

STOP Harassment

For A Harassment-Free Campus



What is harassment?

Harassment interferes with someone's right to pursue education and the right to work. Kumamoto University is committed to stopping all harassment, and to providing training to prevent it. We hope to create a comfortable study and work environment that is free from harassment.



Kumamoto University Guidelines on Prevention of Sexual Harassment



I Purpose of These Guidelines

These Guidelines are prepared based on the following concepts:

1. Sexual harassment denies human dignity and prejudices several human rights, including moral rights, the right to receive education, the right to work, etc.
2. Kumamoto University (the "University") strives for prevention and awareness raising on sexual harassment on the basic stance of absolutely never allowing sexual harassment, and aims at forming and maintaining a good studying and working environment free from sexual harassment.
3. When sexual harassment occurs, the University will exert itself to protect and rescue the victim, meanwhile treating the assaulter strictly after necessary deliberations by Education and Research Council, etc.

II Definitions

1. Definition of sexual harassment

- (1) Sexual harassment of which the University will assume responsibility to handle under these Guidelines shall be, irrespective of whether it occurs inside or outside the University (for example, at a student party, training camp, part-time job workplace, destination of teaching practice, destination for Credit Transfer System, employment test, etc.), to damage the environment of the other party for studying, working, education or research by speech or behavior with sexual characteristics that makes the other party uncomfortable (environmental type), and to give a certain degree of advantages or disadvantages in the conduct of study, work, education or research by obedience to or refusal of a sexual request not desired by the other party (compensation type, status-use type), in which, students, etc. or workers as referred to in 2. later are victims or assaulters.
- (2) "Uncomfortableness" in this definition shall be determined by the judgment of the other party to whom the "speech or behavior with sexual characteristics" is directed. Even in the case where a person who engages in speech or behavior with sexual characteristics is not at all aware of the fact that his/her own acts fall under sexual

harassment, if the other party feels "uncomfortable," it is sexual harassment.

- (3) Such sexual harassment is conducted by males against females in most cases, however, in these Guidelines, cases of harassment by females against males, and between the same sex are also included in consideration.

2. Definitions of students, etc. and workers

In these Guidelines, the terms students, etc. and workers are used with the following meanings:

- (1) Students, etc. means all the persons who study at the University, including undergraduate school students, graduate school students, foreign students, research students, credited auditors, special auditors, lecture takers of open lectures, children and students of kindergarten, elementary school, junior high school and special education school affiliated with the University. Depending on the cases, persons who formerly studied shall also be included.
- (2) Workers means all persons who work at the University, irrespective of whether they be full-time or part-time. Depending on the cases, persons who formerly were workers shall also be included.

III Scope of Application of These Guidelines

1. These Guidelines shall be applicable to sexual harassment that occurs among constituent members of the University (this means executives, workers, students, etc. and other persons who are engaged in education or research, etc. at the University), irrespective of whether such occurs inside or outside the University.
2. In the case of sexual harassment that occurs between constituent members of the University and outsiders, these Guidelines shall be applicable to the case where a constituent member of the University is the assaulter, and besides the event occurs in connection with education or research activities and duties at the University.

It shall be noted that, concerning sexual harassment committed by a constituent member of the University in the position of part-time lecturer, etc. at another university, etc., the relevant other university, etc. shall handle the matter. However, when an unjust act comes to light, based on the results, if the dignity and credibility of the University are significantly damaged by the

event, the assaulter may be subject to punitive disposition in accordance with the Work Rules for Workers of National University Corporation Kumamoto University, etc.

IV Responsibilities of Awareness Raising and Prevention Concerning Sexual Harassment

1. The President of the University shall assume responsibility for creating and maintaining an environment at the University free from sexual harassment through efforts for awareness raising and prevention concerning sexual harassment, and required trainings under the relevant laws and regulations.
2. Heads of the departments and faculty meetings, etc. shall assume responsibility for awareness raising and prevention concerning sexual harassment in departments.
3. The Kumamoto University Sexual Harassment Prevention Committee (the "Prevention Committee") shall assume responsibility for review and implementation of specific measures such as awareness raising including training and preparation of leaflets, actual situation research, materials development, and education, etc. on sexual harassment.
4. The Prevention Committee shall assume responsibility for proper installation and operation of a consultation window for handling notifications of complaints and consultations properly and swiftly.
5. All the constituent members of the University shall equally assume responsibility to prevent and eliminate the occurrence of sexual harassment, so that no harm will occur.

V For Prevention of Sexual Harassment

1. The relationship between teaching staff and students, etc., the hierarchy in the workplace, seniors/juniors among students, etc., do not determine any ranking of value as a human. In addition, needless to say, males and females are partners of equal status. Absolutely no person may control another person as a sexual object using his/her force, adding psychological pressure, or physical hurt.
2. In any and every case, do not forget to respect the character and human rights of the other party. It is necessary for each of us to be more sensitive to things that may make others uncomfortable, and be constantly conscious of our own speech and behavior. Everyone must be especially careful at student parties or training camps, etc.
3. Note that, in the case where the other party's social, cultural, or religious environment is different, as in the case of foreign students, sometimes speech or behavior that is considered not to fall under sexual harassment may be taken as sexual harassment.
4. On campus, there are places that may easily be hotbeds of sexual harassment. For example, in places that can become closed rooms, such as research labs or experimental rooms, sexual harassment tends to occur more. In such places, pay meticulous attention to your speech and behavior. The same shall apply to the case where there are fewer workers or students, etc. of the opposite sex.
5. Only when all the constituent members of the University

make constant efforts for prevention of sexual harassment will a good environment be guaranteed.

