

Results of Investigation on Reported Use of Public Research Funds at the Public University Corporation, the University of Aizu

1. Background

On April 26, 2022, the University of Aizu received a report through the Whistleblowing System of matters including failure to follow ordering procedures for subcontracted work using research funds. Based on the Regulations Concerning the Handling of Public Research Funds at the Public University Corporation, the University of Aizu, an investigation committee including an external member was established to investigate the matter.

2. Investigation

(1) Members of the Investigation Committee

Compliance Promotion Office, the Public University Corporation, the University of Aizu

Chairman: ABE Toshihiko

Regent (Director General of the Administrative Office) of the University of Aizu

Vice-Chair: SATO Hitoshi

Deputy Director General of the University of Aizu Administrative Office

Member (External Expert): ONO Takeo

Attorney at Aizu Mirai Law Office

Member: NARUSE Keitaro

Head of the Division of Information Systems, the University of Aizu

Member: TAKAHASHI Shigeo

Professor, the University of Aizu

Member: HAYAKAWA Shinya

Director of the General Affairs and Budget Division, the University of Aizu

Member: KOBIAYAMA Hironobu

Director of the Planning and Collaboration Division, the University of Aizu

(2) Investigation Method

The committee confirmed and examined the content of the report and related documents, conducted interviews with the persons concerned, and investigated whether the case represented a violation of the law (including the Act Against Delay in Payment of Subcontract Proceeds, Etc. to Subcontractors (hereinafter, “the Subcontracting Act”).

3. Investigation Results

(1) Failure to Follow Ordering Procedures in the Commissioning of Research Assistants

At the University of Aizu, when commissioning work totaling less than 500,000 yen, faculty members must follow the procedures stipulated in Form 8, Proposal Form (for Other Expenses) of “Financial Expenditure Compliance Items Regarding Faculty Purchasing” (hereinafter referred to as “Form 8”). However, the Form 8 submitted did not meet the requirement stipulated in Article 3 of the Subcontracting Act regarding the delivery of documents specifying the details of the subcontracted work, etc., nor did it provide for the delivery of said documents.

(2) Failure to Pay Research Assistant

The University requested a person employed as a special research assistant to continue working on the tasks that remained uncompleted, etc. after the end of their employment period.

4. Measures to Prevent Recurrence

- (1) Revision of the Financial Expenditure Compliance Items Regarding Faculty Purchasing
- (2) Enhancement of compliance education and awareness-raising activities

Related Laws and Regulations

【Excerpts from The Regulations Concerning the Handling of Public Research Funds at the Public University Corporation, the University of Aizu】

Article Two

(Definitions)

2.1 Within these regulations, the terminology listed in each of the following items shall be as defined in each item.

- a. Public Research Funds: Research funds financed by the Competitive Research Funds, etc. of the national government or an independent administrative institution, etc. under its jurisdiction, as well as all research funds managed by the UoA
- b. Faculty and Staff, Etc.: UoA faculty and administrative staff members, as well as any other individuals involved in the management and operation of UoA Public Research Funds
- c. Misappropriation: The use of Public Research Funds for purposes other than originally intended, the use of Public Research Funds through false claims, or the use of Public Research Funds in a matter that violates laws, ordinances, or UoA regulations, etc.

【Excerpts from Act against Delay in Payment of Subcontract Proceeds, etc. to Subcontractors】

(Delivery of Documents)

Article 3(1)A large procuring enterprise must, in cases where it has concluded a manufacturing consignment, etc. agreements with a subcontractor, immediately deliver to the subcontractor a document setting forth, pursuant to the provisions of the Rules of the Fair Trade Commission, the details of work of the agreement, the amount of subcontract proceeds, the date of payment, the method of payment and other matters; provided, however, that if there are reasonable grounds not to determine the details of a matter, the matter does not have to be stated. In that case, the large procuring enterprise must deliver to the subcontractor a document setting forth the matter immediately after the determination of the details.