party that doesn't get the money back is the employer. Let's face it, it's expensive for the employer, and this is why most teachers are not enrolled.

Big Lie #3 – Teachers can get it only if they apply.

There is no application process: the employer must enroll you if you meet the requirements.

Stop Firings at NOVA!

NUGW – Tokyo South

Nova Union of Staff and Teachers of the National Union of General Workers Tokyo Nambu began to fight back in November against Nova's recent attacks on the union.

The union sued Nova at the Tokyo Regional Labor Commission (Rodo Iinkai) over unfair labor practices, asserting that the company's refusal to permit recording of collective bargaining demonstrates a complete lack of good faith. (Good faith in negotiations is obligatory under Japanese law.) In addition to refusing recording, Nova management also has refused to allow a student supporter of a recently fired teacher to be present during talks. The union insisted that the student remain, pointing out a relevant point in Japan's Trade Union Law. Peter Logan, director of foreign personnel at Nova, responded: "I don't care about Trade Union Law." Such a comment underlines the English conversation school's refusal to (see pg. 5 – demonstrate)

Shakai Hoken Seminar
February 27, 2005 1:30-4:30
L-Osaka
ALL WELCOME!

Announcement

This edition, Vol. 1-No. 19-Dec. 2004 marks the end of Volume 1 which started in 2002. Look for the new look of the 'Voice' in 2005.

Fukuoka General Union
'BIOTOPE' Fukuoka NPO office, 4-7-2
Hakataekimae, Hakata-ku, Fukuoka-city
Tel/Fax: 092-473-1222
Email: fukuoka-general-union@nifty.com

Language Teachers Union of Sendai
Tel: 022-261-4392 Fax: 022-222-7734
Email: ltus@generalunion.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

Kanto: NUGW Tokyo South
Tokyo-to, Minato-ku, Shimbashi 5-17-2F
Tel: 03-3434-0669 Fax: 03-3433-0334
Email: carlet@jca.apc.org

Tokai: General Union
450-0003 Nagoya-shi, Nakamura-ku,
Meieki Minami 1-20-11, NPO Plaza
Tel/Fax : 052-561-8555
mail: tokai@generalunion.org

Kumamoto General Union
Email: kumamoto@generalunion.org

National Union of General Workers

Changes afoot at Kitakyudai

Fukuoka General Union

When I started working at the University of Kitakyushu as a *gaikokujin kyoshi* in the year 2000, I had no idea how my terms and conditions of employment compared with other members of staff. I had spent a very happy three years as an ALT on the JET Program but after 6 months at the University of Kitakyushu, I knew something was wrong. The degree of social distance between my Japanese colleagues and me seemed abnormally large. I was not allowed to speak or vote in meetings and my position as a *gaikokujin kyoshi* was clearly stigmatised.

The *gaikokujin kyoshi* group of the time mobilised and started to research the issue in more depth. The university union helped us gather accurate information about how our terms and conditions of employment compared with other staff at the university. To my regret, we found that the *gaikokujin kyoshi* position was the only one that in principle required applicants to be within 8 years of graduation (which functioned as an indirect age cap). Once employed, we were the only teaching staff to be employed on 1-year contracts renewable 4 times only. And since we were ineligible to re-apply for our own jobs, we were consequently excluded from the promotion structure and denied long-term employment, along with the social security that brings.

Since then, almost all the *gaikokujin kyoshi* engaged in constructive and friendly dialogue with colleagues. Just by writing and talking to people, we drummed up a lot of good will over the last 4 years. Between May and July of 2004, we visited the Deans, the Vice-President and President, who were all willing to meet with us and discuss the issue informally. We took the opportunity to tell them about the UN human rights treaties and the UN reporting system, all of which they seemed to find interesting. We felt we had their support.

