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## Okayama University Guidelines for Harassment Prevention

### Section 1 Basic Attitude toward Harassment

#### 1 Purpose

Measures for preventing harassment, damage resulting from harassment, and the occurrence of problems caused by harassment (“prevention of harassment, etc.”) at Okayama University (the “University”) are prescribed in the “Okayama University Rules Concerning Prevention of and Measures against Harassment, etc.” (the “Prevention Rules”) and the “Okayama University Guide for Prevention of and Measures against Harassment, etc.” (the “Prevention Guide”). (The Prevention Rules and the Prevention Guide will be hereafter collectively referred to as the “Prevention Rules, etc.”)

Based on the Prevention Rules, etc., these Guidelines specify the University’s basic attitude, measures, etc. with regard to harassment, etc. By making these matters widely known, these Guidelines aim to make our harassment prevention efforts even more effective.

In addition to these Guidelines, the “Guidelines on Matters that Okayama University Staff, etc. Should Understand for the Prevention of Harassment, etc.” are also provided. The University’s staff, etc. must follow these Guidelines as well.

#### 2 The University’s Basic Attitude

We hereby specify the following three basic policies to ensure that the members of the University understand that harassment not only inflicts psychological or physical strain on the victim but also has a serious impact on his or her life thereafter, and to create a campus free from harassment.

- (1) We will conduct necessary training and public relations activities so that the University’s staff and students develop awareness about harassment and will not be either an offender or victim in a harassment case. We will also develop an environment where harassment will not occur.
- (2) We will develop a system where one can seek consultation about harassment with a sense of security, so that problems may be identified and solved quickly when anxiety or damage associated with harassment occurs.

(3) In the event of the occurrence of damage associated with harassment, we will take measures to quickly eliminate the situation where damage is being done and prevent the recurrence of the incident.

### 3 Responsibilities of the President and Members of the University

(1) The President will be responsible for conducting awareness-raising activities, training, etc. for harassment prevention, etc. and supervising measures concerning harassment prevention, etc.

(2) Those in the position of supervising staff members and the academic supervisors of students are responsible for calling attention to the issue of harassment through appropriate instruction, etc. and giving consideration so that harassment will not occur.

(3) The staff, etc. and students, etc. of the University must not commit any act of harassment. They are also responsible for maintaining an environment free from harassment by, for example, respecting each other's human rights and developing favorable relations with each other, and for cooperating in procedures for solving harassment problems.

### 4 Scope of Applicability

(1) The Prevention Rules, etc. are applied to harassment at the University. Harassment at the university includes not only harassment among the members of the University but also harassment between the members of the University and parties concerned with the University. The Prevention Rules, etc. are also applied to cases of harassment that have occurred outside the University if such cases relate to duties or studies at the University.

(2) In these Guidelines, the "staff, etc." mean staff members and officers of the University, regardless of whether they are full-time or part-time. The "students, etc." mean all those engaged in studies and research at the University, including undergraduate students, graduate students, research associates, auditing students, and credited auditors. The "members" mean the staff, etc. and students, etc. The "parties concerned" mean guardians of the students, etc. and those having business relations with the University (those having academic or business relationships with the staff, etc. or students, etc.) The "members, etc." include the staff, etc. and the members.

## Section 2 Definitions of Harassment

### 1 Outline of Harassment

The word "harassment" used in the Prevention Rules, etc. refers to "sexual harassment," "academic harassment," "maternity harassment," "harassment over the use of childcare leave, etc.," and "other forms of harassment." These Guidelines indicate the definition, general idea, and specific examples of each form of harassment.

Please note that the specific examples shown below represent only typical cases and do not encompass all acts that constitute harassment.

## 2 Sexual Harassment

### (1) Definition

Sexual harassment is defined as "sexual language or behavior that makes another person feel uncomfortable or discriminatory language or behavior rooted in a gender stereotype."

### (2) General idea

"Sexual language or behavior" includes not only indecent remarks or behavior but also coercion into a personal or sexual relationship. "Discriminatory language or behavior rooted in a gender stereotype" means discriminatory language or behavior that has no grounds other than gender or language or behavior based on prejudice over a gender role. Such language or behavior also refers not only to biological sex but to sexual identity and sexual orientation (of those called LGBT).

Whether a case constitutes sexual harassment is determined more by how the recipient of the sexual language or behavior feels and the objective nature of such language or behavior than by the intention of the offending party. Many cases of sexual harassment involve the abuse of a power relationship or superior position. However, sexual harassment may also occur between individuals who are in equal positions. As well, sexual harassment may occur not only between individuals of different sexes but also between those of the same sex.