VI Handling when Victimized by Sexual Harassment, or Observe Cases of Victimization by Sexual Harassment

1. When you experience sexual harassment

- (1) Gather your courage and clearly convey the feeling of "being uncomfortable" to the other party, with your words and behavior.
- (2) Concerning acts that are considered to be sexual harassment of you, make a note of the situation there, the date and time, place, details of the act, whether or not a third party was present, etc. in as much detail as possible. These will constitute important materials for judgment on the occurrence of sexual harassment.
- (3) Do not feel stressed or suffer by yourself, but the important thing is to reveal the facts and consult friends or staff, etc. whom you can trust. You do not need to blame yourself.
- (4) Consult a Consultation Window when you are victimized. Any Window can be consulted. If you cannot go directly to the Consultation Window, you can also consult by phone, fax, email, etc. (consultation can be done under anonymous name as well). The privacy of the consulter and secrets of details of consultation will be absolutely kept.
- (5) When time passes after you suffer and before consultation on victimization and filing of a complaint, confirmation of the facts will be more difficult, so in principle please consult within three (3) years of the occurrence of victimization (for cases where victimization is ongoing, within three (3) years of the end of the victimization).

2. When you observe sexual harassment victimization

- (1) Sexual harassment affects living of students, etc. and workers. Please do not leave it as though it's none of your business. If you leave it, there is risk of escalation.
- (2) When you see victimization, make a note about the situation there, the date and time, place, and details of the act, in as much detail as possible. These will constitute important materials for judgment on the occurrence of sexual harassment.
- (3) When necessary, please be a counselor for the victim, encourage the victim to go to the Consultation Window or accompany the victim. If you cannot go directly to the consultation counter, you can also consult by phone, fax, email, etc. (consultation can be done under anonymous name as well).

VII Handling of Filing of Complaints and Consultations

1. At the University, Consultation Windows and Prevention Committee are established to handle sexual harassment.
2. Consultation Windows are established in each department,

and at the Health Center, etc. A list of names and contact numbers for consultants at the Consultation Windows is always posted on the bulletin board of each department. These are also published at all times under "Harassment Consultation" on the website of the University.

3. When a "consultation" is held at a Consultation Window, the Consultation Window will serve the person who comes to consult (the "consultee") in good faith, and provide various kinds of support so that the consultee himself/herself can make a decision about the handling to take.
4. When the consultee files a "complaint motion" and requests an appropriate investigation and disposition, the consultant shall report the contents of the consultation to the Chairman of the Prevention Committee, and the Chairman of the Prevention Committee shall consult with the Prevention Committee and then decide on the handling for the complaint filed, such as establishing the Investigation Committee under the Prevention Committee as a result of the deliberations. If withdrawal of the complaint motion is desired by the consultee himself/herself, the consultee shall submit a "Complaint Motion Withdrawal Request" to the Chairman of the Prevention Committee, and after deliberations at a meeting of the Prevention Committee, withdrawal of the complaint motion may be approved.
5. The Investigation Committee shall interview both of the parties concerned, and investigate all of the facts. When necessary, the Committee shall also interview the other parties concerned. In such instance, the investigation shall be conducted paying attention not to cause secondary sexual harassment.
6. In the interview by the Investigation Committee, if the accused person claims that "it was a relationship based on mutual consent," the accused person shall be responsible when he/she proves that this claim is true.
7. Despite an investigation by the Investigation Committee, there could be cases where, the claims of the accuser and the accused person are in direct confrontation as to whether there was sexual speech or behavior that is considered to fall under sexual harassment, and it is considered impossible or difficult to gain decisive proof. Even in such instance, the Prevention Committee (and Investigation Committee) will examine whether there is greater credibility in the claims of the accuser or the accused, while checking the trends of judgments by the courts in relation to recent sexual harassment cases, and strive to make judgment on whether or not sexual harassment did occur, to the extent possible.
8. The Investigation Committee shall summarize the results of investigation within two (2) months and report on the results to the Chairman of the Sexual Harassment Prevention Committee promptly. However, in the case where the investigation is not complete within two months, if there is an unavoidable reason, the investigation may be extended for a reasonable period. In such instance, the Chairman of the Investigation Committee shall explain the reasons to the Chairman of the Prevention Committee and the consultee.
9. The Chairman of the Prevention Committee shall, based on the results of deliberations in the Prevention Committee, report to the President on rescue from sexual harassment or environment improvement measures, etc. when necessary.

10. The President shall notify the accused person and the head of the department with which the accused person is affiliated of rescue from sexual harassment or environment improvement measures, etc.
11. When the head of the department with which the accused person is affiliated receives a notification from the President, the head shall perform improvement measures promptly and report them to the President, and notify the accuser of the details of the measures.
12. When the head of the department with which the accuser is affiliated receives a notification from the President, the head shall perform improvement measures promptly and report them to the President.
13. The accuser may request an explanation about the status of progress of handling pertaining to the relevant case from the Chairman of the Prevention Committee.
14. The Consultation Window and related persons shall bear the obligation to give the utmost consideration to the protection of the privacy of the parties concerned.
15. At none of the stages provided in these Guidelines, that is, "consultation," "complaint motion," and "handling by the University including investigation" shall the parties concerned be precluded from bringing a legal action.

VIII Protection and Rescue of Victims

1. The University shall make the utmost efforts to protect and rescue victims.
2. When a victim is a student, etc., if there is a request for change of dissertation advisor or replacement of a subject to study, the University shall make efforts to respond to the request as fully as possible.
3. When a victim is a worker, the University will not grudge any efforts for improvement likewise, for development of the education and research environment and work environment.
4. In the case of suffering harm due to sexual harassment, at the responsibility of the University, care such as expert counseling, etc. shall be provided.
5. After a disposition against the assaulter by the University, for publication in the mass media, the content of the announcement shall be explained to the victim in advance and the utmost consideration shall be given to the privacy of the victim.

