

This is an unofficial translation of the NAOJ Regulations No. 56 of the National Astronomical Observatory of Japan, Regulations of the Harassment Prevention Committee of the National Astronomical Observatory of Japan, dated April 1, 2010. Only the original Japanese text of these regulations has legal effect, and this translation is to be used solely as reference material to aid in understanding the original Japanese version.

Regulations of the Harassment Prevention Committee of the National Astronomical Observatory of Japan

April 1, 2010
NAOJ Regulations No. 56

Article 1. Purpose

The purpose of these Regulations is to specify necessary matters concerning the operations of a committee responding to complaints and consultation requests in the National Astronomical Observatory of Japan (hereinafter, the “Committee”), based on the provisions of Article 6, paragraph 2 of the Rules on the Prevention of Harassment of the National Institutes of Natural Sciences (NINS), an Inter-University Research Institute Corporation (NINS Rules No. 16 of 2004; hereinafter, the “Rules”).

Article 2. Duties

The Committee shall carry out the matters set forth in the following items:

- (i) To plan and implement training and awareness-raising activities concerning the prevention of harassment, etc.;
- (ii) To review the system and method for filing complaints and requesting consultation in connection with harassment, etc.;
- (iii) To deal with complaints and consultation requests, remedies, and investigation concerning harassment, etc.;
- (iv) Matters regarding advice to the Director General as to rescue victims from harassment, etc. and advice to the Director General as to punishment, or light admonishment or warning measures;
- (v) Matters regarding collaboration and cooperation with the related sections and specialized institutions dealing with complaint processing on harassment, etc.; and
- (vi) Other harassment prevention and related matters.

Article 3. Organization

The Committee shall be composed of the members set forth in the following items:

- (i) Vice-Director General (on General Affairs);
- (ii) Director of Engineering;
- (iii) Director of Graduate Education Office;
- (iv) Director of Subaru Telescope;
- (v) Director of the Division of Science;
- (vi) Director of Human Resources Planning Office;
- (vii) General Manager;
- (viii) Director of NAOJ Chile; and
- (ix) Other persons designated by the Director General.

Article 4. Chairperson

The Committee shall have one chairperson and one vice-chairperson.

- 2. The Vice-Director General on General Affairs shall serve as the chairperson.
- 3. The chairperson shall call a committee meeting, serve as the chair of the meeting, and preside over affairs of the Committee.
- 4. The vice-chairperson is decided by a consensus of the members of the committee, excluding the chairperson.
- 5. The vice-chairperson shall assist the chairperson, and shall carry out the duties of the chairperson in his/her place whenever the chairperson is unable to attend to his/her duties.

Article 5. Proceedings of Committee Meetings

A meeting of the Committee may be declared open and a resolution may be made, only if a majority of the members are present in the meeting.

- 2. A decision of the Committee shall be made by a majority of the attending members, and in the case of tie in votes, the chairperson shall make the decision.
- 3. If a member is a party to the harassment that is the subject of the proceedings, the member shall leave the meeting. In such a case, the member shall not be included in the number of committee members stipulated in paragraph 1.

Article 6. Attendance of a Person Other Than Members

When necessary, the Committee may invite a person other than the members to be present at a meeting in order to hear his/her opinions.

Article 7. Consultants

1. The Committee shall have consultants in each district as follows to respond to complaints and consultation requests on harassment.
 - (i) Mitaka district: several persons
 - (ii) Mizusawa district: several persons
 - (iii) Okayama district: several persons
 - (iv) Nobeyama district: several persons
 - (v) Hawaii district: several persons
 - (vi) Chile district: several persons
2. The term of office of the consultants in the preceding paragraph shall be two years, and they may be reappointed.
3. In addition to the consultants set forth in paragraph 1, each district may have assistant consultant(s).
4. The consultants and assistant consultants (hereinafter, the “Consultants”) shall be designated by the Director General.

Article 7-2. External Counselors

In addition to those provided in the preceding Article 7, paragraph 4, each district shall have an external counselor to handle complaints and consultations based on his/her professional knowledge of workplace harassment.

Article 8. Obligations of Consultants

1. Upon receipt of complaints and consultation requests, Consultants shall appropriately and swiftly respond in accordance with the principles provided in Article 9 of the Rules, and if interviewing the alleged offender or a third party, Consultants shall first confirm the intention of the consultee and handle the matter in cooperation with the Director of the Human Resources Planning Office.
2. Consultants shall, upon confirming the intention of the consultee, promptly report the matter to the Subcommittee for Investigation of Complaints and Consultations, as stipulated in the following Article 9. via the Director of the Human Resources Planning Office.
3. Consultants may consult with attorneys contracted by NAOJ.
4. Upon receipt of complaints and consultation requests, external counselors shall handle the matter based on their expertise. If necessary, external counselors may report their findings to the Subcommittee for Investigation of Complaints and Consultations or delegate the matter to attorneys contracted by NAOJ.
5. Attorneys who have been entrusted with handling the matter pursuant to the provisions of

the preceding paragraph shall report their findings to the President of the National Institutes of Natural Sciences.

Article 9. Establishment of the Subcommittee for Investigation of Complaints and Consultations

1. A Subcommittee for Investigation of Complaints and Consultations (hereinafter, the “Subcommittee”) shall be established to investigate the contents of complaints and to review the response to the issue (including the review of draft recommendations as prescribed in Article 2, item 4 hereof).
2. The Subcommittee shall be composed of the chairperson and members of the Committee (No. 6 and No. 7) as set forth in Article 3 hereof and shall be chaired by the chairperson, except for cases where the member is a party to the harassment.
3. In addition to those provided in the preceding paragraph, the Subcommittee may add members appointed by the chairperson as necessary.
4. The Subcommittee may in conducting the investigations set forth in paragraph 1 above, have staff members other than its members assist in the investigation work.
5. The Subcommittee may commission the investigation to external experts.
6. The Subcommittee may, after confirming the intention of the consultants, take necessary measures to respond to the issue. However, for cases corresponding to Article 2, Item 4, the Subcommittee’s actions shall be limited to considering a draft recommendation.

Article 10. Reporting

1. The chairperson shall report the results of the response to the complaint and/or consultation to the consultee, the supervisor of the consultee involved in the complaint consultation, the Consultants, and external counselors without delay.
2. The report set forth in the preceding paragraph may be made by a member of the Committee (member No. 7 of Article 3) or a person designated by the chairperson.

Article 11. Protection of Privacy

1. In responding to complaints and consultations about harassment, the Committee members and Consultants shall respect the human rights and privacy of the consultee and other persons concerned in the matter and shall not divulge any secret that may have come to their knowledge in the course of their duties. The same shall apply even after they have retired from their positions.
2. In addition to the persons listed in the preceding paragraph, the provisions of the preceding paragraph shall apply to those who have responded to complaints and consultations

concerning harassment.

Article 12. General Affairs

General affairs of the Committee shall be processed at the General Affairs Group of the Administration Department.

Article 13. Miscellaneous Provisions

Matters that may be necessary in regard to the operation of the Committee in addition to those set forth herein shall be separately determined by the Committee.

Supplementary Provision

These Regulations shall come into effect as of April 1, 2010.

Supplementary Provision

These Regulations shall come into effect as of April 1, 2012.

Supplementary Provision

These Regulations shall come into effect as of April 1, 2019.

Supplementary Provision

These Regulations shall come into effect as of April 1, 2021.

Supplementary Provision

These Regulations shall come into effect as of September 1, 2022.