

Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation the University of Osaka Staff

Note: The document below is an English translation of the University Work Regulations, originally composed in Japanese. The English version of the Work Regulations has been provided merely as a reference for international researchers and employees. Therefore, it should not be considered an official employment contract. Please note that any and all official employment contracts are concluded solely on the basis of the Japanese version of the Work Regulations.

Chapter 1: General Provisions

(Purpose)

Article 1: The purpose of these regulations shall be to define, in accordance with Article 34 of Work regulations for National University Corporation the University of Osaka Staff, items relating to working hours, holidays and leave of absence for Employees of Full-time Staff of the National University Corporation the University of Osaka (hereinafter referred to as "The University") to whom the said regulations for National University Corporation the University of Osaka Staff (hereinafter referred to as "Employee (s)") apply.

(Relationship to Laws and Ordinances)

Article 2: Working hours, breaks, holidays and leave for Employees shall be in accordance with the terms and provisions of The Labor Standards Law (Law No. 49 of 1947, hereinafter referred to as "The LSL"), other laws and ordinances and these regulations.

Chapter 2: Working Hours, Breaks, and Holidays

(Regular Working Hours)

Article 3: 1 Working day shall comprise 8 working hours inclusive of a 45-minute break.

2. Starting and finishing times as well as a time-frame of break shall be defined as follows. However, regulations regarding shift work system including rotating schedule shall be defined separately.

(1) Start Time: 8:30 a.m.

(2) Finish Time: 5:15 p.m.

(3) Break: From 12:15 p.m. to 1:00 p.m.

3. Notwithstanding the provisions of the preceding 2 paragraphs, upon request of an Employee the starting and finishing times of work, as well as the break time may be adjusted, provided the total daily working hours shall not exceed 8 hours. However, this shall not apply if such changes would hinder the normal operation of work.

4. In addition to the provisions defined in the preceding paragraph, when necessary, in practical terms, the starting and finishing times, as well as the break time described in Paragraph 2 may be changed, provided the total daily working hours shall not exceed 8 hours.

(Working at Locations outside the Regular Workplace)

Article 4: In cases where Employees are engaged in duties consuming all or part of the regular working hours at a location outside their regular workplace, and when working hours are difficult to calculate, it shall be assumed that said Employees have worked the regular working hours. However, when overtime is necessary in order to carry out work, those hours shall be considered equivalent to the standard time required for that work.

(Overtime and Working on Holidays)

Article 5: In cases where, to accommodate the necessities of duty, Employees may be required to work overtime outside of the regular working hours as defined in Article 3 (in cases where the regular working hours differ due to the variable working hour system as defined in the terms and provisions of Articles 13 and 14, the number of hours under said system. This also applies to the following article and Article 10 below) or to work on holidays prescribed in Article 8 below (In cases where the regular holidays differ due to use of the variable working hour system, the holidays are to be prescribed under said system. This also applies to the following Article, and Articles 9 and 10 below).

2. In cases where Employees are ordered to work overtime or to work on holidays as detailed in the preceding paragraph and the number of hours worked exceeds 8 hours a day (including cases where the regular

working hours per day exceed 8 hours due to use of the variable working hour system), at least one hour of break time shall be provided during working hours.

3. In cases where Employees are ordered to work overtime or to work on holidays as detailed in the preceding Paragraph 1 and the work either exceeds the number of working hours (hereinafter referred to as "overtime work") defined under Article 32 onward of the LSL or constitutes work on a legal holiday (hereinafter referred to as "work on holidays") as defined in Article 35 of The LSL, said work shall be subject to labor-management agreement as defined in Article 36 of the same law.
4. Employees ordered either to work overtime or to work on holidays detailed in the Paragraph 1 above shall be paid the prescribed extra wages.
5. Notwithstanding the terms and provisions of the preceding Paragraph 1, Employees who take care of their children who have not yet reached compulsory school age or other Subject Family Members (excluding Employees who are not entitled to lodge a request for limitations on unscheduled work under a labor-management agreement concluded in accordance with Paragraph 1, Article 16-8 and Paragraph 1, Article 16-9 of CCFCLL) shall not be required to work extra hours when a request is made for the purpose of care of said children or said Subject Family Members. However, this shall not apply if the restrictions hinder the normal operation of work.
6. Notwithstanding the terms and provisions of the preceding paragraph 3, Employees (excluding those whose number of continuous service years is less than 1 year) who are engaged in care and raising of children until the attainment of the age for entry into primary school or in care of Subject Family Members shall not, upon lodging a request for the purpose of care of said children or said Subject Family Members, be required to work overtime in excess of 24 hours in 1 month or 150 hours in 1 year. However, this shall not apply if the restrictions hinder the normal operation of work.

