

Berlitz Union Newsletter

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Berlitz General Union Tokyo – BEGUNTO, General Union Berlitz Branch – BEGUN, The Berlitz Branch of the Fukuoka General Union

Discrimination at Berlitz

In 1995, the Japanese Government ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), which is one of the major human rights treaties adopted by the UN and the first to have established a monitoring mechanism in the form of the Committee on the Elimination of Racial Discrimination (CERD.) This body monitors the implementation of the provisions of ICERD by states party to it. How does this monitoring mechanism function and in what role can our union support it?

When the Japanese Government ratified ICERD, it assumed the obligation to submit state reports periodically to CERD on the measures it has taken to implement the convention. CERD assists the Japanese Government to implement their obligations by making suggestions and general recommendations based upon examination of the state reports. Such recommendations are not legally binding and progress is therefore dialogue-based. However, the Japanese government is eager to be granted a permanent seat on the UN Security Council and will hurt their bid if they are unable to follow through on their responsibilities.

NGOs just like our union are invited to enter into this dialogue by submitting their own reports to CERD. They can provide extra information or information which conflicts with the state report.

The General Union in co-ordination with its National Union of General Workers' (NUGW) sister unions, the Fukuoka General Union and the NUGW – Tokyo South is applying for consultative status with the United Nation's Economic and Social

Council (ECOSOC.) This will enable our unions to submit reports to CERD and a variety of other UN monitoring bodies.

The General Union's bid for consultative status is moving into the third stage of the application process that will formally begin in June 2004. At this time, ECOSOC's NGO section will review the General Union's application before submitting it to the NGO committee who will decide if our organization meets with its requirements for consultative status. If the General Union meets these requirements then ECOSOC's council will be informed of the committee's recommendation and consultative status will be granted. In the event that the General Union is not granted consultative status we will still submit our reports using existing Japanese NGOs that have already been granted consultative status. Either way we will use this influential process to further protect our members' working rights.

As part of the report process, the NUGW has compiled a questionnaire to compare and monitor conditions of Japanese and foreign national workers. Although the Berlitz Union is well aware of discriminatory working practices in Berlitz as a whole, we would still like Berlitz teachers to complete this questionnaire. Each language center establishes its own set of rules that may also be discriminatory. The questionnaire can be found at this link;
<http://www.generalunion.org/worker>

Discriminatory Practices at Berlitz

Berlitz likes teachers to believe that it has an equal opportunity commitment and has even added the following to the Berlitz Work Rules.

Equal Opportunity Commitment

Berlitz Japan is committed to equal opportunity for all individuals without regard to race, color, religion, national origin, handicap, sexual orientation, or marital status.

To implement our commitment, Berlitz Japan will continue to:

Ensure that all personnel actions, including compensation, promotions, benefits, transfers and company sponsored training are administered without regard to the discriminatory factors cited above.

The following working practice is but one example of non-commitment.

Social Welfare Policies

Instead of enrolling foreign nationals into the national welfare scheme as is the norm for Japanese nationals, Berlitz provides an inferior holiday insurance scheme that is far from comprehensive or universal and can put teachers in a devastating situation should they become seriously ill. This free benefit also allows Berlitz to avoid paying a lot of money in welfare premiums that ultimately sees long term teachers (we have many) losing the benefit of a decent workers' pension upon reaching retirement. Japanese nationals at Berlitz automatically enroll into the national welfare scheme but foreign nationals have to negotiate for this fundamental and basic right. HR's stance is that it will make allowances for foreign nationals to enroll if there is a Japanese national in their family. Teachers have the right to choose a level of welfare protection that suits their family's needs. Make it clear Berlitz! This discriminatory working practice will be submitted to the UN body, CERD.

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Charles Berlitz Too Little Too Late

Charles Berlitz, grandson of our founder died on December 18, 2003. He was 90.

