Establishment of working environment for scientific workers

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Abstract
The development of science and technology is primarily necessary for constructing world peace. But, the research condition encompassing scientific workers is far behind our expectation. The struggle must therefore be required to establish an ideal environment for scientific workers. In Japan, all the working systems are exposed to so-called market-economy basing on neo-liberalism, and workers have rapidly been losing their permanent jobs, for which temporary ones have been substituted. The reason is because the design of business circle has completely changed the society. Namely, the syndicate of enterprises took over the government so that they can freely control not only politics and economy, but also governmental system whatever they want (state monopoly); e.g. (1) military partnership of the US’s globalization, (2) allocation of budget (decrease of welfare and education, but increase of military relations and support for enterprises), and. (3) direction of science and technological development. Without our struggle against the enterprises’ policy, any workers’ condition can not be improved. Furthermore, the evidence that some 93 per cent of Japanese workers including researchers belongs to enterprises, means that the origin for establishing workers’ condition exists there.

The importance of investigating enterprises’ working condition
The Ministry of Education reported that more than 16,000 doctors (Ph. D.) are under the term-based employment condition (temporary or part-time), in which 60 percent of them is 30s. One researcher (38) receive only some 200,000 Yen a month, even though his papers have been cited in more than 800 papers, and another researcher (34) must use his much time for job-hunting. We call such part-time researchers as hobo “working poor doctors”. Such circumstances give rise to “poor” science and technology in the future.

The Japanese government has taken over by the syndicate of enterprises that conducts a market-economy system (competition, result-first policy, discrimination, cost-performance, etc.) under the thought of neo-liberalism, resulting in that only special research areas eligible for “market” are warmly supported. Since the government’s voice has extremely decreased, the so-called syndicate freely controls all the research condition as well as economy and politics, which necessarily affects research fields out of enterprise. It is therefore important to look into the features of enterprises in order to establish an ideal research conditions.

Fig. 1 shows the population movements in Japan (1965, 1985 and 2003). Some 53 million workers including temporary workers were employed in 2003 (mostly similar in 2008; see the legend), among which some 92 percent of them belongs to each enterprise. According to the recent statistics, 37.8 percent of all the workers
is temporary (Germany 14.5%, France 13.5%, Italy 13.1% and England 5.8%, respectively). This is the reason why we have to primarily investigate the problems available in enterprises. The job trends in the employed are shown in Fig. 2, indicating that the area of research and development has rapidly increased due to the enterprises’ trends for developing super technology. On the other hand, the Education Ministry classifies so-called scientific workers in charge of pure research activity, in which some 60 percent of them is in enterprises (Fig. 3, upper). Interesting is that the least scientific workers having studied social and human sciences are organized in enterprises (Fig. 2, lower), meaning that the enterprises’ consensus might necessarily dominate scientific workers’ rights and status on the basis of the fundamental ethical code. It is therefore advised that such basic education as the rights and status for human progress should be in advance made in every higher education where most of workers pass through.

<table>
<thead>
<tr>
<th>Year</th>
<th>National population</th>
<th>Over 15</th>
<th>Non-labor power</th>
<th>Labor power</th>
<th>Population in all workplace</th>
<th>Unemployed</th>
<th>Unemployed rate (%)</th>
<th>Total labor power</th>
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<tr>
<td>1965</td>
<td>98.03</td>
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<td>47.30</td>
<td>28.76</td>
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<td>1975</td>
<td>127.78</td>
<td>94.65</td>
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<td>50.02</td>
<td>43.17</td>
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<td>2003</td>
<td>127.58</td>
<td>100.62</td>
<td>42.07</td>
<td>66.65</td>
<td>63.15</td>
<td>53.34</td>
<td>6.85</td>
<td>49.5</td>
</tr>
</tbody>
</table>

Fig. 1. The population movements under labor conditions (Japan)

1) Population of 15 years and up
2) Subtracting population school-attended from 1)
3) Subtracting of 2) from 1)
4) Business on one's account (those self-employed)
5) Help one's family with the house works
6) Subtracting the net number of labor power from 3)
7) Net number of labor power by the national population

The box shows the job classification “The employed in 2003”, indicating that 92.7% (49.47 million) of workers belongs to corporate. The left are working in the governmental bodies. For reference, the data of 2003 are: 127.58 (national population), 110.5 (over 15), 43.66 (non-labor power), 66.77 (labor power), 63.8 (net number), 53.34 (employee), 8.41 (self and house works), and 2.87 (unemployed), respectively. “Employee” includes permanent workers and many types of temporary workers, and “Unemployed” means perfect jobless.