IX Handling of Assaulters

1. Based on the results of swift and proper investigations, the University shall take a strict stance against sexual harassment assaulters.
2. The University shall make assaulters apologize in writing to victims, and obligate assaulters to undergo training for prevention of recurrence.
3. Acts of revenge against victims shall be handled severely.

X Prohibition of Harassment and Threatening Acts

1. The University shall take possible and proper measures so that no harassment or threatening act will be made against workers or students, etc. who conduct "consultations" on sexual harassment by other workers or students, etc.
2. The University shall take possible and proper measures so that no harassment or threatening act will be made against workers who are engaged in business relevant to prevention, etc. of sexual harassment by other workers or students, etc.

XI Other

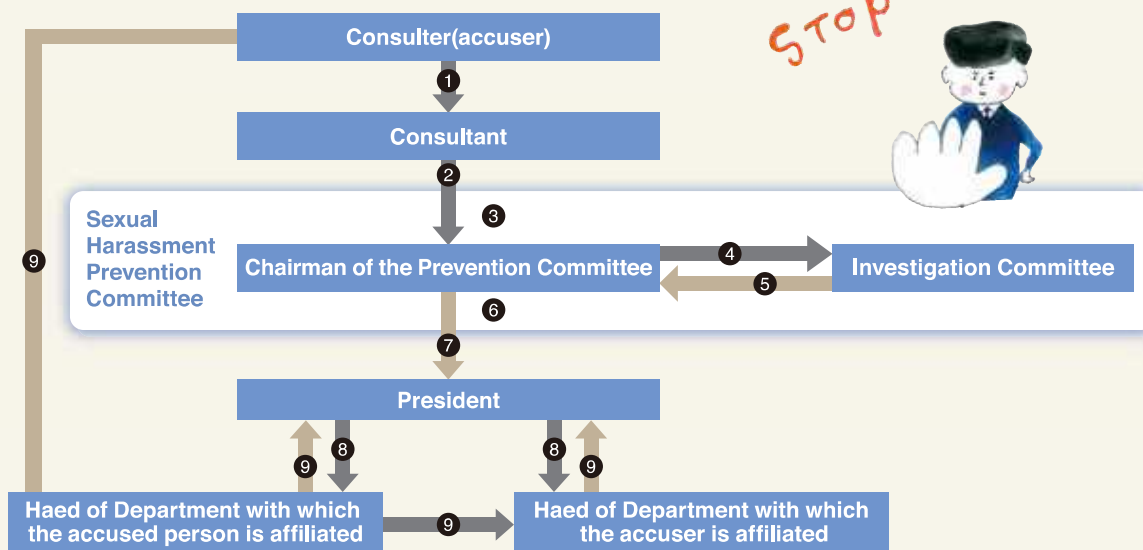
1. Persons who perpetrate false motions or testimonies in consultations, complaint motions and interviews on sexual harassment will be subject to disposition under the School Regulations, etc.
2. For each school year, the University shall disclose an overview of sexual harassment (the number of consultations, number of complaint motions made, details and measures, etc.). In disclosure, the utmost consideration shall be paid to the privacy of victims.
3. These Guidelines shall be reviewed when necessary.

Harassment Consultations and Handling Flow Figure

Consultations Windows are established to handle harassment consultations at Kumamoto University. At Consultation Windows, harassment consultants will respond to consultations.

*If you cannot go directly to a Consultation Window, consultations via telephone, fax or email is also possible. (Anonymous is possible. However, in anonymous cases, sometimes handling may be difficult.)
 *The privacy of the consuler and secrets of details of consultation will be kept.
 *You will not be disadvantaged due to the fact that you hold consultations on harassment.

Case of Sexual Harassment



1. Consuler consults the consultant.
2. The consultant reports the Chairman of the Prevention Committee (the "Chairman") on content of consultations with the consent of the consuler.
3. The Chairman consults the Prevention Committee about the content of consultations reported by the consultant.
4. The Chairman establishes the Investigation Committee under the Prevention Committee based on the results of deliberation of the Prevention Committee.
5. The Investigation Committee investigates the facts and summarizes the results of investigation within two months and reports them to the Chairman. However, in the case where the investigation is not complete within two months, if there is an unavoidable reason, the investigation will be extended for a reasonable period.
6. The Chairman consults the Prevention Committee on the results of investigations reported by the Investigation Committee, and the Prevention Committee shall deliberate on the fact recognition of sexual harassment, rescue of the victims and handling.

7. The Chairman reports on the results of deliberations of the Prevention Committee to the President.
8. The President notifies the head of departments (in the case of a departments of an administration organization, the General Manager in charge of general affairs of the Administrative Department; the same shall apply hereinafter) with which the accused person and accuser are affiliated of rescue from sexual harassment or improvement measures for the environment when necessary.
9. The head of the department with which the accused person is affiliated shall perform improvement measures promptly and report them to the President, and notify the head of the department with which the accuser is affiliated and accuser of the details of the measures. In addition, the head of the department with which the accuser is affiliated shall perform necessary measures and report details of the measures to the President.

* However, when it is judged that emergency measures are required for rescue of the accuser, the above provisions may not apply and other measure may be taken.

Kumamoto University Guidelines on Prevention of Harassment

(excluding Sexual Harassment)



comprises harassment.

