

\* 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 prevail.

## **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

### Article 1 (Purposes)

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 the 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 The services of the employees shall be performed in accordance with the provisions of these Regulations as well as those set forth in the Labor Standards Act, the Industrial Safety and Health Act (Act No. 57 of 1972; hereinafter referred to as the "Safety and Health Act"), and other relevant laws and ordinances.
- 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 amount 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.

### Article 4 Determination of disciplinary measures

- 1 When the President receives a report that states the need for disciplinary action from the Investigation

Committee, 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.

#### 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 the 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 the punishment thereof 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) Those designated by the President from among deans
- (3) Other individuals deemed necessary by the President

#### Article 8 Relation with the criminal trial

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

#### Article 9 Miscellaneous Provisions

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

Statement of Disciplinary Action

(Name)	(Title)
(Disciplinary Action)	
(Date of declaration)	(Date of Delivery)
Tokyo University of Foreign Studies President	
Seal	

## Explanation of the 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 Declaration of Disciplinary Action	Effective Date for Disciplinary Action	Date of Delivery of Explanation of the 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 the punishment.