In July 2004, through Fukuoka General Union, we demanded collective bargaining with University of Kitakyushu officials under the Japanese Trade Union law. We finally sat down for a heart to heart with Kitakyushu City officials,

whom we had not previously been able to reach due to the `distance` between Kitakyushu City and Kitakyushu University. Kitakyushu City is our official employer. We had researched the issue in great depth and knew exactly how our terms and conditions of employment differed from those of other staff. We made as strong a case as we could that the university was discriminating against us and thus breaking two human rights treaties (ICERD and CESCR.) We told them that if they did not stop discriminating against us, we would report them to United Nations Human Rights Committees using the human rights reporting system available to NGOs. Over the summer months, the university union supported us by speaking out strongly against the *gaikokujinkyoshi* system in written memoranda.

In September 2004, the University of Kitakyushu suddenly announced that they had made some interim decisions regarding the foreign lecturer position that they have promised to review again at a later

date:

1. They have agreed to change the job title from *gaikokujin kyoshi* to *gogaku kyoshi*
2. They have lifted the '8-years within graduation' restriction upon applicants
3. Foreign lecturers can now re-apply for their jobs at the end of the 5-year period (which opens up the possibility for longer-term employment.)

We are still not satisfied with these changes but nonetheless, given how conservative some public officials can be and also considering that we have managed to maintain goodwill along the way, I am very pleased. Dialogue continues.....

Nichibei on the stand again!

Supporters welcome!

Osaka District Labour Commission, L-Osaka, 13 Dec, 1~3pm

Union lawyer Mr Niwa Masao will cross-examine Nichibei Vice-President Noriko Kuroda, who is defending the company against charges of Unfair Labour Practices. For a map to L-Osaka, go to: <http://www.generalunion.org/losaka.htm>

Read the National Union 'VOICE'

You can find a copy of the National Union 'VOICE', published by the National Union of General Workers, at the following establishments.

Also, read the 'VOICE' online at www.generalunion.org

Osaka Area: Balabushka (Shinsaibashi), The Cellar (Shinsaibashi), Pig and Whistle, Tin's Hall (Tennoji), Tramps (Kyobashi), Green Leaf, Murphy's Irish Pub, The Playpen (Osaka), Banana House, The Blarney Stone, Moriguchi International House, Tabunka Kyosei Centre, Orange House, Nell's Bar, Sam & Dave's (Umeda/Shinsaibashi), Kitano Catholic Church,

Kobe Area: Hyogo International Plaza, Ryan's Irish Pub (Sannomiya). Hyogo Int'l Exchange Centre.

Kyoto Area: Café Independent, The Hill of Tara, Kyoto City International Foundation, Peace Café, Tadg's Irish Pub.

Nara Area: Nara Information Foundation, Licks and Kicks.

Fukuoka Area: Sakae Sushi, Kambal Restaurant.

Kanto Area: Dubliners (Shinjuku), Dope Music Bar FOGGY, Franziskaner Bar and Grill, XYZ Bar, Paddy Foleys, Sid's Bar, Club Deja-Vu, The Bodhran.

Nagoya Area: Queen's Head, Pub Restaurant Usquebaugh, Marky's, Pelican Pete's, NPO Plaza, Tokuzo, Jazz Room Exit, Nagoya International Centre, The Elephant's Nest, The Misfits, The Plastic Factory, Dining Bar Vita.

Letters to the Editor

Maternity Leave Thank you GU

Dear Voice,

My and husband I have just found out we are expecting our first child. I was excited to announce the news to everyone at work only to find that I was asked to resign! It is difficult to believe the company's attitude after 5 years of loyal service. I know there is maternity leave in Japan but how do I get it and how long is it?

Thank you,
Mum-to-be

Dear Mum-to-be,

Congratulations on the happy news! Sorry to hear how your company reacted. Traditionally, it was expected that women would resign, or be forced to, upon becoming pregnant but we see fewer and fewer cases of this.