Sexual harassment is classified into two types. One is the "quid-pro-quo" type, where a person uses language or behavior, or seeks a response to such language or behavior, when conferring an advantage or disadvantage on someone else. The other is the "environment" type, in which the work, education, or research environment of a specific individual or a number of unspecified individuals is damaged by such language or behavior.

### (3) Examples

#### A. Cases involving sexual language or behavior

[1] Language or behavior concerning a physical characteristic of a sexual nature or a sexual experience

- Asking a person his or her body measurements

- Asking questions about a person's sex life or history of relationships
- Spreading sexual rumors about a person or making a person a target of sexual teasing
- Asking a woman who does not seem to feel well if she is having her period or if she is going through menopause

[2] Indecent language or behavior

- Reading an indecent magazine in the workplace, displaying an indecent image on a PC or smartphone
- Making an indecent joke
- Sending an email with indecent content

[3] Coercion into a personal or sexual relationship

- Persistently asking a person out to dinner or for a date
- Needlessly calling a person out or visiting someone at his or her home
- Persistently sending messages to a person via e-mail or SNS
- Needlessly visiting a person at his or her hotel room at a business trip destination
- Unilaterally and persistently telling another person that one has affection for that person and embarrassing that person

[4] Needlessly touching a person's body

B. Cases involving discriminatory language or behavior rooted in a gender stereotype

[1] Engaging in language or behavior based on prejudice over a gender role

- Forcing a person to make tea, do the cleaning, etc. only because that person is a woman
- Requiring a person to dress or behave in a sexually appealing manner
- Forcing a person to pour drinks for someone else during a drinking party

[2] Discriminatory language or behavior on the grounds of sex/gender

- Giving a person an unreasonably low evaluation because that person is a woman
- Increasing a person's work because that person is a man
- Making such remarks as "You have no guts for a man," "We can't expect a woman to do this job," and "There must be something wrong with homosexuals."

(4) Note

Sexual language or behavior or discriminatory language or behavior based on a gender stereotype that makes the target of such language or behavior, or the people around the target, uncomfortable is deemed sexual harassment. Even if the offending party had no intention to make anyone

uncomfortable or even if the target of such language or behavior did not clearly reject such language or behavior, such language or behavior may constitute sexual harassment. In particular, touching a person of the opposite sex constitutes sexual harassment unless otherwise consented to by that person.

Based on this understanding, keep the following points in mind to prevent situations that may be considered sexual harassment.

- When conducting a lecture, an interview, or guidance without the presence of a third party, keep the door open and prevent the room from becoming a closed space, unless otherwise necessary for protecting secrecy, etc.
- Faculty members should constantly be aware of the power relationship between them and their students (a relationship that may lead to a situation where students cannot say "no") when they provide guidance, etc. to students.

### 3 Academic Harassment

#### (1) Definition

Academic harassment is "engaging in language or behavior that deviates from the appropriate scope in professional, educational, or research terms by taking advantage of one's superiority in position or human relations in a professional, educational, or research setting," leading to the consequences described in [1] or [2].

[1] Inflicting psychological or physical suffering on another person

[2] Deteriorating another person's work, education, or research environment

#### (2) General idea

There are two types of academic harassment: academic harassment in a narrow sense, a problem unique to universities, and power harassment in general. Typically, these types of harassment are committed by a person in a superior position abusing his or her power. Superiority in position is observed in superior positions at work and in hierarchical relationships between persons of different positions, such as between faculty members and students and between senior students and junior students. It is also seen in human relationships in which the offending party abuses the power of a group.

Whether a situation constitutes academic harassment is determined more by the objective nature of the behavior in question than by the offending party's subjective intention.

In many academic harassment cases, offending parties are not aware

that they are committing harassment. In most cases, academic harassment becomes an issue when the parties concerned experience the worsening of human relations. Therefore, it is important to respect each member's personal dignity and sufficiently communicate with each one of them, thereby maintaining good human relations. It is also essential to avoid speaking or acting in a way that needlessly harms another person's human rights and give proper consideration to his or her personal dignity.