I Purpose of These Guidelines

1. Concept of these Guidelines

Harassment prejudices rights and interests regarding study, research and employment improperly, and harms the human dignity. These Guidelines are prepared based on the following concepts, in accordance with the “Kumamoto University Rules on Prevention, etc. of Harassment.”

2. Basic stance of Kumamoto University

Kumamoto University (the “University”) strives for prevention and awareness raising on harassment on the basic stance of never allowing harassment, and aims at forming and maintaining a good studying, research and working environment free from harassment.

3. Representations on protection and rescue of victims, strict treatment of assaulters and improvement

When harassment is committed, the University will exert itself to protect and rescue the victim, meanwhile treating the assaulter strictly. In addition, the University shall take improvement measures so that the same harassment will not occur repeatedly.

II Scope of Application of These Guidelines

1. What is harassment?

- (1) Harassment under these Guidelines shall be, irrespective of whether it occurs inside or outside the University (for example, at a destination of business trip, destination of training), for a constituent member to harm the personality and dignity of other constituent members, to improperly prejudice rights and interests relating to study, research and employment, or to damage the environment for studying, research and employment by speech or behavior using power or status.
- (2) “Prejudice improperly” or “damage improperly” stated in (1) means to “deviate from the scope of necessary and proper direction in education and research, and necessary and proper instruction related to business.”
- (3) Even in the case where a person who has power or status engages in speech or behavior without being aware of the fact that his/her own acts fall under harassment, under social norms, if the other party feels “improperly treated,” and his/her study, research or employment is disturbed, it

2. What is a constituent member?

In these Guidelines, the term constituent members is used with the following meanings:

- (1) Constituent members mean students and workers.
 - (2) Students mean all the persons who study at the University, including undergraduate school students, graduate school students, foreign students, research students, credited auditors, special auditors, lecture takers of open lectures, trainees at hospital attached to the School of Medicine, children and students of kindergarten, elementary school, junior high school and special education school affiliated with the University. Depending on the case, persons who formerly were students shall also be included.
 - (3) Workers mean workers provided in Article 2 of the Work Rules for Workers of National University Corporation Kumamoto University (education staff, general staff, medical staff, fixed term contract workers, re-employed workers, individual contract workers), executives of the University, and any other person who is engaged in the business of the University under dispatch contract or other contract. Depending on the case, persons who formerly were workers shall also be included.
- (Note) The latter parts of (2) and (3) assume the case where a person who was a student or worker of the University leaves the school or post after being victimized by harassment or after committing harassment.

III Responsibilities of Awareness Raising and Prevention Concerning Harassment

1. Responsibilities of the President

The President of the University shall assume responsibility for creating an environment at the University free from harassment through efforts for awareness raising and prevention concerning harassment, and required trainings.

2. Responsibilities of the heads of departments and faculty meetings, etc.

Heads of the departments and faculty meetings, etc. shall assume responsibility for awareness raising and prevention concerning harassment in departments.

3. Responsibilities of Antidiscrimination Measures and Human Rights Issues Committee

Antidiscrimination Measures and Human Rights Issues Committee of Kumamoto University (the “Antidiscrimination Measures and Human Rights Issues Committee”) shall assume responsibility for examination and implementation of specific measures such as awareness raising, training and education on harassment.

4. Responsibilities of constituent members

All the constituent members of the University shall equally assume responsibility to strive so that no harassment will occur.

IV For Prevention of Harassment

1. Calling attention to speech and behavior of constituent members

In any and every case, do not forget to respect the character and human rights of the other party. It is necessary for each of us to be more sensitive to things that may make others think they were unfairly treated, and be constantly conscious of our own speech and behavior.

2. Prevention of psychological pressure and mental/bodily damage by using rights or status among constituent members.

The relationship between teaching staff and students, the hierarchy in the workplace, seniors/juniors among students do not determine any ranking of value as a human. Absolutely no person may exert psychological pressure or hurt mentally or physically another person using power or status.

3. Consideration of society, culture, religion and living customs, etc.

Speech or behavior that is considered not to fall under harassment may be taken as harassment by others, due to differences of society, culture, religion, etc. Always take note to fully understand mutual differences.

V Handling when Victimized by Harassment or Observed Cases of Victimization by Harassment

1. When you experience harassment

- (1) Clearly convey with your words and behavior
Gather your courage and clearly convey the feeling of “being treated unfairly” to the other party, with your words and behavior.
- (2) Record the harm
When feeling you received harassment, make a note of the situation there, the date and time, place, details of the speech or behavior, whether or not a third party was present, etc. These will constitute important materials for judgment on the occurrence of harassment.
- (3) Consult Consultation Window
Do not feel stressed or suffer by yourself, go consult at the Consultation Window. The privacy of the consulter and secrets of details of consultation will be kept. Consultation Windows are established in each department, and at the Health Center, etc., and any Windows can be consulted.
- (4) When you cannot consult at the Consultation Window

If you cannot go directly to the Consultation Window, you can also consult by phone, fax, email, etc. (consultation can be done under anonymous name as well). However, in anonymous cases, sometimes handling may be difficult.

2. When you observe harassment victimization

- (1) Do not leave it as though it's none of your business
Harassment affects living of students and workers directly, so please do not leave it as though it's none of your business. If you leave it, there is risk of escalation of harassment.
- (2) Record when you observe victimization
When you observe victimization of harassment, make a note about the date and time, place, details of the speech and behavior, etc., in as much detail as possible. These will constitute important materials for judgment on the occurrence of harassment.
- (3) Be a counselor
Please be a counselor for the victim of harassment, encourage the victim to go to the Consultation Window or accompany the victim.