The law allows for both maternity and childcare leave. Maternity leave is available from six weeks prior to the due date with a postnatal leave of 8 weeks from the birth. Maternity leave is usually unpaid but if you are member of your employer's Health Insurance Society (Kenko Hoken), you will be entitled to 60% of your standard daily remuneration per day, from 42 days before childbirth to 56 days after child birth date for the unpaid period as "Maternity Allowance" upon the submission of certificate of your child's birth.

So what happens after maternity leave? Are you required to return to work? Yes and No. Childcare Leave is then available up to the infant's first birthday for either of the parents but is restricted in that those on fixed contracts are excluded. Saying that though, those who have been employed continuously for more than a year with several contract renewals may have the right to avail themselves of childcare leave.

As your company has already indicated they will decline your leave application, I would suggest you come in for a consultation immediately so that we can begin the negotiation process with your employer.

Dear General Union,

This is a letter of grateful thanks for your help in getting me a paid sick day (worth 20,000 yen!) at my once-a-week public high school job. I had only been working there for 1 year when I got sick last June and had to miss a day. As a part-timer I had always figured "no work, no pay," but then I remembered a very useful chart you printed a while ago showing our legally entitled paid holidays, including part-time jobs. So after a quick 10-minute consultation with the union, who taught me the key word for "paid holidays" in Japanese (yukyukyuka), and who even helpfully printed out a form letter requesting such paid holidays, I was not only armed with knowledge of my rights but confident in claiming them with GU backing.

I must admit that I was a bit apprehensive when I walked into the office to claim my rights (despite my "right" to do so!), but the hardest part ended up being just to say the word "yukyukyuka!" One key point is that I decided to skip the head of the English department and the administration, and instead went straight to the principal and handed him the document from the union (without mentioning the GU) while mumbling something about "yukyukyuka." It worked like "open sesame," as the principal accompanied me to the administrative office and told them to make it so.

Maybe this particular principal was super-nice, but I don't think that's it; most principals spend their time solving problems, and when I walked in with "the law" on my side, he simply saw that there was no problem; just a teacher claiming his legal rights.

I can't help but think there are so many other teachers out who don't know their rights; just like me before I joined the union. I had always thought of the union as a kind of insurance against infringement of my rights, such as unfair termination or unpaid work, but there is so much more benefit to joining, as my case shows. First of all, I have gotten 2 other part-time jobs through recommendations by fellow union members. I am just a

rank-and-file member, but I think showing up to the twice-a-year GU meetings helped in regard to networking with other teachers.

Secondly, I now consider my dues to be only 16,000 yen this year instead of the regular 36,000, thanks to getting this 20,000 yen paid holiday with the union's help. As a token of appreciation I will donate 25% (5000 yen) to the union.

I haven't told my colleague about claiming a paid sick day since he is not a union member, and I wonder if I should? I wonder if he, or others like him, would join if they knew they could "cut their dues" by more than half just by claiming their rights to paid holidays? And maybe even fellow union members, especially part-time workers at multiple schools like me, could offset their dues, in a sense, by claiming paid holidays?

Thanks again for your help with this matter, and I hope the General Union can help benefit other members as you have me!

RF

Dear RF,

Thanks for the wonderful vote of confidence. You're right. Even as a rank-and-file member of the union, the benefits in terms of networking to find work or getting information about your rights, far outweigh the union dues.

In regards to the paid holiday issue, you went about it the right way and followed the steps that we recommend.

You FIRST consulted the union and let the union write the request, and then presented it yourself. This is important as it allows us to keep an eye on things in case it gets sticky. We've heard of too many non-union members who, because they think it's their right, make a request for paid holidays without the right information. By the time they come to us, we're dealing with a firing, not paid holidays.

To your non-union coworkers, let them know the right way to win their rights. The best thing is to let them know that if they want more information about their rights, you – and we – would be happy to have an organizer come to talk to them.

