

# Mid-Summer's Newsletter Begunto

## July 2014

### **You can never have too much of a good thing**

Advance notice for an administrative method so you can get your union rep there to be with you?

Oddly enough MGT demands teachers call in by 3:00 pm when teachers are sick to inform MI on scheduling. But in a recent disciplinary meeting, HQ MGT said a 6:30pm notification the day before a disciplinary meeting is an acceptable amount or notification to arrange a rep. Really? If we have to contact our schedulers by 3pm the day before, how can anyone arrange to be at a meeting if they are told 3 hours after the deadline/cut off for scheduling?

So, here's what happens. If your manager is on the ball he/she will tell you in advance so you can arrange a time everyone can be there. If they don't give you enough time, you can go up to them and say change the method to something else and let's find a better time when I can get my rep in. We have it on tape in a July 10, 2014 recording.

### **Mickey's big hand is on the ...**

LCs don't all run on the same clock. Most people accept it and don't give it another thought. You call a friend at another LC at the start of your break and theirs is half way finished.

What is the difference of 2 minutes? Plenty if you are just arriving at a school as the bell is ringing. One teacher was documented recently for being late to the school. As he stepped off the elevator he heard the bell ring.

If the receiving school's clock is a couple minutes early then the teacher will be late using a watch set to the other LC's time. Kanto shouldn't have 15 time zones. How difficult is it for MGT to call 117 and synch up all the clocks?

### **Afraid you might be late for class?**

So if you think you are going to be late and the trains are involved, make sure you get a chien-sho-mei-sho (a late slip) from the ticket window. It may take you an extra 30 seconds to get it, but it will help you avoid being documented as being late.

### **MGT is cracking down on sick leave**

In a recent collective bargaining the union asked MGT if there were any changes in the sick policy. They said no. We asked if they were insisting on medical receipts for even a one day illness. MGT said yes. They mentioned some

teachers are abusing the policy.



We asked MGT to provide us with a list of doctors that are open on Sundays and holidays. We were told to go find it ourselves on the web.

We also asked if they would increase the travellers' insurance to cover any time a teacher has to go to the doctor to get a medical receipt for being sick and missing work. That was met with a "No."

MGT is collecting data on sick leave.

So if you are sick and cannot make it into work, they expect everyone to provide a medical receipt for one day sick and a medical certificate for 2 or more days ill.

Haven't looked at the Sick Leave Policy recently? Here it is for you.

### **Policy and Procedures Manual 2012**

**Retrieval No. 3.07 Date: April 18, 2012**

**SUBJECT: Sick Leave Policy**

**D. An employee must be sick to claim sick leave. In the case the instructor is sick for one day documents which provide proof of the cause of absence must be attached to the request – provided, however, that where the Company considers that the request is reasonable, the submission of documentary proof of the cause of the leave may not be required. In the event of extended illness (two days or more), the employee must supply a medical certificate from an attending physician. Please see Work Rules Article 23. Requests for Annual Paid Leave, Special Leave and Sick Leave 1. Method of Request. Costs incurred for such a certificate will be reimbursed by Berlitz.**

The Work Rules regarding Sick Leave is on the following page

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## Article 23: Requests for Annual Paid Leave, Special Leave And Leave

### 1. Method of Request

When an employee desires to take annual paid leave, special leave, a written request shall be made to the Company in advance. In the case of special leave, documents which provide proof of the cause of absence must be attached to the written request (In cases of request for non-work related sick leave of 2 days or more, a doctor's certificate must also be attached). Provided, however, that where the Company considers that the request is reasonable, the submission of documentary proof of the cause of leave may not be required.

### Want your back pay on Kids' preps?

Haven't been getting paid for them?

Send an email to your MI, HQ Mullen and HQ Toida with a copy to the union. State you have done the prep and not received payment. The rule of thumb is 4 preps = a lesson paid. You can go and claim back 2 years.

Not a lot, you say? Think if you do about 200 kids preps a year, that is 50 units. 2 years back billing is 100 units.

Since your prep time is done in per lesson time you should expect to be reimbursed for your per lesson time prep with per lesson rates.

Let's go back and check: 200 lessons a year divided by 4 is 50 times statute of limitations 2 years so that makes 100 units times 1900 yen equals 190,000 yen.

What could you do with 190,000 yen? Help offset the cost of living increase Mr. Abe told companies to give their employees that Berlitz didn't?

We aren't saying you don't deserve the money, we are telling you you need to speak up to be reimbursed for past work done.

### New lessons will be how long?

MGT has been dropping the number "45" a lot recently. In collective bargaining it was mentioned again.

What does that mean to you?

Honestly, we as a union don't know, but it seems MGT is starting to admit there is work in the break they are not paying us for. The Labor Standards Office found Berlitz was in breach of Labor Law in January this year.

MGT has mentioned they want to increase the

unit to 45 minutes. They said they might increase the salary rate "by a little." It should be more like 12% increase in working time. It would make it a better deal for students if MGT charges the same.

But what about YOUR UNPAID BREAK? What happens to that? We don't know yet. MGT hasn't told us anything just they are thinking of unilaterally trying to change our working conditions.

Do you have the right to walk away and get a coffee/tea or go to the bathroom or get a cigarette? How happy will it make the students?

When do the staff deal with students?

The company wants to do one on one negotiations (jimmu sessho) with the union to discuss this.

Every employee should be putting their opinion into this as it will be a large decision which will ultimately affect employees' work schedules, salaries, benefits, taxes, etc.

If you have questions about this contact MGT.

### The Union's score with Jimmu Sessho

The last time we had this type of meeting it was to discuss the conclusion of the strike and court case.

The points we were discussing were:

**ok** Settlement in cash - reached

**ok** A strike notification - reached

**X** Financial Non-disclosure LMA - stymied by lawyers changing/backtracking on terms of the LMA from their original proposal

**X** Quarterly meetings - post-poned by MGT until MGT says we finish with collective bargaining.

**ok** Settlement for 2 teachers terminated to resigned with cash settlement.

So MGT wants jimmu sessho for the five minute issue and most likely the 45 minute lesson the union will have to decide this is something we want to negotiate.

It is important and it will be something which affects everyone. You should be discussing this with your colleagues both union and non union and sending us feedback.

The union is here to protect your rights and maintain and improve working conditions in the work place.

Join the union and get involved.