

A Message to Fellow Part-time Lecturers: Unfavorable Unilateral Modifications of Your Contract Is against the Law

Waseda is planning to reduce your *koma* or classes beginning next year. It is also planning to fire you in five years. Of course, it is unfair, and you may feel powerless in fighting against this blatant injustice without anyone to represent you. The union can represent you. The union *will* represent you and fight on your behalf. And we will prevail *with your help*.

Join us today. Don't wait until someone tells you that your classes are going to be cut down or that your contract is going to be terminated.

How Waseda is going to reduce your koma

How your classes are going to be reduced was decided at the Meeting of Personnel in Charge of Academic Affairs on May 24 and later approved at the Meeting of Deans of Faculties on June 7.¹ To achieve the set goal that no part-time lecturers shall teach no more than four koma in the school year of 2018, the numbers of the classes will be cut down incrementally rather than all at once.

At the meetings mentioned above, the following directives were adopted:

- Each department shall start planning on classes taught by part-time lecturers with the maximum of four classes per week per lecturer in mind.
- When it is unavoidable to have one part-time lecturer teach more than four koma next year, the department or faculty must avoid giving more koma than what the teacher currently has.
- New part-time lecturers shall teach no more than four koma.
- As for the part-time lecturers teaching more than ten koma in 2013, it is mandatory that the academic affairs sections and departments concerned coordinate their effort to cut their koma down to no more than ten.
- In 2015, there will be no part-time lecturers who will teach more than eight koma; In 2016, the absolute limit will be set to six koma.

The above shows how serious Waseda is about cutting down classes and terminating contracts as

¹ By now, you probably have received that patronizing document titled "Adjustment of Class Hours for Part-time Lecturers" (dated June 18). This was also drafted at the Meeting of Deans on June 7.

stated in the "Work Regulations for Part-time Lecturers," which has been illegally and stealthily instituted without our consent.²

Strong opposition to any unfavorable change is crucial

If you don't act now, some of you are going to lose classes starting in 2014. The stipulation, in the "Work Regulations," to limit the maximum number of classes one part-time lecturer can teach is yet another example of illegal unfavorable unilateral changes of your contract. Although it has no legitimacy, keeping silent does not solve the problem. It is crucial that you strongly state your disagreement expressly on any unfavorable changes. Then you will be able to nullify those unfavorable modifications imposed upon you with the union.

Prevent the Work Regulations from becoming a reality

You might think that it will be only ten part-time lecturers who will be affected by the koma reduction in 2014, and only an additional eleven in 2015, if Waseda decides to cut down koma of only those lecturers whose classes exceed the absolute maximums set for the years. However, there is no guarantee that the administration will stop there and be satisfied with taking away koma only from them. We should know they are just adopting a tactic called the "foot-in-the-door technique." This is a managerial strategy that forces employees to agree to a major demand at a later date by first having them agree to a modest request. If we take a wait-and-see attitude on this and let them take koma away from those lecturers affected, it will be a first step to all the lecturers being fired in five years. In all likelihood, more than 200 lecturers will lose a total of several hundred to one thousand classes in 2016–2017. All the lecturers will lose their job in 2018. We must avoid any part of the illegal "Work Regulations" becoming a reality.

Table: Breakdown of Number of Koma per Lecturer

Number of Koma per Lecturer	Spring Semester	Fall Semester	Average
4 koma or less	2,665	2,613	3,551
5–6 koma	154 (154)	157 (157)	164 (164)
7–8 koma	48 (202)	44 (201)	47 (211)
9–10 koma	9 (211)	12 (213)	11 (222)
Over 10 koma	11 (222)	8 (221)	10 (232)
Total	2,887	2,834	3,783

The number in each cell indicates the number of part-time lecturers who teach "4 koma or less," etc. The numbers in parentheses indicate the accumulated numbers of lecturers who have more than four koma.

Source: Handout at the Meeting of Personnel in Charge of Academic Affairs on May 24

² Dr. Hinako Matsumura, chair of the Union of University Part-time Lecturers in Tokyo Area, and Dr. Akio Sato, professor emeritus at Waseda University, denounced trustees of the university for the violation of Article 90, Clause 1 of the Labor Standards Law to the Tokyo Public Prosecutors Office on April 8. The trustees were later on June 21 accused of the same crime at the Shinjuku Labor Standards Inspection Office by fifteen part-time lecturers at Waseda University.

