

○ National University Corporation, Kanazawa University Regulations Concerning Prevention, etc. of Harassment

(Regulation Number 22 dated April 1, 2004)

Revised:

(Regarding these regulations, the Japanese text is the original and the English text is for reference purposes.)

Purpose

Article 1            These Regulations, in purpose of guaranteeing the rights of constituent members and others at the University in relation to engaging in work, study, education and research (hereinafter referred to as “engaging in work, study, etc.”) in the University, and human rights, provide for necessary measures to prevent harassment in the National University Corporation Kanazawa University (hereinafter referred to as “the University”) and to deal with the problems properly when harassment occurs (hereinafter referred to as “the prevention, etc. of harassment”) in the University.

Definitions

Article 2            In these Regulations, the meanings of the terms in each of the following Items shall be defined in those Items as follow.

(1) “Constituent members and others” shall mean all persons who engage in work, study, etc. in the University, including executives, faculty teaching staff members and staff members, commissioned staff members and students.

(2) “Harassment” shall mean sexual harassment; academic harassment; power harassment; harassment regarding pregnancy, childbirth, childcare leave and nursing care leave or other harassment regarding raising a child or nursing care of a family member (hereinafter referred to as “harassment regarding childcare leave, etc.”); and other harassment.

(i) “Sexual harassment” shall mean any disadvantage or harm in terms of the work or study, etc., or the condition of thereof, caused by non-consensual, improper language and behavior of a sexual nature used by a constituent member and others. Those disadvantages and harms include mental distress and psychological harms.

(ii) “Academic harassment” shall mean any disadvantage or harm in terms of the work or study, etc., or the condition of thereof, caused by improper language and behavior used by one of the constituent member and others through the abuse of the perpetrator’s position or authority related to education and research. Those disadvantages and harms include mental distress and psychological harms.

(iii) “Power harassment” shall emotional distress or physical pain, or harms in the

environment in which the victim engages in work that are caused by language and behavior used in the workplace by one of the constituent members and others, who are in a superior position, exceeding the necessary and proper scope.

(iv) "Harassment regarding childcare leave, etc." shall any disadvantage or harm in terms of the work or study, etc., or the condition of thereof, caused by non-consensual, improper language and behavior used by one of the constituent members and others regarding pregnancy, childbirth, childcare leave and nursing care leave or regarding raising a child or nursing care of a family member. Those disadvantages and harms include mental distress and psychological harms.

(v) "Other harassment" shall mean improper behavior equivalent to those stipulated in (i), (ii), (iii) and (iv).

Responsibilities and duties of the President, Trustees and heads of departments and divisions  
Article 3           The President shall supervise the prevention, etc. of harassment in the University.

2. Trustees designated by the President shall assist the President and endeavor to prevent harassment.

3. The heads of departments and divisions (including managers and others of organizations to which victims and alleged perpetrators belong; the same applies hereafter) shall endeavor to prevent harassment in their departments and divisions. If harassment occurs, they shall promptly and appropriately provide relief for the victim and take measures against the alleged perpetrator (hereinafter referred to as "the perpetrator") and preventive measures for a reoccurrence.

Responsibilities and duties of constituent members and others

Article 4           In accordance with these Regulations and the University's Guidelines for the Prevention of and Countermeasures against Harassment (hereinafter referred to as "the Guidelines"), constituent members and others shall not commit harassment.

2. In cooperation with each other, constituent members and others shall endeavor to secure a favorable environment for engaging in work, study, etc.

3. Constituent members and others shall provide cooperation regarding matters listed below for resolving harassment:

(1) Preliminary investigation pursuant to Article 7- 3;

(2) Investigation pursuant to Article 8;

(3) Other matters in which their cooperation is required for resolving a harassment problem.

## Prevention Committee

Article 5 Kanazawa University Harassment Prevention Committee (hereinafter referred to as “the Prevention Committee”) shall be established in the University in order to appropriately implement the prevention, etc. of harassment.