### (3) Examples

#### A. Academic harassment in a narrow sense

##### [1] Infringement on the right to receive education and conduct research

- Giving a person an unfair evaluation of his or her academic performance
- Refusing to allow a person to submit or present a paper even though the paper fulfills the requirements for submission
- Treating a specific person preferentially or unfairly

##### [2] Interfering with a person's career (graduation, advancement to higher education, finding employment)

- A faculty member imposing on a student his or her way of thinking and interfering with the student's career
- Refusing to write a letter of recommendation necessary for applying for a scholarship, etc. without a justifiable reason
- Interfering with a person's advancement, transfer, or job change to another laboratory or graduate school
- Refusing to allow a person to take an exam for employment, entrance to school, etc. without a justifiable reason
- Making such remarks as "I will not let you graduate" without a justifiable reason

##### [3] Neglecting one's duty to give instruction

- Neglecting to provide instruction or guidance on paper writing and research without a justifiable reason
- Neglecting to conduct necessary communication with a person without a justifiable reason

##### [4] Interfering with research

- Forcing a person to study a specific research theme
- Restricting a person from presenting his or her research without a justifiable reason
- Forcing a person to bear expenses that he or she has no justifiable obligation to bear
- Using a person's research paper or results without his or her consent

- Deletion, addition, or change of order related to author names on a paper without a justifiable reason
- Refusing to let a person use a research instrument or facility without a reason
- Making unjustifiable advances on a co-researcher, research cooperator, etc.

[5] Interfering with duties

- Excluding a person from a research group he or she is entitled to join without a justifiable reason
- Unfairly evaluating a person in a job performance review, etc.
- Persistently urging a person to retire
- Unfairly restricting access to research funds or unreasonably allocating research funds
- Refusing to let a person teach classes without a justifiable reason
- Refusing to let a person provide guidance to students, etc.

B. Power harassment

[1] Violence/assault (physical attack)

- Using violence under the pretext of "instruction"
- Refusing to take necessary safety measures when assigning a person to dangerous work

[2] Intimidation, slander, insulting, abusive language (psychological attack)

- Make insulting remarks that deny a person's dignity, such as "You have no ability/aptitude," "Stupid!" "Salary thief!" and "Quit!"
- Persistently scolding a person for minor mistakes
- Needlessly scolding a person in front of others
- Spreading rumors that undermine a person's reputation or adversely affect his or her evaluation

[3] Isolating, ostracizing, or ignoring a person (severing a person from human relationships)

- Intentionally neglecting necessary communication with a person
- Refusing to let a person participate in meetings, discussions, etc. without a justifiable reason
- Refusing to let surrounding people to become involved with a person

[4] Forcing a person to engage in a task that is clearly unjust or unachievable in professional, educational, or research terms or interfering with a person's duties (exorbitant demand)

- Intentionally neglecting the communication of necessary information
- Forcing a person to engage in a task that is unachievable in terms of time and ability

- Refusing to allow a person to take leave without a justifiable reason
- Forcing a person to work on holidays or for long hours without a justifiable reason
- Imposing on a person an unreasonable economic burden
- Forcing a person to do a clearly unnecessary job or task
- Forcing a person to commit an irregularity in writing a paper or accounting

[5] Ordering a person to do a job that is not necessary in terms of business and is too rudimentary for the person's ability or experience, or refusing to give a person sufficient work (too few demands)

- Forcing a person to spend most of his or her office or research hours doing routine or miscellaneous duties not related to his or her work or research

[6] Excessively interfering with someone's private affairs (infringing on a person's individuality)

- Forcing a person to do pick-ups and drop-offs for you concerning your private activities
- Revealing a person's personal information or private affairs
- Persistently asking about a person's history of relationships or family matters
- Forcing a person to participate in a religious activity or a private group gathering.

#### (4) Note

In academic harassment, the important point is whether the act in question was within the necessary scope in professional, educational, or research terms. "Whether the act in question was within the necessary scope" will be determined in the light of necessity and equivalence. Necessity means necessity to commit the act in question. Equivalence means the mode of the act in question.

In the case of a "deletion, addition, or change of order related to author names on a paper without a justifiable reason," which is one example of academic harassment in a narrow sense, it is justifiable in terms of research ethics, and therefore does not constitute academic harassment, not to add someone's name who has not participated in the writing of a paper or the implementation of the research in question to the list of authors. However, it is deemed academic harassment to refuse to add a person's name to the list of authors if he or she is objectively recognized to have made a certain contribution to producing the paper.

