

Regulations on Disciplinary Actions for Nagasaki University Employees  
(Purpose)

Article 1 These Regulations shall, based on Article 42 of the Rules of Employment for Nagasaki University Employees (Rule No. 44 of 2004: hereinafter, “Rules”) and Article 61 of the Rules of Employment for Nagasaki University Mariners (Rule No. 48 of 2004: hereinafter, “Mariners’ Rules”), provide for necessary matters relating to disciplinary actions for Employees working at Nagasaki University (hereinafter, “University”).

(Reason for Disciplinary Actions)

Article 2 If an Employee falls under any of the following items, the President may, after examination by the personnel affairs committee provided for in the Nagasaki University Personnel Affairs Committee Rules (Rule No. 36 of 2004) (hereinafter, “Personnel Affairs Committee”), take disciplinary actions against said Employee:

- (1) If the Employee is absent from work without justifiable reason and without advance notice;
- (2) If the Employee is not diligent in his/her work as shown by the fact that he/she often comes to the office late or leaves the office early without justifiable reason;
- (3) If the Employee causes damage to the University by willful misconduct or gross negligence;
- (4) If the Employee commits any criminal offense including theft, embezzlement or injury;
- (5) If the Employee seriously damages the honor or trust of the University;
- (6) If the Employee behaves improperly, or disturbs the order or morals of the University;
- (7) If the Employee declares his/her personal history fraudulently;
- (8) If the Employee commits an improper act in research activities;
- (9) If the Employee makes unauthorized use of research funds; or
- (10) If the Employee violates the Rules, the Mariners’ Rules or other regulations prescribed by the University or engages in any act similar to those of the foregoing.

(Types and Details of Disciplinary Actions)

Article 3 The types and details of disciplinary actions shall be as follows and shall

apply according to the details and situation of the case:

- (1) Reprimand The University shall caution the Employee in question in regard to his/her future conduct;
- (2) Salary cut The University shall cut the Employee's salary within the scope of half a day's average wage on one occasion and of one-tenth of the total salary for the month in total;
- (3) Suspension of coming to the office The University shall suspend the Employee's coming to the office for a period of one day or more and not exceeding 20 days, shall not allow the Employee to engage in his/her duties, and shall not pay salary for the period.
- (4) Suspension of work The University shall suspend the Employee's coming to the office for a period of one month or more and not exceeding 3 months, shall not allow the Employee to engage in his/her duties, and shall not pay salary for the period.
- (5) Dismissal under Instruction The University shall recommend the Employee to submit an application for resignation, provided that if the Employee does not accept such recommendation, the University shall dismiss him/her either by setting or without setting an advance notice period.
- (6) Disciplinary dismissal The University shall dismiss the Employee without setting an advance notice period and shall not pay a retirement allowance.

2 The period of suspension of coming to the office set forth in item 3 of the preceding paragraph and the period of suspension of work set forth in item 4 of said paragraph shall be calculated based on calendar days, and the starting date of calculation shall be the day immediately following the day on which the disposition in question becomes effective.

3 In the case where the University dismisses an Employee without setting the advance notice period pursuant to the provisions of items 5 and 6 of paragraph 1, and if the approval of the director of the competent labor standards office is obtained, the University shall not pay a dismissal advance notice allowance (which refers to the average wage for not less than 30 days that the employer is required to pay, as set forth in paragraph 1 of Article 20 of the Labor Standards Act (Act No. 49 of 1947)).

(Disciplinary Actions against University Education Staff)

Article 4 If disciplinary actions are taken against University Education Staff, an examination by the Education and Research Council set forth in Article 28 of the National University Corporation Nagasaki University Basic Rules (Rule No. 1 of 2004) shall be conducted after the examination by the Personnel Affairs Committee is completed.

(Determination of Disciplinary Actions)

Article 5 Disciplinary action to be taken shall be determined by comprehensively taking account of the matters set forth in Appended Table and in the following:

- (1) The manner in which the Employee committed the violating act, the extent of damage, and the degree of social significance, such as judicial trends;
- (2) The responsibility of the Employee who committed the violating act, the degree of his/her negligence, and the extent of disrepute, including any impact on his/her duties;
- (3) The specific circumstances of the Employee who committed the violating act, including his/her usual attitude toward work and habitual nature; and
- (4) Actions taken after the violating act.

2 In the case of a violating act which falls within item 10 of Article 2 and whose violation contents are not those listed in Appended Table, the disciplinary action shall be determined by referring to the corresponding actions listed in Appended Table and by comprehensively taking account of the matters listed in the items of the preceding paragraph.

