

Begunto Newsletter

May 2014 edition

Shunto Update

We were going to print MGT's written response to our demands, but MGT wanted our thoughts behind the demands.

We have them below for you. We think they are pretty straight forward. What do you think?

Demands for 2014

1. Because of tuition increases and sales tax going from 5% to 8% Begunto demands a 3% base increase for all employees of seniority, performance and rank
2. One month bonus for all employees
3. Pay for work during non-scheduled work time
4. The company negotiate with and obtain the consent of Begunto before implementing any policy change or initiating any new policy
5. Company immediately re-enroll all teachers kicked off Shakai Hoken or private pension scheme
6. The company enroll all employees who wish to be on Shakai Hoken
7. The company pay five minute intervals before and after each scheduled unit of work at the instructor's unit rate
8. The company provide safety training for all employees
9. Raise pay scale ceiling

Most of them are carry over demands about Shakai Hoken, bonus and a base up. There is a demand also for being paid for unpaid work and another for ceilings of pay scales to be raised for teachers who have outperformed the system.

In our two hours in CB on April 21st, basically MGT and the union only got through about 4 points. But we await their official response.

Many companies in Japan are giving base up specifically because of the increase in consumption tax. We think Berlitz should recognize they have a responsibility to pass on the tuition increases to address the increased cost of living employees are now facing.

Berlitz responded that the pay increase of 6, 4 and 2 increments was enough to address the increase in tax (keep in mind, these increases are the same as last year before the tax increase).

The base up would be an across the board increase on all wages. Considering that Berlitz has not given a base up since the 1990s, that means the starting wages of 250,000 of 1996 yen value bought a lot more than 250,000 yen in 2014.

When we asked about payment for work outside lesson time, MGT responded that CTLs cover that work outside lesson time since we don't do work in CTLs.

We also did not get a response to a March 9th dated letter asking for a clarification of unpaid work expected of instructors as outlined in the IPE manual. "Proactive" means not waiting for the boss but taking the initiative.

There are many instances outlined in the IPE where instructors are expected to communicate with staff and MI - do you get scheduled time or most likely do it on unpaid break time or before or after work as unpaid work?

So we await MGT's written response for:

- a base up
- a bonus
- payment for unpaid work
- increased pay scales
- access to shakai hoken
- policy negotiation

Sexual Harassment Training

Sexual Harassment training at Berlitz is an industry standard. Apparently even our competitors are mentioning it.

What does it entail?

Why hasn't everyone had this training?

Pressured into signing on the dotted line?

Don't sign things...if unsure contact the union first. If you are really unsure, ask HQ mgt to schedule a meeting with you in paid time to discuss the documentation. You should never sign anything under duress. Know what you sign.

Berlitz plays hard ball with LSO

Berlitz was told in an LSO guideline to pay a teacher for work, Berlitz admits there is work



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(Berlitz plays hard ball with LSO Continued) but refuses to pay. They allowed the second deadline to expire, telling the LSO on April 14 they had no intention of paying, yet in April 21 CB, MGT said Berlitz was still working on it.

The union went back to the LSO on Monday on April 21 and was told by a new inspector that yes, Berlitz is in violation of Article 24 and Berlitz is expected to pay for that work.

“No” to a base up which many companies are getting this year

MGT does not want to increase our wages this year even after Abe stated companies should do so. The 3% increase in consumption tax is compounded with a 2% increase in income tax last year. None of the pay levels comes anywhere near a 5% increase- the increase in wages is supposed to be due to the employees' performance.

In 2010 wage increments halved in yen value & the cost of living increased. Berlitz wages don't keep pace. In good years Berlitz hasn't given a base up/cost of living adjustment. Starting wages are the same as they were 18 years ago.

More teachers submit unpaid wages claims to Berlitz

Berlitz received more requests for payment of unpaid wages. Letters were sent into HQ last week.

The problem is not going to go away. Even if you fill out the unpaid wages sheets for one day you will see how much work you are doing on unpaid time. 40 minutes you give to the student, and the rest of the time, Berlitz gets the benefit of your unpaid work.

If you have to work 5-10 minutes a day, that is roughly 160 minutes or 4 lessons a month which means in a year it is 48 units of unpaid time which is a week's worth of work for most instructors on contract plus a bit more. That translates into a ticket to Thailand, or a week's more vacation, or money to pay off a student loan or what have you. It is basically handing back a week of pay to the company when you don't claim it.

Try it. Download the sheet from the union website or send an email to begunto1@yahoo.com. We will send you the pdf.

It is your choice.



Anti-discrimination training at Berlitz Japan as a mediation option in termination suit says judge.

A female African American instructor was terminated from Berlitz. She has sued the company and is basing her lawsuit on wrongful discharge. The judge in civil court has asked the plaintiff and Berlitz to sit down and try to formulate a mediated settlement or go to verdict.

Testimony in this case turned up a few interesting points:

- 1.) The LC manager did not read all of the pertinent documentation before terminating the employee.
- 2.) The company lawyers questions to the plaintiff implied teachers should work on the break...as in going to talk to the staff after class/between lessons and preparing for lessons before the class.

Staying on Shakai Hoken

The company clarified to the union on April 15th, 2014 that “In the case an instructor is on extended sick leave of one full salary period they WILL NOT BE REMOVED from Shakai Hoken at the end of that check period even if they are under 176 units for the other 2 months of the check period.”

Mistakes in payroll?

If MGT has made mistakes with your salary you have a 2 year window to seek redress. If you see an error, bring it up with your MI and follow up with a call to HQ. They should follow up through payroll.

If there is an error against you and MGT presents you with a bill, ask them to explain it. Make sure you are aware of the implications of paying money back to the company. Your tax rates and public insurance might be affected by this and need to be adjusted downward, so ask questions and be informed.