

Japan Sport Council
Operational Standards of Grievance Mechanism for
“the Sustainable Sourcing Code”

April 27, 2018
Revised on March 28, 2019
Japan Sport Council

1. Purpose

Japan Sport Council (hereinafter referred to as “JSC”) respects the principle of “the Tokyo 2020 Olympic and Paralympic Games Sustainable Sourcing Code” formulated by the Tokyo Organising Committee of the Olympic and Paralympic Games (hereinafter referred to as “Sourcing Code”) and has established a Grievance Mechanism for Sourcing Code within organization and the corresponding Operational Standards.

2. Implementation System

To implement the Operational Standards for grievances, JSC will investigate the grievance/report by a team of which member includes experts in law, architecture etc. in order to respond quickly to a case which may contain technical matters. If necessary, JSC will seek for additional advice from other experts.

If necessary, JSC will request the cooperation of relevant suppliers (a provider of goods and services contracted with JSC, which classified as a primary supplier) and their supply chains (a business operator that takes responsibility on each step of manufacturing and distribution until supplying goods and services to suppliers, which classified as secondary suppliers or tertiary suppliers, etc.) through relevant suppliers in order to implement Grievance Mechanism smoothly.

3. Scope (Coverage)

The Grievance Mechanism deals with grievances/reports which are related to products and services procured for Tokyo 2020 Olympic and Paralympic Games (hereinafter referred to as “Tokyo 2020 Games”) by JSC (hereinafter referred to as “procured products, etc.”) and non-compliance with the Sourcing Code (e.g. grievances/reports on cases of, and cases suspected of non-compliance with the Sourcing Code) of which are also non-compliant with relevant laws and regulations (including contract terms and conditions) (hereinafter referred to as “non-compliance with the Sourcing Code” in this Operational Standards).

Note: The Sourcing Code requires compliance with relevant laws and regulations as a fundamental requirement. This Operational Standards covers cases of non-

compliance against requirement which described as “Must” or “Do not” in the Sourcing Code.

However, the Grievance Mechanism does not cover the following:

- (a) A pending case undergoing another conflict resolution process, wherein the issue in the conflict resolution process is substantially identical with the one in this Grievance Mechanism. For this case, it may be decided that there is no need to proceed with the Grievance Mechanism process in light of the purpose of the Operational Standards;
- (b) Cases where a substantially similar grievance/report has already been filed and is undergoing the process of the Grievance Mechanism, except if it is a grievance/report based on new facts; and
- (c) Malicious grievances/reports, grievances/reports on very trivial matters, grievances/reports made to gain competitive advantage, and in the case where it has been clearly recognised as inappropriate to start the Grievance Mechanism process.

Note; This include a grievance/report on the validity and credibility of procurement laws and standards, and certification system, and cases where it is deemed inappropriate for JSC to proceed.

4. Period of Receiving Grievances/Reports

The grievances/reports can be received from April 27, 2018 until September 6, 2020, the last day of Tokyo 2020 Games.

5. Reporting Procedure

The language of a grievance/report should be Japanese as a general rule, but JSC will deal with a grievance/report submitted in English to the extent possible when necessary. A grievance/report can be filed in writing, using a dedicated e-mail address of JSC. For those who have difficulty accessing the Internet, JSC designates an address where grievances/reports may be sent by post. For grievances/reports in writing, there is a need to input the required information shown in **Section 6. Report Content**.

6. Report Content

Reporting form should be submitted in Japanese and should include following information, however JSC will deal with English form to the extent possible. JSC may clarify with the reporting person/party if information required for the grievance/report is not correctly described except for information that does not fall under the main content of the grievance/report. If the reporting person/party cannot

describe the required items in the Reporting Form, there would be a case that JSC will not receive the grievance/report.

The reporting person/party shall submit a summary of the grievance/report if the grievance/report consists with large volume of document.

(1) Name, address, contact details (e.g. phone number, e-mail address) of person/party reporting

※ Legal name and contact details must be provided. This information will not be disclosed, unless ordered by law. It is possible to mention if the person/party prefers to remain anonymous in the process.

(2) Information about the person/party to be reported

※The “Person/party to be reported” refers to the person/party that are believed to commit non-compliance (or facts that lead to doubts of non-compliance) with the Sourcing Code according to the submitted grievance/report.

