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Regulation on Harassment Prevention, Etc. of the Hiroike Institute of Education

Established April 1, 2000
Last Modified April 1, 2023

Article 1 (Purpose)

This Regulation specifies necessary matters regarding the measures taken to prevent and eliminate harassment in the Hiroike Institute of Education (hereinafter referred to as "Institute") as well as measures taken to properly address problems arising from harassment should they occur (these measures are hereinafter collectively referred to as "Harassment Prevention, Etc.>").

Article 2 (Definition)

1 The terms used in this Regulation are defined below:

2 "Employee" refers to any of the persons specified in Article 2 of the Employee Regulations of the Hiroike Institute of Education.

3 "Employee, etc." refers to any of the employees, officers, dispatched workers, employees of contractors and other individuals who carry out a duty regarding the Institute.

4 "Student, etc." refers to any of the students and kindergartens enrolled in the Institute.

5 "Related party" refers to any of the guardians of students, etc., employees of related vendors and other individuals who have an official business relationship with the Institute.

6 "Language or behavior" refers to a remark, action, gesture or attitude.

7 "Workplace" refers to any of the sites on the premises of the Institute including the Kashiwa and Mizunami campuses, sites of other organizations and companies visited, vehicles used for business, meeting locations, locations of business meals and other locations where business is conducted.

8 The types and definitions of harassment are as follows:

(1) "Sexual harassment" refers to language or behavior of a sexual nature with an employee, etc., student, etc., or related party which is offensive to other employee, etc., student, etc., or related party, or language or behavior of a sexual nature with a student, etc., or related party which is offensive to an employee, etc.

(2) "Power harassment" refers to language or behavior of an employee, etc., student, etc., or related party grounded in the person's official authority, etc., which oversteps the bounds of appropriate duties and harms the moral character, dignity, spirit or body of other employee, etc., student, etc., or related party.

(3) "Academic harassment" refers to harassing or forceful language or behavior toward a person of lower rank, used or displayed by an employee by utilizing his or her relationship of power with the person in education or research.

(4) "Childcare leave or caregiver leave, etc. harassment" refers to language or behavior of an employee, etc., which harms work environment of other employee, etc. because he or she uses the system or the measures (childcare leave, caregiver leave, time off for sick/injured childcare, time off for caregiver, reduction of working hours for childcare, reduction of working hours for caregiver, exemption from extension of working hours and limitation on overtime work, etc. Hereinafter referred to as "System, etc.") specified on Rules and all kinds of Regulations of Institute as well as harms work environment of a female employee, etc. related to pregnancy or childbirth, etc.

(5) "Other harassment" refers to language or behavior other than the foregoing, used or displayed by an employee, etc., which gives disadvantage or discomfort without legitimate reasons to, or damages the dignity of, other employee, etc., or student, etc.

9 "Problems arising from harassment" refers to a harm done to the working environment of an employee, etc., or learning environment of a student, etc., as a result of harassment, or disadvantage in work received by an employee, etc., or disadvantage in learning received by a student, etc., as a result of responding to harassment.

Article 3 (Thorough Communication/Training)

The Institute shall strive to communicate thoroughly to, and provide training, etc., for, employees in order to prevent harassment, etc.

Article 4 (Responsibilities and Duties of Employees, Etc.)

1 Employees, etc., must strive to prevent harassment.

2 Those in management positions (hereinafter referred to as "Managers") must strive to prevent and eliminate harassment according to the items below, and handle problems arising from harassment in a timely and appropriate manner should they occur:

(1) Provide instructions, etc., in day-to-day work, to draw the attention of employees, etc., to harassment and cultivate deep awareness of harassment in them.

(2) Pay due attention to the language and behavior of employees, etc., to prevent harassment or problems arising from harassment from occurring in the workplace.

Article 5 (Prohibition of Harassment)

1 Employees, etc., must not under any circumstance engage in harassment toward other employees etc., and students, etc., in the workplace.

2 Employees who violate the preceding paragraph may be punished based on Article 83 of the Faculty Service Rules of the Hiroike Institute of Education, Article 44 of the Full-time Contract Faculty Service Rules of the Hiroike Institute of Education, Article 43 of the Adjunct Contract Faculty Service Rules of the Hiroike Institute of Education, or Article 37 of the Part-time Contract Service Rules of the Hiroike Institute of Education.

Article 6 (Harassment Behaviors)

If an employee, etc., behaves in any of the manners below toward other employee, etc., or student, etc., it is considered a case of harassment except when there is a legitimate reason based on commonly accepted norms.

(1) Sexual harassment

a Making unnecessary physical contact

b Making an unnecessary remark on one's appearance or physical feature

c Asking an unnecessary question of sexual or physical nature

d Invading privacy

e Spreading rumor or sexual nature

f Coercing a romantic or sexual relationship

g Sending, posting or displaying obscene image

h Dismissing, giving an unreasonable performance evaluation, reassigning or otherwise giving disadvantage an employee, etc., or student, etc., for reason of protesting to or refusing sexual language or behavior

i Reducing the motivation of another employee, etc., or student, etc., to work or learn, or interfering with such person's demonstration of abilities through sexual language or behavior

j Conducting other language or behavior of a sexual nature corresponding to any one of items a through i, which is offensive to the other employee, etc., or student, etc.

