

* The Japanese version is the authoritative version, and this English translation is intended for reference purposes only. Should any discrepancies or doubts arise between the two versions, the Japanese version will supersede the English version.

Disciplinary Procedures for Employees of Tokyo University of Foreign Studies

(September 9, 2008)
(Regulation No. 50)

Amended March 27, 2012, Regulation No.46
March 24, 2015, Regulation No.22
December 19, 2023, Regulation No.105

Article 1 Purpose

These Regulations provide for necessary procedures concerning disciplinary actions prescribed in Articles 56 and 57 of the Working Regulations for Employees of Tokyo University of Foreign Studies (Regulation No. 52 of 2004; hereinafter referred to as the "Working Regulations"), Articles 57 and 58 of the Working Regulations for Part-Time Employees of Tokyo University of Foreign Studies (Regulation No. 68 of 2004, hereinafter referred to as the "Working Regulations for Part-Time Employees"), Articles 68 and 69 of the Working Regulations for Specified Fixed-Term Employees of Tokyo University of Foreign Studies (Regulation No. 26 of 2008, hereinafter referred to as "Specified Fixed-term Employee Regulations"), and Articles 57 and 58 of the Working Regulations for Specified Fixed-Term Employees with Shortened Working Hours of Tokyo University of Foreign Studies (Regulation No. 90 of 2012, hereinafter referred to as the "Working Regulations for Specified Fixed-Term Employees with Shortened Working Hours").

Article 2 Disciplinary principles

- 1 Disciplinary action shall be taken in cases falling under the grounds for disciplinary action prescribed in Article 56 of the Employment Rules, Article 57 of the Employment Rules for Part-time Employees, Article 68 of the Employment Rules for Specified Fixed-term Employees, and Article 57 of the Employment Rules for Part-time Specified Fixed-term Employees.
- 2 Disciplinary action may not be taken repeatedly against the same illegal acts.
- 3 When any disciplinary action is taken, the relevant employee shall be given an opportunity to explain in writing or orally. However, this shall not apply to cases where the whereabouts of the employee in question cannot be known.

Article 3 Investigation

- 1 When any illegal act which is deemed to be grounds for disciplinary punishment prescribed in paragraph 1 of the preceding article has occurred, the President shall establish an Investigation Committee to confirm the facts and to discuss the level of punishment.
- 2 The Investigation Committee shall conduct an investigation without delay and report the results to the President.
- 3 Members of the Investigation Committee shall be appointed by the President.
- 4 Outside experts may be added to the members of the Investigation Committee as necessary.
- 5 Notwithstanding the provisions of each of the preceding paragraphs, if the facts of an incident that is deemed to

have grounds for disciplinary punishment are investigated and the results of such investigation reported to the President based on the following guidelines, then the President may regard such a report to have been carried out by the Investigation Committee pursuant to the provisions of paragraphs 1 and 2:

- (1) Harassment Prevention Guidelines for Tokyo University of Foreign Studies
- (2) Tokyo University of Foreign Studies Basic Rules on Compliance
- (3) Guidelines for the Prevention of Misconduct in Research Activities of Tokyo University of Foreign Studies

Article 4 Determination of disciplinary measures

- 1 When the President receives a report that states the need for disciplinary action from the Investigation Committee, or from a separate committee based on the guidelines, listed in paragraph 5 of the preceding Article, the President shall discuss the matter at the Board of Executive Directors and decide the disciplinary punishment.
- 2 In the event the President takes any disciplinary measures, such measure must be approved after deliberation thereof by the Council for Education and Research.
- 3 When taking disciplinary measures, the President shall determine the level of punishment in accordance with the Standards for Determining the Amount of Disciplinary Punishment (Appended Table 1) based on a comprehensive judgment, taking into account the matters listed in the Disciplinary Action Guidelines (Appendix 1).