3 In the case where a person who received disciplinary action in the past has committed a similar violating act, the degree of his/her disciplinary action shall be aggravated.

(Management and Supervisory Responsibility)

Article 6 In the case where disciplinary action has been taken against an Employee and the supervisor of that Employee falls within any of the following items, the President shall also take disciplinary action against the supervisor:

- (1) The supervisor failed to properly manage and supervise the Employee subject to disciplinary action; or

(2) Despite knowing the violating act of the Employee, the supervisor concealed or knowingly ignored the act concerned.

(Disciplinary Actions against Relevant Employees)

Article 7 In the case where disciplinary action has been taken against an Employee, and another Employee falls within any of the following items, the President shall also take disciplinary action against the latter:

- (1) The other Employee is found to have induced the violating Employee to commit the violating act in question, or to have aided and abetted the violating act; or
- (2) Despite knowing the violating act of the Employee, the other Employee concealed or knowingly ignored the violating act concerned.

As provided for in Appended Table (Exhibit)

(Exhibit)

Appended Table Example Standards of Disciplinary Actions

1. General Service

Violation	Details of Violation of Service Obligation	Standards of Disciplinary Actions					
		Disciplinary	Dismissal under Instruction	Suspension of work	Suspension of coming to the office	Salary cut	Reprimand
1. Absence from work	(1) Absent from work for not more than 10 days without justifiable reason					○	○
	(2) Absent from work for 11 days or more but not more than 20 days without justifiable reason			○	○	○	
	(3) Absent from work for 21 days or more without justifiable reason	○	○	○			
2. Lateness/Leaving early	Repetitively absent from work at the beginning or end of the working hours						○
3. False application for leave	Make a false application for sick leave, special leave or other leave requiring approval					○	○
4. Improper attitude toward work	Cause trouble in the management of operations, for example, by repetitively leaving the workplace or engaging in private matters during the working hours and thereby neglecting one's duties, or by disobeying a superior's orders in the execution of one's duties					○	○
5. Disturbance of order in the workplace	(1) Disturb the order in the workplace, for example, by committing violence or using abusive language against a superior or other Employee			○	○	○	○

	(2) Disturb the order in or debase the morals of the University by conducting political or religious activities, or other similar activities			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Falsification/ Fabrication	(1) Falsify an important part of one's personal history	<input type="radio"/>	<input type="radio"/>				
	(2) Fabricate a research paper, etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	(3) Fabricate facts and report false information			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Violation of confidentiality obligation	(1) Cause significant trouble in the management of operations by divulging confidential information that one comes to know in the course of his/her service	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	(2) In the case of (1), divulge confidential information for illegal personal gain.	<input type="radio"/>	<input type="radio"/>				
	(3) Cause significant trouble in the management of operations through leakage of occupational information due to neglect by disobeying specific orders or disregarding warnings to take information security measures.			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Collection of individuals' confidential information for unintended purposes	By abusing one's authority, collect documents, etc. containing individuals' confidential matters for exclusive use for a purpose other than one's duties					<input type="radio"/>	<input type="radio"/>
9. Unjust use of personal information	Use personal information that one comes to know in the course of one's service for unjust purposes, such as personal use to obtain one's own or any third party's benefit	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. Engagement in profit-making	Without permission, concurrently serve as an officer, etc. of a			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

businesses, etc.	profit-making company, etc., run a profit-oriented private company by oneself, or engage in a business, etc. for a consideration						
11. Sexual harassment	(1) Use sexual speech or behavior, such as indecent language, against other Employees, schoolchildren or pupils, etc. (which refer to infants, schoolchildren or pupils who are enrolled in the University; the same applies in 1 General Service of the table), students, etc. (which refer to students, non-degree students, research students, or others who learn at the University; the same applies hereinafter), or related parties, with the knowledge that such speech or behavior is against their will				○	○	○
	(2) Repeatedly use sexual speech or behavior, such as indecent language, against other Employees, schoolchildren or pupils, etc., students, etc., or related parties, with the knowledge that such speech or behavior is against their will			○	○	○	
	(3) Make the counterparty suffer from a mental disorder due to the accumulation of severe mental stress in (1) or (2)	○	○	○	○		
12. Academic bullying	Use one's power in education or research to interfere with or harass other Employees or students, etc. in relation to educational guidance or research	○	○	○	○	○	○

