

Caution: The following are English translations of the University's official regulations concerning the prevention of harassment, which were originally written in Japanese. They have been made with intention of helping assist foreigners to better understand the University's official position, but they are not to be referred to as official documents.

Official procedures and paperwork for matters concerning harassment prevention at the University must therefore ultimately be based upon the wording in the original Japanese versions of the texts that represent the University's official position. Please be aware of this point as you read through the English versions.

Adopted by the President on January 25, 2010

Anti-Harassment Policy of Osaka University

This policy is designed to clarify Osaka University's hereafter referred to as the University approach to maintaining a favorable education, research, and work environment through its methods against preventing harassment and its approach to resolving problems caused by it. The University hereby wishes to communicate its official position for the better knowledge of all its University members and affiliates.

I. Definition of harassment

The term "harassment" as used herein shall mean (1) sexual harassment, (2) academic harassment, and (3) power harassment as defined in the articles below.

(1) *Sexual harassment:*

Sexual harassment means any unwanted sexual comment or behavior made by taking advantage of a person's relationship with another person regarding professional duties, research, study, or extracurricular activities, regardless of when and where such comment or behavior takes place. Sexual harassment also occurs when the environment of any individual pursuing professional duties, research, study, or extracurricular activities is damaged as a result of the offender's behavior, and also when any advantage or disadvantage is caused to the individual depending on his/her reaction to the offender's sexual comment or behavior mentioned above.

Whether any comment or behavior is considered as sexual harassment depends basically on whether the recipient of such comment or behavior finds it offensive.

Sexual harassment in most cases involves the offender, usually a male, taking advantage of a position of power against a female colleague. However, the roles may be reversed, or it may occur between individuals of the same gender. Sexual harassment is mainly committed by teachers against students, senior students against junior students, and supervisors against their subordinates. However, sexual harassment may be committed between workers at the same level, between students in the same year, by subordinates against their supervisors, or by students against teachers or staff.

(2) *Academic harassment:*

Academic harassment means any inappropriate and unfair comment or behavior (regardless of when and where such comment or behavior takes place) about research, education, or study by faculty or staff (whether full-time or part-time), students (meaning all persons studying at the University including graduates, undergraduates, foreign students, researchers, and non-degree students; hereinafter referred to as "the students") or any relevant persons unfairly taking advantage of their official position, authority, or various kinds of relationships with other faculty members, staff, students, or relevant persons.

Persons belonging to the teaching and administrative organizations of the University are generally subject to the guidance, instruction, supervision, order, etc. given by other people in those organizations based on their respective professional positions and/or authority. Even in cases where, strictly speaking, there is no relationship based on professional position or authority, people of the same so called "level" may have a stronger voice than others due to their age, experience, position in an academic community or society, or personal connections.

Further, even among the Students, hierarchical relationships exist such as those between graduate students and undergraduate students, upperclassmen and underclassmen, etc. that are not considered as equal. Academic harassment occurs when any inappropriate and unfair comment or behavior is made during the course of research or education by unfairly taking advantage of these relationships.

While sexual harassment is usually said to occur once the recipient of such comment or behavior finds it offensive, academic harassment is a little more complicated. The University is a hierarchical organization both in terms of education and professional duties, and it is difficult to determine any comment or behavior as academic harassment solely based on whether the recipient finds it offensive.

The key issue is whether the comment or behavior in question is made “inappropriately and unfairly” by unfairly taking advantage of one’s professional position, authority, or various personal relationships. To avoid the definition of “inappropriateness” or “unfairness” from becoming an arbitrary judgement, each one of us must have a high level of awareness as members of the University and as human beings.

Clear examples of academic harassment are violence, emotional abuse, libel, slander, malicious harassment, obstruction of research and education, stealing of research results, and blocking of employment and educational opportunities by taking advantage of hierarchical relationships in educational and/or research fields.

Even if a comment or behavior does not come within these clear cases of academic harassment, it may also be judged as “inappropriate and unfair.” We thus need to be aware that “any undesirable comment or behavior” may potentially be considered as harassment. This is a different issue from whether any disciplinary action needs to be taken against the offender by the University.