Meanwhile, "instruction" often becomes an issue in the context of power

harassment. Whether a situation constitutes power harassment is determined by considering the necessity of giving the instruction (nature and gravity of the problem behavior of the person receiving the instruction) and the specific mode of the instruction (content, situation, frequency, etc. of the remark) and by judging if the instruction was an “act within the necessary scope.” For example, if a person commits an act that may physically hurt another person or repeats the same serious mistake over and over, an instruction with a certain level of intensity may be deemed an “act within the necessary scope.” On the other hand, an instruction given several times in strong language even though the situation involves only a minor mistake will be less likely to be recognized to be an “act within the necessary scope” and more likely to be deemed academic harassment.

If an act comprises facts that are objectively recognized to constitute academic harassment, that act may be deemed academic harassment, even if the offending party had no intention to harass or torment the victim. Therefore, always be conscious of how your language and behavior may be received by others.

To prevent academic harassment, be sure to sufficiently communicate with your students and junior staff members on a regular basis and pay respect to others’ personal dignity. Also, when you find it necessary to give an instruction to someone, it would be helpful to listen to third-party opinions first by consulting your supervisor or colleague or asking for advice from the Harassment Prevention Office.

#### 4 Maternity Harassment

##### (1) Definition

Maternity harassment is “language or behavior concerning pregnancy or childbirth or language or behavior concerning the use of a measure or system related to pregnancy or childbirth, which exceeds the appropriate scope in professional, educational, or research terms and deteriorates another person’s work, education, or research environment.”

##### (2) General idea

As a result of a revision of the law concerning the ensuring of gender equality in terms of opportunities and treatment in the area of employment, it has become mandatory for employers to take measures to prevent language or behavior concerning pregnancy, childbirth, etc. from deteriorating the working environment of female workers. In response to these developments, these Guidelines clearly indicate Okayama University’s commitment to prohibiting maternity harassment.

Pregnancy and childbirth are major events in a woman's life. However, these life events may lead to the occurrence of harassment over pregnancy or childbirth itself or over the use of a system relating to pregnancy and childbirth. These Guidelines aim to prevent the use of inappropriate language or behavior that is not necessary in conducting business from deteriorating the work, education, or research environment. "Measures and systems related to pregnancy and childbirth" include maternity leave before and after childbirth, spouse's maternity leave, reduced work hours during pregnancy, and leave of absence from school on the grounds of pregnancy and childbirth. Unlike academic harassment, language or behavior not necessarily based on the superiority of a post or position may also constitute maternity harassment.

There are two forms of maternity harassment. One is harassment over the use of a system and the other is harassment over a condition.

### (3) Examples

#### A. Harassment over the use of a system

##### [1] Suggesting disadvantageous treatment

- Making such remarks as "You will risk your promotion if you take maternity leave before childbirth"

##### [2] Interfering with the use of a system

- Making disapproving remarks about the use of maternity leave before childbirth
- Demanding a person to withdraw a request to use a system

##### [3] Harassment over the use of a system, etc.

- Accusing a person for having used a system
- Removing a person from her work or research project without a justifiable reason on the grounds that she used a system

#### B. Harassment over a condition

##### [1] Suggesting disadvantageous treatment

- Making such remarks as "You will be dismissed" on the grounds of pregnancy or childbirth
- Making such remarks as "You will risk your promotion if you get pregnant"

##### [2] Harassment over the fact that a person got pregnant or had a child

- Accusing a person for getting pregnant or having a child
- Removing a person from her work or research project without a justifiable reason on the grounds that she got pregnant or had a child

## 5 Harassment over the Use of Childcare Leave, etc.

### (1) Definition

Harassment over the use of childcare leave, etc. is “language or behavior concerning the use of a measure or system related to childcare or nursing care, which exceeds the appropriate scope in professional, educational, or research terms and deteriorates another person’s work, education, or research environment.”

## (2) General idea

In the same way as maternity harassment, as a result of a revision of the law concerning such systems as childcare leave and nursing care leave aimed at the welfare of workers engaging in childcare or family care, it has become mandatory for employers to take measures for ensuring workers’ work-life balance. In response to these developments, these Guidelines clearly indicate Okayama University’s commitment to prohibiting harassment over the use of childcare leave, etc.

Okayama University has in place various systems to enable its members to engage in childcare, nursing care, etc. with a sense of security. And yet, there are still situations where harassment is likely to occur with regard to the use of such systems. These Guidelines aim to prevent the use of inappropriate language or behavior that is not necessary in conducting business from deteriorating the work, education, or research environment. “Measures and systems related to childcare and nursing care” include childcare leave, reduced work hours for childcare, days off for nursing, nursing care leave, days off for childcare, days off for participating in childcare, and leave of absence from school on the grounds of childcare or nursing care. Harassment over the use of childcare leave, etc. may also occur to men.

