

Voice

National Union

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

Inside the "Voice"

- ◇ Dues Increase
- ◇ Berlitz Holiday Pay
- ◇ Nichibei Eigo Gakuin
- ◇ Unpaid Overtime

May 2003, Vol. 1 No. 10

First Public Hearing in the NOVA Unfair Labour Practices Trial

General Union

On June 9th at 10:00am the Osaka District Labour Commission will open the first hearing in the General Union's unfair labour practices case against NOVA. The first witness will be the General Union-NOVA Branch Chair.

The case was filed against NOVA on 28 February, after the branch chair received an unusually low pay rise after NOVA had been notified by the union that he was the new union leader in the company. This case has been filed to rectify a poor pay rise due to the fact that he was the leader of the union, and to stop NOVA from ever discriminating against union members in the company. One of the cruxes of this case is NOVA's unfair evaluation system that is based on nothing except the evaluator's whim. We need a fair and

transparent evaluation system at NOVA so that teachers can be evaluated with the goal of having their performance improved, not evaluated so that NOVA can give false reasons for low pay increases.

All GU members are invited to the hearing. We will be gathering outside Mizuho Bank and Temmabashi Station at 9:30 on June 9th. If you can attend, your support will be very much appreciated.

In a few months, Mr Anders Lundquist, head of "education" at NOVA will take the stand as a company witness in this case. Updates will be posted and a lot of Mr. Lundquist's old "friends" at NOVA would probably love to see him squirm in the chair under the union's questioning. Further dates will be advertised in the *Voice* and on our website.

Kokusai High School

NUGW Tokyo-South

At Tokyo Metropolitan Kokusai High School on May 7, the Tokyo Metropolitan Kokusai High School Union of Foreign Teachers handed the principal, Mr. Yoshio Kawashima, a request to the Tokyo Board of Education to hold negotiations regarding 1) the three-year limit they put on team teachers to teach at one public high school and 2) to revoke the ban they put on independent teachers not being allowed to do team teaching as well. These two limitations were put into effect in 2001; the year after the union was formed in May 2000, and affect the entire public high school system of Tokyo. The Tokyo Board of Education has replied that they will not negotiate with the Union but will accept a "request." A 30-minute meeting will probably take place on the afternoon of Monday, May 26, at the Board of Education's office in Nishi Shinjuku, Tokyo.

The Union's appeal before the Tokyo Labor Relations Commission is complete.

Continued on page. 4

NOVA Unfair Labour Practice Case

First Hearing from 10 a.m. on June 9th

Osaka Labour Commission (L-Osaka, Temmabashi).

Go to www.generalunion.org for a 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

**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

Fukuoka General Union

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

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

Kumamoto General Union

Email: kumamoto@generalunion.org

National Union of General Workers

Dispatch Teachers Meeting Regime Change at YMCA Osaka?

General Union

General Union

**Dispatch Teachers Meeting
Sunday, June 8th – 3:00-5:00pm
Union Office in Temmabashi**
(See www.generalunion.org for a map)

Do you work for ZIA, Interac, OTC, CTS, or any other employer that sends you out to do company classes, or to public boards of education?

Are you tired of **crazy shifts, non-existent working regulations, late payment of wages, a lack of paid holidays, and non-enrollment in any insurance schemes?**

Well let's get together to talk about doing something about it.

Traditionally, dispatch teachers are the hardest folks to get together because they work all over the place, and don't have a lot of chance to get to know one another. Learn about your rights and join with others in protecting and improving your working conditions (a good place to start is www.generalunion.org). Improving your working life is hard, but better than complaining over a beer or to faceless people in internet chat rooms.

See you on the 8th

Though not a true regime change, there has been a definite changing of the guard at Osaka YMCA. This is a direct result of our strikes last fall. The manager responsible for much of our troubles this previous year has been removed from direct day to day contact with most foreign employees.

For many years the YMCA has neglected to follow the Labour Standards Law.