Although academic harassment is mostly committed by teachers against students, upperclassmen against underclassmen, and people in senior positions to those in junior positions, it may also occur between colleagues and between students of the same year. Further, academic harassment may also be committed by staff that are not teachers but whom are nevertheless in a position of providing educational guidance or are otherwise directly dealing with the Students. Academic harassment may even be committed by a large number of people in lower positions, by taking advantage of their numbers, against those in higher positions.

(3) *Power harassment:*

Power harassment means any inappropriate and unfair comment or behavior about work (regardless of when and where such comment or behavior takes place) by faculty or staff unfairly taking advantage of their official position, authority or various personal relationships with other faculty, staff, or relevant persons.

While academic harassment occurs in relation to research and education, power harassment typically occurs in relation to work. Power harassment is thus primarily a labor issue between teachers, between staff, or between teachers and staff and is different from academic harassment in that respect. However, with respect to other aspects, what applies to academic harassment generally applies to power harassment as well.

II. *The University’s general approach to harassment:*

Reports of harassment vary greatly in degree from criminal conduct and serious violation of human rights to interpersonal skirmishes. As harassment relates to an individual’s level of sensitivity, it is often difficult for other people to know how serious what took place actually was. Harassment involves complicated and diverse issues and addressing them requires a calm and cautious approach.

From this standpoint, the University takes the following basic approach to harassment issues.

- (1) The University and all its members must, based on the spirit of respect for human rights, respect and communicate with each other on equal footing and create a free, open, and cooperative environment where every person has an equal opportunity to fulfill their potential.
- (2) It is the duty of all members of the University, as well as it is the University’s public mission, to pursue education, research, and employment activities by maximizing their potential to promote a

favorable environment.

III. *The serious impact that harassment has on the University:*

Harassment is very likely to cause serious damage to the life, health, and character of a victim, in addition to violating his/her rights to work or study in a favorable environment while possibly also disrupting or destroying his/her future plans.

For example, through a demeaning comment or act harassment may drive a victim to suicide, harm his/her sound mind and body, or damage the victim's reputation or privacy. As a result, the victim may be forced to resign, take a prolonged leave of absence from the University, give up pursuing higher education, or fail in research or study. Harassment may also cause irreparable damage to the victim's future plans. All of these are a serious violation of the victim's human rights.

Furthermore, the University's honor and reputation will be significantly damaged if such an occurrence gets known to the public. For each incident, in addition to matters that concern those directly involved, a tremendous amount of the University's human and material resources must be injected to resolve such problems. Thus, this will significantly hinder the objectives of the University's underlying mission and will create immeasurable loss to the University.

On the other hand, even in the case of harassment that falls short of a violation of human rights, a victim may suffer emotional distress that may cause them to fail to conduct proper research and it may obstruct educational achievement or prevent one to make the social contributions that he/she could have made had there been no harassment. Other negative consequences may include failure to achieve business or operational results, or the suffering from lower morale and reduced labor efficiency. All these impact the operation of the University, and needless to say, the University cannot ignore such an impact.

IV. *Three-stage process to handle harassment problems:*

From the above points of view, the University will handle harassment problems in the following three stages.

- (1) The University will prevent harassment from occurring by enlightening and raising the awareness of all members of the University about harassment issues in order to ensure that every person can receive an education, pursue research, or perform work in a favorable environment without emotional or physical pain.
- (2) The University will establish systems of counseling and arbitration for appropriately dealing with harassment problems.
- (3) In particular, if harassment involving a serious violation of human rights occurs, the University will cautiously and promptly deal with such a case and make efforts to make public disclosure of the information following the resolution of the case. The University will place top priority on protecting and providing aid to victims and will take a firm stance against their offenders.

Specific measures for (1) include the preparation of pamphlets and posters while also providing lectures and training sessions to the faculty, staff, and students to raise their awareness on the need to prevent harassment.

With regard to (2), the University will establish the Harassment Counseling Office on campus to provide access to counseling by professional counselors and conciliation by an impartial third party.

Cases falling under (3) will be handled by the Anti-Harassment Council, which will oversee the case in liaison with the President. Serious cases will be investigated by the Harassment Investigation Committee, an independent body consisting of members appointed by the President.