(2) Power harassment

a Making a remark that damages the moral character of a person

b Making a remark that damages the moral character of a family member or friend

c Spreading within or outside the Institute a rumor that damages the moral character of a person or moral character of a family member or friend of other employee, etc.

d Intimidating one-sidedly in front of other employees, etc.

e Ignoring or otherwise isolating someone in the workplace, thereby giving psychological pain and suffering to the person

f Conducting language or behavior that forces unreasonable transfer or resignation or suggests dismissal

g Giving malicious personal evaluation deliberately

h Conducting discriminatory language or behavior or treating someone in a discrimination manner

i Deliberately denying work or giving tedious work only

j Refusing to approve an overtime that resulted from one's unreasonable demand

k Refusing to approval a vacation request without legitimate reasons

l Giving unreasonable demand to someone and coercing the person to do things against his or her will

m Persistently inviting someone to a party, etc., even though the person declines

n Interfering with the performance of duty by someone by not communicating work-related information or giving cautionary instructions to the person

o Mounting a psychological attack in the form of threat, defamation, insult, abusive words, etc.

p Meddle with private matters excessively

q Scolding a person with loud voice for a minor mistake

r Conducting other language or behavior corresponding to any one of a to q, which is grounded in one's official authority and damaging to the moral character, dignity, spirit or body of other person

(3) Academic harassment

a Directly or indirectly obstructing use of literatures, books or equipment

b Denying advancing to the next grade, graduating, completing a course or obtaining credits, or deliberately changing graduation/completion criteria to force repeating a year, without legitimate reasons

c Obstructing finding a job or advancing to the next grade, or coercing unwanted transfer

d Failing to provide research instruction or education, or treating a student, etc., or employee, etc., under one's direction with discrimination

e Having a student, etc., or employee, etc., bear a cost that should be covered by a public fund for research, etc.

f Violating an international rule on deciding an author of an academic paper, or stealing an idea

g Using or displaying negative language or behavior damaging to, or defaming or slandering, a student, etc., or employee, etc., regardless of whether or not the person is present

h Other harassing or conducting forceful language or behavior corresponding to any of a to g, which is grounded in the relationship of power specific to research positions and directed toward a student, etc., or employee, etc.

(4) Childcare leave or caregiver leave harassment, etc.

a Suggesting dismissal or otherwise treating someone disadvantageously because the person became pregnant, gave birth, made an application for use of system, etc., or used system, etc.

b Preventing someone from making application for use of system, etc. or using system, etc.

c Harassing someone because the person became pregnant, gave birth, or used system, etc.

(5) Give disadvantage or discomfort to a person, or use or display language or behavior that damages the person's dignity, for any cause other than the foregoing.

Article 7 (Responding to Harassment)

1 If harassment occurs, the Institute shall immediately transfer the offender, place him or her under a disciplinary action or take other necessary measures to improve the work environment, learning environment, etc., of the victim, in order to reverse the suffering of the victim.

2 The Institute shall provide education and training to the department, etc., where the harassment occurred, or take other necessary measures, to prevent recurrence of the harassment.

Article 8 (Harassment Prevention Committee)

1 The Institute shall establish a committee charged with an aim to prevent harassment.

2 The Harassment Prevention Committee in the preceding paragraph shall conform to the Bylaw for Harassment Prevention Committee specified separately.

Article 9 (Responding to Complaint)

1 The Institute shall establish a hotline to receive reports of complaint and requests for consultation (hereinafter referred to as "Complaint/Consultation") on harassment.

2 The hotline shall be served by employees who are assigned to receive complaints/consultations (hereinafter referred to as "advisors") and an industrial physician.

3 The responsibilities and duties of the advisors are as follows:

(1) The advisors must strive to resolve the problems relating to complaints/consultations in an appropriate and timely manner.

(2) The advisors must receive the necessary training to fulfill their duties.

(3) The advisors must respect the privacy, good name and other human rights of related parties, and may not disclose to others any secret they have come to learn, in their handling of complaints/consultations.

4 The advisors and industrial physician must report any complaint/consultation received regarding harassment, to the Harassment Prevention Committee through the Human Resources Department Manager. However, the foregoing does not apply if such reporting is not considered necessary by the industrial physician from medical viewpoints.

Article 10 (Prohibition of Disadvantageous Treatment)

Managers and other employees must not give disadvantageous treatment to an employee, etc., or student, etc., who reported a complaint of harassment or cooperated with an investigation pertaining to said complaint, or acted fairly regarding harassment, for the very reason of doing so.

Article 11 (Responsibilities and Duties of the Institute)

Upon receiving a report under Article 9, Paragraph 4 through the Harassment Prevention Committee, the Institute must take necessary measures under Article 7 and also follow the necessary steps to determine the disciplinary action against the offending employee.

Article 12 (Administrative Responsibility)

The administrative responsibility for this Regulation shall reside with the Personnel Section of the General Affairs Human Resources Division

Department and with the Academic Research Support Section of the University General Administration Office. Department

Article 13 (Revision/Abolition of the Regulation)

These regulations shall be revised/abolished following a review by the Board of Directors and decision by the chairman of the Board of Directors.

Supplementary Provisions

- 1 This Regulation shall take effect from April 1, 2000.
- 2 This Regulation shall be revised effective April 1, 2006.
- 3 This Regulation shall be revised (fully) effective June 1, 2013.
- 4 This Regulation shall be revised effective April 1, 2015.
- 5 This Regulation shall be revised effective January 1, 2017.
- 6 This Regulation shall be revised effective April 1, 2017.
- 7 This Regulation shall be revised effective April 1, 2020.
- 8 This Regulation shall be revised effective April 1, 2022.
- 9 This Regulation shall be revised effective April 1, 2023.