Shakai Hoken (SH) and You - What you need to know.

| Shakai Kenko Hoken (Employees' Health Insurance) | Kosei Nenkin (Employees' Pension Insurance) |
|---|---|
| <p>Eligibility: You should be automatically enrolled by your employer if you; A. Have a contract of two months or longer. B. Are employed by a legally registered company. C. Work about 75% of the hours of a full timer in the same job as you. This is the most difficult part of the equation as full time can mean many things. Please consult the union to find out about your eligibility.</p> | |
| <p>Cost: 82/1000 of salary paid 50/50 employee/employer. Eikaiwa Teacher pays: $250,000 \times 41.1000 = \text{¥}10,250$</p> | <p>Cost: 135.8/1000 of salary paid 50/50 employee/employer. <i>At forty years of age the figure rises to 90.9/1000 due to the inclusion of long-term home care insurance.</i> Eikaiwa Teacher pays: $250,000 \times 67.9.1000 = \text{¥}16,975$</p> |
| <p>Medical, drug, and dental costs. 70% of medical costs to a maximum of $\text{¥}67,000$ per month after which 100% of the medical costs are covered. Also, when this upper limit is exceeded four times in one year, the fourth payment is $\text{¥}37,200$.</p> <p>Injury or sickness resulting in a loss of wages. 60% of lost wages due to sickness or injury. There is a one and one half year limit to claiming this for any one single illness or injury. This IS NOT available under the National Health Insurance Scheme (Kokumin Kenko Hoken).</p> <p>Childbirth. $\text{¥}300,000$ is paid after the birth of each child.</p> <p>Maternity Leave. When you take this leave, you are eligible for 60% of your wages for 42 days prior to the birth and 56 days after the birth.</p> <p>Death: A lump sum will be paid to the person taking care of the funeral arrangements. Also, $\text{¥}100,000$ is paid in the case of death of a dependent.</p> | <p>Pension: After having paid into the pension system for 25 years, the insured person, after reaching 65 years of age will be eligible for a pension until their death. The 25 year period of payments is not always truly 25 years. <i>Kara Kikan</i> (which counts your years outside of Japan) affects your right to receive a pension without 25 years of payment.</p> <p>Disability: If you are not able to work due to disability, you will receive either the Disability Employee's Pension or the Disability Allowance. Class one disability: $\text{¥}1,005,300$ per year. Class two disability: $\text{¥}804,200$ per year.</p> <p>Death: A survivor's pension is paid to surviving dependents. Example, a surviving spouse with one child would receive $\text{¥}1,035,600$ per year.</p> <p>Lump sum withdrawal. A teacher who is enrolled in SH for three years or less, will be able to claim about 85% of the pension money back after leaving Japan (call the union for more information)</p> |

How the Major Eikaiwas treat SH

| NOVA | | GEOS | |
|-----------------------|--|-----------------------|--|
| Working Hours: | 37.5 per week. | Working Hours: | 40 |
| Eligibility: | All full time teachers and part timers working 75% of 37.5 hours per week. | Eligibility: | All full time teachers and part timers working thirty hours per week. |
| Comment: | NOVA is in violation of the SH laws. There current position is that all union members can join. | Comment: | GEOS is in violation of the SH laws. |
| Status | The union has now submitted demands to NOVA for full compliance. | Status | The union will submit demands to GEOS for full compliance. |
| AEON | | ECC | |
| Working Hours: | 36 per week. | Working Hours: | Majority of teachers are on 29.5 hour contracts and are labelled full time. |
| Eligibility: | All full time teachers and part timers working 75% of 36 hours per week. | Eligibility: | All full time teachers and part timers working 75% of 29.5 hours are eligible. |
| Comment: | AEON is in violation of the SH laws. | Comment: | ECC believes that since teachers are not working 30 hours, there is no need to enrol. |
| Status | The union will submit demands to AEON for full compliance. | Status | The union has submitted demands to ECC for full compliance. |

In the next edition of the 'Voice' we will be following stories from employees at these schools and the problems they've had due to the employers' failure to enrol. Do you have any comments or stories about SH? Let us know at shakaihoken@generalunion.org.