1) Name of the person/party to be reported

2) Address and contact details of the person/party to be reported

3) Information sufficient to identify procured products, etc. procured by JSC for Tokyo 2020 Games. (e.g. type of products, product name, name of manufacturer/distributor/seller. For products difficult to distinguish, please write the details of the products’ unique characteristics. Also, please write the time the product was manufactured/delivered, lot number, and other detailed information, as possible)

4) Relationship between the person/party reporting and the person/party to be reported (e.g. employer and employee)

(3) Detailed information about the negative impact(s) experienced by the person/party reporting or negative impact(s) that has/have a probability of occurring in the future

(4) Detailed facts of non-compliance (including information that can identify the non-compliance in the process of manufacture and delivery of the procured products, etc. specified in (2) 3) above), and the provision within the Sourcing Code that is subject to the non-compliance

(5) Causal relationship between the Sourcing Code non-compliance and negative impact(s)

(6) Expected solution of the person/party reporting

(7) Whether or not it corresponds to a case pending in another conflict resolution procedure or a case where procedures in the Grievance Mechanism is currently ongoing (if applicable, provide specific details).

- (8) In the case where an agent submits a grievance/report on behalf of the person/party reporting, specify the need for using the agent and attach evidence that the person/party reporting authorizes the agent.

7. Grievance Mechanism Process

The standard process of handling grievances/reports received is shown in **No. (1) to (6)** below. Although the Grievance Mechanism will process grievance/report based on following steps, there may be cases wherein some steps may be conducted in parallel or some steps may be omitted, depending on the content and nature of the grievance/report being dealt with. In the process, the term “party concerned” refers to the person/party not complying (possibility of not complying) with the Sourcing Code and the person/party that has been/ will be negatively affected by non-compliance (in a considerable degree of probability).

(1) Reception of Grievances/Reports

Reporting person/party submits a grievance/report containing information described in **Section 6. Report Content** in writing. The detailed information is shown in **Annex: Reporting Form**.

(2) Confirmation of Grievances/Reports

JSC examines the grievance/report referring requirements in the **Section 3. Scope (Coverage), Section 4. Period of Receiving Grievances/Reports, Section 5. Reporting Procedure, and Section 6. Report Content** and decides on whether to go through the process of the Grievance Mechanism. In principle, JSC decides on whether to proceed with the process within fourteen working days from the receipt of grievances/reports, which meet all required reporting requirements. However, the screening period may take longer depending on the content and nature of the grievance/report. In this case, the person/party reporting is promptly informed.

In case the grievance/report does not proceed with the process, reporting person/party is informed in writing the findings and reason behind the decision. In that case, JSC provides information regarding other grievance mechanism(s) to the extent possible.

(3) Compilation of Information and Examination of Facts

For grievances/reports that have been decided to proceed with the process as described in **(2) Confirmation of Grievances/Reports**, JSC collects information about the grievance/report details from the parties concerned respectively.

In case the person/party to be reported is a supply chain, JSC request a supplier to examine the fact to their supply chain, and the supplier reports the result to JSC after confirming the fact with their supply chain.

(4) Promotion of Appropriate Resolution Based on Facts

JSC will inform examined facts to a person/party reporting in a written document (assuming by e-mail) prepared based on the report submitted by the supplier.

If it is determined that other dispute resolution mechanisms, such as labor-management dialogues, are more effective resolution measure, JSC can request the use of such mechanisms after confirming the intention of parties involved in that grievance/report.

(5) Improvement Measures

In case if the fact of non-conformance by the person/party to be reported was confirmed through Grievance Mechanism Process, JSC requests the person/party to be reported to implement improvement measures and to report the result of those measures. In addition, JSC informs relevant parties regarding the results of implemented improvement measures.

(6) Determination of Completion of the Grievance Mechanism Process

After receiving the report regarding **(5) Improvement Measures** from the person/party to be reported, JSC confirms that appropriate improvement measures has been implemented and then determines on the completion of the Grievance Mechanism Process. JCS also notifies the completion of Grievance Mechanism Process to relevant parties.

As deemed appropriate, JSC can decide on the closing of the particular grievance/report in cases such as:

- Either resolution of the grievance/report, cancellation of the grievance/report, or fact of non-compliance with the Sourcing Code is not able to confirm in the course of each procedure mentioned above; or
- It is difficult to foresee a resolution even if the process moves forward; or
- There is no need for improvement measures as agreed by both parties concerned.