

# **Tokyo Metropolitan Government Socially Responsible Procurement Guidelines**

## **Grievance Mechanism**

**May 2025**

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# Definition of Terms within the Procurement Guidelines

| Term                                  | Definition   |
|---------------------------------------|--|
| Works and Goods                       | Items and services (including services provided electronically) procured by the Tokyo Metropolitan Government (hereinafter referred to as the "TMG"), such as works, building materials, supplementary materials, equipment, supplies, consumables, including outsourced business activities.  |
| Order Recipients                      | Parties with whom the TMG concludes contracts for the procurement of Works and Goods.  |
| Supply chain                          | All stages (refers to all stages in the provision of parts and materials, subcontracting, and recommissioning, etc.) of manufacture, distribution, etc. including harvesting of feedstocks, up to provision to Order Recipients.   |
| Procurement-related business operator | Order Recipients and business operators involved in their supply chain.  |
| Procurement process                   | Processes related to the harvesting of feedstocks, manufacture, production, construction, distribution, and operation, etc. undertaken in Japan or in other countries, in the implementation of contracts for Works and Goods by Order Recipients.<br>For the purpose of these Procurement Guidelines, this means the process up to delivery or provision of services to the TMG, unless otherwise specified under "5 Perspectives for securing sustainability". |
| Negative impacts                      | Impacts that threaten the sustainability of human rights, and the environment, etc. (risk to sustainability).  |
| Laws and regulations                  | Constitutions, treaties, laws, ordinances, government ordinances, cabinet ordinances, ministerial ordinances, public notices, regulations, government agency ordinances, directives, notifications, and other similar edicts.  |
| Due diligence                         | A series of continuous processes to assess the business activities of corporations, including business related to the supply chain, in terms of negative impacts of possible illegal acts, human rights violations, environmental pollution, and other factors, implement measures according to the assessment results, and regularly disclose verification results and measures put in place following verification of the effectiveness of said measures.      |
| Stakeholder                           | Parties with interests that will be affected or may be affected by the business operations of corporations (individual or group).  |
| Workers, etc.                         | Persons engaged in some form of work to facilitate the provision of Works and Goods by Order Recipients. This is regardless of whether the employment format is regular or irregular, and includes freelance workers.  |
| Foreign and immigrant workers         | Workers at each site within the procurement process who are not nationals of the country in which the work site is located (includes technical interns, specified skilled workers, and foreign students.)  |

# 1 .Purpose of this Document

- Starting in May 2025, the Tokyo Metropolitan Government (hereafter referred to as the “TMG”) has established and is operating a Grievance Mechanism as part of the Tokyo Metropolitan Government Socially Responsible Procurement Guidelines (hereafter referred to as the “Procurement Guidelines”).
- To make the Grievance Mechanism more accessible, this document explains what can be reported, the information required for reporting, and the procedures involved, from the perspective of the whistleblower.

## 2. Cases Subject to Reporting

- ✓ The Procurement Guidelines cover all procurements by the TMG, and the TMG Whistleblowing Section handles reports that meet both of the following criteria:
  - ✓ Reports relating to all works and goods procured by the TMG (excluding the Bureau of Public Enterprises\*).
  - \*At the time of writing, this applies to cases handled by the 1<sup>st</sup> Contracting Section and 2nd Contracting Section of the Accounting Division, Bureau of Finance, TMG starting from April 2025, and the scope will be expanded as appropriate as its operational capacity expands.
  - ✓ Reports concerning non-compliance with the Procurement Guidelines (based on specific facts that may indicate non-compliance, including those within the supply chain)
- However, even if the above criteria are met, if the report is found to be malicious or defamatory, or if the case is already being addressed by other procedures and it is deemed inappropriate to start a new procedure, the processing procedure may not be initiated.
- The TMG will ensure objectivity and fairness in making the above decisions by obtaining advice from an advisory committee consisting of external experts, as necessary.
- In principle, reports shall be in relation to matters concerning contracts currently in their execution period. However, in cases where the facts pertaining to non-compliance become known after expiry of the execution period, reports submitted within one year of said expiry will be accepted.

## 2. Cases Subject to Reporting

- The following examples illustrate cases that are subject to reporting at the Whistleblowing Section.

### **(Cases Subject to Reporting)**

- ✓ Employees engaged in the manufacturing of goods procured by the TMG are paid below the minimum wage.
  - ✓ Foreign technical intern trainees engaged in the manufacturing of goods procured by the TMG are working without adequate employment procedures.
  - ✓ A company contracted for construction ordered by the TMG is conducting work without using personal protective equipment (such as helmets).
  - ✓ Employees engaged in the manufacturing of goods procured by the TMG are working overtime beyond the legal limits.
- The following examples are not subject to handling at the Whistleblowing Section.