Article 5 Delivery of written disciplinary action

- 1 When the President decides to take disciplinary action, he/she shall deliver Attached Form 1 (Statement of Disciplinary Action) and Attached Form 2 (Explanation of Punishment) to the applicable employee.
- 2 When a statement of disciplinary action in the preceding paragraph is issued, if the whereabouts of the employee who is to receive such disciplinary action is unknown, intent to take such disciplinary action shall be indicated by publicly notifying the contents thereof in the manner provided in Article 98, paragraph 2 of the Civil Code (Act No. 89 of 1896). In this case, it shall be deemed that a statement of disciplinary action has been issued at the time when two (2) weeks have passed from the date of public notice pursuant to the provisions of Article 98, paragraph 3 of the Civil Code.
- 3 Disciplinary action shall become effective when a Statement of Disciplinary Action and Explanation of Punishment are delivered to the employee.

Article 6 Appeal

- 1 Any employee facing disciplinary action may file an appeal in writing to the President within fourteen (14) days from the day following the date of receipt of the statement of disciplinary action.
- 2 Upon receipt of the appeal in the preceding paragraph, the President may establish an Appeal Committee and have the committee examine the case.
- 3 The Appeal Committee shall conduct the examination without delay and report the result to the President.
- 4 The President shall discuss the matter at the meeting of the Board of Executive Directors based on the result of the examination by the Appeal Committee and shall notify the result of the discussion to the relevant employee.

Article 7 Appeal Committee

The Appeal Committee shall consist of the following members:

- (1) Directors designated by the President 1 director
- (2) Department Heads designated by the President
- (3) Other individuals deemed necessary by the President

Article 8 Relation with the criminal trial

Even if punishment is pending before a criminal trial, the President may proceed with disciplinary procedures for the same case at any time.

Article 9 Publicization of Disciplinary Action Cases

The University shall, in principle, publicize disciplinary action cases in accordance with the standards listed in Appendix 2 in order to help prevent the recurrence of scandals in view of the social responsibility of the University.

Article 10 Miscellaneous Provisions

Any matters not set forth in these Regulations concerning disciplinary procedures for employees shall be separately determined by the President.

Appended Table 1 (Related to Article 4, Paragraph 3)

Standards for Determining the Amount of Disciplinary Punishment

Grounds for disciplinary punishment		Disciplinary dismissal	Resignation under instruction	Suspension from work	Pay cut	Reprimand
1. General matters	1) Absenteeism					
	a. No more than 10 days				<input type="radio"/>	<input type="radio"/>
	b. 11-20 days			<input type="radio"/>	<input type="radio"/>	
	c. 21 or more days	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	2) Late arrival, leaving early					<input type="radio"/>
	3) False application for leave				<input type="radio"/>	<input type="radio"/>
	4) Poor work attitude				<input type="radio"/>	<input type="radio"/>
	5) Disruption of order/morals					
	a. Violence			<input type="radio"/>	<input type="radio"/>	
	b. Abusive language, discriminatory remarks				<input type="radio"/>	<input type="radio"/>
	6) False reporting				<input type="radio"/>	<input type="radio"/>
	7) Material misrepresentation of career history	<input type="radio"/>	<input type="radio"/>			
	8) Illegal collective labor action					
	a. Simple participation				<input type="radio"/>	<input type="radio"/>
	b. Instigation, incitement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	9) Leakage of secrets					
	a. Intentional leakage of secrets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	Leakage for the purpose of gaining one's own unfair advantage	<input type="radio"/>	<input type="radio"/>			
	b. Leakage due to lack of information security measures			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	10) Distribution of documents with political objectives					<input type="radio"/>
11) Failure to take procedures to obtain approval for concurrent employment, etc.				<input type="radio"/>	<input type="radio"/>	
12) Involvement in bid rigging, etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>			
13) Collection of personal confidential information outside the scope of the purpose of use				<input type="radio"/>	<input type="radio"/>	
14) Improper handling of corporate documents						
a. Fabrication, alteration and destruction of corporate documents, creation of false corporate documents	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>			

