

Rules on the Prevention, etc., of Harassment at Nagasaki University

(Purpose)

Article 1 The purpose of these Rules is to provide for necessary matters concerning measures to prevent and exclude harassment at Nagasaki University (hereinafter, “University”) and to deal properly with problems arising from harassment, and thereby to contribute to the maintenance and improvement of the environment for education and research at the University.

(Definition)

Article 2 In these Rules, the terms listed in the following items shall be defined respectively as therein:

- (1) Members Employees, etc., and Students, etc.;
- (2) Employees, etc. Employees, dispatched workers and other persons working at the University;
- (3) Students, etc. Students, pupils, school children, subjects, etc., learning students, research students, and other persons learning at the University;
- (4) Concerned Persons Guardians of Students, etc., concerned vendors, and other persons with a connection to work or learning at the University;
- (5) Harassment Collective term including sexual harassment; academic harassment; so-called “power harassment” (harassment by superiors); harassment regarding pregnancy, childbirth, or matters associated with pregnancy or childbirth (hereinafter, “Harassment regarding Pregnancy, Childbirth, Etc.”); harassment regarding child-care leave, nursing-care leave, or matters associated with child care and family nursing care (hereinafter, “Harassment regarding “Child-Care Leave, Etc.”); and other kinds of harassment;
- (6) Sexual Harassment Sexual speech or behavior by which Members cause other Members or Concerned Persons to feel offended or by which Concerned Persons cause Members to feel offended;
- (7) Academic Harassment Interference or abuse by Members of other Members relating to educational guidance or research activities, making improper use of their authority relating to education or research;
- (8) Power Harassment Acts of speech or behavior that Members in superior

positions carry out in their relationships with other Members by taking advantage of their superiority and that are beyond the scope of operational necessity and appropriateness so that the workplace environments of said other Members or Concerned Persons are damaged;

- (9) Harassment regarding Pregnancy, Childbirth, Etc. Acts of speech or behavior regarding pregnancy, childbirth, or matters associated with pregnancy or childbirth, by which Members damage the work environment of the pertinent Member;
- (10) Harassment regarding “Child-Care Leave, Etc. Acts of speech or behavior regarding child-care leave, nursing-care leave, or matters associated with child care and family nursing care, by which Members damage the work environment of the pertinent Member;
- (11) Other Kinds of Harassment Inappropriate acts of speech or behavior other than set forth in item 6 to the preceding item;
- (12) Prevention, etc., of Harassment Measures to prevent and exclude harassment and to deal properly with problems arising from harassment;
- (13) Problems Arising from Harassment Situations in which the working environment of Employees, etc., or the learning environment of Students, etc., is impaired by harassment or in which Employees, etc., receive disadvantages relating to work, or Students, etc., receive disadvantages relating to learning arising from their response to harassment;
- (14) Consultation of Complaint Submission and consultation of a complaint regarding harassment
- (15) Conciliation Assistance so that problems arising from harassment pertaining to Consultations of Complaints are settled by the agreement of both parties concerned;
- (16) Urgent Response Taking stopgap measures, taking into account the position in education, research or employment and the mental and physical condition of the consulting person, and so on
- (17) Divisions, etc. Headquarters, etc. set forth in Articles 31-2 to 31-5 of the Basic Rules of the National University Corporation Nagasaki University (Rule No. 1 of

2004), Organizations for Education and Research set forth in Articles 33 to 35 and Articles 38 to 40-11 of said Basic Rules, Institutes set forth in Article 46 of said Basic Rules, and the Secretariat.

(Obligation of Members)

Article 3 Members must not commit Harassment.

(Obligation of Supervisors, etc.)

Article 4 Persons in a position to supervise Employees, etc., and persons in a position to guide Students, etc. (hereinafter, "Supervisors, etc.") shall make efforts to prevent and exclude Harassment by carrying out the actions listed in the following, and shall, if Problems Arising from Harassment occur, deal with them promptly and properly.

(1) To call attention to and deepen the recognition of Harassment by Employees, etc., and Students, etc., by means of guidance, etc., through day-to-day work;

(2) To ensure that Harassment or Problems Arising from Harassment do not occur in workplaces, etc., by paying sufficient attention to the speech and behavior of Employees, etc., and Students, etc.

(Obligations of Head of Divisions, etc.)

Article 5 Heads of Divisions, etc., shall make efforts in dealing properly with Harassment by, for example, providing guidance to and supervision of Employees, etc., as well as guidance to Students, etc., in connection with the prevention of Harassment in the Division, etc.