VI Handling of Consultations Concerning Harassment

1. Establishment of Consultations Window and Antidiscrimination Measures and Human Rights Issues Committee

At the University, Consultation Windows and Antidiscrimination Measures and Human Rights Issues Committee are established to handle harassment.

2. Consultation Window

At Consultation Windows, the University consultants will respond to consultations. A list of names and contact numbers for consultants at the Consultation Windows is always posted on the bulletin board of each department. These are also published at all times under “Harassment Consultation” on the website of the University.

3. Responsibilities of consultant

Consultant will keep the secrecy of privacy of the consulter and details of consultation and serve the consulter in good faith.

4. Report by consultant to the Chairman of the Antidiscrimination Measures and Human Rights Issues Committee or the head of department, etc.

When the consent of the consulter has been obtained, the consultant will report on the details of consultation to the Chairman of the Antidiscrimination Measures and Human Rights Issues Committee, or the head of the department, etc. in relation to the consultation details. The head of department, etc. will, when receiving a report from a consulter, promptly report to that effect to the Chairman of the Antidiscrimination Measures and Human Rights Issues Committee.

5. Measures by the Chairman of the Antidiscrimination Measures and Human Rights Issues Committee

The Chairman of the Antidiscrimination Measures and Human Rights Issues Committee shall consult with the Committee on details of consultations and take necessary measures for

resolution of problems.

Procedures at Committee are as follows:

- (1) The Chairman of the Antidiscrimination Measures and Human Rights Issues Committee consults with the Antidiscrimination Measures and Human Rights Issues Committee on details of consultations, as well as making requests for factual confirmation and resolution of issues to the heads of the related departments, etc. while noting privacy protection and prevention of secondary damage, and requests reporting on the results thereof.
- (2) Heads of departments, etc. shall report on measures and improvement measures taken for factual confirmation and resolution of issues to the Antidiscrimination Measures and Human Rights Issues Committee within two months. However, if there is an unavoidable reason, the investigation period may be extended.
- (3) The Antidiscrimination Measures and Human Rights Issues Committee shall deliberate on whether an issue has been resolved or not.
 - (i) When a problem is judged to have been resolved sufficiently, the Committee shall explain the results to the President, heads of the department, and consulters.
 - (ii) When factual confirmation etc. by the department is judged insufficient, the Committee will again request that the head of the department, etc. perform factual confirmation and resolution of issues.
 - (iii) When an issue is judged not to have been resolved, an Investigation Committee shall be established under the Antidiscrimination Measures and Human Rights Issues Committee.
- (4) When an Investigation Committee is established, the Investigation Committee shall interview both the consulter and the opposite party, and investigate all of the facts while noting privacy protection and prevention of secondary damage. When necessary, the Committee shall also interview the other parties concerned.
- (5) The Investigation Committee shall summarize the results of investigation within two (2) months and report on the results to the Chairman of the Antidiscrimination Measures and Human Rights Issues Committee promptly. However, if there is an unavoidable reason, the investigation may be extended for a reasonable period.
- (6) Based on the results of investigations by the Investigation Committee, the Antidiscrimination Measures and Human Rights Issues Committee shall deliberate on rescue from harassment or improvement measures for the environment, etc.
- (7) The Chairman of the Antidiscrimination Measures and Human Rights Issues Committee shall report to the President on the results of deliberations at the Committee meetings.

6. Consultations on rescue and environmental improvement measures

The Chairman of the Antidiscrimination Measures and Human Rights Issues Committee shall discuss with the President and the head of the related department, etc. rescue from harassment or environmental improvement measures, etc. Furthermore, the Chairman shall explain the results of discussions to the consulter.

VII Protection and rescue of persons victimized by harassment

The University shall strive to protect and rescue persons who are victimized by harassment by the following methods:

1. When a victim is a student

When a victim of harassment is a student, the University takes measures of change of dissertation advisor, etc. or replacement of a subject to study, and makes efforts to respond to the request as fully as possible.

2. When a victim is a worker

When a victim of harassment is a worker, the University strives to take measures to improve the education and research environment and the work environment.

3. Care for psychological harm

In the case of suffering mental damage due to harassment, at the responsibility of the University, care such as expert counseling, etc. shall be provided.

VIII Handling of Persons who Conduct Harassment

1. Swift and strict handling

Based on the results of swift and proper investigations, the University shall take a strict stance against harassment assaulters.

2. Handling of revenge act

Acts of revenge by the harassment assaulter to harassment victims will be handled severely.

IX Handling of Persons who Conduct Harassment and Threatening Acts

1. Handling of acts by a third party

If there is harassment or threats, etc. against workers or students who consult on harassment by other workers or students, handling shall be severe.

2. Consideration of safety for workers who are engaged in the harassment-related services

The University shall take possible and proper measures so that no harassment or threatening act will be made against workers who are engaged in business relevant to prevention, etc. of harassment by other workers or students, etc.

X Other

1. Handling of false petitions, etc.

Persons who perpetrate false motions or testimonies in consultations and interviews on harassment will be subject to disposition under the School Regulations, etc.

2. Handling of persons who leave the school or workplace

Even if a person who is considered to have committed harassment has already left the school or workplace, the University will still strive to confirm the facts and conduct proper handling, to the extent possible.

3. Report on summary of harassment consultations

For each school year, the Chairman of the Antidiscrimination Measures and Human Right Issues Committee shall report on a summary of harassment consultations (number of consultation cases, number of complaint motions, details and measures thereof, etc.) to the Antidiscrimination Measures and Human Rights Issues Committee. In reporting the maximum effort shall be made so that individuals will not be

identified.

4. Examples of harassment

Examples of speech and behavior that may constitute harassment will be given in attached materials.

5. Review of Guidelines

These Guidelines shall be reviewed when necessary.