	activities, causing mental or physical harm to them						
13. Abuse of authority	Use speech or behavior that is based on a superior relationship and that is beyond the scope necessary and reasonable in the course of one's duties to cause mental or physical harm to other Employees, schoolchildren or pupils, etc. or students, etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14. Harassment related to pregnancy, childbirth, etc.	Use speech or behavior related to pregnancy, childbirth, or other relevant matters to worsen the working environment for other Employees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15. Harassment related to childcare leave, etc.	Use speech or behavior related to childcare leave, nursing care leave, or other matters related to raising children or caring for family members to worsen the working environment for other Employees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
16. Improper act in research activities	In the case where an improper act is reported as a result of an investigation based on the Regulations on Prevention of Improper Acts in Research Activities at Nagasaki University (Regulation No. 4 of 2009)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## 2. Matters Relating to the Handling of Money, Goods, etc. Belonging to the Corporation

Violation	Details of Violation of Service Obligation	Standards of Disciplinary Actions					
		Disciplinary	Dismissal under Instruction	Suspension of work	Suspension of coming to the office	Salary cut	Reprimand
1. Misappropriation	Misappropriate any money or goods belonging to the Corporation	<input type="radio"/>					
2. Stealing	Steal any money or goods belonging to the Corporation	<input type="radio"/>					
3. Obtaining by deception	Deceive another into providing any money or goods belonging to the	<input type="radio"/>					



	Corporation						
4. Loss	Lose any money or goods belonging to the Corporation						○
5. Theft	Cause any money or goods belonging to the Corporation to be stolen due to gross negligence						○
6. Damage to the Corporation's facilities, etc.	Deliberately damage the Corporation's facilities or property in the workplace					○	○
7. Fire/Explosion	Cause any of the Corporation's facilities or its property to ignite or explode in the workplace due to negligence						○
8. Illegal/Inappropriate payment and receipt of salary or other amounts	(1) Deliberately make an unjust payment of salary or other amounts in violation of laws or regulations					○	○
	(2) Unduly receive one's salary or other amounts, for example, by deliberately failing to provide notification, or making a false notification					○	○
9. Improper processing of the Corporation's money or goods	Improperly process the Corporation's money or goods that one stores, which includes, for example, the use of such money or goods for unintended purposes					○	○
10. Inappropriate use of computers	Cause trouble in the Corporation's operation by using a computer in the workplace for an inappropriate purpose not relating to one's duties					○	○
11. Unauthorized use of research funds	In the case where unauthorized use is reported as a result of an investigation based on the Regulations on Investigation, etc. on Unauthorized Use of Institutionally Managed Expenses of Nagasaki University (Regulation	○	○	○	○	○	○

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### 3. Matters Relating to Stakeholders, etc.

Violation	Details of Violation of Service Obligation	Standards of Disciplinary Actions					
		Disciplinary	Dismissal under Instruction	Suspension of work	Suspension of coming to the office	Salary cut	Reprimand
1. Lease of real property	Lease real property from stakeholders without any compensation			○	○		
2. Gift	Receive a gift of any money, goods or real property from stakeholders			○	○		
3. Loan of money, etc.	Receive a loan of any money, or a loan of goods without any compensation			○	○	○	○
4. Receipt of services	Receive services from stakeholders without any compensation			○	○	○	○
5. Receipt of unlisted stock	Receive unlisted stock from stakeholders			○	○	○	○
6. Wining and dining, business entertainment, etc.	(1) Receive wining and dining, or business entertainment from stakeholders			○	○	○	○
	(2) Receive wining and dining, business entertainment, or property benefits from business operators, etc. not falling within the category of stakeholder, beyond the scope of generally acceptable social interaction			○	○	○	○
7. Failure to submit reports	Fail to submit various reports, etc. set forth in the Regulations on Ethics for Nagasaki University Employees (Regulation No. 46 of 2004), or submit such reports, etc. with false details entered therein			○	○	○	○