Demonstrate at NOVA - Dec. 10

General Union Roundup

(continued from Pg. 1)

comply with labor laws, including its failure to produce and register official working rules (Shugyo Kisoku).

The union also sued Nova at the Rodo Iinkai over the dismissal of three of its members and harassment of the Nova Union President, Robert Tench. Nova has recently fired five union members in what appears to be an act of revenge for the original suit at the Rodo Iinkai. All the dismissed members are extremely popular teachers with nearly a decade of experience teaching at Nova.

The union has held over a dozen leaflettings in November alone, including large ones on Nov. 8 and Nov. 16 in front of Ochanomizu School and Shinjuku School. Fifty-one members participated in the Shinjuku demonstration, demanding in a loud, bold voice through speakers that Nova negotiate in good faith and reinstate the unfairly dismissed union members. One of the posters depicted the famous pink Nova bunny, stomping on a teacher and whipping a student. A week after the Shinjuku demonstration, the Japan Times ran an article (Nov. 23, page 14) on

Nambu's activities, including a photo of two active Nambu members at the demonstration, holding up the pink bunny poster. In addition, eleven members joined the most recent collective bargaining at Nova 26, breaking the union's previous record of ten, also at Nova earlier the month. While Logan did most of the talking on management side, many of the nearly dozen union negotiators contributed to the negotiations, expressing their outrage at the refusal of the company to produce even the slightest bit of evidence for the wild claims they were making against the fired members. During the early November talks, one student, who is president of the Reinstate Instructor Jim Association, spoke eloquently about the need to reinstate such a talented, personable and experienced teacher. He also handed Logan a petition with well over 100 signatures of students demanding Jim's immediate reinstatement. Logan dismissed the petition without making even a pretense at reading it.

Another major demonstration is planned on Dec. 10 in front of a major Nova school.

Lots of Thrills in Trils Dispute

NUGW - Tokyo South

David Jobson decided to set up a branch union at Trils, an ALT (assistant language teacher) dispatching company in Fukaya, Saitama Prefecture. While setting it up, however, he found a note on his door on August 27 saying that his services were no longer needed and that he was to move out of the company apartment at once. Jobson refused the dismissal and refused to move out. Four days later, the director of Trils broke the lock off his apartment door, broke in and left a note to him saying as much. Eiichi Kawata told the police he had broken in out of concern that Jobson was dead. Rumors of his death were greatly exaggerated: Jobson subsequently summoned body and spirit to attend collective bargaining on September 8 which Trils refused at the last minute. In late September, apparently still believing Jobson to be dead, Kawata turned off Jobson's gas, water and electricity. At the Saitama Prefecture Labor Relations Board

(Rodo Iinkai) on October 25, Jobson and his union representative argued for his reinstatement. The two sides seemed to be at polar opposites, however. Once during mediation, Kawata accused Jobson of having poor spoken diction. On October 27, the Trils United Branch was established with three members. On October 30, NUGW Tokyo Nambu leafleted and demonstrated in front of Trils where management promised not to discriminate against union members. Harassment of union members continued, however, and a second request for collective bargaining was ignored.

On November 27, Nambu demonstrated again, this time with a speaker van. While demonstrators explained Trils's illegal practices, Kawata came out and pounced on Jobson. The police showed up and after a parley with NUGW Tokyo Nambu leaders, the demonstrators called it a day, vowing to continue to fight until Trils reinstates Jobson and agrees to negotiate with the branch union.

Otemon University: Union victory over koma cuts. The university has withdrawn their proposed cuts for a union member.

ECC: Negotiations set for improved pay, working conditions, and Shakai Hoken benefits.

NOVA: Demands submitted regarding; socialization, paid holidays, union rights, and Shakai Hoken.

Excel International/Matsushita: Campaign starts to win employment status and paid holidays for part time teachers.

Nichibei Eigo Gakuin: The union will cross examine Vice Principal Kuroda Noriko at the Labour Commission. GU is currently suing Nichibei for unfair labour practices. The Nichibei branch chair has also been elected workers' representative in a school wide election at the Umeda school.