Working conditions seen in several enterprises

All scientific workers are necessarily affected by enterprises’ environment, since scientific workers as well as general workers are facing a number of difficulties in enterprises. It should be recognized that there is no future for scientific workers engaging in science and technological development unless we can not solve the problems regarding to rights and status available in enterprises. Analyzing typical examples in Japanese key enterprises, we must establish an ideal working condition in and out of enterprises.

In cooperation with the enterprises’ workers including researchers, we can find a solution of the problems that are placing hurdles on the road to developing scientific workers’ movements. In the present article, a number of contemporary evidences in the many key working places are introduced in the form of first-hand
information; e.g. (1) discrimination, (2) dismissal, (3) overwork, (4) struggle for existence in working place, (5) contingent work, (6) unpaid voluntary activities, (7) illegal labor practice, (8) *karoshi* (death of overwork), and (9) suicide, respectively. These are mainly for regular workers, but directly relate to scientific workers’ activity in and out of enterprises.

1. Discrimination

Toshiba promises to not continue discrimination of workers lasting over 40 years

The Tokyo-based major electronic company Toshiba Corporation on April 24 (2008) reached an agreement with 96 workers, who have demanded that Toshiba stops discriminating against workers who are social and political activists including Japanese Communist Party (JCP) members, and gives them their due promotions and wage hikes. In the landmark agreement, Toshiba promised to pay settlement money to the workers and take measures so that such discrimination will never take place again. This result is because the workers established “The Association to establish ‘Toshiba without Discrimination’ in defense of human rights” and filed a complaint with the Labor Relations Commission demanding that the company stops improper practices. Toshiba also agreed to take similar measures to be applied to all other active workers not only Toshiba but also in its affiliates, to give equal opportunities for promotion and pay settlement money to affected workers including those who have retired.

**Fig. 2. Job trends in the employed (Japan)**

Scientific workers in the classification are belonging to “Research and development”
In the 1960s, Toshiba launched an anti-communist labor management policy (Toshiba’s anti-communist labor policy) in order to get rid of workers who were struggling for better working conditions and wage increases. In Kanagawa Prefecture, the affiliate company employed former security police members to create a secret organization to carry out surveillance of activists, sometimes using paid informants. The company was trying to eliminate JCP members and other activists from union leadership and key jobs, and excluded them from regular promotions and pay rises. In 1995, however, they established the Association to file a complaint with the Kanagawa Labor Relations Commission demanding the correction of Toshiba’s unfair labor practices. Following the Kanagawa Labor Relations Commission, the Central Labor Relations Commission ordered Toshiba to stop the mistreatment of workers who are JCP members or other union activists, recognizing that the firm illegally intervened in union affairs. Toshiba was forced to pay 500 million Yen in back pay to workers. As regards its restructuring policy, Toshiba promised that there will be no temporary transfer of workers without workers’ consent. Since Toshiba’s discriminatory labor policy has adversely affected the firm’s capability to manufacture products, all major corporations must discontinue illegal labor practices that suppress workers’ freedom of thought.

Fig. 3. Scientific workers engaging in pure research (Japan)
Among scientific workers shown in “Research and development” in Fig. 2, the data (upper) are limited to the workers engaging in “pure research”. They are classified basing on their scientific backgrounds (lower).