Grounds for disciplinary punishment	Disciplinary dismissal	Resignation under instruction	Suspension from work	Pay cut	Reprimand
b. Falsification of approval documents	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
c. Falsification, loss, incorrect disposal, etc. of corporate documents			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15) Sexual harassment					
a. Repeated use of influence based on superiority in academic or employment status or personal relationships, or repeated sexual behavior such as obscene language with the knowledge that it is against the will of the victim			<input type="radio"/>	<input type="radio"/>	
Persistent repetition that has caused the victim to suffer from mental illness due to the accumulation of severe psychological stress	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
b. Use of influence based on superiority in academic or employment status or personal relationships, or sexual behavior such as obscene language with the knowledge that it is against the will of the victim				<input type="radio"/>	<input type="radio"/>
16) Sexual violence, etc.					
a. Non-consensual sexual intercourse, etc., sexual intercourse using influence based on superiority in academic or employment status or personal relationships	<input type="radio"/>				
b. Non-consensual obscenity, or sexual/relationship or indecent behavior using influence based on superiority in academic or employment status or personal relationships, etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
c. Indecent acts against infants, children, students, or other persons under the age of 18	<input type="radio"/>				
d. Promiscuous intercourse	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
e. Molestation			<input type="radio"/>	<input type="radio"/>	
f. Non-consensual photography			<input type="radio"/>	<input type="radio"/>	
g. Acts that are sexually humiliating to the victim		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
17) Academic harassment, power harassment, and harassment related to pregnancy, childbirth, childcare leave, nursing care leave, etc.					
a. Acts that have caused significant mental or physical pain to the victim			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Repeated acts despite receiving instructions and warnings, etc.			<input type="radio"/>	<input type="radio"/>	
c. Acts that have caused the victim to suffer from mental illness due to the accumulation of severe psychological stress	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		

Grounds for disciplinary punishment		Disciplinary dismissal	Resignation under instruction	Suspension from work	Pay cut	Reprimand
	18) Misconduct in research activities					
	a. Fabrication, falsification, plagiarism, etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	b. Misuse of public research funds	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. On-duty misconduct	1) Embezzlement	<input type="radio"/>				
	2) Theft	<input type="radio"/>				
	3) Fraud	<input type="radio"/>				
	4) Loss					<input type="radio"/>
	5) Loss (due to theft)					<input type="radio"/>
	6) Property damage				<input type="radio"/>	<input type="radio"/>
	7) Accidentally causing fire					<input type="radio"/>
	8) Illegal payment and improper receipt of various salaries				<input type="radio"/>	<input type="radio"/>
	9) Improper handling of University funds, equipment, etc.				<input type="radio"/>	<input type="radio"/>
	10) Improper use of computers				<input type="radio"/>	<input type="radio"/>
3. Off-duty misconduct	1) Arson	<input type="radio"/>				
	2) Murder	<input type="radio"/>				
	3) Causing injury			<input type="radio"/>	<input type="radio"/>	
	4) Assault/fighting				<input type="radio"/>	<input type="radio"/>
	5) Property damage				<input type="radio"/>	<input type="radio"/>
	6) Embezzlement					
	a. Embezzlement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	b. Embezzlement of lost property, etc.				<input type="radio"/>	<input type="radio"/>
	7) Theft/robbery					
	a. Theft	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	b. Robbery	<input type="radio"/>				
	8) Fraud/extortion	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	9) Gambling					
	a. Gambling				<input type="radio"/>	<input type="radio"/>
b. Habitual gambling			<input type="radio"/>			
10) Possession/use of drugs, stimulants, etc.	<input type="radio"/>					
11) Crude behavior due to drunkenness, etc.				<input type="radio"/>	<input type="radio"/>	