(Working during Emergencies)

Article 6: In cases where necessary due to disasters or other unavoidable reasons, Employees may, depending on the extent of the disaster or relevant circumstances, be ordered either to work on a temporary basis, to work overtime hours in excess of the regular working hours defined in the preceding Article 3, or to work on holidays defined in Article 8 below.

2. The provisions in Paragraphs 2 and 4 of the preceding Article shall be conformed to the preceding paragraph when said circumstances come into force.
3. In cases where Employees are ordered to work overtime hours or to work on holidays, as defined in the preceding Paragraph 1, and said work corresponds to the definitions of overtime work or working on holidays, the procedures defined in Paragraph 1, Article 33 of The LSL shall be applied.

(Night Work)

Article 7: To accommodate the needs of work, Employees may be ordered to work during the period from 10:00 p.m. to 5:00 a.m. (hereinafter referred to as "night work").

2. Employees ordered to work at night shall be paid the prescribed extra wages.
3. Notwithstanding the provisions of Paragraph 1 above, Employees engaged in the raising children who have not reached the age to enter elementary school or taking care of Subject Family Members who do not fall under either of the following categories shall not be ordered to work at night, provided that the necessary requests for consideration regarding said children or Family Members have been lodged. However, this shall not apply if the requests hinder the normal operation of work.
 - (1) Employees with a period of continuous service of less than 1 year.
 - (2) Employees living with family members over the age of 16 who share the same residence and are capable of implementing care of said children or Subject Family Members during nights when said Employees are ordered to work.

(Regular Holidays)

Article 8: Regular holidays shall be as defined hereunder:

- (1) Sundays.
 - (2) Saturdays.
 - (3) Holidays defined in The Public Holiday Law (Law No. 178 of 1948).
 - (4) From 29 December to 3 January (excluding holidays defined in each of the preceding items).
 - (5) Other holidays designated by The University.
2. Notwithstanding the provisions of the preceding paragraph, The University shall designate different holidays

for individuals. A different Regular Holiday may be set forth without changing the total number of Regular Holidays, provided it is deemed especially necessary by the University.

(Substitute Holidays)

Article 9: In cases where it is deemed necessary, Employees work on the regular holidays defined in the preceding article, and such holidays may be substituted in accordance with separate definitions.

2. In cases where holidays are substituted, as detailed in the preceding paragraph, notwithstanding the terms and provisions of Paragraph 4, Article 5, work normally carried out on the day of a substitute holiday shall not be subject to extra payment.

Chapter 3: Night/Day Duty

(Night/Day Duty)

Article 10: To accommodate the needs of work, Employees may be ordered to work night or day duty either outside regular working hours prescribed in Article 3 (including hours from 10:00 p.m. to 5:00 a.m.) or on regular holidays defined in Article 8.

Chapter 4: Permission for Abstention from Work

(Permission for Abstention from Work)

Article 11: In accordance with the provision set forth separately, Employees may be granted permission to be absent from work during specific working hours.

Chapter 5: Special Cases Relating to Working Hours

(Reduced Working Hours)

Article 12: Regular working hours of Employees as defined in Article 3 and the following categories shall be reduced when said Employees (excluding Employees who, under a labor-management agreement concluded in accordance with the proviso stated in Paragraph 1, Article 23 of CCFCLL, are not allowed to lodge a request for a reduction of the prescribed working hours) have lodged appropriate requests for special dispensation for care of children or Subject Family Members. However, in the case of Item 1, this shall not apply if the child has reached the beginning of elementary school and it interferes with the normal operation of the work.

- (1) Reduction of regular working hours by a maximum of 2 hours per day during the time period required for Employees to raise children who have not yet reached the beginning of junior high school or a child who has a disability that corresponds to disability grade specified separately and who needs special consideration on the first March 31 after reaching 18 years of age.
- (2) Reduction of regular working hours by a maximum of 4 hours per day during the time period required for Employees to undertake nursing care of their Subject Family Members (within the period of 3 consecutive years for 1 Subject Family Member).

(Variable Working Hour System within 1 Month)

Article 13: Notwithstanding the provision of Paragraph 1 and Paragraph 2 of Article 3, and Article 8, the University may set working hours and holidays different from those in the aforementioned Articles for Employees who need to work on a special schedule due to their work by assigning a modified working hour schedule in advance within the scope of average working hours that do not exceed 40 hours per week for a fixed period of one month or less.