YMCA: Demands to be submitted over Shakai Hoken..

ANUP: Negotiations are taking place over a legal paid holiday system.

Lang: Unpaid wages problem currently been negotiated with employer.

GEOS: Demands to be submitted for union rights and Shakai Hoken enrollment.

AEON: Demands to be submitted for union rights and Shakai Hoken enrollment.

Nishinomiya Board of Education: Demands submitted for next academic year's working conditions.

Institut Franco Japonais: The union will begin examining the Institute's rumoured pay cut.

Ritsumeikan University: Negotiations will start over the university's attempt to cut the classes of a Japanese union leader.

Interac: Demands will be submitted over lack of unemployment, health, and pension insurance.

Pigeon Kids World: Current negotiations over employment status and lack of unemployment insurance coverage.

La Lanterna Italian Restaurant: Involved in negotiations regarding an unfair dismissal and lack of unemployment insurance benefits.

Kyoto Gaidai: Union negotiating over koma cuts for a part time union member.

Tezukayama University: Union in negotiation over a mid contract koma cut.

Waiokoala Japan: Victory in Summary Court over unpaid dismissal allowance.

NUGW Tokyo South 11th AGM

At the NUGW Nambu 11th Annual General Meeting in Osaki, Tokyo, on October 2, foreign workers showed their growing numbers and influence in the union. Activists hope that with their varied backgrounds and energy, foreign workers will provide a dynamic complement to the expertise of veteran Japanese members.

Guest speakers from various labor organizations spoke about the deterioration of working conditions and the increase in limited term, part-time, and dispatch work evident at the present time. Workers were advised and reminded of the combative spirit of the past half century resulting in improvements in lifestyle that have led to a dangerous complacency. This spirit must be revitalized in the twenty-first century to protect and promote the interests of working men and women.

Among the speakers, Diet Member Kazuo Inoue of the Democratic Party spoke of his investigation into the hazardous, even deadly, working conditions of Nambu highway workers and his so far unsuccessful efforts to address the issue in the legislature. Takeshi Hachiya, political secretary to the Social Democratic Party Diet Member Tomoko Abe, raised the issue of the proposed revision of the Constitution to allow for increased military activity, a move opposed by many Nambu members.

The 'Wrap-up of 2003/2004', included in the Policy statement for 2004, catalogued changing conditions in the workplace and

specific challenges to Nambu unions. These include the implementation of performance-pay systems, manipulations and abuse of overtime and vacation pay, and deteriorations in workplace safety, among other concerns. In addition, the increase in dispatch, part-time, and limited-term contract workers demonstrates the decline in status of workers as a class, and the resultant instability in finances and lifestyle.

In the Election, President Hiraga Yujiro was re-elected, and Yumiko Nakajima was elected General Secretary, filling the office vacated by the departure of Hirohiko Takasu last year. Doug Ayers, President of the Nambu Foreign Workers Caucus, led a file of foreigners to seats on the Executive Committee. BEGUNTO executives extended that union's influence in Nambu. President Catherine Campbell, who co-chaired the AGM, was elected to the Committee, to which Vice-President Robert Lohmann was re-elected for the second time. Tony Dolan, president of the Simul Academy International Teachers Union, was also elected. BEGUNTO Treasurer John Garrett's appointment by President Hiraga as part-time Organizer was confirmed. In all, foreigners now occupy six of nineteen official positions in Nambu.

Organizer Lou Carlet, himself elected to the Executive Committee as Deputy Secretary-General, stated, "I believe we are at a crucial turning-point for the Nambu

union and our multinational diversity will make us stronger, more united ... and more able to make a difference in society, not only at the workplace." In the Meeting's midcourse, an appropriate accent to the international atmosphere was the announcement of the news of Japanese baseball player Ichiro Suzuki breaking an 84-year-old American Major League batting record.

Foreigners in the workplace make major contributions to society.