2. The Prevention Committee shall deliberate on the matters listed below:

- (1) Basic matters regarding the prevention, etc. of harassment;
- (2) Important matters regarding response to specific cases of harassment;
- (3) Other matters that the chairperson of the Prevention Committee (hereinafter referred to as “the Prevention Committee Chairperson”) considers to be necessary.

3. Upon the finding it to be necessary for them to formulate concrete measures regarding matters provided for in Items 1 and 3 of the preceding Paragraph, the Prevention Committee may submit the matters for consideration by the Counselors Meeting prescribed in Article 10.

4. The Prevention Committee shall consist of committee members listed below:

- (1) Trustee designated by the President: 1 person;
- (2) Professors (including Appointed Professors (limited to full-time Appointed Professors)) designated by the President from among the professors of the University: 3 persons;
- (3) Staff members of the University (excluding education staff members stipulated in Article 2, Paragraph 2 of the Work Regulations for Staff of the National University Corporation Kanazawa University) designated by the President from among those who are paid managerial allowances provided for in Article 13 of the Kanazawa University Regulations on Compensation for Staff Members: 3 persons.
- (4) Counselling Supervisor provided for in Article 6
- (5) Other persons whom the President considers to be necessary

5. The Prevention Committee shall appoint the Prevention Committee Chairperson who shall be the committee member prescribed in Item 1 of the preceding Paragraph.

6. The Prevention Committee Chairperson shall convene a meeting of the Prevention Committee and act as chairperson at the meeting.

7. The Prevention Committee shall appoint the Vice Chairperson who shall be designated in advance by the Prevention Committee Chairperson from among the committee members prescribed in Items 2 and 3 of the Paragraph 4.

8. The Vice Chairperson of the Prevention Committee shall assist the Prevention Committee Chairperson, and shall perform the duties on their behalf when the Prevention Committee Chairperson is unable to perform the duties.

9. The term of a committee member of the Prevention Committee shall be two years, and it may be renewed.

10. The term of a filling a vacancy shall be the remaining term of office of the predecessor.

11. A meeting of the Prevention Committee may not be held unless a majority of the committee members are present.

12. The Prevention Committee may request persons other than the committee members to participate in a meeting of the committee and hear their opinions, if the Prevention Committee finds it to be necessary.

#### Counseling systems

Article 6            Response to complaints regarding harassment and requests for counseling (hereinafter referred to as “complaints and counseling requests”) submitted by a constituent member and others and individuals involved in the complaints and requests shall be handled by Kanazawa University General Consultation Office (hereinafter referred to as “the General Consultation Office”). Counseling Supervisor, Vice Counseling Supervisors and counselors shall be placed in the General Consultation Office as the Kanazawa University Harassment Consultation Desk (hereinafter referred to as “the Consultation Desk”).

2. The Counseling Supervisor shall be designated by the President from among the professors of the University.

3. A few of Vice Counseling Supervisors shall be designated by the Counseling Supervisor from among the counselors provided in Paragraph 5 of the Article 6.

4. Vice Counseling Supervisors shall assist the Counseling Supervisor, and one of the Vice Counseling Supervisor, who is designated in advance by the Counseling Supervisor, shall perform the duties on their behalf when the Counseling Supervisor is unable to perform the duties.

5. Counselors shall be the persons listed below:

(1) Faculty members selected from the Institute of Human and Social Sciences, the Institute of Science and Engineering and the Institute of Medical, Pharmaceutical and Health Sciences: 4 persons each;

(2) Faculty members selected from the Institute of Liberal Arts and Science, the University Hospital, the Cancer Research Institute and the schools affiliated with the Department of School Education, Institute of Human and Social Sciences: 1 person each;

(3) Faculty members selected from Kanazawa University Health Service Center and Kanazawa University Organization of Global Affairs: 1 person each;

