



The Second Lawsuit against Showa-Shell Sekiyu on Discrimination against Women

Twelve women demanding over 400 million yen as compensation

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The Tokyo district court convicted Showa-Shell Sekiyu (petroleum company) for discrimination against women on January 29th 2003 and ordered it to pay the plaintiff, Ms. Nozaki Mitsue, approximately 45 million yen as compensation. However, Showa-Shell Sekiyu appealed the next day. In order to buy time for an extension of the judgment, they submitted an enormous amount of their personnel data that they claimed, “had been scrapped” at the district court. They insisted that different treatment for women from men is not a violation of the Equal Employment Opportunity Law because the law only stipulates obligatory “efforts,” and it leads continual gender discrimination.

In the case of Ms. Nozaki’s trial, she had filed a lawsuit after her retirement. Since then, twelve women including me, have held

numerous meetings inside the labor union and decided that we, who are currently working at Showa-Shell Sekiyu, should utilize the court system to fight against the discrimination of women. On December 24 2004, on Christmas Eve, we filed a suit for an adjustment to our status disparity and wage gap, compensation for our loss, and consolation money.

Showa-Shell Sekiyu is a subsidiary of a multinational corporation, Royal Dutch Shell (RDS). RDS embraces diversity, adopts positive action, and claims to have women for 20% of their upper managers. Contrarily, in Showa-Shell Sekiyu, even though there is little difference in the average age of women and men employees and their length of service, the wage disparity is still huge; women’s wages are 66% that of men’s. In fact, at the executive level, there was only one female university

Table 1. Status disparity at Showa Shell Sekiyu

Status	According to the adjustment order, the following categories of people obtain the status to the left.	Notes
M4b	High-school graduate men, age of 45	
S1	High-school graduate men, age of 42	
S2	High-school graduate men, age of 41	
S3A	High-school graduate men, age of 38	
S3B	High-school graduate men, age of 35	
G	High-school graduate men, age of 28 High-school graduate <u>women</u> , age of 40	
G2		Ms. Nozaki’s status when she had retired
G3		Ms. Nozaki’s status when she was 52 years old (when Showa and Shell merged)
G4	High-school graduate men, age of 20	



graduate hired after the enactment of Equal Employment Opportunity Law.

After the judgment of Nozaki's trial, Showa-Shell Sekiyu continues to insist, "We do not discriminate against women." When, at the collective bargaining stage, we asked them for a reason why most women are positioned at lower status jobs, they responded, "It is a natural result from the evaluation of their abilities," as if they consider women to have no abilities. Showa-Shell Sekiyu has been rejecting the union's request to disclose the statistics for the age and status of the women and men it employs, and to eliminate discrimination by using positive action (i.e. affirmative action, quota systems, etc.).

The Labor Relations Commissions in Osaka and Tokyo are also bringing to light the discriminatory labor policies of Showa Shell Sekiyu among different unions (editorial note: there are two unions; one is the employees-oriented one, the other is the corporation-friendly union that companies historically established in order to suppress the labor movement). In September 2004, the Tokyo

prefectural Labor Relations Commission made an order to the Showa Shell Sekiyu to improve the status disparity and wage gap between the two unions. The status-disparity adjustment order clearly reveals discrimination against women. This means that the status of a 40-year old, high-school graduate woman will be fixed below that of a 42-year old, high-school graduate man (see table 1).

The discrimination against women at Showa-Shell Sekiyu has already been proved in court as well as at the Labor Relations Committee. We also have statistics for the wage disparity. Luckily, we have men supporting our actions. We would like to create a positive movement in order to eliminate the discrimination against women who are currently working at Showa Shell Sekiyu. Please keep your eyes on our trial and give us support. (Our webpage: <http://homepage3.nifty.com/showashelllaborunion/> only in Japanese)

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