The manager concerned was responsible for the continued, and what seemed systematic, breaking of our collective agreements. In what appears to be an attempt to mend fences with teachers, the YMCA has installed a new manager and solved many of the outstanding grievances regarding the breaking of labour agreements. Much hope had been held for the new manager but he seems to be as ignorant as the previous one.

For many years the YMCA has neglected to follow the Labour Standards Law, failing to provide part-timers with annual paid leave. The union had been successful in winning the leave for individual members but the YMCA felt

they could shirk their obligations in regards to non-members.

Pressure from the General Union has meant the Osaka YMCA has now instituted a policy of providing both union and non-union members with paid leave. Sounds good, doesn't it? The problem - The new manager felt he had the right to tell part-timers that annual part-time leave is only to be used for emergencies. How wrong he is! The law states that these days are to be used freely by workers - for emergencies, sickness, family problems or even planned vacations.

In another example of ignorance, the new manager has put his foot in it once again. Schedules at Osaka YMCA are such that there is occasional down time between semesters. This has traditionally been extra vacation time. Over the past few years management has been trying to reduce the amount of such time. The new manager is trying to take it a step further.

A directive was issued stating that teachers must be in the office during all down time. Fine, but what do they want the teachers to do? Textbooks, classes, schedules were all basically unknown. Why have people come in and do nothing? Our branch is opposed to this and therefore decided to take the stance that teachers would only attend if there were tasks to do. We would not sit and tidy our desks for 8 hours!

Much hope had been held for the new manager but he seems to be as ignorant as the previous one.

The new manager decided to single out one teacher for our group stance, saying he would reduce the teacher's salary by 3 days payment or reduce his annual leave entitlement. When upper management was confronted with the idiocy of this, they backed down. Obviously, memories of our strikes are still fresh in their minds.

Thanks

NUGW would like to thank the following establishments for displaying copies of the National Union "Voice". Special thanks also to all members who help get the NUGW VOICE out on time. You know who you are!

Fukuoka Area: Sakae Sushi, The Hacienda.

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

Kyoto Area: Café Independent, The Hill of Tara.

Nagoya Area: Queen's Head, Pub Restaurant Usquebaugh, Marky's, Pelican Pete's, The Lazy Lizard, Kakuzan 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.

Nara Area: Nara Information Foundation.

G.U. Wins Unpaid Overtime

General Union Tokai Branch

If you read last month's *National Union Voice*, you will know that according to the Japan Institute of Labour, "Unpaid overtime work ... may be said to be a corrupt practice unique to Japan." Non-unionised migrant workers are particularly vulnerable to this practice, as a recent case in Nagoya showed.

We are committed to ending abusive practices such as unpaid overtime.

A worker living in Nagoya came to us last winter for help in obtaining unpaid overtime wages from a company which he had just quit. He had been employed in a factory for five years. It was demanding and dangerous work (welding) and he had been expected to put in up to 70 hours a week at work – way beyond the legal limit on working hours. And for all this overtime he had been paid an increment of just ... 3 yen on his hourly wage. The Labour Standards Law fixes the rates for hours in excess of 40 per week at from 125% to 160% of the normal hourly wage. By not paying its workers the prescribed rate for overtime, the company was (and still is) clearly breaking the law. However, with no union at the factory, the employees there could not complain about such legal violations without risking their jobs.

After the worker joined the GU, we wrote to the company to explain the law and request that it back-pay our member the overtime wages. The company proposed an amount in settlement of the claim, and our member accepted this.

Are you paid at least 125% of your normal hourly rate for hours over 40 per week?

This is the first time the GU has assisted a worker outside the EFL industry in Tokai. We are committed to ending abusive

Work at ZIA? You've been Robbed!

General Union

Commen run Zia Zenken. Sounds harsh? What else do you call people who knowingly steal paid holidays, unemployment insurance, and lead people to believe that they are not employees but rather independent entrepreneurs? This has got to stop! One of the new big dispatch companies sending their teachers off to public boards of education, supported by our taxes, has to change or face a day of reckoning with the union.