2. Dismissal and unpaid
Court orders Toshiba to pay compensation for worker’s depression

The Tokyo District Court on April 22 (2008) ruled that Toshiba is liable for a woman worker’s depression caused by excessively heavy workloads, and that her dismissal on the grounds that her leave of absence expired is invalid, and ordered Toshiba to pay unpaid wages in back pay as well as damages. The judge recognized that a 41-year-old woman engineer who worked at Toshiba in Shizuoka Prefecture, was suffering from depression was ‘work-related’ because she was forced to work more than 90 extra hours a month. The judge also recognized that the employers neglected its obligation to pay attention to the employee’s safety in the workplace in violation of Article 19 of the Labor Standard Law which restricts employers from dismissing workers who are taking a leave of absence for medical treatment of work-related diseases. The woman’s lawyers said that this is the first ruling to disapprove a dismissal that uses work-related disease as the pretext. When she was assigned in 2000 to a project for setting up a production line, overtime work and holiday work drastically increased. In April 2001, she was diagnosed as suffering from severe depression. In September 2001, she finally took a sick leave of absence. In September 2004, Toshiba dismissed her on the grounds that her leave of absence expired. At a news conference following the-ruling, her lawyer emphasized, “This ruling is an important warning to companies at a time when many employers tend to dismiss workers when they suffer from depression due to overwork.”

4. Overwork and wage

(1) Over half of medical workers want to quit their jobs

A national medical trade union’s survey on their members’ work and health conditions found that more than half of home-care and welfare workers in Japan have thought of quitting their jobs. The Japan Federation of Medical Workers Unions (Iro-ren) on April 14 (2008) published an interim report on the findings of its survey, the first to be conducted on medical workers’ health and medical services. The questionnaire was responded to by 6,818 workers from 41 Prefectures. While the national average of scheduled cash earnings a month for full-time workers was about 252,800 Yen in FY 2006 (April 2006 - March 2007), more than 40 percent of full-time care workers are paid less than 200,000 Yen, and home care aids receive 175,200 Yen. As for hourly wage of part-timers, the largest group of income, 29.4 per cent of them, receives less than 800 Yen or 900 Yen per hour. Two thirds of workers who worked overtime were not paid for the extra hours of work they worked. About 80 percent of nurses who are on night watch, which is supposed to be free of routine work, says they do routine work while on night duty. This shows how the Labor Standards Law is being violated in many workplaces. More than 50 percent of respondents answered that they have health problems. About 61 percent said, “It’s hard to recover from fatigue next day or even alter a holiday.” More than half of the respondents complained about suffering from back pain or stiff necks. About 70 percent of women who have experienced pregnancy said they experienced heavy morning sickness, miscarriages, and anemia. Hospital workers are likely to stumble or fall down while performing their jobs due to a shortage of workers and excessively heavy workloads. Only 4.8 percent of the respondents said they think they provide services that satisfy the users. The data should be publicized to have citizens recognize more about the reality of the work and health problems that medical and care workers have, so that we can revise the nursing-care insurance system to get working conditions improved.”

(2) Zen-roren says government is doing too little to increase minimum wage
Representatives of labor, employers and government on June 20 (2008) agreed to raise the average minimum hourly wage in the next five years to the lowest level starting pay for high school graduates at small-sized companies. On June 23, the National Confederation of Trade Unions (Zen-roren) Secretary General Odagawa said, “It shows some progress by stating that the minimum wage should be increased to the level of the starting pay for high school graduates. But it is far from the goal of eradicating the category of working poor.” The statement pointed out that the minimum cost of living requires an hourly wage of 1,000-1,200 Yen, or an annual income of at least 2 million Yen. It also said that even if the current average minimum wage is increased to 750 Yen, which lowest level of the initial pay for high school graduates, the annual income only about 1.5 million Yen. Stressing that an annual income of 1.5 million Yen is far below the level that requires welfare assistance, and is insufficient to maintain an independent life, Mr. Odagawa called for the minimum wage to be increased to 1,000 Yen per hour or more and for a uniform national minimum wage system to be established.