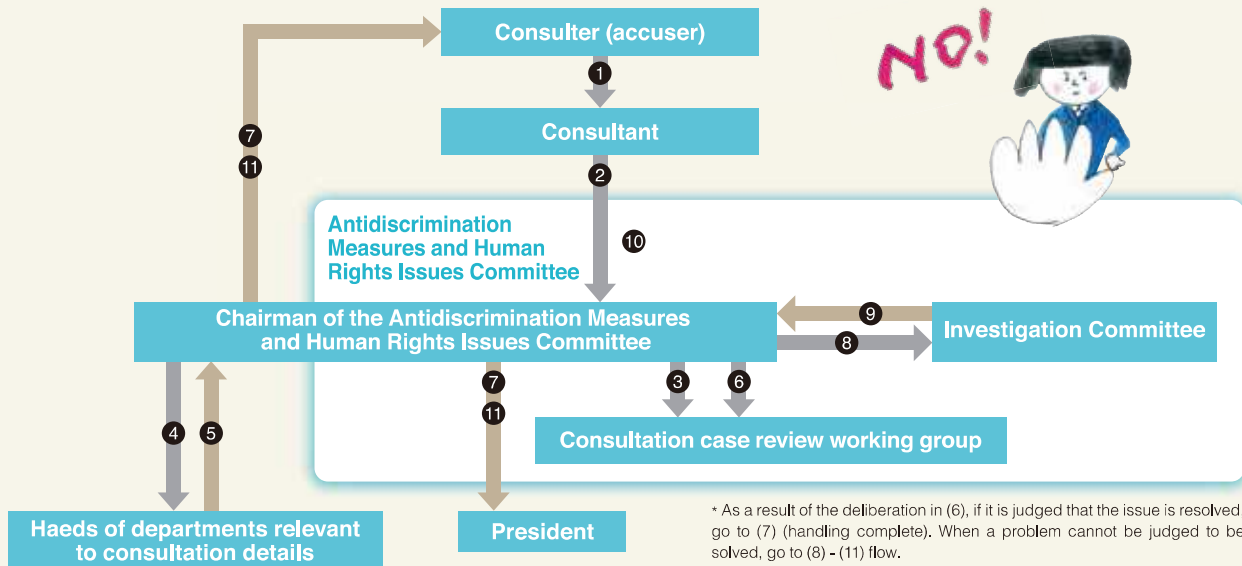
Harassment Consultations and Handling Flow Figure

Consultations Windows are established to handle harassment consultations at Kumamoto University. At Consultation Windows, harassment consultants will respond to consultations.

- *If you cannot go directly to a Consultation Window, consultations via telephone, fax or email is also possible. (Anonymous is possible. However, in anonymous cases, sometimes handling may be difficult.)
- *The privacy of the consuler and secrets of details of consultation will be kept.
- *You will not be disadvantaged due to the fact that you hold consultations on harassment.

Cases of Harassment Excluding Sexual Harassment

(1) When a report is received from a consultant to the Chairman of the Antidiscrimination Measures and Human Rights Issues Committee



* As a result of the deliberation in (6), if it is judged that the issue is resolved, go to (7) (handling complete). When a problem cannot be judged to be solved, go to (8) - (11) flow.

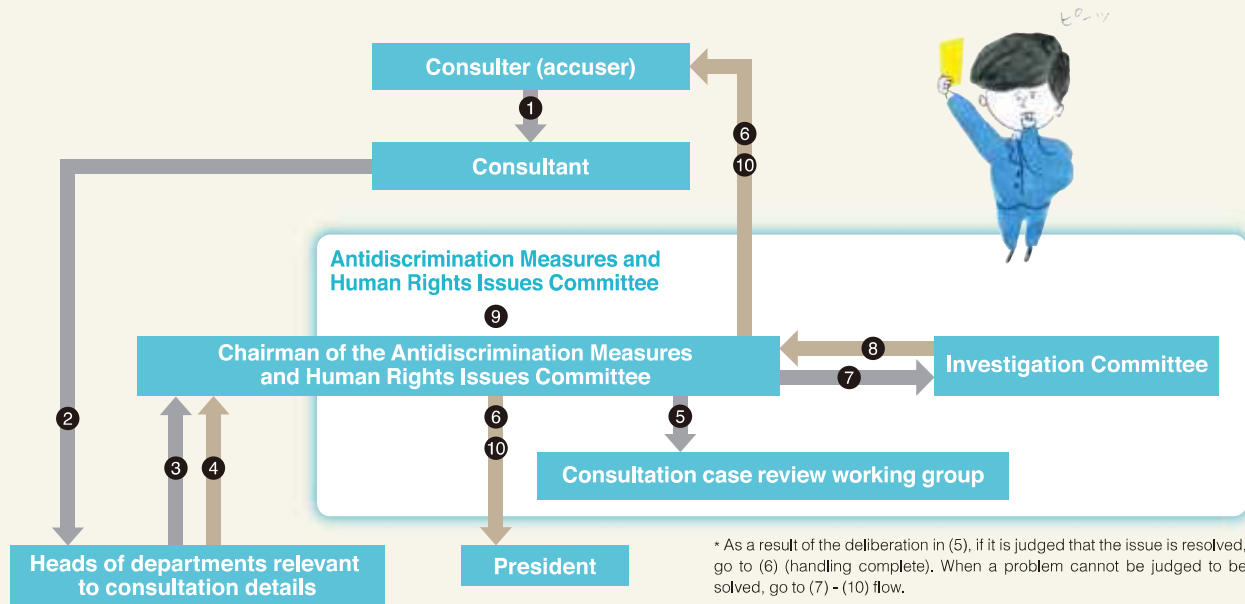
- ① Consuler consults the consultant.
- ② The consultant reports the Chairman of the Antidiscrimination Measures and Human Right Issues Committee (the "Chairman") with the consent of the consuler.
- ③ The Chairman consults consultation case review working group ("WG") when receiving a report from a consultant.
- ④ The Chairman requests confirmation of facts and necessary measures for resolution of problems relating to the contents of complaints to the haeds of departments, etc. relevant to consultation details.
* However, if a complaint consultation concerns the speech or behavior of a head of a department, etc. or in any other case the WG judges necessary, handling will be reviewed by the Antidiscrimination Measures and Human Rights Issues Committee.
- ⑤ Haeds of departments, etc. strive to confirm the facts and resolve problems relating to complaint consultations, and report on the results thereof to the Chairman within two months, in principle. However, if there is an unavoidable reason, the relevant period may be extended for a reasonable period.
- ⑥ The Chairman consults on results reported by the head of department, etc. to WG, and deliberates on the results of measures for the problem.

