

# Berlitz General Union Tokyo

## June 2016 Newsletter

### Upcoming events:

#### **Court Verdict on Shakai**

**Hoken:** Co vs Shakai hoken::  
June 17 1:25pm at the  
Kasumigaseki Courts Building

**Collective Bargaining:** July 4,  
11:30 - 12:30 in HQ. Contact us  
if you want to go.

**Pamphlettings** at schools near  
you.

Contact [begunto1@yahoo.com](mailto:begunto1@yahoo.com) to  
find out where

**Court session:** Unpaid wages  
Kennedy et al vs Berlitz 11:30  
13th floor, 11th district July  
11th.

### Recent events:

#### Mr. Harada resigns:

If you haven't been up on your national news, Mr. Eikoh Harada of Benesse resigned recently. 2015 saw Berlitz Japan with 4 presidents! Mr. Harada was number three. He was for a short time the interim president of Berlitz Japan between Mr. Suhara's departure and Mr. Matsuo's installment who is now the current president. Falling stock prices and bad handling of both information leaks are attributed to Harada's resignation.

**Mr. Harris retires:** CEO of Berlitz International (Berlitz



Japan's parent company) Mr Harris sent out a lengthy email. On the third page he finally got to the point of

announcing his retirement.

Begunto in the past dealt with issues involving Mr. Harris in Sapporo when Berlitz Japan sold off its Sapporo operations in 2005 to ELS (another Benesse Company in which Mr. Harris held a position) resulting in Berlitz teachers not being renewed after a year of hand-over. ELS eventually closed operations in Sapporo at their Berlitz/ELS location.



#### Students do not get the 40 minutes they pay for:

Students may be only getting 38 or 37 minutes: How is that for value for money? According to MGT (before instructors sued for back wages for work on break), the break was to prepare lessons. - Be ready to walk into the room when the bell rings.

What changed this? The Labor Standards Office in Mita investigation and the court case did. Now instructors are to get our iPads as the bell rings, log in, find our student in the schedule, read the LMI for student notes, review last lesson and get materials (discs and books for 3rd party material) and then head off to class - a few minutes later. In an ideal world it would be seconds to complete each task.

The staff rooms are crowded, the iPads are slow to update on hand over, the materials may not be readily accessible or properly entered into the LMI and you

might have an iPad that doesn't have the materials properly installed so we have to go back to fetch a book.

Under current negotiations for the 50/60 MGT told us that paying minimum wage at break time for work is what they plan.

How acceptable is it to pay contract instructors a 12% approximate pay raise in the form of same pay for reduced lessons while Per lesson earning teachers will only get a 4% increase on average for 12.5% more work time? Is that fair? Contract who work PL will have a double pay rate.

Some students have started complaining about not having the instructor in the class at the bell and also not wanting the instructor entering data in the class - please wait until after the lesson. Isn't that a clear expectation of work in break time?

### Begunto vs Berlitz case:

May 16th, last session, Berlitz lawyers submitted counter claims. They shaved off travels in the several unpaid wages claims. Apparently they think no work is done on break time after a lesson

before a travel and after a travel into a lesson. Considering MGT has in the past received numerous complaints of tight travels and had teachers arriving late,

we as employees are forced to work into the breaks around



travels just like when we have to work on breaks between lessons.

### Collective Bargaining as May 30th:

MGT has made no movement. The offers they gave have no immediate effect on most employees. The benefits they want to engage the new contract are purely for the cost reducing new contracts.

The new contracts will suck up per lessons into the new 50/60 contract. The new contract will have offices that can be changed into last minute lessons-not offered to per lesson working instructors.

MGT did say they wanted to offer the 50/60 as a one year trial. Without a union veto on the program, it means nothing as an offer.

MGT in town hall meetings said students would be able to book on the same day. Now MGT is saying it isn't so. Not in the immediate future was their response. However the company has stated the new contract is for extended availability and university contracts - but the company already has a full time contract for university instructors. Also since MGT allows MI to float 40/40 contracts (legally workers can refuse to float) is there a need for a new cheaper paying contract? No.