(4) Administrative staff members selected from the Human and Social Administration Department, the Science and Engineering Administration Department, the Medical, Pharmaceutical and Health Administration Department, the Hospital Department and secretariats (excluding the Human and Social Administration Department, the Science and Engineering Administration Department, the Medical, Pharmaceutical and Health

Administration Department and the Hospital Department): 2 persons each;

(5) Medical technical staff member selected from the Central Medical Facilities of the University Hospital and the Department of Hospital Pharmacy: 1 person;

(6) Nursing staff member selected from the Division of Nursing of the University Hospital: 1 person;

(7) Staff members of the General Consultation Office;

(8) Other persons designated by the Prevention Committee Chairperson: a few persons.

6. The term of office of the Counselling Supervisor and counselors (excluding counselors provided for in Item 7 of the preceding Paragraph) shall be two years, and it shall be renewable.

7. In the event that a vacancy arises for the Counselling Supervisor and counselors prescribed in the preceding Paragraph, the term of office of a substitute shall be the remaining term of office of the predecessor.

8. Counselors shall be commissioned by the Prevention Committee Chairperson.

Complaints and counseling requests and handling thereof

Article 7 The General Consultation Office and counselors shall handle a case by taking these Regulations and the Guidelines into consideration.

2. Each complaint or counseling request shall be handled by multiple counselors.

3. When a complaint and a consultation request is submitted through the Consultation Desk, counselors shall report to the General Consultation Office to that effect.

4. In a case in which the General Consultation Office receives a consultation request or a report from counselors, it shall consider how to deal with the matter and shall take necessary steps.

5. The General Consultation Office shall make adjustments provided in the next Article, if the General Consultation Office finds it to be necessary.

6. The General Consultation Office shall conduct a preliminary investigation prescribed in Article 7-3, if the General Consultation Office finds it to be necessary.

7. Depending on the results of the preliminary investigation prescribed in the preceding Paragraph, the General Consultation Office may make a notification provided in Article 7-4.

8. The General Consultation Office shall establish an investigation committee and conduct an investigation as prescribed in Article 8, if the General Consultation Office finds it to be necessary.

9. The General Consultation Office may conduct mediation as prescribed in Article 9 in tandem with the investigation provided in the preceding Paragraph.

Adjustments

Article 7-2 In order to develop solutions on a neutral position, the General Consultation Office shall collect information from individuals involved in the matter, while protecting the privacy of both the consulting party and the perpetrator, and may contact the heads of relevant divisions and departments and request their cooperation.

2. The General Consultation Office may make a recommendation to the heads of the relevant divisions and departments to the effect that they take emergency protective measures for the consulting party (change of supervising instructor, research laboratory, place of work, etc.) and other measures related to engaging in work, study, etc., and give instructions, etc. to the perpetrator.

3. The heads of the relevant divisions and departments who receive the request for cooperation prescribed in Paragraph 1 and the recommendation stipulated in Paragraph 2 shall endeavor to promptly take appropriate measures as their own responsibilities and authority, while making reports on the process and results of the adjustments or discussing it with the General Consultation Office in a timely manner.

#### Preliminary investigation

Article 7-3 When the General Consultation Office finds to be necessary a preliminary investigation regarding a complaint and a consultation request that it receives, the General Consultation Office shall question the consulting party, the perpetrator and individuals involved, as necessary.

#### Notification

Article 7-4 When the General Consultation Office considers it appropriate to submit a notification in order to resolve and prevent a harassment claim, it may notify the perpetrator or the heads of relevant divisions and departments and others of the fact that a complaint and a consultation request have been submitted.

#### Investigation

Article 8 The General Consultation Office shall establish an investigation committee and conduct a necessary investigation of the facts of a complaint and a consultation request. In this case, the investigation committee may contact the heads of relevant divisions and departments and request their cooperation, as necessary.