2 If requested pursuant to the provisions of paragraph 4 of Article 8, a head of a Division, etc., shall carry out research to confirm facts pertaining to the Consultation of Complaint in question by ordering the establishment of a Harassment Prevention Committee in the faculty, etc., as set forth in paragraph 1 of Article 17, or a research committee based on the request in question or by other appropriate means.

3 When a head of a Division, etc., completes the research under the preceding paragraph he/she shall report the results of the research promptly to the Harassment Prevention Committee set forth in Article 7 (hereinafter, "University Committee").

(Obligations of the President)

Article 6 The President shall control the prevention, etc., of Harassment at the

University on an integral basis.

- 2 Based on the report of confirmation of facts by the University Committee pursuant to the provision of paragraph 5 of Article 8, the President shall take necessary measures for the prevention, etc., of Harassment.

(Establishment of a University Committee)

Article 7 The University shall have a Harassment Prevention Committee.

(Roles of the University Committee)

Article 8 The University Committee shall research and deliberate the matters listed below:

- (1) matters on regulations, etc., and other specific measures for the prevention, etc., of Harassment;
- (2) matters on the planning of seminars and enlightenment activities for the prevention, etc., of Harassment;
- (3) other matters necessary for the prevention, etc., of Harassment.

- 2 If the University Committee receives a report pursuant to the provisions of paragraph 2 of Article 20 to the effect that a consulting person desires conciliation, the University Committee shall appoint a conciliator from among the committee members and perform the conciliation.
- 3 If the University Committee receives a report pursuant to the provisions of paragraph 2 of Article 20 to the effect that a consulting person requests its involvement but does not desire conciliation, or if the conciliation under the preceding paragraph is unsuccessful and the consulting person so desires, the University Committee shall confirm the facts. In this case, if the University Committee considers that research is necessary to confirm the facts, a research committee may be established in the University Committee.
- 4 If the University Committee considers that research by concerned Divisions, etc., is necessary to confirm the facts set forth in the preceding paragraph, the University Committee shall request the heads of the concerned Divisions, etc., to carry out the research.
- 5 When the conciliation or the confirmation of facts is completed, the University Committee shall report the same to the President.

(Organization of University Committee)

Article 9 The University Committee shall comprise the following committee members:

- (1) Trustees, the Vice President, and Special Aides to the President or Aides to the President who are appointed by the President;
- (2) Directors, Professors or Associate Professors at the Center for Health and Community Medicine;
- (3) One Professor, Associate Professor, full-time Senior Assistant Professor or Assistant Professor who is elected from each of the respective faculties (excluding School of Engineering), the Graduate School of Global Humanities and Social Sciences, the Graduate School of Engineering, the Graduate School of Fisheries Science and Environmental Studies, the Graduate School of Biomedical Sciences, the Institute of Tropical Medicine, the Atomic Bomb Disease Institute and the University Hospital;
- (4) One Professor, Associate Professor, full-time Senior Assistant Professor or Assistant Professor who is elected from the University Collaborative Education and Research Facilities;
- (5) One Professor, Associate Professor, full-time Senior Assistant Professor or Assistant Professor who is elected from each institute;
- (6) The Director of the Management and Accounting Department and the Director of the Student Support Department;
- (7) Other persons who are deemed necessary.

2 Committee members shall be appointed by the President.

(Committee Chairperson and Vice-Committee Chairperson)

Article 10 The University Committee shall have a Chairperson, who is to be appointed from among committee members under item 1, paragraph 1 of the preceding Article.

- 2 The Chairperson shall convene a meeting and serve as a Chairperson for the meeting.
- 3 The University Committee shall have Vice-Chairpersons who are to be appointed from among committee members by the Chairperson.
- 4 The Vice-Chairpersons shall assist the Chairperson and shall perform the duties of

the Chairperson on his/her behalf when the Chairperson is unavailable.

(Term of Office of Committee Members)

Article 11 The term of office of committee members under items 3 to 5 and 7 of paragraph 1 of Article 9 shall be two years: provided, however, that they may be re-appointed.

2 The term of office of successors to the committee members under items 3 to 5 and 7 of paragraph 1 of Article 9 shall be the remaining term of their predecessors.

(Meetings)

Article 12 No meeting of the University Committee shall be held unless a majority of the committee members are present.

2 Proceedings at a meeting of the University Committee shall be decided by a majority of the committee members present. If ayes and noes are in parity, the chairperson shall decide.

(Hearing of Opinions)

Article 13 If the Chairperson deems it necessary, he/she may have persons other than the committee members be present at the meeting and seek opinions from such persons.