Commen run Zia Zenken

The General Union has now been fighting for recognition of ZIA teachers as employees. Just after Golden Week the union scored its first major victory by having the Labour Standards Office declare a ZIA teacher as an employee. The teacher applied for paid holidays with the support of the union, when the company refused she took them anyway, and when the company refused to pay, made a formal complaint with the union at the Labour Standards office. Now it's official: if you work for ZIA you are an employee. Was it just a lack of information that led this company down the road to crime and fraud? Well, if it was, let's forgive and forget. The only problem here is that it wasn't.

In the old days ZIA was known as World Gakuin; just as bad but with a different name. In response to an array of

practices such as unpaid overtime, and we will help workers of any nationality in any industry who are facing this kind of problem. Are you paid at least 125% of your normal hourly rate for hours over 40 per week? Are you being required to work some hours (for example, lesson preparation time for English teachers) without being paid at all? Get in touch with us.

The company proposed an amount in settlement of the claim, and our member accepted this.

complaints by teachers over paid holidays and the union's action over this problem, World (owned by Zenken K.K.) set up ZIA to get around the union and the law.

They told employees that they were independents and that the company was just introducing them to their new jobs (mainly at public boards of education). This was a lie and a clear way to get around the union and their obligations under the law. You can't just decide that someone is not an employee: it's just not a choice that a company can make because there are laws that govern what an employee is, and ZIA teachers are clearly employees. Secondly, independent contractors cannot be sent to public boards of education: it's just not possible, and both the Hirakata and Toyonaka boards were greatly surprised when the union visited them one fine day this spring and told them about ZIA's employment practices.

This was a lie and a clear way to get around the union and their obligations under the law.

Now we face a greater challenge: to get ZIA teachers into the union to claim their rights before it's too late. If you work at ZIA, or have a friend, family member, or associate who does, or even if you just run into someone who works there, have them call the union immediately. If they don't get a hold of us, they'll lose out on what they're due.

Organising!

Can you spare some time to help build the Union in Tokai? Please let us know about events where a lot of foreigners are likely to gather (concerts, public lectures, etc) and help us to distribute Union leaflets. To make this Union work, we need YOU, the members, to lend a hand. If you can help, please contact us at:

tokai@generalunion.org

Kokusai High School

(continued from front page)

As for an appeal to the Labor Standards Commission to give paid holidays to the team teachers at Kokusai High, the case has been sent up to the national level. In other words, the Ministry of Health and Labor is now involved. When Mr. Hirohiko Takasu, Secretary-General of the National Union of General Workers, Tokyo South, with which the Kokusai foreign teachers' union is affiliated, called the Ministry and asked them when a decision would be made, they said they don't know. At the local ward (Tokyo, Meguro-ku) level, the commission came down on the side of the Union, but for some reason it is now being handled as a national issue, thereby delaying the final decision.

The Union's appeal before the Tokyo Labor Relations Commission is complete. All arguments and documents are in, so the members are awaiting the decision as to whether team teachers should be considered workers covered by the Japanese Labor Law, allowing them to be members of a union with all the rights and privileges that this entails. It will probably be a good number of months before this decision is handed down, but on the advice of NUGW the Union is considering visiting the Commission in the next couple of months to encourage it in its efforts.

Meanwhile, back at the school, a number of English teachers have had cutbacks in class hours. For example, over the past two years, one teacher's class hours have been cut by 25% (from 12 hours per week to 9 hours) with no discussion or warning whatever. Two new independent teachers have been hired instead of distributing the hours among their seniors already there.

Union of Foreign Teachers

Berlitz Vacation Pay for Extra Earnings or What you don't know about, you don't get!

Fukuoka General Union

As mentioned earlier in a previous newsletter, a casual perusal of the Berlitz Policy Manual informed me of the continued existence of vacation pay for out of contract work. Some years earlier I had been led to believe that this had been discontinued. In the meantime I filed a grievance and received 147,000 yen in back vacation pay through the good offices of the General Union.