As a result of deliberations,

if the problem is judged resolved

- ⑦ The Chairman reports on the results of deliberations to the President, and based on the results of deliberations, consults on improvement measures with the President and the related head of department, etc. and explains the results to the consuler.
- if the problem is not judged resolved*
- ⑧ The Chairman establishes an Investigation Committee to conduct factual surveys on complaint consultation details.
- ⑨ The Investigation Committee investigates the facts and summarizes the results of investigation within two months and reports to the Chairman. However, if there is an unavoidable reason, the investigation period may be extended.
- ⑩ When receiving the report from the Investigation Committee, the Chairman shall consult the Antidiscrimination Measures and Human Rights Issues Committee and deliberate on improvement measures, etc.
- ⑪ The Chairman reports on the results of deliberations to the President, and based on the results of deliberations, consults on improvement measures with the President and the related head of department, etc. and explains the results to the consuler.

(2) When a report is made from a consultant to the head of the departments



- 1 Consulter consults the consultant.
- 2 When the consent of the consulter has been obtained, the consultant will report on the details of consultation to the head of the department, etc. in relation to the complaint consultation details.
- 3 When receiving report from a consultant, the head of department, etc. reports the Chairman of the Antidiscrimination Measures and Human Right Issues Committee (the "Chairman") to that effect promptly.
- 4 Heads of departments, etc. strive to confirm the facts and resolve problems relating to complaint consultations, and report on the results thereof to the Chairman within two months, in principle. However, if there is an unavoidable reason, the relevant period may be extended for a reasonable period.
- 5 The Chairman consults on results reported by the head of department, etc. to WG, and deliberates on the results of measures for the problem.
As a result of deliberations,
if the problem is judged resolved
- 6 The Chairman reports on the results of deliberations to the President,

- and based on the results of deliberations, consults on improvement measures with the President and the related head of department, etc. and explains the results to the consulter.
- if the problem is not judged resolved*
- 7 The Chairman establishes an Investigation Committee to conduct factual surveys on complaint consultation details.
 - 8 The Investigation Committee investigates the facts and summarizes the results of investigation within two months and reports to the Chairman. However, if there is an unavoidable reason, the investigation period may be extended.
 - 9 When receiving the report from the Investigation Committee, the Chairman shall consult the Antidiscrimination Measures and Human Rights Issues Committee and deliberate on improvement measures, etc.
 - 10 The Chairman reports on the results of deliberations to the President, and based on the results of deliberations, consults on improvement measures with the President and the related head of department, etc. and explains the results to the consulter.

Examples of harassment

Speech or behavior based on lighthearted feelings may cause another person to feel uncomfortable. If attention is not paid, anyone can be the victim or assaulter.

Even the speech or behaviors not exemplified below could constitute harassment



Examples of sexual harassment

Sexual harassment constitutes any unwelcome behavior of a sexual nature. What a behavior constitutes sexual harassment or not is determined by whether the person at whom the act is directed feels uncomfortable.

- (1) Based on sexual interests and demands
 - Unwelcome leering.
 - Unnecessary physical contact.
 - Remarks about bodily features, including the asking of someone's measurements.
 - Asking a woman who seems to be feeling poorly whether she is having a period or whether she is already in menopause, etc.
 - Asking about sexual experiences and sex life.
 - Spreading sexual rumors, sexual innuendo or teasing.
 - Making obscene phone calls, sending sexually-explicit letters or e-mails.

- Making indecent jokes.
 - Intentionally showing indecent photographs or openly reading indecent articles in magazines, etc.
 - Displaying indecent pictures on the computer monitor.
 - Persistent invitations to a meal or a date.
 - Providing unneeded individual guidance.
 - Forcing sexual relations.
 - Forcing someone to join on a business trip, calling someone unnecessarily to the hotel room during a business trip.
 - Forcing transportation to and from home.
 - Stalking, especially to someone's home.
- (2) Based on gender discrimination
- Saying "you have no guts even though you're a man," and "I can't let a woman take over the job" etc.
 - Referring to an adult with a disrespectful address, such as boy, girl, kid, my little man, young lady, old man, old lady.
 - Forcing a duet when singing karaoke.
 - Forcing someone to serve tea, clean the room, do subordinate work or do errands just because the person is a woman.
 - Unfairly underestimating someone's work and research accomplishments just because the person is a woman.
 - Forcing someone to be seated close to his/her supervisor or boss, and forcing someone to pour drinks and dance cheek-to-cheek at parties.