(Presence of Concerned Employees)

Article 14 If necessary, the Chairperson may have concerned Employees be present at meetings of the University Committee.

(Report to the President)

Article 15 If necessary, the Chairperson shall report the situation of deliberations at the University Committee to the President.

(Office Work of the University Committee)

Article 16 Office work of the University Committee shall be processed by the Personnel Division of the Management and Accounting Department with the assistance of the Student Support Division of the Student Support Department.

(Harassment Prevention Committee in Faculties, etc.)

Article 17 A committee for the prevention, etc., of Harassment shall be established in the respective faculties, the Graduate School of Global Humanities and Social Sciences, the Graduate School of Engineering, the Graduate School of Fisheries

Science and Environmental Studies, the Graduate School of Biomedical Sciences, the Institute of Tropical Medicine, the Atomic Bomb Disease Institute, the University Hospital, and other institutes (hereinafter, “Faculties, etc.”).

- 2 The necessary matters for a committee established in Faculties, etc., shall be specified separately by the respective Faculties, etc.

(Consultants)

Article 18 For the purpose of dealing with Consultations of Complaints from Members and Concerned Persons, Bunkyo District, Katafuchi District and Sakamoto District shall have two or more consultants, respectively.

- 2 When appointing consultants under the preceding paragraph, the President shall ask the heads of the concerned Divisions, etc., of the district in question to recommend suitable persons and shall appoint consultants as set forth in the preceding paragraph from among such suitable persons.

- 3 The President shall disseminate the full name of and method to contact consultants (including counsellors set forth in paragraph 1 of the next Article) and other matters necessary for Consultations of Complaints at the University in a suitable manner.

(Counsellors)

Article 19 The University may have counsellors for the purpose of dealing with Consultations of Complaints from Members and Concerned Persons from a professional point of view.

- 2 Counsellors shall be appointed or commissioned by the President.

(Obligations of Consultants and Counsellors)

Article 20 Consultants and counsellors shall deal with Consultations of Complaints sincerely, provide guidance and advice necessary to settle problems, and make efforts to settle problems properly and promptly.

- 2 If a counsellor or consultant receives a Consultation of Complaint, he/she shall report it to the Chairperson or the Vice-Chairperson on each occasion using the form prescribed. In this case, if the consulting person requests the involvement of the University Committee, the consultant or counsellor shall check whether or not the consulting person desires conciliation and also report the matter.

- 3 When dealing with a Consultation of Complaint, consultants, counsellors,

committee members of the University Committee and so on shall respect the privacy, honor and other human rights, etc., of the Concerned Person pertaining to the Consultation of Complaint in question and shall not leak any confidential matter which they come to know to any third party.

(Emergency response)

Article 21 If the Chairperson or a Vice-Chairperson receives a report pursuant to the provisions of paragraph 2 of Article 20 to the effect that a consulting person desires the involvement of the University Committee, he/she shall report the same to the Trustee in charge of education and or the Trustee in charge of personnel affairs and request a study into the need for an emergency response.

2 Notwithstanding the provisions of the preceding paragraph, even if the consulting person does not desire the involvement of the University Committee, if the Chairperson or Vice-Chairperson deems it necessary to study the need for an emergency response, the Chairperson or Vice-Chairperson shall handle the matter in the same manner as set forth in the preceding paragraph.

3 A Trustee who is requested pursuant to the provisions of the preceding two paragraphs shall discuss the need for an emergency response with the head of the concerned Division, etc., and, if the emergency response is considered necessary, shall take necessary measures such as making a request for an emergency response to the head of the Division, etc., fully respecting the desire of the consulting person.

(Consultations of Complaints)

Article 22 Members and Concerned Persons may submit a Consultation of Complaint to a consultant or counsellor of their choice.

(Prohibition of Disadvantageous Treatment)

Article 23 The President, heads of Divisions, etc., Supervisors, etc., and other Employees shall not treat a Member or Concerned Person who has submitted a complaint of Harassment, has cooperated with research into a complaint in question, or has otherwise responded to Harassment fairly, in a disadvantageous manner by reasons thereof.

(False Consultation of Complaint, etc.)

Article 24 Members or Concerned Persons shall not submit false Consultations of

Complaints or testimonies in connection with Harassment with malicious intent.

- 2 If the President judges that the honor of a person who is alleged to have committed Harassment by a false Consultation of Complaint or testimony with malicious intent has been seriously damaged thereby, the President shall take necessary measures and make efforts to recover the honor of said person.