The filing of the grievance was not without incident though as I was asked at that time to clean out my locker by the IS. He claimed that Berlitz needed the space. I then did a quick count of the lockers and the names on the teacher roster and discovered that there was an excess of 8 lockers. Being mathematically challenged, I guess this is what they meant by irrational numbers back in my school days. My request to have this put in writing has of yet not been met.

Although this one grievance may be settled, the problem itself is symptomatic of a wider problem in the company. There is definitely a lack of accountability to the teachers. In the preamble to the Policy Manual it says that Berlitz will be responsible to its employees. Really? The IS sought to exculpate the company by saying that 1) I had misunderstood his communication to me about the vacation pay system some 5 years ago. 2) The information about vacation pay for out of contract work is written in the Works Rules in the LC. 3) The work rules have always been in the LC, and I have always had access to them. Well 2 and 3 are a definite 'no'. As for 1, maybe I should have used my Berlitz skills at that critical moment. "What are you saying to me?" "What are you telling me?" Actually, I had always believed that vacation pay for out-of-contract work was just a benefit that could be arbitrarily curtailed when the company saw fit to do so. When it was communicated to me by the IS then that henceforth teachers would only get their salary when they took vacation, I assumed it was just one more

of those slings and arrows of outrageous fortune, such as losing out of contract lessons to a Nova teacher.

Nevertheless, while miscommunication might be to blame in my case, how can Berlitz account for the other teachers it owes money to, one of whom has 7 years more seniority than I do, who had absolutely no knowledge of vacation pay for out of contract work until I mentioned it to them? Intentionally or not, somebody was not doing their job by not following the guidelines in the Policy Manual for vacation pay for extra earnings. How was this allowed to continue for so many years without anybody in either the Fukuoka LC or in Human Resources finding out? In the preamble it also states that Berlitz will provide competent management, and their actions will be fair and ethical. Well it sounds good on paper! Stranger yet is the Keystone Cop nature of the guidelines in question. Why does the LC, (meaning who exactly?) have to contact Human Resources in Tokyo when a teacher is due this vacation pay?

Let them prove to me that they don't already have this information already in their computer in Tokyo. Why isn't this automated, just as the monthly payroll is? After all, vacation pay for out of contract earnings is NOT a benefit, as I had naively believed before. It's a legally mandated salary, and as such it should be handled with the same degree of efficiency and seriousness that the monthly payroll is. That it isn't speaks for itself. So Berlitz was essentially withholding our salary illegally. So far no apology has been forthcoming, although this case certainly merits one. The IS tried to play this down by emphasizing how Berlitz paid up once it "found out" that the Fukuoka LC teachers weren't getting this pay. Well returning stolen goods does mitigate the crime, but it doesn't erase it. It gets worse. Guess who the one employee is, who was getting vacation pay for out of contract work? To collect your prize for the right answer, have your LC contact Human Resources.....

Gender Equality Dues Increased to Build the Union

Japan Institute of Labour

The government's Gender Equality Conference has been studying Measures to Assist Women's Challenges since January 2001, under the instructions of Prime Minister Koizumi. The Conference recently compiled their final report.

The goal is to make 30% of Japan's leaders women by the year 2020

The report clearly set forth the goal of raising the share of women assuming leadership positions in the administration, corporations, research institutes, and all other sectors, to 30% by the year 2020.

To further promote positive actions, the report also indicates what form the assistance programs and measures should take. The Cabinet Office plans to conduct investigations, including the possibility of enforcing legislative measures to give concrete form to this plan, and compile a report by the end of this fiscal year.

Japan was ranked 69th of the 75 countries in terms of women's economic activity status

According to the Human Development Report 2001 announced by the United Nations Development Programme (UNDP), Japan was ranked 32nd out of the 66 countries in terms of the Gender Empowerment Measure (GEM) that indicates the degree of female participation in politics and business. Meanwhile, according to the World Economic Forum's Global Competitiveness Report 2001-2002, Japan was ranked 69th of the 75 countries in terms of women's economic activity status. As can be seen, Japan is ranked extremely low.

In this regard, the final report expressed serious concern by stating "Other countries feel that, although Japanese women are potentially extremely competent, they are given few or no opportunities to demonstrate such abilities in economic and political activities".