Grounds for disciplinary punishment		Disciplinary dismissal	Resignation under instruction	Suspension from work	Pay cut	Reprimand
4 Drunk driving, traffic accidents, traffic law violations	1) Drunk driving					
	a. Drunk driving	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	Causing a personal injury accident	<input type="radio"/>				
	b. Driving under the influence of alcohol	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	Causing a personal injury accident	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	With breach of duty to take measures	<input type="radio"/>				
	c. Providing a vehicle to a drunk driver, riding in a drunk driver's vehicle, etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	*The amount of punishment for employees who drunk drive shall be determined based on the degree of involvement in drunk driving, etc.					
	2) Causing a personal injury accident (other than drunk driving)					
	a. Death or serious injury	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	With breach of duty to take measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	b. Injury				<input type="radio"/>	<input type="radio"/>
	With breach of duty to take measures			<input type="radio"/>	<input type="radio"/>	
3) Traffic law violations other than drunk driving						
Malicious traffic law violations, such as excessive speeding			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
With property damage/breach of duty to take measures			<input type="radio"/>	<input type="radio"/>		
5. Supervisory responsibility	1) Inappropriate guidance and supervision				<input type="radio"/>	<input type="radio"/>
	2) Concealment of or acquiescence to misconduct			<input type="radio"/>	<input type="radio"/>	
6 Violation of ethics regulations	1) Failure to submit various reports, etc.					<input type="radio"/>
	2) Submission of various reports etc. containing false information				<input type="radio"/>	<input type="radio"/>
	3) Concealment of or acquiescence to ethics violations, etc. by subordinates			<input type="radio"/>	<input type="radio"/>	
	4) Receiving gifts of money or goods from interested parties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	5) Receiving gifts of real estate from interested parties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	6) Receiving money loans from interested parties				<input type="radio"/>	<input type="radio"/>
	7) Receiving the free loan of goods from interested parties				<input type="radio"/>	<input type="radio"/>
	8) Receiving the free loan of real estate from interested parties			<input type="radio"/>	<input type="radio"/>	
	9) Receiving the free provision of services from interested parties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Grounds for disciplinary punishment	Disciplinary dismissal	Resignation under instruction	Suspension from work	Pay cut	Reprimand
10) Acquisition of unlisted stocks from interested parties			<input type="radio"/>		
11) Receiving entertainment or a treat (limited to the provision of food and drinks) from interested parties				<input type="radio"/>	<input type="radio"/>
12) Receiving gaming or golf entertainment from interested parties				<input type="radio"/>	<input type="radio"/>
13) Receiving overseas travel entertainment from interested parties			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14) Receiving domestic travel entertainment from interested parties				<input type="radio"/>	<input type="radio"/>
15) Eating and drinking with interested parties (excluding receiving entertainment or a treat)					<input type="radio"/>
16) Playing games or golfing with interested parties (excluding receiving gaming or golf entertainment)					<input type="radio"/>
17) Traveling with interested parties (excluding receiving travel entertainment)					<input type="radio"/>
18) Receiving entertainment or a treat, or property benefits, beyond the level of normal social interaction from business operators, etc. who do not fall under the category of interested parties				<input type="radio"/>	<input type="radio"/>
19) Pass on a cost for eating and drinking, etc. to interested parties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
20) Pass on a cost for eating and drinking, etc. to business operators, etc. who do not fall under the category of interested parties				<input type="radio"/>	<input type="radio"/>
21) Receiving remuneration to give lectures, etc. at the request of interested parties without obtaining approval from an ethics supervisor				<input type="radio"/>	<input type="radio"/>

1. "Sexual violence, etc." in the above Standards for Determining the Amount of Disciplinary Punishment refers to acts equivalent to those specified as sexual violence, etc. against children and students as stipulated in each item of Article 2, Paragraph 3 of the Act on the Prevention of Sexual Violence Against Children/Students by Educational Staff, etc. (Act No. 57 of 2021; hereinafter referred to as the "Act").

2. An employee who has engaged in an act of sexual violence, etc. against a child or student as stipulated in each item of Article 2, Paragraph 3 of the Act shall be subject to disciplinary dismissal, notwithstanding the above Standards for Determining the Amount of Disciplinary Punishment.

Appendix 1 (Related to Article 4, Paragraph 3)

Disciplinary Action Guidelines

Basic matters

These Guidelines summarize the matters that should be considered when determining the amount of disciplinary punishment.

When determining the specific level of punishment, a judgment shall be made after comprehensive consideration of matters including the employee's usual work attitude and response following the violation, etc. in addition to the following items:

- 1) What was the motive, manner, and outcome of the violation?
- 2) What was the degree of intentionality or negligence?
- 3) What was the responsibility of the employee who committed the violation, and how should that responsibility be evaluated in relation to the violation?
- 4) What is the impact on other employees and society?
- 5) Has the employee committed any violations in the past?

