

Berlitz General Union Tokyo

January 2015

Berlitz General Union Tokyo sets its counter demands to MGT's proposed changes from March 18, 2015.

Our Collective Bargaining was January 8, 2015

Our Demand: If you want us to work between the classes, 5 minutes is a 12.5% increase in wages for 12.5% more working time.

MGT says the 200 yen across the board increase is a 70 yen payment for time to work between classes and the 130 yen is to compensate for MGT unilaterally removing the National holiday allowance and spreading out the proceeds to all. The unfairness is working 5 minutes and getting paid 70 yen - you are being paid under minimum wage between lessons.

We also asked if Berlitz will back pay for the activities it considers work between classes.

Our Demand: The rest day rate remain 135% for Per Lesson Teachers and PL rest days be fixed days

Per lesson teachers have until now had a set day given as a rest day. MGT wants to change that with - we will only give teachers 135% rate on the 7th day straight of work. One argument for having a fixed day is MGT requires teachers to give advance notice to take a day off. How do you ever know when your 7th day will be?

So for now, if MGT asks you to work on your rest day you will get 135%. If they can change this they will be only paying you your base rate. A 35% cut in earnings on your day off to work is a big deterioration in working conditions.

Our Demand: Keep the Holiday allowance for Per Lesson teachers.

There are many teachers who are not eligible for this holiday allowance to begin with and it is being shared out with those who don't usually get it. This dilutes the amount that teachers who would have



qualified will lose out on. It is a detriment to those who previously qualified.

Our Demand: MGT needs to lower the qualification of Shakai Hoken numbers to qualify for entering and staying in the system. The threshold they use is about 67% percent.

MGT says they will look into it.

We asked if we could see the actual documentation from the Shakai Hoken Office and they said it was confidential. We asked "confidential from the Shakai Hoken office side or the Company side?" They company doesn't want to show us the documentation. We asked for the name of the Shakai Hoken officer so we could talk to him/her. Again the company said no.

Our Demand: Those who receive 17,000 yen commutation and want to maintain that due to past practice should be able to keep it. Others who wish to go on a pay as you go commutation should be allowed to choose.

MGT says they want to change payment practice. They need consent from the employees first. Some instructors live closer and have used part of their commutation allowance as salary- the conditions that were stipulated when they originally signed their contract. To lose money would be a deterioration in working conditions.

Our Demand: MGT be more transparent with Notices and Policy Changes

We are now discovering policies that were not published in the Policy and Procedures manual. MGT says updating the books is difficult. With the bloated numbers of staff in HQ can't they keep the basics current?

Some of these policies are

- Teachers only have to work 6 in a row- yet to be published in a clearer easier way to read. Some teachers

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were being scheduled 7-9 units without a full break. (It was amended 2 years ago- still not updated)

- The changes in contracts from automatically renewable to one year renewable that took 5 months to be posted on bulletin boards. It is a big change that employees should be made aware of. It is a breach in fair negotiations when a policy is negotiated and then not published.
- There is a "development" rate where MGT lowered the 1900 yen method rate for training to 1,000 yen. It is nowhere in the policy book. The union was never consulted and that could be a violation of a Labor Management Agreement.

Our Demand: MGT clarify duties to be done in lesson and between classes

The issue is being made to work and not being paid for it. We asked for more clarification. The lawyers say we have already discussed it. Time to take the billable hours back to the LSO. This time last year Berlitz was informed an employee submitted a claim. The LSO found work had been done. Berlitz refused to pay for work done between classes claiming there was no authorization.

Our Demand: Berlitz negotiate in good faith

The lawyers delay many issues by going back and repeating. In the December meeting MGT had to remind the lawyers that they were in a place of business and classes were taking place so keep the noise down.

This last negotiation on January 8th there was a strong coincidence of legal coughing only when MGT was saying something we wanted on recording. A couple of times we had both lawyers coughing in unison.

Our demand: Berlitz to clarify that no employee information was leaked in the Benesse Info Leak.

MGT's response was they gave us one. That was back in September. There have been further developments, yet MGT's response was "We gave you a response." We asked for them to repeat what they said back in September, they refused to repeat their official response. And they refuse to give one in writing. Why?

Since Benesse is our parent company we do not know how much of our information is held or is accessible. Berlitz salary/pension/health insurance is administered in conjunction with Benesse but there are other companies involved as well. We as employees have absolutely no idea where our information is held or where it is being sent for processing.

This month the company unilaterally shifted our salary information to a website access from the paper to employee process. How secure is this new system? MGT had no response. That is why we asked for a clarification again.

A work in progress for new contracts and new 40/45 minute lessons

As for the changes in working conditions, MGT has said this is a work in progress and that nothing has been settled yet. According to MGT about 30% of the instructors attended the info sessions in November and December. MGT says they now have to take these opinions upstairs and discuss them.

If they do make changes, there will need to be employee participation in amending the work rules. We asked MGT to give us a list of the proposed changes so we can start going over them.

They want a list of things we want to discuss next meeting.