### **(Cases Not Subject to Reporting)**

- ✓ Reports concerning works or goods procured by entities other than the TMG or other local governments.
- ✓ Reports concerning the harvesting of feedstocks used in products of a business entity with a procurement contract with the TMG, but not supplied to the TMG.
- ✓ Reports concerning the working conditions of workers employed by a business entity with a procurement contract with the TMG, but not engaged in services provided to the TMG.
- ✓ Reports seeking improvements in wage levels across the entire industry.

### 3. Persons Eligible to Report

- The following individuals can report to the Whistleblowing Section.
  - ✓ Parties (individuals, groups, or communities) who have incurred negative impacts due to non-compliance of the Procurement Guidelines.
  - ✓ Parties (individuals, groups, or communities) who have a reasonable likelihood of incurring equivalent negative impacts in the future due to non-compliance with the Procurement Guidelines.
  - ✓ Any stakeholders, including the above-mentioned parties.
- Reports can be made directly by the affected parties or through representatives.
- Information about the whistleblower will not be disclosed externally unless required by law. Additionally, if the whistleblower wishes, anonymity can be maintained towards reported parties.
- Retaliatory actions against the whistleblowers for submission of reports are prohibited under the Procurement Guidelines.

## 4.Reporting Period and Reporting Methods

- Start of Reporting Period : May 1, 2025
- Reporting Methods :
  1. Submit the designated form via email
  2. Submit the designated form by mail
- ✓ E-mail address : `shishin_tsuho(at)section.metro.tokyo.jp`
  - ※Replace (at) with @ when sending e-mails
  - ※This address is for sending reports only.
  - ※The TMG or a third party commissioned by the TMG may contact you to confirm or investigate the contents of the report. (`metro.tokyo(at)reception.section.grievance.jp`)
- ✓ Mailing Address : Whistleblowing Section for Tokyo Metropolitan Government  
Socially Responsible Procurement Guidelines  
Contracting Coordination, General Affairs Section, Accounting  
Division, Bureau of Finance  
Tokyo Metropolitan Government Building, First Main Building,  
2-8-1 Nishishinjuku, Shinjuku-ku, Tokyo, Japan  
163-8001



