

Kyushu University Guidelines for the Prevention of Harassment

Based on Article 3, paragraph (1) of the National University Corporation Kyushu University Rules for Prevention of Harassment (Kyushu University Employment Regulation No. 30 of 2004), guidelines concerning matters that members of the University should understand with regard to prevention, etc. of harassment are provided as below.

1. The University's basic stance against harassment

Harassment is an unacceptable conduct which causes a serious emotional or physical distress or economic burden to the victim and which may also have a substantial impact on the future life plan of the victim. However, as harassment has an aspect of being complicated and diverse, making it difficult for other people to surmise the graveness of the problem, prudence is required in dealing with it.

The University will work on prevention, etc. of harassment with the following basic stance.

- (1) The University will take a strict attitude against harassment as a conduct that threatens human dignity and the rights and interests to enjoy a comfortable campus life.
- (2) The University will carry out activities to raise awareness among all members of the University with an aim to create a healthy and comfortable working or learning environment free of harassment.
- (3) If harassment or a problem resulting from harassment should occur, the University will promptly and appropriately deal with it, with relief of the victim considered first and foremost.
- (4) The University will require the harassment perpetrator to reflect on their conduct, take strict measures, such as a disciplinary action, against the victim, and endeavor to prevent recurrence.

2. Scope of application of these Guidelines

- (1) These Guidelines apply to harassment that occurs between members of the University in the working or learning environment.
- (2) These Guidelines also apply, in principle, to harassment that occurs between a member of the University and a non-member, if it occurs in a working or learning environment under the control of the University.

3. Definition of "harassment"

The University defines "harassment" as "sexual harassment, power harassment, academic harassment, harassment based on pregnancy, fertility treatment, childbirth, childcare leave, nursing care leave, etc., other types of harassment, and any similar conduct that violates human dignity."

(1) Sexual harassment

Sexual harassment refers to conduct which causes detriment to the working or learning environment by sexual language or behavior that makes the other party feel uncomfortable regardless of the intention of the harasser. It includes conduct of providing an advantage or disadvantage to the other party according to the party's response to the forcing of dating or a sexual relationship or to sexual language or behavior that takes advantage of a hierarchical relationship or one's position (quid pro quo sexual harassment), sexual language or behavior or presentation of a sexual image unwanted by the other party or the surrounding people, and sexist language or behavior (hostile environment sexual harassment).

Whether or not certain conduct constitutes sexual harassment is basically decided based on whether the other party feels uncomfortable.

Sexual harassment often occurs particularly in a power relationship such as a senior and a junior, a superior and a subordinate, or an academic advisor and a student. Sexual harassment can be not only male to female, but also female to male or between the same gender.

In addition, regardless of the sexual orientation (the fact of being romantically or sexually attracted to people of a particular gender) or gender identity (the personal sense of one's own gender), as long as the language or behavior is of a sexual nature, it constitutes sexual harassment.

(2) Power harassment and academic harassment

Power harassment refers to conduct which causes detriment to the working or learning environment by language or behavior that exceeds the extent necessary and reasonable for working or learning, backed by a dominant relationship. If it is related to education or research, it is referred to as academic harassment. Academic harassment includes, for example, obstruction of research or job hunting, abandonment of guidance, coercive language or behavior, and a reprimand. In determining whether or not certain conduct constitutes power harassment or academic harassment, it is important whether the language or behavior in question "unjustly" took advantage of one's occupational position or authority or various human relationships, and whether it "exceeds the extent necessary and reasonable" in light of socially accepted conventions.

Power harassment and academic harassment can be not only from a person in a higher position to a person in a lower position, but also from a person in a lower position to a person in a higher position, such as in the case of taking advantage of superiority in number or experience.

(3) Harassment based on pregnancy, fertility treatment, childbirth, childcare leave, nursing care leave, etc.

Harassment based on pregnancy, fertility treatment, childbirth, childcare leave, nursing care leave, etc. refers to conduct which causes detriment to the working or learning environment by language or behavior that leads to denial of pregnancy or childbirth, etc. or language or behavior that leads to denial of use of a system such as childcare leave or nursing care leave.

Meanwhile, conduct by language or behavior that is not objectively evaluated to be one that "exceeds the extent necessary and reasonable" in the course of business from the viewpoint of division of work or safety considerations does not constitute harassment based on pregnancy, fertility treatment, childbirth, childcare leave, nursing care leave, etc. in the working or learning environment.

(4) Other types of harassment

Harassment other than those mentioned above includes conduct which causes detriment to the working or learning environment by unjustly leaving someone out of the group or bullying, forcing someone to drink alcohol or causing a nuisance while intoxicated, forcing someone to conduct an unjust act, or persistently requiring someone to become involved in a religion or way of thinking which one supports.

4. To avoid becoming a harassment perpetrator

- (1) Recognize that conduct that you consider harmless may be perceived differently by the other party, and that conduct is perceived in diverse ways depending on age, gender, position, cultural differences, and the like.

- (2) Respect the personality and intention of the other party, and think about your conduct from the other party's point of view.
- (3) Strive for self control so as not to take out frustration on someone or act emotionally against someone.
- (4) Be careful on a daily basis so as not to become a harassment perpetrator without noticing.
- (5) Create an environment where there is open communication, and where people can always freely express what they feel and exchange opinions.
- (6) Gain knowledge concerning harassment from leaflets, websites, and workshops on harassment prevention.

5. To prevent aggravation of a harassment situation

- (1) Do not assume that the other party "does not mind" your conduct just because they do not protest. Especially if there is a hierarchical or power relationship between the two of you, it is often not possible for the other party to communicate their feelings clearly.
- (2) If you know that the other party feels uncomfortable, do not repeat that language or behavior.
- (3) If your language or behavior is suspected of constituting harassment, make a sincere effort to make amends with the other party, by immediately apologizing, for example.
- (4) If you are unsure of whether your language or behavior constituted harassment, or if you have been told that you have harassed someone and you do not know how to deal with the situation, it is recommendable to consult the Office for Harassment Prevention and Counseling. If you act quickly, you can prevent aggravation of the situation.