Unlike academic harassment, language or behavior not necessarily based on the superiority of a post or position may also constitute harassment over the use of childcare leave, etc.

## (3) Examples

### [1] Suggesting disadvantageous treatment

- Making such remarks as “You will risk your promotion if you take childcare or nursing care leave”

### [2] Interfering with the use of a system

- Making disapproving remarks about the use of childcare or nursing care leave
- Demanding a person to withdraw a request to use a system
- Making such remarks as “Childcare is women’s work. Men do not have to take childcare leave.”

### [3] Harassment over the use of a system, etc.

- Accusing a person for having used a system by saying, for example,

“We had to work more because you took childcare leave”

- Removing a person from his or her work or research project without a justifiable reason on the grounds that he or she used a system

## 6 Other Forms of Harassment

### (1) Definition

Other forms of harassment mean “language or behavior that infringes on another person’s human rights or makes another person uncomfortable, such as forcing someone to drink alcohol, violence, an illicit act concerning smoking, and spreading insulting words, slanders, or rumors, and that does not constitute sexual harassment, academic harassment, maternity harassment, or harassment over the use of childcare leave, etc.”

### (2) General idea

Other forms of harassment comprise forms of harassment that do not constitute the earlier mentioned four types of harassment but should be prohibited if the University is to maintain its work, education, and research environment and protect the human rights of its members, etc. “Forcing someone to drink alcohol, violence, an illicit act concerning smoking, and spreading insulting words, slanders, or rumors” are just a few examples. Other behavior may constitute other forms of harassment if such behavior “infringes on another person’s human rights or makes another person uncomfortable.”

Unlike academic harassment, language or behavior not necessarily based on the superiority of a post or position may also constitute other forms of harassment.

### (3) Examples

#### [1] Forcing a person to drink alcohol

- Forcing a person to drink alcohol in a gulp
- Forcing a person who cannot drink alcohol to drink alcohol
- Forcing a person to drink alcohol even when he or she is already badly drunk

#### [2] Violence

#### [3] Illicit act concerning smoking

- Forcing a person to smoke
- Smoking without giving consideration to the surrounding people at a drinking party

#### [4] Spreading insulting words, slanders, or rumors

- Using language or behavior that defames someone in front of many people
- Spreading groundless rumors

- Sending an email that slanders someone to many people

## Section 3 Harassment Handling Procedures

### 1 Related Agents

#### (1) Harassment Counselors

Harassment counselors are faculty members whom you can consult about harassment. They include department counselors belonging to each faculty and graduate school and expert harassment counselors permanently stationed in the Harassment Prevention Office. Department counselors plan and implement harassment training held in each department.

#### (2) Harassment Prevention Office

Located on the 3rd floor of the West Wing of the Okayama University Main Library, the Harassment Prevention Office receives those who seek consultation about harassment. Permanently staffed with expert harassment counselors, the Office is open on weekdays from 10:00 to 12:00 and from 13:00 to 16:00 (except library holidays). Harassment counseling service is also available from 13:00 to 16:00 on Monday and Friday (except holidays) on the 3rd floor of Memorial Hall, Shikata Campus, subject to advance booking.

In addition to harassment counseling, the Harassment Prevention Office conducts such awareness-raising activities for harassment prevention as university-wide harassment training and harassment counselor training.

#### (3) Harassment Prevention Committee

The Harassment Prevention Committee deliberates and makes decisions on matters concerning the University's harassment prevention. Comprising the University's faculty members, the head of the Legal Affairs and Compliance Office, and experts from outside the University, the Committee formulates and revises prevention rules, etc., conducts awareness-raising activities, deliberates on cases for which remedial measures have been requested, recognizes harassment, and deliberates on recommended remedial measures, etc.

#### (4) Arbitrators

Arbitrators perform actual arbitration procedures if the Harassment Prevention Committee decides to take arbitration procedures. Several arbitrators will be appointed for each case to conduct arbitration and report the results of arbitration to the Harassment Prevention Committee.

#### (5) Investigation Committee

The Investigation Committee conducts an investigation if the

Harassment Prevention Committee finds it necessary to do fact-finding during harassment recognition procedures. Several Investigation Committee members will be appointed for each case to conduct an investigation and report the results of the investigation to the Harassment Prevention Committee.

(6) Legal Affairs and Compliance Office

The Legal Affairs and Compliance Office performs office duties relating to measures dealing with harassment. Specifically, the Office conducts internal communication concerning harassment measures.