Depending on the content of each individual case, it is possible that disciplinary punishments other than those listed in Appended Table 1 may be imposed. Examples of when a more severe disciplinary punishment may be imposed are:

- 1) When the motive or manner of the violation are extremely malicious, or its outcome is extremely serious;
- 2) When the employee who committed the violation has a particularly high level of responsibility, such as a managerial or supervisory position;
- 3) When the violation has a particularly large impact both inside and outside the workplace;
- 4) When the employee has received disciplinary action due to similar violations in the past; and
- 5) When the employee committed multiple different violations that may be subject to disciplinary action.

Examples of when a less severe disciplinary punishment may be imposed are:

- 1) When the employee voluntarily reports the violation before it is discovered; and
- 2) When it is recognized that there are particularly extenuating circumstances that led to the violation.

Furthermore, misconduct not listed in Appended Table 1 may also be subject to disciplinary action, and decisions regarding such disciplinary action shall be made with reference to the standards listed in Appended Table 1.

Appendix 2 (Related to Article 9)

Tokyo University of Foreign Studies Standards for Publicizing Disciplinary Action

1. Purpose

Tokyo University of Foreign Studies (hereinafter, “the University”) will publicize cases of disciplinary action at the University with the aim of increasing the transparency of University operations, encouraging awareness of staff duties, and preventing the recurrence of scandals.

2. Cases of disciplinary action to be publicized

In cases where disciplinary action has been taken against an employee appointed by the President, any disciplinary action that falls under any of the following shall be made public:

- 1) Disciplinary action related to acts in the performance of duties or related acts (including disciplinary action due to violations of the University's code of ethics for employees);
- 2) Disciplinary dismissal, resignation under instruction or suspension from work related to acts unrelated to the performance of duties.

3. Content to be publicized

A summary of the case, the amount of punishment, the date of punishment, and information on the attributes of the person being punished such as affiliation and position classification, etc., shall be made public in a manner that does not identify the specific individual.

However, in the case of disciplinary dismissal, or in cases other than disciplinary dismissal that are deemed to have a significant social impact, personal information of the person being punished such as their job title, age, gender, name, etc. may be made public.

4. Exceptions to publicization

The University may elect not to make a case of disciplinary action public, or to withhold some content from being made public, in cases where it is deemed inappropriate to comply with the provisions stipulated in Article 2 and Article 3, such as when there is a risk of infringing on the privacy and other rights and interests of victims or their related parties.

5. Timing and method of publicization

Cases of disciplinary action subject to disclosure listed in Article 2 above will be made public promptly after disciplinary action is officially issued; provided, however, that minor incidents shall be publicized collectively at regular intervals. In principle, the method of publicization shall be by distributing materials to the City Press Club or posting them on the University's website. The University shall hold press conferences for particularly important cases, such as those that have a large social impact.

Statement of Disciplinary Action

(Name)	(Title)
(Disciplinary Action)	
(Date of declaration)	(Date of Delivery)
<p>Tokyo University of Foreign Studies President</p> <p style="text-align: right;">Seal</p>	

Explanation of Punishment

1. Disciplinary Action Administrator		
Tokyo University of Foreign Studies		
President		Seal
2. Disciplinary Action Recipient		
Affiliation	Title	
Name (Name in Hiragana)		
3. Disciplinary Action		
Date of Statement of Disciplinary Action	Effective Date for Disciplinary Action	Date of Delivery of Explanation of Punishment
Applicable Provision	Type and Extent of Disciplinary Action	
Relation with the criminal trial		
Date of Prosecution		
Reason for Disciplinary Action		

Remarks: In accordance with the provision of Article 6 of the Disciplinary Procedures for Employees of Tokyo University of Foreign Studies, an appeal against this punishment may be made in writing to the President within fourteen (14) days from the day following the date of receipt of the Statement of Disciplinary Action and this Explanation of Punishment.