

Notice

To: MLC, MC and IHA Employees

For the purpose of maintaining order in the workplace and so on, we inform a US-Japan agreement on the definition of Power Harassment as it was revised on 26 April 2024, based on the content of the Public Notice No. 5 of the Ministry of Health, Labour and Welfare, "Guidelines Concerning Measures to Be Taken by Employer in Employment Management in Connection with Problems Arising as a Result of Language or Behavior Delivered from a Position of Power in the Workplace."

1. Outline of Main Revisions

Power Harassment is defined as follows:

Definitions	Contents
(1) Workplace Power Harassment is defined as language or behavior, delivered from a position of power, authority or seniority which	<ul style="list-style-type: none">● For example, language or behavior that is performed in the context of a power relationship where there is a high probability that the employee subjected to such language or behavior will not be able to resist or reject the order.<ul style="list-style-type: none">- A person of a higher rank in the workplace- A colleague or subordinate, that possesses knowledge and/or experience required to complete work, making it difficult to perform the work without their cooperation- Group of colleagues or subordinates that are difficult to resist or reject
(2) Exceeds the necessary and reasonable scope of work duties, and is	<ul style="list-style-type: none">● For example, language or behavior<ul style="list-style-type: none">- that is clearly unnecessary or unreasonable to perform work ordered- that deviates significantly from the purpose of work- that is inappropriate as a means of performing work ordered- that is unreasonable for the context of the situation in terms, form or means, such as the number of times the act takes place or the number of people involved.
(3) Detrimental to the work environment of the employee	<ul style="list-style-type: none">● A situation in which the employee suffers physical or mental distress due to the person's language or behavior causing the working environment to become so unpleasant that it has a serious adverse effect on the employee's ability to perform his/her job.

*Power Harassment in the workplace is strictly prohibited, and any violation will be subject to disciplinary actions.

2. Type of Power Harassment

There are various situations of Workplace Power Harassment, and typical examples are categorized into below 6 types.

Examples considered/not considered as harassment in each type are shown below. (extract taken from above public notice of MHLW)

Types	Examples considered as harassment	Examples not considered as harassment
(1) Physical Attack	(1) Engaging in punching and kicking (2) Throwing objects at the opponent	(1) Bumping into each other by mistake
(2) Mental Attack	(1) Engaging in behavior that denies a person's personality, including insulting language related to the sexual orientation or gender identity of the other party. (2) Repeatedly reprimanding a worker for a longer period of time than necessary for the performance of work. (3) Repeat coercive reprimanding in a loud voice in front of other workers. (4) Sending e-mail messages, etc. to multiple workers including the other party, that seem to deny the other party's ability and abuse them.	(1) Give a certain level of strong warning to workers who are late or otherwise behaving in a way that lacks social rules and whose behavior has not been corrected despite repeated warnings (2) Give a certain level of strong warning to workers who have engaged in problematic behavior that is significant in light of the content and nature of the company's operations
(3) Separation from Human Relationship	(1) Removing from work and isolating workers who do not comply with their wishes in a separate room or having them undergo home training for a long period of time (2) Having colleagues collectively ignore one worker and isolate them at work	(1) Conduct training and other education in a separate room intensively for a short period of time in order to train newly recruited workers (2) Temporarily provide workers who have been disciplined in accordance with the Disciplinary Rules with necessary training in a separate room so that they can return to their normal work.

Types	Examples considered as harassment	Examples not considered as harassment
(4) Excessive Demand	<p>(1) Instructing workers to perform work for a long period of time that is not directly related to their work under severe environments that are accompanied by physical pain</p> <p>(2) Imposing performance targets at a level that cannot possibly be met by newly recruited graduates without providing necessary education, and reprimanding them severely for failing to achieve the targets</p> <p>(3) Forcing workers to perform private chores that are not related to their work</p>	<p>(1) Assign tasks at a slightly higher level than the current level in order to train workers</p> <p>(2) During busy work hours, assign tasks at a certain level more than usual to the Action Officer of the work concerned due to operational requirements.</p>
(5) Undervalued demand	<p>(1) In order to make workers in managerial positions retire, have them perform work that anyone can perform.</p> <p>(2) Refusing to provide work to workers that you dislike to harass them</p>	<p>(1) Reduce the content and volume of work to a certain extent depending on the ability of the worker.</p>
(6) Infringement of individual rights	<p>(1) Continuously monitoring workers even when they are off the job and taking photographs of personal belongings</p> <p>(2) Exposing sensitive personal information, such as a worker's sexual orientation, gender identity, medical history, and infertility treatment, to other workers without the consent of the worker in question</p>	<p>(1) With the aim of giving consideration to workers, hearings held on the status of workers' families, etc.</p> <p>(2) With the consent of workers, sensitive personal information (see the left column) of the workers concerned, to the extent necessary, be conveyed to the Action Officer of the personnel labor to encourage consideration.</p>

26 April 2024

If you have any questions, please contact the following:

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