## 2 Harassment Counseling

(1) Persons who can seek harassment counseling

Harassment counseling is provided not only to those who have suffered harassment from a member of the University but also to those who have noticed a member's involvement in harassment and those who have been told by another person that they are committing harassment.

(2) Harassment counseling procedures

If you wish to receive harassment counseling, contact the counselor you wish to consult (or the Harassment Prevention Office if you seek counseling from an expert counselor) in advance and make an appointment for the date and time of counseling by phone, email, etc.

As a rule, harassment counseling is given in the form of an interview. You may make an appointment for or receive counseling on an anonymous basis.

Harassment counselors have a confidentiality obligation. Therefore, the content of your counseling session will not be disclosed to anyone but the members involved in the harassment handling procedures. During the harassment counseling, you will discuss with your harassment counselor how to solve the problem.

(3) Preliminary counseling

Harassment counseling at the stage in which the counselee has not yet requested the Harassment Prevention Committee to take action is called preliminary counseling. At the stage of preliminary counseling, the content of the counseling session will not be disclosed to the other party or to any third party.

(4) Formal counseling

Harassment counseling in which the counselee requests the Chairperson of the Harassment Prevention Committee to take such actions as notification of the implementation of counseling or request for coordination is called formal counseling. Formal harassment counseling is provided by

the Harassment Prevention Office. As a rule, only those who have suffered harassment are eligible to receive formal counseling. In the case of requesting a notification of the implementation of counseling, however, a person who has recognized the harassment may also be eligible to receive formal counseling.

If it is decided that formal counseling will be given, the Prevention Office will prepare a Complaint Reception Report and submit it to the Chairperson of the Harassment Prevention Committee.

[Complaint Reception Report]

Based on the content of harassment counseling, this form is first prepared by an expert counselor and then checked by the counselee. As a rule, the counselee must put his or her signature and seal at the end of the Complaint Reception Report. If the counselee seeks a notification of the implementation of counseling, the Complaint Reception Report may be prepared under anonymity. However, if the counselee requests coordination, his or her name will be contained in the Report as a rule.

(5) Request for remedial measures

If the counselee seeks arbitration and harassment recognition procedures, he or she needs to request remedial measures. To request remedial measures, the counselee needs to submit a request form for remedial measures to the Harassment Prevention Office. When preparing a Request Form for Remedial Measures, the counselee as a rule must have an interview with the Harassment Prevention Office. Persons eligible to request remedial measures are basically those who have suffered harassment themselves. If someone other than those who have suffered harassment wishes to request remedial measures on their behalf, he or she needs to obtain prior approval from the Chairperson of the Harassment Prevention Committee.

[Request Form for Remedial Measures]

Based on the content of a counseling session, an expert counselor prepares a draft of a Request Form for Remedial Measures. The requesting party (the counselee wishing to make a request for remedial measures) will verify, revise, and make necessary additions to the content of the draft. The requesting party needs to put his or her signature and seal at the end of the Request Form for Remedial Measures. It is not allowed to prepare a Request Form for Remedial Measures on an anonymous basis.

The Request Form for Remedial Measures is submitted to the

Harassment Prevention Committee by way of the Harassment Prevention Office for discussion on whether or not the case is subject to arbitration or harassment recognition procedures. If the Chairperson of the Harassment Prevention Committee determines it necessary to revise the Request Form for Remedial Measures, an instruction for revision will be given to the requesting party by way of the Harassment Prevention Office. The requesting party is asked to follow the instruction and modify the Request Form within a specified time.

Be warned that if you make a request for remedial measures for matters that are not true, while being aware that such matters are false, you may be subject to disciplinary action, etc. You are strongly advised not to file such a request.

### 3 Deliberation on a Request for Remedial Measures

When a Request Form for Remedial Measures is submitted, the Harassment Prevention Committee will discuss if it is necessary to conduct arbitration or harassment recognition procedures. Either arbitration or harassment recognition procedures will be initiated for all requests, except for those that the Committee decides to reject. The following is a list of requests that may be turned down.