Examples of academic harassment

If guidance on education or researches mainly conducted by teaching staff to students is conducted deviating from the necessary and proper scope, it may be judged harassment. If there is a proper reason such as giving a strict warning or guidance to ensure safety in experiments, etc., that does not fall under harassment.

- (1) Speech or behavior related to the status of students
- (i) Interference in graduation, completion, or promotion to next grade
 - Not giving credits unfairly
 - (ii) Interference in recruiting and going onto higher grade
 - (iii) Compelling assignment to a particular seminar or research lab unilaterally
- (2) Speech and behavior relevant to guidance on study and research
- (i) Compelling study and research plans against the desires of the subject person
 - (ii) Forcibly pushing research themes unilaterally
 - (iii) Exploiting research results
 - Not including students who make major contributions to research as authors
 - Writing a paper using ideas of students as one's own
 - (iv) Neglecting obligations of guidance and discrimination in guidance
 - Not giving necessary research guidance or advice
 - Prohibition of asking a third party to teach experimental methods
 - Complete prohibition of consulting with third parties on research

- (v) Interference of study and research activities
 - Not allowing to use books, drawings, equipment, etc. without just cause
 - Prohibiting entry to a research lab without just cause
 - Making only one individual clean or organize operations without just cause
 - (vi) Compelling guidance in inappropriate environments
 - Compelling guidance late at night or holidays unnecessarily, experiments all night or holidays
 - Making length of seminars or training courses extremely long without just cause
 - (vii) Compelling clothing, etc.
 - Compelling clothing or behavior on students that is not desired by them, without just cause
- (3) Mental abuse, defamation and slander, discrimination, etc.
- (i) Mental abuse, defamation and slander
 - Speech or behavior that is harmful to students
 - Spreading false rumors
 - Distributing documents with slander and defamation
 - (ii) Discrimination
 - Discriminating against specific students, foreign students, auditors, etc.
 - Giving nicknames without respect for character
- (4) Compelling violent or improper acts, etc.
- (i) Violent acts
 - Causing mental and physical violence (including drinking sessions)
 - (ii) Compelling improper or illegal acts
 - Compelling fabrication or alteration of research data, improper use of research funds, etc.
- (5) Privacy invasion
- Attempting to find out about private details beyond what is necessary
 - Attempting to intervene in private matters

Examples of power harassment

If work-related instruction, etc. to workers is conducted deviating from the necessary and proper scope, it may be judged harassment. If there is proper reason, work-related instructions, etc. will not fall under harassment.

- (1) Speech or behavior related to the status of workers
- (i) Compelling relocation, etc.
 - Compelling transfer to another workplace, job change or resignation without just cause
 - Ordering to choose either marriage or the workplace.
 - Compelling entry into a situation where there is no recourse but resignation
- (2) Speech and behavior relevant to conduct of business
- (i) Disregarding individuality, committing mental abuse, slander and defamation
 - Insistently interrogating a worker about small errors
 - Severely reprimanding in presence of numerous others
 - Speaking or behaving to harm personality and dignity
 - Spreading false rumors
 - Distributing documents with slander and defamation

Examples of harassment

(ii) Unilaterally compelling

- Not allowing persons to have different opinions and denying opinions of others without listening
- Compelling others to follow one's own rules from experience
- Relegating one's responsibilities to subordinates
- For the worker against whom a complaint is made by an outsider, compelling an apology even though the worker is blameless
- Compelling transfer of research lab or experimental room, etc. without just cause
- Compelling working late at night or holidays

(iii) Compelling improper or illegal acts

- Compelling fabrication or alteration of ledger or report
- Having a person without qualifications engage in work

(vi) Act of discrimination

a. Discrimination in work

- Interfering with research activities
- Not allowing to use books, drawings, equipment, etc. without just cause
- Prohibiting entry to a research lab without just cause
- Restricting use of research lab, experimental room, etc. without just cause
- Restricting only one person to the use of research funds without just cause
- Restricting only one person to bear burden of work without just cause
- Not giving work without just cause
- Not providing information necessary for work
- Requesting preparation of materials unnecessarily without proper instructions
- Prohibiting giving research instruction to students
- Complete prohibition of consulting with third parties on research
- Not allowing medical treatment without just cause

b. Organizational discrimination

- Remaining silent
- Not explaining even when asked about how to handle work
- Not including in a group

(v) Exploiting research results

- Not including workers who make major contributions to research as authors
- Writing a paper using ideas of others as one's own

(3) Violent acts

- Causing mental and physical violence (including drinking sessions)

(4) Privacy invasion

- Attempting to find out about private details beyond what is necessary
- Attempting to intervene in private matters

(5) Abuse of power or status

- "Abuse of power or status" means a case where a superior places tangible or intangible pressure on subordinates in deviation from the proper scope involving matters not relevant to work or even things involving work using work authority.
- Using status at work to use language that disregards a person's individuality
 - Isolating a subordinate inside the workplace
 - Risking health of subordinates by imposing too great a workload
 - Committing a verbal assault or actual assault such as jeering in front of colleagues
 - Threatening subordinates using work status
 - Engaging in speech or behavior harmful to the credibility of subordinates
 - Compelling attendance at drinking parties, etc. outside working hours
 - Compelling having a private relationship using work as a pretext
 - Compelling escorting

Harassment consultation

Harassment counselors are available to help with harassment problems, and the victim's privacy will be strictly protected. Information about counselors is provided on the website of Kumamoto University. (You may consult with a counselor from any academic department.) <http://www.kumamoto-u.ac.jp/daigakuseikatsu/soudanmadoguchi/harassment>

**For more information,
please refer to the Kumamoto University website.**



SEARCH

熊本大学 ハラスメント相談



Kumamoto University
aims for an enjoyable
campus life.



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