The report also stressed that, although four years have passed since the Basic Law for a Gender-Equal Society was enforced in 1999, promotion of gender equality still remains an urgent and necessary task for Japan.

-Join Now to Beat the Increase-

General Union

Have you often thought about joining the union but always thought that you would wait and join until you really needed us? Well, outside of the fact that if everyone did this, the union wouldn't be around when you needed us because we wouldn't have the resources, you will now save 12,000 yen in union dues by joining before July 1, 2003 (current members can pay at the old dues rate of 24,000 yen per year until October, 2003 and you can pay at the old dues rate as far ahead as you want).

Starting July 1, 2003 the dues rate for all new members will be 36,000 yen per year. Existing members can pay at the old dues rate of 24,000 yen per year until the October General Meeting.

Why the dues increase?

Because we're growing. Sounds odd? Not really. As the union grows the resources that we need increase. There are more members, to service and more people join the union through word of mouth. This would be fine if the old dues rate really met actual expenses, but the old dues rate didn't come close to that. The dues have now been raised to reflect the actual total cost of running the union, servicing the membership and putting money aside to increase the future resources of the union to give the members the ability to improve their working lives. The companies in the language industry are well equipped financially, if we are to take them on and win improvements, we must have both members and financial resources.

Who raised the Dues?

The members voted to increase the union dues at the 2003 Annual General Meeting. Does anyone want to pay more? Of course not, but the members felt that the losses that people would incur with no union outweighed the increase. The improvements that the union members have struggled to win in the past would be

lost if the union ceased to exist. Would the paid holidays, enrollment in unemployment insurance, or even the 250,000 yen guarantee remain without the union? NO. With no union would we be able to turn back wage cuts, increases in working and teaching hours, and a general deterioration of working conditions? NO. Companies and schools would be falling over themselves trying to be the first to cut conditions further. The only thing that would happen is that in that a couple of years time teachers would once again try to build a union, so let's keep and improve what we have.

Organize for Improvements

Is a dues increase enough to win improvements and stop attacks? NO. We all need to work hard to build the union for now and the future. How many workplaces remain outside of the influence of the union? We don't feel that there are many, because most serious employers in the language industry know the General Union and try hard to avoid an organizing drive. The problem is that we sometimes reach a workplace too late, after the cuts, after the problems start. Start organizing now to make sure that we can deal with improving working conditions rather than just fighting off attacks.

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.

General Union Branch Roundup

This is a short section on what some of the GU Branches are doing
For more information, please see www.generalunion.org

Berlitz	<ul style="list-style-type: none"> Grievance hearing over reduction of hours for per lesson teacher. Meeting planned with Labour Standards Office over Berlitz's refusal to pay teachers properly for lesson preparation.
Matsushita	<ul style="list-style-type: none"> Collective bargaining being held over two demands; an 18% pay rise, and recognition as employees, not subcontractors.
Nichibeji Eigo Gakuin	<ul style="list-style-type: none"> Continuous short strikes going on since April over pay and proper recognition of the union's right to bargain pay.
Nishinomiya Board of Education	<ul style="list-style-type: none"> Collective bargaining to be held on May 26th over pay, union rights, and trying to prevent the board from using dispatch teachers.
NOVA	<ul style="list-style-type: none"> First hearing with Bar Association Human Rights Committee on May 8th in the union's case against Nova's "non-socialization" policy. First hearing at Osaka District Labour Commission in the case over NOVA's unfair treatment of union members.
Osaka Gaigo	<ul style="list-style-type: none"> Mediation at the Osaka District Labour Commission over the dismissal of teacher. Branch members have voted to strike if the issue cannot be resolved.
Osaka YMCA	<ul style="list-style-type: none"> Outstanding grievances over overtime pay and travel allowances. Collective bargaining over pay set for May 26th.
Restaurants	<ul style="list-style-type: none"> New consultation over unpaid wages. Company finally paid wages after all the cooks joined the union and informed the company.
Ritsumeikan University	<ul style="list-style-type: none"> A new General Union branch was declared on May 7th. Main demands are over union recognition, challenging the changes to contracts, and against the three year limit.
World/Zia/ ZIAC	<ul style="list-style-type: none"> The union will apply for collective bargaining now that the Labour Standards Office has ruled that teachers are employees and not subcontractors (see article in this edition).