- [1] Request made not in the form of a Request Form for Remedial Measures
- [2] Cases in which the requesting party refuses to revise the Request Form
- [3] Cases in which the requesting party is not the victim of the act alleged in the request for remedial measures (cases in which harassment is committed against another person)
- [4] Cases in which the act alleged in the request for remedial measures took place more than three years ago and is recognized as not having continued since then
- [5] Cases in which it is decided that the issue that the requesting party wishes to see resolved may reach a resolution without arbitration or harassment recognition procedures
- [6] Cases in which it is decided that the issue that the requesting party wishes to see resolved cannot be resolved through arbitration or harassment recognition procedures
- [7] Cases in which the issue in question is recognized as having the same content as a case for which harassment recognition procedures have already been completed

[8] Cases in which the issue in question is recognized as having the same content as a case that was rejected

[9] Cases in which the request is recognized as a request for remedial measures for a decision made by the Prevention Committee

[10] Cases in which the conflict alleged in the request for remedial measures is already being handled outside the campus through legal proceedings, arbitration, or other out-of-court dispute settlement procedures

[11] Other cases in which a request for remedial measures is recognized as not appropriate

If the Harassment Prevention Committee determines to reject a request, a notification to that effect will be given to the requesting party. The requesting party may raise an objection in writing to the Chairperson of the Harassment Prevention Committee within seven days from the receipt of the notification. If an objection is raised, the Harassment Prevention Committee will examine the reasons for the objection unless the Chairperson decides that there is clearly no reason for raising an objection. If, through this examination process, it is judged that there are reasons for the objection, arbitration or harassment recognition procedures will be carried out. If it is decided that there is no reason for the objection, the requesting party will be notified of the decision but no longer can raise an objection to that decision.

If it is deemed necessary by the Harassment Prevention Committee during deliberation on a request for remedial measures, the Committee may conduct fact-finding with the requesting party or members of the University through the Legal Affairs and Compliance Office. Members asked about facts are requested to cooperate in the fact-finding procedures.

#### 4 Problem-solving Procedures

##### (1) Notification of the implementation of counseling

In this procedure, the Chairperson of the Harassment Prevention Committee notifies in writing the other party (the person alleged in harassment counseling to have committed harassment), and the supervisor, head of the department, etc. of the other party, of the fact that harassment counseling has been conducted and the content of the counseling session. By making the other party and his or her supervisor aware that harassment counseling has been conducted, this procedure aims to stop the act in question. Notification can be given while keeping the counselee anonymous. In anonymous notification, care must be taken not to include information from which the counselee may be identified.

The notification procedure will be taken based on the judgment of the Chairperson of the Harassment Prevention Committee if: 1) a Complaint Reception Report requesting notification is submitted or 2) if the Harassment Prevention Office requests notification as a necessary step to take when several cases involving the same member as an alleged offending party are reported for counseling in a certain period of time.

If you receive a notification, be warned that someone is uncomfortable with your conduct and change your behavior.

## (2) Coordination

In this procedure, the Chairperson of the Harassment Prevention Committee requests the head of the department, etc. of the other party (dean of a faculty or graduate school, director of an office, etc.) to coordinate the environment in his or her department. Through such environmental coordination within the department concerned, this procedure aims to eliminate the harassment situation.

If a Complaint Reception Report requesting coordination is submitted, the coordination procedure will be taken, subject to a request for coordination submitted to the head of a department, etc. made based on the judgment of the Chairperson of the Harassment Prevention Committee.

How the head of a department, etc. carries out coordination is determined by the head of the department, etc. himself or herself who received the request. Generally, the head of a department, etc. asks separately the counselee and the other party to indicate their circumstances and wishes, propose coordination content that may satisfy both parties, and seek agreement through coordination. If coordination does not work out, the head of the department, etc. will ask the counselee if he or she wishes to request remedial measures. If the counselee wishes to request remedial measures, the Harassment Prevention Committee will deliberate on whether it will carry out arbitration or harassment recognition procedures.

If you become a party in the coordination process, be sure to cooperate when the head of a department, etc. asks about your circumstances and wishes and try as much as possible to achieve agreement through coordination. If agreement is reached through coordination, be sure to comply with the content of the agreement.

## (3) Arbitration

In this procedure, the Harassment Prevention Committee appoints

several arbitrators for each case to have them conduct arbitration between the requesting party and the offending party (the person alleged in a request for remedial measures to have committed harassment).

Arbitrators are appointed from the members of the University who have no special relationships with the parties concerned. Through arbitration between the requesting party and the offending party, this procedure aims to eliminate the harassment situation.

Specific arbitration procedures are as follows. The arbitrators separately ask each party to indicate his or her circumstances and wishes. The arbitrators then conduct fact-finding through interviews with third parties who may know what has been going on and through objective data. After taking these procedures, the arbitrators will come up with an arbitration proposal. Based on the arbitration proposal, the arbitrators will again coordinate the parties' wishes. If the parties agree to the arbitration proposal or if it becomes clear that the parties cannot agree on the arbitration proposal, the arbitration procedures will conclude. If arbitration does not work out, the requesting party may request to move on to the harassment recognition procedures. If the requesting party makes such request, the Harassment Prevention Committee will deliberate on whether it will carry out the harassment recognition procedures.