Charles Berlitz led a full and active life that included working at Berlitz, the study of underwater archaeology, the study of prehistory, and writing. How many of you know of the 1974 publication "The Bermuda Triangle" that sold 14 million copies and was translated into 22 different languages, or "The Roswell Incident" and "Native Tongues", a compendium of language history, anecdotes, and trivia? Charles Berlitz wrote those.

By the time he was 3, Charles Berlitz was speaking 4 languages and in later life he spoke a reported 32 languages with varying degrees of fluency. In the 1930's while studying at Yale University, Charles

Berlitz experienced teaching summer intensive lessons at the L.C. in New York. In 1946 after being a director at a number of language centers, he became a vice president. He ended his relationship with the company in 1960 after it was sold to a publishing firm. The new owner contended that 'Berlitz' was a trademark but Charles Berlitz won a lengthy lawsuit over the use of his name in subsequent language books.

Charles Berlitz's daughter is quoted as saying, "I never met a person my dad couldn't talk to...he spoke everyone's language. He always taught us that everyone had something unique and interesting to teach. And that with literacy, you could become whatever you wanted to be."

Don't get sick in Nagoya

Nagoya based language centers have a novel way of making sure instructors never call in sick. It's simple really! If a per lesson instructor calls in sick then they can expect to receive an empty schedule on their next working day(s) after recovering. How about contract teachers? How can the instructional supervisor punish a contract teacher with a minimum guarantee? Just as simple. Stop giving out of contract lessons, change working schedules, and send instructors on a journey to a distant language center that sees some of them return home just before midnight.

Sound familiar? This is just one of many unfair labor practices committed at Berlitz day in day out. HR is so used to receiving instructor complaints that they just shrug it off with a 'we know we have communication problems with our middle management'. Until Berlitz really addresses its operational problems and introduces a closely monitored hierarchical management system things will remain the same. ISs will continue to make unchecked rash decisions based on emotional outbursts and tantrums rather than good management practice. More in the next edition.

Berlitz Lock-up

Berlitz have agreed that Pay Per Lesson Instructors do not have to lock up Berlitz language Centers. Berlitz will restrict the locking up to Contract Instructors and Per Lesson Instructors who 'volunteer'. Berlitz understands that asking Pay Per Lesson Instructors to lock up puts them in an unpaid work situation. Part-time MG35/40 instructors who lock-up are also placed in an unpaid work situation but Berlitz doesn't recognize this and instead calls it 'team work'. Real team work is a responsible I.S. who is still at the L.C. when all the teachers have left. Don't hold your breath on that one!

On December 18, 2003, Berlitz HR issued a memo outlining the need for better security after some incidents took place at Berlitz LCs. One of these LCs where an incident took place was Berlitz in Umeda, Osaka. This LC witnessed a number of thefts of teachers' belongings before and after this posting was issued.

The Berlitz LC in Umeda hosts a large language center with two points of entry. One of these points is located beside the reception area allowing staff to monitor the flow of people entering and leaving. The other point is hidden from view and unmonitored while teachers are in lessons. This access point serves as a convenient short cut to the teachers' room, coffee machine, ladies' toilets, and smoking area. It is at this vulnerable point that access appears to have been gained by a thief to make off with a number of teachers' items.

To provide extra security for teachers' belongings, Berlitz installed a new set of lockers giving all teachers a secure place to store personal items. Teachers will no longer have to move up the pecking order before they benefit from a most basic form of work place security. The glass doors at this unmonitored point have also been covered with a frosted adhesive vinyl screen and a security camera sign has been placed beside the door handle. As a security camera is nowhere to be seen this will have the same deterrent effect as a guard dog sign at a house with an invisible dog that doesn't bark or bite.

In 2002, the Berlitz Union requested lockers for our members. In January 2003, Berlitz replied "Lockers at each LC are limited. These are assigned on a first-come, first serve basis."

Better sorry than safe at Berlitz

At the bequest of management, the Berlitz Instructors' Discussion Group has been renamed from berlitzjapan to berlitzjapan - roudoukumiai

<http://groups.yahoo.com/group/berlitzjapan-roudoukumiai>

Website URL: <http://berlitz.generalunion.org>