HANDS OFF the Labour Law

NUGW Tokyo-South

Union Members, Diet deliberations on bills to effect major "reforms" to Japan's Labor Standards Law and employment agency law are reaching critical mass. The bills include the phrase, "Employers may dismiss (workers)," and raise from 1 to 3 years the maximum temporary employment contract (from 3 to 5 years for highly specialized fields). They deregulate and expand the country's "planning operations-style discretionary labor system," making it easier for companies to avoid paying overtime. The bills expand legal temporary employment to include medical-related businesses at national welfare facilities and manufacturing industries. They also extend the maximum permissible term employers may hire temps.

The aim of the bills is to facilitate the dismissal of "seishain" permanent employees, to take away job security and rights from workers, to further increase the number of easy-to-fire temporary workers, to promote a "flexible" and disunited workforce, and to legalize the nonpayment of overtime to white collar workers.

In order to stop these draconian measures, permanent and non-permanent workers, foreign workers, women and men, non-organized workers and ordinary citizens must join hands at the Diet with a single united voice of opposition. Illegal dismissals and unpaid overtime work are already rampant during this deflationary recession. Now more than ever we need to revise the Labor Standards and Employment Agency laws from the perspective of protecting laborers and to create laws to mandate equal treatment of "regular" and "irregular" employees.

Hirohiko Takasu,
General Secretary
National Union of General Workers,
Tokyo South.



"That's why they gave into our wage demands so easily"

Discounts for Union Members!

General Union

The General Union is currently negotiating with different companies to gain benefits for our members. Two in the pipeline at the moment are reduced health insurance and discounted gym membership.

We are currently negotiating with a well known fitness gym for General Union corporate membership which would give our members significant reductions in gym membership fees. If you are already a member of a gym or thinking about joining one and would like to reduce your outgoings, or would just like more information, please contact the GU treasurer at mcneill@generalunion.org or write to the GU office.

**(Mark your envelope 'attn. treasurer')
Please do not call about this matter**

We are also discussing with a major provider of private health insurance to the expatriate community about corporate membership. If you currently do not have any health insurance or you are using a private insurance company, or you have been forced into company health insurance outside of the Japanese government-operated Shakai Hoken or Kokumin Hoken, contact the GU treasurer at the addresses above for more information.

It may be several months before we are able to launch this, as numbers have to be crunched and contracts negotiated, so please bear with us.

For non-members who are interested in these benefits please note that they can only be extended to paid-up members of the General Union. As the savings could be substantial it may be worth your while to join now (whilst union dues are still 24,000 yen a year) and thus gain from membership financially as well as having the security of mind that being a member affords you in your working life. And beat the dues increase too!

Strikes at Nichibei Eigo Gakuin!

General Union

Take the 2%, and...carry on

In the last issue of Voice, we reported that a dispute looked certain between the General Union and Nichibei. That prediction came true. Last year, after strike action, the company offered a measly 1.5 % par rise to teachers of over 5 years service. We rejected the offer, as some teachers had had nothing for many years.

This year, in our branch's 4th Shunto, two collective bargaining sessions saw the company refuse pay rises again to the union members, and so a strike notice was sent to the company on 27 March, declaring industrial action from that day onwards. To date, over the course of 7 weeks, about 80 partial strikes and several one-day strikes have taken place in 3 of the company's 5 Kansai schools. The company has now taken away union members' group lessons, and brought in new part-timers to cover them.

A few weeks into the strikes, Nichibei suddenly sent a 'Request for Collective Bargaining' to the union. We arranged an informal meeting the next day to hear their proposal. They said they would implement a 1% -- 3% pay rise from end of the month for employees who had not received a pay rise for 5 years. This in fact was done unilaterally, without the agreement of union. 3 union members of over 10 years service were awarded 2%. We immediately rejected this as a laughably insufficient pay rise, and worse, as a unilateral decision, done outside the collective bargaining process given to only some of our members.