2. The investigation committee shall consist of members listed below:

- (1) Counselling Supervisor or Vice Counselling Supervisor(s) (hereinafter referred to as "Counselling Supervisor and others") designated by the Counselling Supervisor;
- (2) Counselors designated by the Counselling Supervisor and others: a few persons;

- (3) Staff members of the General Consultation Office;
  - (4) Other persons whom the Counselling Supervisor and others consider to be necessary.
3. The Investigation Committee shall appoint the Investigation Committee Chairperson (hereinafter referred to as “the Investigation Committee Chairperson”) who shall be one of the members of the Counselling Supervisor and others.
4. The member who shall be designated in advance by the Investigation Committee Chairperson shall perform the duties on their behalf when the Investigation Committee Chairperson is unable to perform the duties.
5. The Investigation Committee shall conduct an investigation by interviewing both the consulting party and the perpetrator as well as individuals involved in the matter, as necessary.
6. The investigation shall be terminated by the end of a three-month period from the establishment of the investigation committee, in principle.
- Provided, however, this shall not apply depending on the nature of the case in question.
7. The Investigation Committee Chairperson shall promptly report to the Prevention Committee Chairperson about the results of the investigation.
8. In the case in which the Investigation Committee Chairperson considers it unnecessary to conduct an investigation or difficult or inappropriate to continue with the investigation, the Investigation Committee Chairperson may dissolve the Investigation Committee upon the disposition of the Committee, if the Investigation Committee Chairperson consider it to be unnecessary to continue the investigation, or to be difficult or inappropriate.
- In this case, the Investigation Committee Chairperson shall promptly report to the Prevention Committee Chairperson to that effect.

## Mediation

Article 9           The General Consultation Office shall designate counselors who shall engage in a mediation.

2. Counselors designated in accordance with the preceding Paragraph shall, promptly after the mediation is terminated, report the results of the mediation to the General Consultation Office.

In this case, the General Consultation Office shall contact the heads of relevant divisions and departments, as necessary.

## Counselors meeting

Article 10           The Counselling Supervisor may convene a meeting of counselors (hereinafter referred to as “Counselors Meeting”) to deal with the matters listed below:

(1) Matters regarding specific measures for preventing harassment;

(2) Matters for which consideration at the Counselors Meeting is requested by the Prevention Committee;

(3) Other matters that the Counselling Supervisor considers to be necessary.

2. Counselors Meeting shall consist of the counselors listed in the Items of Article 6, Paragraph 5.

3. The Counselling Supervisor shall report the results of the consideration at the Counselors Meeting to the Prevention Committee Chairperson and the Prevention Committee.

Measures, etc. against acts of harassment

Article 11 The Prevention Committee Chairperson shall convene a meeting of the Prevention Committee to deal with the matters reported by the Counselling Supervisor and others regarding specific cases of harassment, if the Prevention Committee Chairperson finds it to be necessary.

2. The Prevention Committee Chairperson shall formulate appropriate measures to improve the environment for engaging in work, study, etc. and preventive measures for a reoccurrence, and shall request heads of the relevant divisions and department to report matters related to the content of the measures, if the Prevention Committee Chairperson finds it to be necessary.

3. The Prevention Committee Chairperson shall report to the President regarding cases submitted to the Prevention Committee in a timely manner.

4. The Prevention Committee Chairperson shall have the Prevention Committee conduct an investigation for a disciplinary action, if the investigation is necessary.

5. If the Prevention Committee deliberates on a disciplinary action against a student, the Prevention Committee Chairperson shall demand the head of the department to which the student belongs to establish an investigation committee in accordance with Article 6, Paragraph 1 of Student Disciplinary Action Policy of Kanazawa University.

Protection of privacy, etc. and confidentiality obligation

Article 12 All the constituent members and others who are involved in a harassment case shall pay due attention to the privacy, honor and other human rights of the parties and individuals thereof and shall not disclose to others any secret obtained in the course of duties. The same shall apply even after they resign.