4. Struggle for existence in workplaces

Canon no longer uses temporary workers at its manufacturing workplaces

Canon, a global manufacturer of cameras and optical products, has promised to stop using temporary workers. In the meeting on June 30 (2008), Mr. Moroe, Senior Managing Director of Canon Inc. said, “Canon plans to re-categorize 12,000 temporary workers in phases by the end of this year by switching them to categories of limited-term workers and independent contractors.” Mr. Moroe explained that the plan is already underway and Canon has decreased the number of temporary workers at all its plants to 5,300 by the end of June. Mr. Moroe said, “Canon Inc. in Shiga Prefecture, now uses no temporary workers at present, and “We don’t want to give them hope for a contract without expiry,” making clear that the company will continue with its unstable employment practices by using limited-term workers. It is a first step that a leading Japanese manufacturer like Canon has declared that it will stop using temporary workers at workplaces. At the same time, the issue of unstable employment is becoming more serious as temporary workers are being categorized as limited-term workers or independent contractors. We will continue to do our utmost to strengthen our movement to have companies employ contingent workers as full time workers. But, since the financial crisis in 2008, many contraction troubles have been seen mainly in subsidiaries regardless the headquarters’ big talk.

5. Contingent work and workers’ dispatch law

Revision of Worker Dispatch Law to stop illegal practice

Major staffing agency Goodwill, notorious for its illegal labor practices, has announced that it is going out of business. While companies that repeat illegal practices deserve social sanctions, it is necessary to take drastic measures to crack down on the prevailing in the temporary workers staffing business. They introduced an easy way to reduce labor cost. Goodwill was ordered to suspend its business in January after a revelation that it had dispatched temporary workers to stevedoring and construction sites, work areas where the use of temporary workers is prohibited. On June 24 (2008), three Goodwill employees in managerial positions as well as the corporation itself were indicted on charges of being involved in the illegal labor practice of the so-called double-dispatch. Many staffing agencies have sent temporary workers to dangerous workplaces without giving them enough information and training, knowing such a labor practice is illegal. They take a cut of certain
amounts of money of temporary workers’ wages under the name of “expenses”, and refuse to compensate them for accidents at workshops, leaving them without social insurance coverage.

The introduction and adverse revision the Worker Dispatch Law, discussing it now in the Diet, underlies these illegal labor practices. The enactment of the Worker Dispatch Law was aimed at acceding to the business circle’s demand (the policy of the syndicate of enterprises) for cheap labor that employers can use to dispose of anytime. The law’s revision in 1999 allowed most business sectors to use temporary workers instead of full-time workers. The use of temporary workers expanded to the manufacturing industries in 2003. Today, more than 70 percent of temporary workers are day laborers who are not even employed by staffing agencies. A drastic revision of the Worker Dispatch Law is necessary in order to redress temporary workers’ harsh working conditions. The government has begun to say that it may be necessary to revise the law to ban the use of temporary workers as day laborers. In addition to immediately banning such a labor practice, it should also require staffing agencies to regularly hire temporary workers, and limit industries that can hire temporary workers, such as translators and software development engineers. The Worker Dispatch Law needs to be changed into one that will protect temporary workers. We must find out the measures to secure jobs for temp workers.

Urgent measures must be taken to secure jobs for workers who have been provided temporary jobs by Goodwill as well as the more than 4,300 Goodwill employees. About three million workers have registered with Goodwill, and about 25,000 worked for it in May. The task is for the government to take measures to require companies that have used temporary workers staffed by Goodwill to directly hire them.

6. Unpaid voluntary activities

Toyota forces non-regular workers to perform voluntary activities

Toyota Motor forces its fixed-term contract workers to take part in “QC (quality control) – Circle”, activities in-company informal groups, which are ostensibly run by workers as part of their “voluntary activities”. The QC-Circle is part of the “kaizen” campaign that Toyota imposes on workers to “improve quality and increase productivity.” The QC-Circle participants set respective goals, such as “increasing output” or “reducing defects,” and make suggestions regarding how to achieve them. They are called upon to make reports four times a year and submit them to their section manager. The Toyota personnel department in a document makes it clear that workers on fixed-term contracts are advised to take part in the QC-Circle and other informal groups in the company. In workplaces, group leaders are telling fixed-term contract workers that “it will be good for them to take part in the QC-Circle if they want to be employed as full-time workers in the future.” A Toyota worker said, “Full-time workers and fixed-term contract workers attend a 30-minute meeting four times a month. Those two hours are paid. But group leaders spend 4 or 5 hours at home making preparations for meetings and writing reports without pay.” He also said, “If Toyota wants fixed-term contract workers to participate in the QC-Circle, it should give them full-term contract workers who can work in the same way as full-time workers should be employed as full-time workers. Workers should be paid for jobs under the name of ‘voluntary activities’. Fixed-term contract workers are paid only about one-third as much as regular workers. They are usually on a contract for less than three years.