So is this a victory? In one sense, yes.

Some union members are getting more, and it was a pay rise that was won by hard weeks of struggle. It shows clearly that the union can win things, and disproves the tired old defeatist mantra, 'the union can't change anything'. It proves the company has money. This evidence, along with the opening of the new Shinjuku School, pay rises to a number of non-union members this spring, and in particular the company bringing in new part-timers to teach union members' group lessons – thereby increasing their costs by over 100,000 yen a month – gives us plenty of ammunition for our accusation of bad faith, should we choose to pursue it at the Labour Commission.

Bad Faith

This bad faith is the real issue here: it is not percentages (although they are important). The company clearly believed that after settling the last dispute by withdrawing the firings of union members, apologising and paying settlement money, they could have a good relationship with the union. They thought that if they didn't try to bust the union again, the union, in sniveling and abject gratitude, would never ask for anything again. They believed they could simply hold collective bargaining and refuse everything, without breaking the law. Not so simple. The company does a have an obligation to bargain in good faith. We didn't make a union just to be tolerated. We want real pay rises, and we want real negotiations. The dispute will go on until we get reasonable pay rises for all our members.

The GU Nichibei Eigo Gakuin Branch thanks all those who have supported us in our Shunto campaign this year.

JOIN THE GENERAL UNION ONLINE

www.generalunion.org click JOIN NOW

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

- ◇ 日米英語学院
- ◇ YMCA
- ◇ ベルリッツ
- ◇ 労働法大改悪反対!

2003年5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

労基法大改悪 NO 労働者の声を国会へ

全国一般東京南部

労働基準法・労働者派遣法大改悪案の国会審議が大きな山場を迎えています。改悪法案の内容は、労基法に「使用者は解雇できる」と書く、労働契約期間を原則3年に、高度専門職は5年へ延長する、企画業務型裁量労働制の要件を緩和し対象を拡大する、派遣対象業務を製造業や社会福祉施設の医療業務に拡大する、派遣期間

を延長することなどです。ねらいは、正社員を解雇しやすくする一方、無権利でかつ期限切れで容易にクビにできる有期労働者や派遣労働者をさらに拡大し、雇用の流動化と分断化を促進する、ホワイトカラーの時間外労働を合法的サービス残業とすることです。

これら大改悪を阻止するためには、所属やナショナルセンターを越え、正規労働者、非正規労働者、外国人労働者、女性も

男性も、未組織労働者、市民がつながり、大改悪NO!の大きな声を国会へあげていく必要があります。不当解雇やサービス残業の横行するデフレ大不況下の職場の実態を踏まえ、労働者保護の視点に立った労基法・派遣法の改正、非正規労働者の均等待遇の立法化などが今こそ求められています。

みなさん! あげよう! 労基法・派遣法大改悪NO!の声を

12:30? 16:00 国会行動 16:30? 17:00 厚生労働省前行動
18:30 中央集会(主催:5.28 集会実行委員会/日比谷野音)
19:45 国会デモ

5月28日(水)中央行動・集会へ

労基法大改悪NO! 2003年春の共同行動

関東: 全国一般東京南部

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

仙台外国語教員労組

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

関西: ゼネラルユニオン

大阪市北区天満 2-1-17-3F
Tel: 06-6352-9619 Fax: 06-6352-9630

Email: gu@generalunion.org
URL: www.generalunion.org

福岡ゼネラルユニオン

春日市春日原北町 1-3-24-207

Tel/Fax: 092-573-3094
Email: GZC05153@nifty.ne.jp

東海: ゼネラルユニオン

名古屋市千種区内山 3-28-2-5F
Tel/Fax: 052-735-9704

Email: tokai@generalunion.org
URL: www.generalunion.org

熊本ゼネラルユニオン

Email: kumamoto@generalunion.org

全国一般労働組合全国協議会