### 4. Matters Relating to Misconduct

							Standards of Disciplinary Actions
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Violation	Details of Violation of Service Obligation	Disciplinary	Dismissal under Instruction	Suspension of work	Suspension of coming to the office	Salary cut	Reprimand
1. Arson	Start a fire	○					
2. Murder	Murder a person	○					
3. Infliction of bodily harm	Inflict bodily harm on another			○	○	○	○
4. Assault/Scuffle	Assault upon or scuffle with another, although not amounting to bodily harm			○	○	○	○
5. Damage to property	Deliberately damage another's property			○	○	○	○
6. Misappropriation	Misappropriate another's property in the possession of the misappropriating Employee (excluding the Corporation's money or goods)	○	○	○	○	○	○
7. Stealing/Robbery	(1) Take another's property	○	○	○			
	(2) Force another to hand over his/her property by using violence or threatening him/her	○					
8. Fraud/Blackmail	Force another to hand over his/her property by deceiving or blackmailing him/her	○	○	○			
9. Gambling	(1) Engage in gambling			○	○	○	○
	(2) Habitually gamble			○			
10. Possession, etc. of narcotics, etc.	Possess, use or transfer narcotics, cannabis, opium, stimulants, dangerous drugs, etc.	○					
11. Rude language, behavior, etc. due to intoxication	In a public place or on public transportation, use remarkably rude or disorderly words or actions that bring trouble to the public, due to being intoxicated					○	○
12. Nonconsensual indecency	Commit an indecent act by causing a person to be in a state of difficulty in forming, expressing, or fulfilling	○					

	his/her intention not to consent, or by taking advantage of his/her being in such a state						
13. Lewd act	Commit a lewd act on a person under 18 years old by providing money or other property benefits to him/her, or promising such provision to him/her, in consideration of such act.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>			
14. Molestation	Molest another			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

5. Sexual Violence against Schoolchildren or Pupils, etc. or Students, etc.

Violation	Details of Violation of Service Obligation	Standards of Disciplinary Actions					
		Disciplinary	Dismissal under Instruction	Suspension of work	Suspension of coming to the office	Salary cut	Reprimand
1. Sexual violence, etc. against schoolchildren or pupils, etc. (which refer to infants, schoolchildren, pupils, or persons under 18 years old enrolled in schools; the same applies in 5. Sexual Violence against Schoolchildren or Pupils, etc. or Students, etc. of the table)	(1) Engage in sexual intercourse with schoolchildren or pupils, etc. or cause them to engage in sexual intercourse	<input type="radio"/>					
	(2) Commit an indecent act against schoolchildren or pupils, etc. or cause them to commit an indecent act (excluding those listed in (1) above)	<input type="radio"/>					
	(3) Commit any act that falls under any of the crimes set forth in Article 182 of the Penal Code (Act No. 45 of 1907), Articles 5 to 8 of the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection of Children (Act No. 52 of 1999; hereinafter, the “Child Pornography Act”), or Articles 2 to 6 of the Act on Punishment of Acts of	<input type="radio"/>					

	<p>Photographing Sexual Postures, etc. and Erasure, etc. of Electromagnetic Records Pertaining to Images of Sexual Postures Recorded in Seized Property (Act No. 67 of 2023; hereinafter, the “Act on Punishment of Photographing Sexual Postures”) (limited to crimes related to schoolchildren or pupils, etc.) (excluding those listed in (1) and (2) above)</p>					
	<p>(4) Commit against schoolchildren or pupils, etc. any of the following acts (limited to those that have a harmful influence on the mind or body of schoolchildren or pupils, etc.) that significantly embarrass schoolchildren or pupils, etc. or make them feel uneasy, or cause them to commit such acts (excluding those listed in (1) to (3) above)</p> <p>(a) Touch over clothing or other items worn by a person or directly any of his/her sexual parts (which refer to sexual parts as specified in Article 2, paragraph 3, item (iii) of the Child Pornography Act) or any other body parts of the person</p> <p>(b) Photograph a person's underwear or body that is normally concealed by clothing, or point toward the person or set up a camera or other equipment for the</p>	○				