In the lawsuit filed by the widow of Mr. Uchino, a former Toyota worker who died at the age of 30 from over work, the Nagoya District Court (November 2007) acknowledged that participation in QC-Circle activities should
Labor Minister Masuzoe said that his ministry will comply with the recent court ruling that the time an employee uses to attend meetings of an informal group in the company should be counted as work time. Toyota and many other major companies are forcing their employees to take part in informal groups, including the QC-Circle, on a “voluntary” basis. The Labor Ministry has long maintained that time spent in those voluntary activities should not be counted as working hours. In November 2007, in a lawsuit over the death of a Toyota Motor worker Uchino who had been obliged to spend a lot of time on the company’s QC Circle, the Nagoya District Court ruled that he died from overwork. It ruled that working hours spent by workers in activities of informal groups by order of the manager should be counted as working hours. The local Labor Standards Inspection office reported that Mr. Uchino had worked 150 hours overtime in three months, and provided his family with the survivor’s pension. It is pointed out that at Toyota about 44,000 workers in Japan and 46,000 abroad are participating in the QC program and that activity in such an ‘informal group’ is hidden forced overtime work without pay. The Labor Ministry is responsible for providing strict instructions in line with the Nagoya District Court judgment.

7. Illegal labor practice
‘Nominal’ manager call for eradication of illegal labor practice
“Nominal store managers,” who were given administrative positions only to be forced to endure endless working hours without overtime pay, called for eradication of illegal working practices. On May 19 (2008) in Tokyo, their rally was jointly organized by trade unions. Speakers included current and former store managers of McDonald’s Japan, fast-food restaurant chain “Sukiya”, discount shop chain “SHOP 99,” menswear store “Konaka” and “Aoyama Trading Co.,” and Seven-Eleven Japan. Former "SHOP 99" store manager (28), said, “I was treated like a slave as I was forced to work over 300 hours a month. I had to take a leave of absence after being diagnosed as suffering from depression.” “Being forced to work 400 hours a month, many of us get health problems and quit. We are used and then thrown away,” said former “Sukiya” manager (40), who went on to say, “Our only wish is to have a decent job and decent life.” “Konaka” store manager (44) said, “Even after the company agreed that it would no longer recognize me as an administrator, my working conditions did not improve at all, and my wage was unilaterally cut by 60,000 Yen.” He expressed determination to urge the company to redress the situation. McDonald’s store manager (47) has won a lawsuit which concluded that his employer should not classify him as an administrator. He said, “Even a small voice can make a change with many others.”

Workers in nominal managerial positions who are forced to endure excessively long working hours without overtime pay are rising in action to eradicate the lawlessness in labor practices. In Japan, the Labor Standards Law requires employers to record their employees’ working hours and to pay for their overtime work. But those who are assigned to managerial positions are forced to work overtime without pay. In order to avoid having to pay for overtime, many employers assign workers to “nominal managerial positions.” The nominal managers who worked for McDonald’s Japan, Aoyama Trading Co. and “SHOP 99” have jointed unions and filed lawsuits demanding that the companies pay for overtime work in back pay. Following the January (2008) ruling, which ordered McDonald’s Japan to pay overtime to a store manager, McDonald’s in May announced that it will pay
overtime to store managers. In this scheme, overtime pay will be founded by eliminating allowances attached to managerial posts, and overtime work should be done with permission in order to reduce the cost to near zero. Some critics say, “The new scheme will decrease wages.” Other say, “Overtime without pay will increase.” McDonald’s has been obliged to retract its proposal of the elimination of allowances for managerial posts and to begin to pay them for overtime work from August (2008). Aoyama Trading Co. from April (2008) started to pay overtime not only to store managers but also to section chiefs at the head office and paid 1.2 billion yen in back pay for up to two years of past overtime work. “SHOP 99” was obliged to announce a decision to pay overtime. The Labor Ministry in April (2008) issued a directive to the Labor Standards Bureau ordering stricter monitoring and guidance of employers regarding the continued labor practices treating workers without practical authority as managers.