Support Highway Workers Union

NUGW - Tokyo South

On November 29, executives of Nambu Foreign Workers Caucus joined with union members from the Highway Joint Struggle, a coalition of Kanto unions including Nambu branches representing highway workers and toll collectors, in Toranomon. NUGW members leafleted office workers and passersby before the offices of the Metropolitan Expressway Agency to protest deteriorating working conditions on the highways.

As a result of the privatization of the Agency, Union members have been subjected to increasingly dangerous conditions on the job. The introduction of electronic toll collectors has allowed traffic to continue through toll booths, once manned by Union workers, without stopping. In the event of a breakdown of the electronic device, highway workers are required to cross traffic lanes on foot to repair or adjust the disabled unit. Since last year, three Union members have suffered serious injuries and an additional three have been killed as a result. There are no plans to modify the system to ensure adequate safety. In addition, pay cuts will total 34% over the three years to 2005.

The Nambu FWC understands that the effects of the restructuring of the Japanese economy falls most painfully on working people. It is in the interest of all Union members to support their brothers and sisters in other branches to limit or reverse the damage until a time when conditions allow for an improvement in working conditions, rather than to accept the current seemingly relentless deterioration.



"It's not fair. We have to make up lies about the union... but they get to tell the truth about the company."

社会保険

大学労働相談2004年10月1日~12月20日

ども加入できる。また「4分の3」は、あくまで行政指導のおおよそのメドであり、それ以下でも入れることが判明した。

まだ社会保険に集団で加入していないのは語学業界である。年金に困難性のある外国人労働者につけ込み、健保も入らせていない。そのため、無保険、という危険な仲間が無数にいる。やむなく国保に入ると、高い保険料を取られる反面、「私傷病や出産の休業保障がない」などの深刻な格差に直面する。

社会保険に加入させろ！ 損害を償え

また一部の会社は、社会保険でなく、会社指定の民間損保への加入を強制している。もちろん違法であり、さらに給付が制限され、契約前からの持病は無視される。今、全国から、「重病や出産に何の休業保障もない」などの悲痛な相談が相次いでいる。こんなケースの労組要求に、「社会保険との補償ギャップ」を見舞金として支払った学校も現われた。

ゼネラルユニオンは総会で、社会保険加入を「全支部の統一要求」とすることを決定した。今後春闘へ向け、団交やアクションを重ねていく。それでも、雇用保険・社会保険に入らない使用者に対しては、懲役・差押えなど法定の罰則を求め、刑事告訴も行う構えである。

大学には、実に様々な雇用形態の労働者がいます。教員も事務職員も、有期(1年単位更新)・パート・派遣・委任、など、不安定な非正規？雇用が今や多数派となっています。非常勤では、コマ単位のかけ持ちしても低賃金で、健保・年金はありません。法定の年休も認めない大学や、研究者として扱わない差別も多く、常勤でも、サービス残業・雇用保険未加入・「雇年限度」雇止め、といった違法行為が横行しています。

リストラ、雇用破壊を許すな

少子化や、学生数減などを、そのまま減コマ・賃下げ・不更新の理由にしてくる無策な大学も多い。だが有期でも、実績を無視した理不尽な契約変更はできません。「独立行政法人化」を口実のリストラも、便乗組の私学を含め目立っています。しかし文科省は、我々との交渉で、「独法化を理由とした賃下げや雇止めはありえない」と断言しました。

貴方も労組とスクラムを

大学は、官僚主義や恣意的運営に陥りやすく、労働問題も多発していますが、労組による交渉を通じ、問題が解決しています。今こそ、誰もが入れる個人加盟労組と共に、労働条件ダウンと首切りにSTOPをかけ、安定雇用と権利向上めざして、頑張りましょう。