## 5. Information Required for Reporting

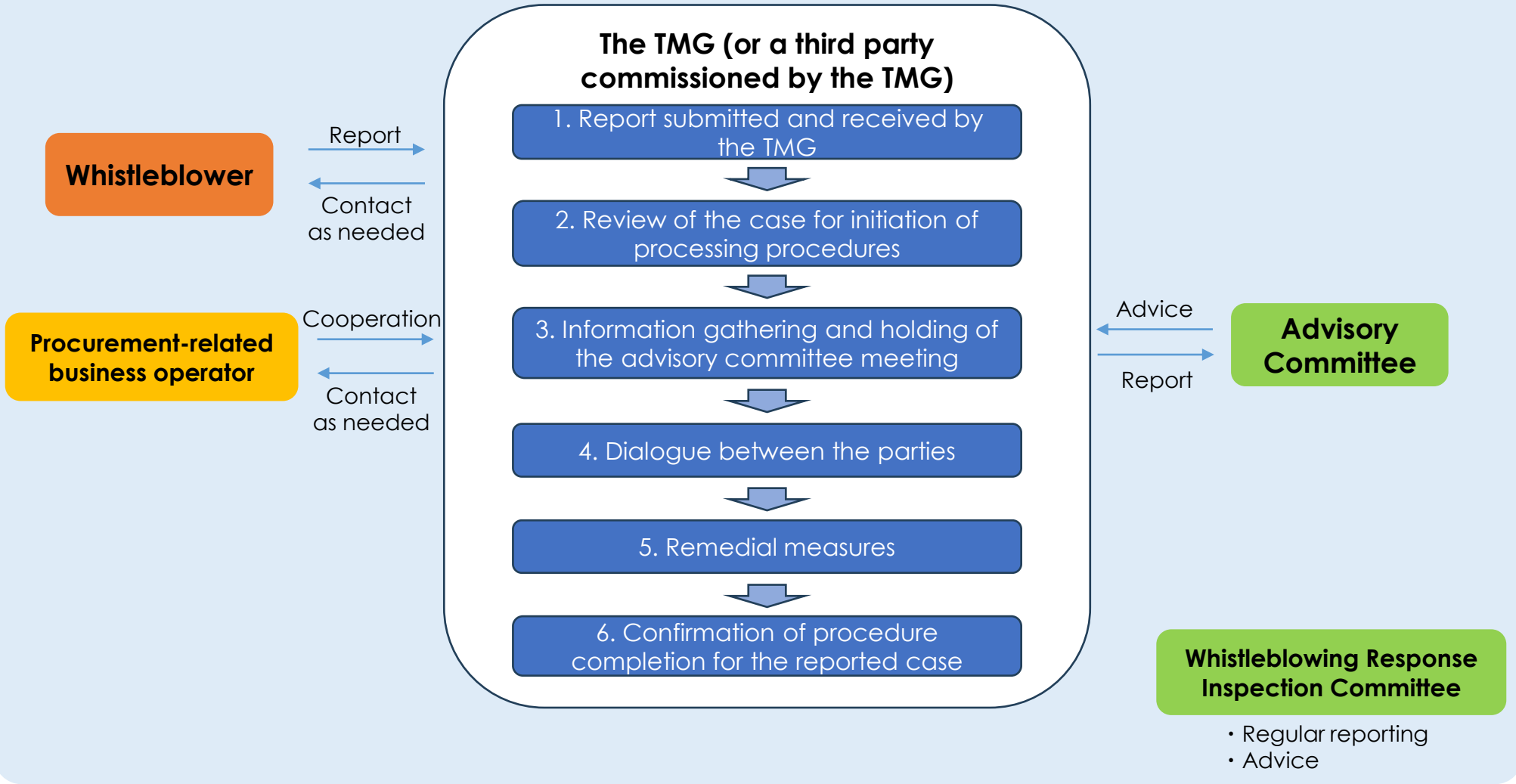
- Please submit the Report using the designated form (Whistleblowing Form) with the following required information:
  - (1) Name, address, and contact details (phone number, email address) of the whistleblower.
  - (2) Information about the reported party (name or title, address, contact details, and relationship with the whistleblower).
  - (3) Sufficient information to identify the works or goods procured by the TMG.
  - (4) Specific facts of non-compliance as considered by the whistleblower and the relevant sections of the Procurement Guidelines.
  - (5) Details of the negative impacts resulting from non-compliance or the potential future impacts considered likely by the whistleblower.
  - (6) Expected solutions from the whistleblower.
  - (7) Facts about any dialogue with the reported party.
  - (8) Whether the case is currently under dispute in other procedures or already being processed by the Whistleblowing Section (if applicable, provide specific details).
- For detailed notes on each item in the Whistleblowing Form, please refer to the "Operational Standards for the Whistleblowing Section for the Socially Responsible Procurement Guidelines."
- The Whistleblowing Form can be downloaded from the following website:  
[https://www.zaimu.metro.tokyo.lg.jp/documents/d/zaimu/20250501\\_tsuuhou\\_english](https://www.zaimu.metro.tokyo.lg.jp/documents/d/zaimu/20250501_tsuuhou_english)

## 5. Information Required for Reporting

- As a general rule, the Whistleblowing Form should be completed in Japanese or English.
- To ensure smooth processing of the subsequent procedures, please provide as much detailed and objective information as possible when filling out the Whistleblowing Form, including the basis for determining whether the case falls under the applicable criteria.
- Even if the report is incomplete, it will not be rejected solely for that reason. Additional or supplementary information may be requested, and if the necessary information is provided, the procedure can proceed.
- Please refer to pages 4-5 of this document for "Cases Subject to Reporting" to confirm whether the content you intend to report falls under this system.

# 6. Flow of Reporting Process

- The standard flow of the Reporting Process is as follows:



## 6. Flow of Reporting Process

- Depending on the nature and content of the case, multiple procedures may be carried out in parallel, or some procedures may be omitted.
- If the whistleblower is not the party (individuals negatively affected by non-compliance with the Procurement Guidelines), the Whistleblowing Section will confirm with the whistleblower whether they can introduce the party or their representative to determine if dialogue between the parties is possible.
- If the whistleblower is a representative, we will contact the party directly to confirm the facts reported.
- In cases where the party cannot be identified through a third-party report and dialogue between the parties is not expected, we will conduct fact-checking related to non-compliance with the Procurement Guidelines during the "3. Information Gathering" stage (see previous page). Based on the findings, if necessary, we may request the implementation of "5. Remedial measures" and complete the processing. In this case, an advisory committee will be formed and will provide advice as requested by the TMG.
- Reports made with malicious intent, such as for the purpose of defamation, very trivial matters, reports created to gain competitive advantage, or other cases where it is clearly inappropriate to initiate procedures at this Whistleblowing Section, may not be processed.

## 7. Additional Notes

- The summary of the reporting, the status of the processing procedures, the status of remedial measures, and the summary of the results will be disclosed on the website. If the reporter does not wish for their information to be made public, please convey this message to the Whistleblowing Section. Upon disclosure, individual privacy will be fully considered.
- The TMG will regularly compile responses to reported cases and report them to the Whistleblowing Response Inspection Committee, seeking opinions for future improvements in the operation of the Whistleblowing Section.