8. Karoshi

(1) Excessively long overtime work has increased risks of karoshi in the last four years
A survey shows that the number of Tokyo’s firms where workers are facing greater risks of karoshi (death from overwork due to excessively long working hours) has doubled in the past four years. In July, 2007, the Tokyo Metropolitan Labor Bureau conducted a health management survey of offices that are headquartered in Tokyo and employ more than 300 workers. Of the 1,367 companies that responded to questions, 63.1 percent said that excessively long hours of overtime work persisted and that the number of overtime exceeded 100 hours a month, or 80 or more on average over 2-6 months. Compared to the previous survey in 2002, the rate increased 2.5 fold. Companies that expressed concerns that worker may develop brain or heart diseases due to excessively heavy workloads accounted for 50.2 percent. Companies worrying that worker may develop mental diseases accounted for 53.3 percent, an increase of 10 percentage points from the previous survey. Companies where workers developed mental diseases during the past three years were 55.5 percent. If the numbers of companies where workers may have developed mental disorder are added, the rate reached 77.7 percent. Meanwhile, only 50.5 percent of the companies that responded to the survey provided workers working long hours with opportunities to interview medical doctors as required by the Industrial Safety and Health Law.

(2) Labor standards inspection office recognizes a Toyota engineer’s death as Karoshi
The Labor Standards Inspection Office in Toyota City, Aichi Prefecture, recently recognized the death of a chief engineer at Toyota Motors as caused by excessively heavy workloads and long working hours. His family has a right to claim work-related accident insurance money. For two consecutive months before his death, he worked in excess of more than 80 hours a month, suffering from mental strain as he was pressured to prepare for a U.S. auto show and meet the deadline for the start of the vehicle’s production. The 45-year-old engineer was the director in charge of the development of the hybrid midsize sedan “Camry” in November 2004. His responsibility was to handle all phases of development, from design to cost estimation and public relations, but he died of a heart attack in bed at home in January 2006. After the labor office decision, his wife said, “I almost gave up on receiving insurance compensation. I’m now very glad to hear that his death was regarded as Karoshi applicable to the work-related accident and disease insurance. I don’t want to see any worker suffer like my husband did.”
9. Suicide

(1) 24,000 workers committed suicide between 2004 and 2006
A suicide white paper shows that 24,000 workers committed suicide in Japan between 2004 and 2006. The white paper was published on July 4 (2008) by a project team made up of economists, medical doctors, and representatives of nonprofit organizations studying various aspects of suicides. The first comprehensive report on suicides of this kind contains local police data. It reveals that the suicide rate is higher in major industrial areas like Toyota City in Aichi Prefecture, the home to global automobile manufacturer “Toyota”. The white paper pointed out that in areas of 50 local police stations with high rates of suicides among workers, there are many people who are working under the industrial hierarchy of parent companies exploiting subcontractors, and sub-sub contractors. The project team found that risk factors for suicides are excessively long work hours, arbitrary job cuts, and the unstable status of temporary workers.

(2) Labor Standards Inspection Office recognizes Toshiba worker’s suicide as work-related
The District Labor Standard Inspection Office has recognized the suicide of a Toshiba worker in Saitama Prefecture as caused by overwork. In 2000, the 31-year-old worker was assigned to a project for setting up a line to produce liquid crystal displays. He worked from 8 a.m. till after midnight. In December 2001, he went missing and was later found dead. During the one month before his death, he worked 154 hours of overtime, far more than the 120 hours per three months as the maximum agreed on between labor and management. Based on the worker’s wife’s diary, the Labor Standards Inspection Office concluded that for more than six months before death, the worker had been working about 100 hours of overtime a month and acknowledged that he suffered from depression and committed suicide because of the overwork. The worker’s wife said, “Workers must not be treated like machines and paper scraps. I ask Toshiba to accept the Labor Standards Inspection Office recognition and improve the workplace environment for other workers so that my husband’s death was not in vain.” The lawyer for the wife said, “The labor standards inspection office must give Toshiba strict guidance to take steps to prevent further deaths from overwork.”

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