	purpose of photographing such underwear or body						
2. Sexual violence, etc. against students, etc.	Commit any act equivalent to those listed in (1) to (4) of 1	o					
<p>* With regard to sexual violence, etc. against schoolchildren or pupils, etc., it does not matter whether or not they give their consent or whether or not they are assaulted or threatened. Acts for which criminal penalties are not imposed may also fall under the category of sexual violence, etc. against schoolchildren or pupils, etc.</p> <p>* Examples of acts falling under (1) to (4) of 1 are as follows and include acts stipulated in Article 2, paragraph 3, items (i) to (iv) of the Act on Prevention of Sexual Violence against Schoolchildren and Students by Educational Personnel (Act No. 57 of 2021).</p> <p>(1) Crime of nonconsensual sexual intercourse as set forth in Article 177 of the Penal Code, an act of having a child commit an obscene act as set forth in Article 34, paragraph 1, item (vi) of the Child Welfare Act (Act No. 164 of 1947), or sexual intercourse, etc. prohibited under a juvenile protection ordinance or other applicable law</p> <p>(2) Crime of nonconsensual indecency as set forth in Article 176 of the Penal Code, an act of having a child commit an obscene act as set forth in Article 34, paragraph 1, item (vi) of the Child Welfare Act (excluding the cases specified in (1) above), or an indecent act prohibited under a juvenile protection ordinance or other applicable law</p> <p>(3) Any of the acts listed in (a) to (c) below</p> <p>(a) Demanding a person under 16 years old to meet (Article 182, paragraph 1 of the Penal Code), meeting such a person (paragraph 2 of the same article), or demanding such a person to provide an image showing his/her sexual posture (paragraph 3 of the same article; so-called “demanding a selfie, etc.”) for the purpose of obscenity</p> <p>(b) Intermediating child prostitution (Article 5 of the Child Pornography Act), soliciting child prostitution (Article 6 of the same Act), possessing or providing child pornography (Article 7 of the same Act), or committing trafficking in children for such purposes as child prostitution (Article 8 of the same Act)</p> <p>(c) Photographing sexual postures, etc. of schoolchildren or pupils, etc. (Article 2 of the Act on Punishment of Photographing Sexual Postures), providing sexual image records (Article 3 of the same Act) or storing sexual image records for the purpose of committing such act (Article 4 of the same Act), or transmitting images of sexual postures, etc. (Article 5 of the same Act) or</p>							

recording them (Article 6 of the same Act)  
 (4) Obscene act (so-called groping) prohibited under Article 3, item (i) of the Nagasaki Prefecture Ordinance on Prevention of Troubles (Nagasaki Prefecture Ordinance No. 59 of 1963) or secret filming prohibited under the same Article (excluding the cases specified in (3) above)

6. Matters Relating to Traffic Accidents and Violation of Traffic Regulations

Violation	Details of Violation of Service Obligation	Standards of Disciplinary Actions					
		Disciplinary	Dismissal under Instruction	Suspension of work	Suspension of coming to the office	Salary cut	Reprimand
1. Traffic accidents, etc. caused by driving under the influence of alcohol	(1) Cause a traffic accident due to driving under the influence of alcohol	○	○	○	○		
	(2) In the case of (1), violate the obligation to take necessary actions, such as giving aid after the accident	○					
	(3) Drive under the influence of alcohol	○	○	○	○		
	(4) The Employee who encourages a person to drink knowing this will result in his/her driving under the influence of alcohol, who rides with a driver, knowing that his/her driving is under the influence of alcohol, or who, even if the Employee does not ride with a driver under the influence of alcohol, lets such driver drive, knowing that his/her driving is under the influence of alcohol	○	○	○	○	○	○
2. Traffic accidents causing injury or death, not due to driving under the influence of alcohol	(1) Cause death or a serious impairment to another	○	○	○	○		
	(2) In the case of (1), violate the obligation to take necessary actions, such as giving aid after the accident	○					

3. Violation of traffic regulations	(1) Flagrantly violate traffic regulations, for example marked speeding			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	(2) In the case of (1), violate the obligation to take necessary actions, such as hazard prevention, after causing a traffic accident that results in damage to property			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

### 7. Matters Relating to Supervisory Responsibility

Violation	Details of Violation of Service Obligation	Standards of Disciplinary Actions					
		Disciplinary	Dismissal under Instruction	Suspension of work	Suspension of coming to the office	Salary cut	Reprimand
1. Incompetence in providing guidance and supervision	Lack the competence required for a supervisor in providing guidance and supervision, for example, where an Employee under his/her charge has received disciplinary action					<input type="radio"/>	<input type="radio"/>
2. Concealing or knowingly ignoring misconduct	Knowing a violating act of an Employee under the supervisor's charge, the supervisor conceals or knowingly ignores that act			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

### 8. Disciplinary Actions on Relevant Employees

Violation	Details of Violation of Service Obligation	Standards of Disciplinary Actions					
		Disciplinary	Dismissal under Instruction	Suspension of work	Suspension of coming to the office	Salary cut	Reprimand
1. Inducement/Aiding and abetting	Found to have induced the violating Employee to commit the violating act in question, or to have aided and abetted the violating act	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Concealing or knowingly ignoring misconduct	Despite knowing a violating act of the Employee in question, conceal or knowingly ignore that act			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