MGT has no idea what these offices and methods for communication will be used for but they say once they have them they can use them. **Is MGT giving**

every new 40/40 Instructor their 5 non teaching units each week?

Probably not. What could they be used for? Travel, office work, methods and prep as well as development of teaching new material. Imagine you are a new instructor who has to teach the new Modular Email and hasn't been trained and gets disrespected because you depended too much on the book, because it was the first time you taught that. It happens.

Another point discussed was **MI interfering with the union activity**. MI are not allowed to talk to you about your willingness to strike. That is a violation of Trade Union Law. **MI cannot make promises of treating you better if you promise not to strike**. MI are not in the Union so any of their actions have nothing to do with the union past, present or future.

**MI do not dictate when you can apply to join the union**. The procedure is send in an application to Begunto, have it reviewed, answer some questions and when you pay, you join. **There is no one year waiting period** as one LC MI near Tokyo Station reportedly told new hires.

**Jimmu Sessho May 23:**

The union met with MGT to discuss the 50/60. No details.

**Nihonbashi instructors in a customer service barrage during breaks:**

MGT isn't waiting until the new contracts are in effect to start

having teachers respond to staff questions on their unpaid breaks. Nihonbashi is 3 floors. You spend a lot of time running up and down stairs. Add to that a staffer asking you questions while you are trying to focus on getting material or coins for a drink or a place to put your iPad so you can go to the bathroom.

In the past MGT told the union that without the MI's explicit order you should not be working on the break. When staff ask you for work bill them or ask them for a note from the boss.

**iPad and Info Security:**



Benesse had not one but two info leaks. The company training guidelines tell us to keep information secure. There is a conflict about the iPad. We all had to go through the training sessions because we are part of Benesse.

MGT tells us it is ok to leave it in the room on the break. Is it? There are memos around Tokyo units telling us not to leave them in the class. What if it doesn't automatically lock? Benesse says take it out of class. MGT says you don't have to. The MI says you do.

How much responsibility is the employee expected to take on? So far MGT has been hopping back and forth with the union: when we mention payment for work it isn't necessary to do, but then with memos and MI telling us iPads should never be left in the classroom for any reason, their

position changes again. Where are we in Information Security? Is it an issue of security or cost?

### The new 50/60 contract:

How much of a deal is it?

Not much.

\*45 hours a each week or more of company controlled time. 45 hours!

\*3 sick pays and 3 personal days: but these can be refused by your MI, they don't roll over to next year. And they want advance notification.

\*When a student cancels you don't get the time off, MGT will task you to do other things. Current teachers don't have to. If Berlitz bills a student, they are billed and instructors are paid for their time.

\*50/60 have to come in 10 minutes earlier and leave 10 minutes later than other teaching staff. That means longer days.

\*Your offices and prep periods can be switched out to cover for a sick teacher or same day reservation.

\*Your contract salary might look good at first, but year 2 you have to also pay local resident tax so shell out about 10% more. You are already on Shakai Hoken and Nenkin so your net is looking a bit small.

### Management misspeaks about start up of new contract:

In more than one recent meeting MGT said the new contracts of 50/60 would be starting in early summer. We thought MGT was waiting to conclude negotiations.

According to MGT more than 100 instructors have been hired since the last town hall Nov 2014. It seems only several attended of the 19 people many were those who attended before (and caught MGT misspeaking on recorder) and only a remaining few were new employees. So few of 100?

Why was the turn out so low? MGT has no idea. The union knows. The second Town Hall was unpaid and if you don't get paid or credited for travel time and travel cost you probably cannot afford to go to these meetings. That's a great way to start a new contract system the union thinks will pull away all the extra income when per lessons go into the new 50/60 contract time.

### MGT numbers swell:

In the past HQ personnel were counted in the 80s, then it jumped to 120 and it seems MGT is now at about 140.

What does that mean for us in the trenches? If MGT has a limited fund base (budget) for salary they need to pay those in HQ their salaries bonuses then the money needs to be shifted from elsewhere. That would be from the employees who teach. So lower paying/higher yield contracts allow MGT to shift capital away from the front line to the back office. Is that why we need a new contract?

