

Case Examples, Etc., of Harassment

1. Items Regarding Sexual Harassment of Which Constituent Members Should Be Aware

- (1) Responses to sexually related verbal and other behavior differ between individuals, between men and women, and depending on the positions of the people involved, etc.; thus the interpretation of the person subjected to the verbal and other behavior is important in determining whether or not the behavior in question is or is not sexual harassment, and care must be taken with regard to the following points.
 - (i) Even if verbal and other behavior was intended to express friendliness or familiarity, there are instances in which the behavior makes their subject feel uncomfortable, regardless of the intentions of the person perpetrating that behavior.
 - (ii) Individuals differ in whether or not they find certain verbal and other behavior to be offensive.
 - (iii) Never assume that the subject of the verbal or other behavior will tolerate the behavior in question.
 - (iv) Never assume that you have a good personal relationship with the subject of the verbal and other behavior.
- (2) In the case that you understand that the subject of the verbal and other behavior rejects or dislikes the behavior in question, you must never repeat the behavior in question.
- (3) People who are subjected to sexual harassment may be unable to refuse or otherwise avoid the offensive verbal and other behavior in view of their relationships with instructors, supervisors, etc., and so they may not always express their wishes clearly; such a response should not be mistaken for consent or agreement.
- (4) It is insufficient to focus attention solely on sexual harassment that occurs on campus; care must also be taken in off-campus settings such as welcome parties and other events involving the consumption of alcohol that are an extension of on-campus relationships.

2. Behaviors That May Be Interpreted as Sexual Harassment

- (1) Remarks containing sexual content
 - (i) Comments based on sexual interest or desire
 - Asking someone their measurements or other topics that focus on a person's physical characteristics
 - Making sexually explicit jokes that the listener cannot bear hearing
 - Asking a woman who is looking unwell such questions as, "Do you have your period today?" or "Have you reached menopause already?"
 - Asking a person about their sexual experience or sex life.
 - Spreading sexual rumors or making a person the butt of sexual jokes.
 - (ii) Comments based on awareness, etc., that aim to sexually discriminate against a person
 - Making remarks such as, "For a man, you are gutless", or "You can't entrust a job to a woman"
 - Calling a person by names such as "boy", "girl", "little man", "kid", "young lady", "old man", or "old woman" that do not recognize their individuality
- (2) Sexual behavior
 - (i) Actions based on sexual interest or desire
 - Displaying nude posters, etc., in the workplace
 - Reading or going out of your way to show a person sexually explicit magazine articles and/or photographs
 - Displaying sexually explicit images on computer screens in the workplace
 - Intently inspecting a person from head to toe

- Persistently inviting a person to dinner or on a date.
- Making phone calls with sexually explicit content, writing letters with sexually explicit content, or sending e-mails with sexually explicit content
- Touching another person's body unnecessarily; providing unnecessary individual guidance
 - Peeping into bathrooms or changing rooms; demanding a sexual relationship with a person
 - Demanding that a person changes into *yukata* (sleepwear) for dinner parties on work-related trips or at seminars
 - Demanding that a person accompany you on business trips and calling the person to your room unnecessarily during the trip
 - Insisting that you take a person home, or following a person home.
- (ii) Actions based on awareness, etc., that aim to sexually discriminate against a person
 - Demanding that a woman makes tea, cleans, or run personal errands, etc. simply because she is a woman
 - Evaluating a woman's work or research performance unfairly lowly simply because she is a woman
 - Demanding that a person sing a duet with you at karaoke
 - Ordering a person to sit next to their superior or instructor at functions where alcohol is being consumed and demanding that they pour rice wine for their superior/instructor or dance cheek-to-cheek, etc., with them.

3. Classification and Exemplification of Academic Harassment

- (1) Interference with Research (against students or faculty members)
 - (i) Demanding perverse conditions for submitting theses
 - Refusing to allow a person from submitting their Master's or Doctoral thesis despite the fact that the person has sufficiently fulfilled the requirements for submitting the thesis
 - Exerting excessive pressure on a person when demanding research results
 - (ii) Unfair Exclusion from a Research Team
 - Excluding a person unfairly from a research team in which they should definitely have been included
 - Isolating a person from other laboratory members without a legitimate reason
 - (iii) Unreasonable Restrictions on Research Activities
 - Prohibiting a person from using equipment or facilities for experiments or research
 - When evaluating a person's research, giving them an arbitrarily unfair evaluation
 - Unfairly restricting opportunities for a person to publicize their research activities (academic papers, conference presentations, and various other writing opportunities)
 - (iv) Refusing to Provide Guidance or Neglecting Guidance
 - Making no attempt to provide academic guidance for a person, even when requested to do so
 - Under the Institute system it is possible to change academic supervisors, but even if a student requests this they are not permitted to leave the supervision of their academic supervisor, but are neglected and refused guidance
 - (v) Exploitation of performance
 - The authors of academic papers or the order of authors is changed without a legitimate reason
 - Placing pressure on a person to transfer present their research results as those of their supervisor or another person
 - The presentation of unpublished research born out of the idea of an individual person is assigned to another person without the consent of the person on whose ideas the research is based.
- (2) Interference with Study or Pursuit of Higher Education (against students)

- (i) Infringement of a Person's Right to Study
 - Verbal and other behavior during class that denigrates a person or intimidating verbal and other behavior aimed at making the person follow the doctrine, etc. of the faculty member
 - Unfairly evaluating a person's performance, or making remarks that tie the person's performance to unrelated matters
 - Refusing for no legitimate reason to provide educational instruction when requested to do so
 - Demanding the achievement of tasks that are impossible from a commonsense standpoint
- (ii) Interference with Advancement (Pursuit of Higher Education, Graduation, Employment)
 - Refusing to write a recommendation for a student that they require to apply for a scholarship or to become a Research Fellow of JSPS (Japan Society for the Promotion of Science) due to personal emotions
 - Interfering with a student's freedom to make decision by hinting at one's own influence at the educational institution or professional field that the student wishes to enter upon graduating from the Institute. Making remarks outside one's sphere of authority with regard to the thesis defense, etc.
 - Hold the student back an academic year for no legitimate reason.
- (3) Coercion in the Laboratory
 - Forcing the person to be in the laboratory from early in the morning to late at night and even stay overnight in order to perform experiments
 - Not allowing the person to have any time off
 - Making one person in particular perform the vast majority of odd jobs around the laboratory
 - Unfairly forcing a person to pay for things that should be paid for out of research expenses
 - Forcing a person to perform odd jobs, etc. as a free service after their "apprenticeship" has been completed
 - Demanding private interaction outside of the Institute that is unrelated to education or research
- (4) Interference with Education (against faculty members)
 - Refusing to assign classes to an faculty member for no legitimate reason
 - Unfairly evaluating an faculty member's teaching performance
- (5) Interference with Professional Rights and Interference with Work Duties (against faculty member/administrative staff members)
 - Arbitrarily and unfairly interfering with a person's promotion or performance evaluation
 - Evaluating a person's work performance extremely unfairly and unreasonably, or intimidating the person with comments along those lines
 - Demanding the achievement of unreasonable tasks that are impossible to perform within working hours or need to be performed on the person's days off
 - Delaying the conveyance of directions or decisions to the extent that it interferes with the person's performance of their work duties
- (6) Physical/Psychological Abuse
 - Acting violently or inflicting physical punishment
 - Making remarks related to education/research that severely damage the reputation or character of a person; excluding the person unfairly
 - Questioning/confronting a person for hours on end or constraining them