(Mutatis Mutandis Application)

Article 25 The provisions of Article 20 shall apply mutatis mutandis to consultants, counsellors and intakers of the Student Nandemo Consulting Office. In this case, reports to the Chairperson or a Vice-Chairperson shall be made by way of the Director of the Student Nandemo Consulting Office and the Trustee in charge of education.

(Additional Provisions)

Article 26 In addition to the matters provided for in these Rules, matters necessary for the prevention, etc., of Harassment shall be prescribed separately.

Supplementary Provisions

These Rules shall come into effect as of April 1, 2004.

Supplementary Provisions (Rule No. 25 of March 31, 2005)

These Rules shall come into effect as of April 1, 2005.

Supplementary Provisions (Rule No. 16 of March 28, 2006)

These Rules shall come into effect as of April 1, 2006.

Supplementary Provisions (Rule No. 40 of October 11, 2006)

These Rules shall come into effect as of October 11, 2006.

Supplementary Provisions (Rule No. 49 of December 22, 2006)

These Rules shall come into effect as of December 22, 2006.

Supplementary Provisions (Rule No. 1 of January 26, 2007)

These Rules shall come into effect as of April 1, 2007.

Supplementary Provisions (Rule No. 25 of May 1, 2007)

These Rules shall come into effect as of May 1, 2007.

Supplementary Provisions (Rule No. 26 of May 22, 2007)

These Rules shall come into effect as of May 22, 2007.

Supplementary Provisions (Rule No. 33 of March 31, 2008) extracted

1 These Rules shall come into effect as of April 1, 2008.

Supplementary Provisions (Rule No. 42 of August 6, 2008)

These Rules shall come into effect as of August 6, 2008.

Supplementary Provisions (Rule No. 11 of March 31, 2009)

These Rules shall come into effect as of April 1, 2009.

Supplementary Provisions (Rule No. 23 of March 31, 2010)

These Rules shall come into effect as of April 1, 2010.

Supplementary Provisions (Rule No. 11 of March 28, 2011) extracted

1 These Rules shall come into effect as of April 1, 2011.

2 The term of office of the first committee members selected from the Graduate School of Engineering and the Graduate School of Fisheries and Environmental Sciences pursuant to the provisions of item 3, paragraph 1, Article 9 of the Rules on the Prevention, etc., of Harassment at Nagasaki University after the amendment shall be until March 31, 2012, notwithstanding the provisions of paragraph 1, Article 11 of said Rules.

Supplementary Provisions (Rule No. 24 of March 31, 2011)

These Rules shall come into effect as of April 1, 2011.

Supplementary Provisions (Rule No. 31 of June 1, 2011) extracted

1 These Rules shall come into effect as of June 1, 2011.

Supplementary Provisions (Rule No. 5 of March 26, 2013) extracted

1 These Rules shall come into effect as of April 1, 2013.

Supplementary Provisions (Rule No. 37 of September 27, 2013)

These Rules shall come into effect as of October 1, 2013.

Supplementary Provisions (Rule No. 22 of August 28, 2015)

These Rules shall come into effect as of September 1, 2015.

Supplementary Provisions (Rule No. 12 of March 29, 2016) extracted

1 These Rules shall come into effect as of April 1, 2016.

Supplementary Provisions (Rule No. 29 of August 2, 2016)

These Rules shall come into effect as of August 2, 2016.

Supplementary Provisions (Rule No. 35 of October 18, 2016)

These Rules shall come into effect as of October 18, 2016.

Supplementary Provisions (Rule No. 44 of December 27, 2016)

These Rules shall come into effect as of January 1, 2017.

Supplementary Provisions (Rule No. 9 of March 28, 2017) extracted

- 1 These Rules shall come into effect as of April 1, 2017.

Supplementary Provisions (Rule No. 45 of December 26, 2017)

These Rules shall come into effect as of January 1, 2018.

Supplementary Provisions (Rule No. 14 of March 27, 2018)

These Rules shall come into effect as of April 1, 2018.

Supplementary Provisions (Rule No. 34 of June 26, 2018) extracted

- 1 These Rules shall come into effect as of July 1, 2018.

Supplementary Provisions (Rule No. 15 of March 29, 2019) extracted

- 1 These Rules shall come into effect as of April 1, 2019.

Supplementary Provisions (Rule No. 33 of May 13, 2020)

These Rules shall come into effect as of June 1, 2020.

Supplementary Provisions (Rule No. 44 of June 30, 2020)

These Rules shall come into effect as of July 1, 2020.