Cancellation of handling complaints and counseling requests

Article 12-2 If the General Consultation Office recognizes the process of a complaint and a counseling request falls under any of the following items, the General Consultation Office may cancel the process by the General Consultation Office and the Consultation Desk:



- (1) When a consulting party submits a request to the effect to cancellation of the process of complaint and counseling request;
- (2) When a consulting party does not respond to a request for a necessary interview to find the facts of the case, without reasonable grounds, and a reasonable period of time has passed since the General Consultation Office made the request for the interview;
- (3) When it is found that the content of a complaint and a consultation request is clearly false;
- (4) When it is found at the time of the first consultation that the case of a complaint and a consultation request is or was subject to mediation conducted by the Dispute Coordinating Committee of a Labor Bureau, a mediation or a lawsuit brought in court of law, or dispute resolution procedures conducted by other public agencies or official bodies similar thereto;
- (5) When it is found after the consultation request was accepted that the case of a complaint and a consultation request was subject to mediation conducted by the Dispute Coordinating Committee of a Labor Bureau, a mediation or a lawsuit brought in a court of law or dispute resolution procedures conducted by other public agencies or official bodies similar thereto;
- (6) In the event that the General Consultation Office considers it to be appropriate to refer to a neutral third-party institution, etc. to resolve the dispute and so forth because it is difficult to confirm the facts of the case and resolve the dispute, after having attempted to confirm the facts and resolve the dispute in a prompt and precise manner.

#### Delegation of authority to lawyers

Article 12-3        If the General Consultation Office considers it to be necessary, it may delegate authority to lawyers (including legal professional corporations) regarding the handling of individual cases of complaints and consulting requests and investigation of the facts of the case.

#### Prohibition of disadvantageous treatment

Article 13        The President, Trustees designated by the President, heads of divisions and departments and other staff members involved shall not treat detrimentally a consulting party and individuals who cooperated with a complaint and a consultation request, arrangements, preliminary investigation, notification, investigation, and mediation, etc. on the ground that the consulting party submitted the complaint or the individuals provided cooperation.

#### Clerical work

Article 14        Clerical work relating to the prevention, etc. of harassment shall be handled by the General Consultation Office with the cooperation of relevant divisions, sections, etc.

Miscellaneous regulations

Article 15 In addition to what is provided in these Regulations, necessary particulars shall be prescribed separately.

Supplementary Provisions

These Regulations shall be enforced as of April 1, 2004.

Supplementary Provisions

These Regulations shall be enforced as of April 1, 2005.

Supplementary Provisions

These Regulations shall be enforced as of April 1, 2006.

Supplementary Provisions

These Regulations shall be enforced as of April 1, 2007.

Supplementary Provisions

These Regulations shall be enforced as of October 1, 2007.

Supplementary Provisions

These Regulations shall be enforced as of April 1, 2008.

Supplementary Provisions

These Regulations shall be enforced as of October 1, 2010.

Supplementary Provisions

These Regulations shall be enforced as of April 1, 2011.

Supplementary Provisions

These Regulations shall be enforced as of April 1, 2012.

Supplementary Provisions

1. These Regulations shall be enforced as of June 1, 2012.
2. Notwithstanding the provisions of Article 5, Paragraph 9, the initial term of office of the committee members provided for in Article 5, Paragraph 4 shall terminate on March 31, 2014.

Supplementary Provisions

These Regulations shall be enforced as of August 28, 2012 and shall be applied as of April 1, 2012.

Supplementary Provisions

These Regulations shall be enforced as of April 1, 2014.

Supplementary Provisions

These Regulations shall be enforced as of January 1, 2017.

Supplementary Provisions

1. These Regulations shall be enforced as of July 27, 2017.
2. Notwithstanding the provisions of Article 6, Paragraph 6, the initial term of office of counselors from the Institute of Liberal Arts and Science provided for in Article 6, Paragraph 5, Item 2 shall terminate on March 31, 2018.

Supplementary Provisions

These Regulations shall be enforced as of December 1, 2018.

Supplementary Provisions

These Regulations shall be enforced as of June 1, 2020.