大学での成果

ゼネラルユニオン・非常勤組合

- ◇ 京都産業大学
担当コマ数の上限変更撤回
- ◇ 大谷大学
賃下げ撤回
- ◇ 同志社大学
雇止め撤回 = 契約更新
- ◇ 立命館大学
雇用保険加入・更新限度(3~4年)を突破した契約更新実現
- ◇ 大阪学院大学
未払賃金の支払い
- ◇ 大阪電気通信大学
雇止め撤回 = 契約更新
- ◇ 大阪樟蔭大学
雇止め撤回 = 契約更新
- ◇ 大阪国際大学
雇止め撤回・更新限度(3年)廃止
- ◇ 追手門大学
雇止め撤回・授業の下請外注への業務委託禁止・入試業務強制撤回
- ◇ 関西外国語大学
契約不利益変更の撤回
- ◇ 神戸山手大学
雇止め撤回 = 契約更新
- ◇ 関西学院大学
賃下げ撤回・年休取得の開始・教材費の支給
- ◇ 西南学院大学
更新限度撤回 = 契約更新

ナショナルユニオン Voice

“Voice”の紙面

- ◇ 社会保険
- ◇ 東京南部 定期大会
- ◇ 大学労働相談
- ◇ 北九州大学

2004年12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

政管健保・厚生年金に加入させよ

雇用保険加入は我々の大成果も加入が始まり、政府からは「常勤の4分の3以上の労働時間」が加入資格とされているが、「同じ事業所で同様の業務に従事する常勤の労働時間を分母とするため、必ずしも40時間の30時間である必要はない。常勤講師が24時間なら、18時間の非常勤とも「次ページに続く」

この十年かかって、ついに「05年5月までに入れ」との最後通告も全国に発令された。我々は今後「複数校で働く非常勤の労働時間合算」なども要求し闘い続ける。

「常勤の4分の3以上の労働時間」が加入資格とされているが、「同じ事業所で同様の業務に従事する常勤の労働時間を分母とするため、必ずしも40時間の30時間である必要はない。常勤講師が24時間なら、18時間の非常勤とも

「次ページに続く」

日米英語学院、労基法でも完敗 ユニオンの支部長、従業員代表に当選

ゼネラルユニオン

何度敗訴しても懲りない日米英語学院は、労組員への嫌がらせをやめないため、また大阪地労委に訴えられている。その審問も佳境となり、12月13日1時より、悪名高い黒田典子副学院長が出廷する。この日は労組からの反対尋問であるため、たいへん重要な法廷となる。

【傍聴歓迎】

そんな折、サービス残業・就業規則・健康診断での労基法違

反が続々発覚、労基署も指導を始めた。労基法36条の時間外労働協定【サブロク協定。過半数以上を代表する従業員代表の同意がないと残業は禁止】もなかったことから、11月2日に従業員が選挙をよびかけ、労組のポール支部長が立候補した。ところが4日後、社長名で会社主導の選挙を別に告示し、別の候補も擁立した。しかし、ほとんどの従業員が本来の選挙に投票し、非組合員を含む大半の賛成で、ポール氏の当選が決定し

た。17日労基署に出頭し、その違法性を指摘された会社は、18日ポール氏を代表と認め、時間外協定案を持参してきた。会社はきちんと残業手当を法に従って支払うことを約束したためポール氏はこの協定案に署名し会社に渡した。これでサービス残業の慣習が止まれば日米の従業員にとって大きな前進であるが、会社が約束を守ったかどうかは12月末の給与明細を見るまでわからない。

福岡ゼネラルユニオン

福岡市博多区博多駅前4-7-2
福岡NPO共同事務所「びおとーぶ」内
Tel/Fax: 092-473-1222
Email: fukuoka-general-union@nifty.com

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

東海：ゼネラルユニオン

名古屋市中区名駅南1-20-11
NPO プラザ なごや
Tel/Fax: 052-561-8555
Email: tokai@generalunion.org

仙台外国語教員労組

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

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: carlet@jca.apc.org

熊本ゼネラルユニオン

Email: kumamoto@generalunion.org

全国一般労働組合全国協議会