“Waseda Vision 150” Is Just a Pretext – True Motives behind the New Rules

The five-year limit

The official line used to justify the five-year limit is to improve the quality of education and stimulate research activity by increasing the mobility of scholars/lecturers to achieve the goals set in the “Waseda Vision 150.” That larger mobility increases academic performance of researchers is at best a dubious thesis that has never been proven. Besides, academic output has never been expected of part-time lecturers except at the time of application to the job. Waseda has never provided part-time lecturers with research expenses (although the university allows them to access the libraries). Much like other things in Japan, this is an example of the *tatemaie-honne* dichotomy, which is discussed in Karel van Wolferen’s much acclaimed *The Enigma of Japanese Power* (235–6). The real motive behind the official façade is their desire to evade the stipulation of the Revised Labor Contract Act. Article 18 of the Act stipulates that, if a fixed-term contract with an employee is renewed for more than five years consecutively, the employer shall not refuse a request from the employee to change the contract to one with no fixed expiry date.

The four-koma limit

The same applies to the four koma limit. It has nothing to do with the “benevolent” consideration to take too heavy a load off the part-time lecturers, as stated in “Adjustment of Class Hours for Part-time Lecturers.” It is to gloss over Waseda’s glaring violation against Article 20 of the Revised Labor Contract Act, which states that part-time workers shall not be discriminated against in payment, benefits, and others, just because they are temporary workers. If part-time lecturers teach more classes than what full-time faculty members do, the administration cannot justify the huge pay difference. They would be compelled to raise the part-time lecturers’ pay. Instead, they decided to cut their classes down to fewer than those of full-time faculty members. Now they can justify the pay gap saying, “It’s only natural that there is a difference. Full-time teachers have more classes than part-time teachers. And they have other miscellaneous duties as well.”

Join the Union to Say “No!”

It is very important to never say “Yes” to any unfavorable change in your contract. It is illegal to modify the contract against your interest without your consent (Labor Contract Act, Article 10). However, just to say “No” is not always enough to protect you from unfair treatment. The administration might use the very fact that you refuse to sign the contract against you and try to fire you. It would be a strenuous process and could be very expensive and time-consuming, if you decided to single-handedly sue the university for that, though we sure would admire you for your courage. If you don’t want to lose your koma or have your contract terminated in five years, however, the most

viable option will be to join the union.³

It is a mutual thing. The union is very eager to help you, but can only be as strong as your support is. Our ability to fight depends on how many of you join us. We are currently aiming at the membership of 100 for starters to set up the Waseda branch of the Union of University Part-time Lecturers in Tokyo Area. We are very close, but we need your help.

The membership of 100 may not sound like so many members, but in Japan, where labor movements have been so stigmatized that many Japanese are reluctant to have anything to do with them, it will show how outrageous what Waseda is trying to do is and will have an enormous impact on society as a whole, especially now when “black” companies—the companies that get all the use out of their employees and then discard them—have become such a big social problem. How can a university, whose social mission is to educate people, treat you as if you were a bunch of expendables? What kind of example is it trying to set to its students? The membership of 100 will be enough to prime the pump, breaking down the psychological barriers that Japanese have long held against labor movements.

Your participation may also draw the attention of foreign media, and that would help, too. You know how self-conscious Japan is in the international community in general, and how jealously Waseda is craving the reputation as one of the world’s most prestigious universities in particular. It is shameful but true that those in power in Japan tend to listen to foreigners, while ignoring what their compatriots say once they see them as “weaker” and “lower” than themselves.

So join us. The risk is less than you might think. And the security of having numbers behind you will bring you relief in these troubling times.

Contact us by e-mail at <daigaku_hijoukin@yahoo.co.jp>.

Visit our website at <<http://hijokin.web.fc2.com>>.

³ There is a possibility that you may be fired even earlier, as Waseda is planning to use a so-called “cooling-off” period—six-month hiatus to evade the rule stipulated in the Revised Labor Contract Act (Article 18)—even before 2018 to avoid the “2018 problem.” They know they can’t handle all the part-time lecturers being replaced at once.