If you become a party or asked by arbitrators to cooperate in the arbitration process, be sure to cooperate in the arbitration procedures performed by the arbitrators and try as much as possible to achieve agreement through arbitration. Also, if arbitration ends in success, be sure to comply with the content of the agreement.

#### (4) Harassment recognition

##### A. Content of this procedure

In this procedure, the Harassment Prevention Committee determines if the facts for which remedial measures have been requested constitute harassment. Based on the determination, the Harassment Prevention Committee decides what remedial measures need to be taken. By clarifying the facts allegedly constituting harassment and taking remedial measures based on these facts, this procedure aims to eliminate the harassment situation.

The content of the recommended remedial measures may vary from one case to another. They may take such forms as environmental coordination (prohibiting direct communication between the parties concerned, change of the academic supervisor, etc.), alerting the offending party (strict reprimand by the head of the department, etc.,

requiring attendance at harassment training, etc.), personnel measures (relocation, etc.), and disciplinary action.

If the Harassment Prevention Committee determines it necessary to recommend remedial measures, the Committee will recommend the remedial measures to the President of the University. The President will then request the head of the department concerned, etc. to take the remedial measures. The parties concerned will be notified of the content of the recommended remedial measures that were decided to be taken, and the results of the remedial measures that were taken by the head of the department concerned, etc.

#### B. Fact-finding Investigation

If the Harassment Prevention Committee determines it necessary to conduct a fact-finding investigation during the harassment recognition procedures, an Investigation Committee comprising several investigation committee members will be established for each case and that Committee will conduct a fact-finding investigation. The Investigation Committee will comprise members of the University who have no special relationships with the parties concerned or those from outside the University.

In the investigation process, the Investigation Committee will check with the parties concerned and the members, etc. concerned about circumstances and examine objective data, etc. After the investigation is completed, the Investigation Committee will put together investigation results and report the results to the Harassment Prevention Committee. The Harassment Prevention Committee will then discuss if harassment recognition and recommendation of remedial measures are necessary.

The Investigation Committee will conduct impartial and fair investigations to clarify the facts concerning the case for which remedial measures are being requested. The investigation may impose a psychological strain on the requesting party because he or she may be asked about specific circumstances and his or her feelings at specific moments. However, interviews will be conducted with utmost consideration for the requesting party, and so the requesting party is asked to answer the questions of the Investigation Committee as sincerely as possible.

The Investigation Committee will carry out an investigation on matters concerning the case for which remedial measures are being requested and conduct interviews based on what the requesting party claims. Therefore, the content of questions asked to the offending party may be

different from his or her understanding. Even in such situations, the offending party is asked to plainly state the facts as they are.

#### (5) Urgent measures

If, during harassment counseling, it is suspected that damage from harassment may be aggravated before any of harassment handling measures (1) to (4) are taken, urgent measures may be requested of the head of the department, etc. based on the judgment of the Chairperson of the Harassment Prevention Committee. A request for urgent measures can also be made at the stage of preliminary counseling.

Urgent measures that may be requested include the prohibition of contact or communication between the counselee and the offending party.

Since a request for urgent measures is a temporary step before harassment handling measures are taken, such request will be cancelled if it is determined urgent measures are no longer necessary. Because a request for urgent measures must be made promptly, such request may be made without confirming if the content of the harassment consultation is true. A request for urgent measures, therefore, does not mean that the content of the harassment consultation was verified.

Those ordered by the head of a department, etc. to take urgent measures are asked to carry out the ensuing harassment handling procedures in line with the content of said urgent measures.

#### 5 Protection of Privacy

Harassment counselors and those involved in harassment handling procedures have a confidentiality obligation regarding the identities of the parties concerned and the content of the harassment. In the same way, those who have become parties of or involved in harassment handling procedures will also have a confidentiality obligation. If you become such a party, be careful not to leak information to any third party.

#### 6 Prohibition of Disadvantageous Treatment

It is prohibited to give disadvantageous treatment to those who have received harassment counseling and those who have cooperated in harassment handling procedures on the grounds that they used the harassment handling procedures or provided cooperation in such procedures. If you have received any disadvantageous treatment in this context, consult the Harassment Prevention Office.