2. In addition to what is prescribed in the preceding paragraph, when a request has been made by Employees applying to any of the following items who need to work on a special schedule, notwithstanding the provision in Paragraphs 1 and 2, Article 3, the University may set working hours and holidays different from those in the aforementioned articles by assigning a modified working hour schedule in advance within the scope of average working hours that do not exceed 40 hours per week for a fixed period in one month or less. However, this shall not apply if it interferes with the normal operation of the University business.

- (1) Employee who is raising children prior to entering junior high school
- (2) Employee who take care of Subject Family Members

(3) Other Employee deemed necessary by The University

3. In cases described in Paragraph 1, when an Employee makes a request, the starting and finishing times of working hours and the assigned break time may be changed, or the break time may be extended, provided that the total hours worked per day do not exceed the Regular Working Hours. However, this shall not apply if it interferes with the normal operation of the University business.
4. Notwithstanding the provisions of Paragraphs 4, Article 5, when Regular Working Hours exceed 8 hours per day or 40 hours per week, or when an Employee is assigned to work on regular holidays prescribed in Article 8 due to the assignment of working hours in Paragraph 1 and 2, extra wages shall not be paid for said Regular Working Hours and Work on Holidays.
5. The assignment of working hours in Paragraphs 1 and 2 shall be defined separately.
6. The provision in Paragraph 4, Article 3 shall apply mutatis mutandis to the scope set forth in Paragraphs 1 and 2.

(Variable Working Hour System within 1 Year)

Article 14: In the case of an Employee who works in a workplace with a workload that fluctuates depending on the season, The University may provide said Employee, notwithstanding the terms and provisions of Paragraphs 1 and 2 of Article 3, and Article 8, working hours and holidays differing from those defined in the aforementioned articles by assigning a modified working hour schedule in advance, provided that the average weekly working hours for a fixed period of one month or more but not exceeding one year (hereinafter referred to as "the target period") do not exceed 40 hours.

2. The regulation defined in Paragraphs 3 and 4 of the preceding articles shall apply to the preceding paragraph.
3. The assignment of working hours detailed in Paragraph 1 above shall be subject to labor-management agreement in accordance with Article 32-4 of the LSL.
4. For Employees whose working period at the workplace specified in Paragraph 1 is shorter than the target period, the average weekly working hours shall be calculated, and the extra wages shall be paid for work hours exceeding 40 hours per week.
5. The provisions in Paragraph 4, Article 3 shall apply mutatis mutandis to the scope set forth in Paragraph 1.

(Flextime System)

Article 15: In cases where it is recognized as necessary to accommodate work-related or other needs, Employees may work a schedule within which the said Employees are entrusted to set start and finish times. In such cases, as a basic rule, the scope within which start and finish times may be set shall be as follows:

- (1) Start time from 7:00 a.m. to 10:00 a.m.
- (2) Finish time from 3:00 p.m. to 10:00 p.m.

2. A scope of Employees and other related issues pertinent to the preceding Paragraph shall be determined in accordance with the labor-management agreement based on Article 32-3 of the LSL.

(Discretionary Labor System)

Article 16: In cases where, due to the nature of the work, it is necessary to entrust the method of the implementation of work to Employees engaged in said work, it shall be deemed that Employees have worked the hours prescribed through negotiations in accordance with labor-management agreement as defined in Article 38-3 of The LSL or resolutions by the labor-management committee as defined in Article 38-4 of the same law, with the consent of the Employee.

2. The consent of the preceding paragraph may be withdrawn. In such a case, the start and the finish times of work and the break time for the Employee who has withdrawn the consent shall be in accordance with Article 3 from the month following the month in which the date of withdrawal of consent falls.

Chapter 6: Leave

(Types of Leave)

Article 17: Employees shall be entitled to annual paid leave and special leave.

(Annual Paid Leave)

Article 18: Annual paid leave shall be given the number of days specified in the following table in units of the fiscal year (from 1 April to 31 March of the following year; the same shall apply hereinafter). However, those

who have less than 80% of all working days in the previous year shall not be given the leave.

Period of continuous service	1 year or less	More than 1 year, and 2 years or less	More than 2 years, and 3 years or less	More than 3 years, and 4 years or less	More than 4 years, and 5 years or less	More than 5 years
Number of Leave days to be Entitled	11 days	12 days	14 days	16 days	18 days	20 days

2. Notwithstanding the preceding paragraph, newly appointed Employees shall be entitled to the number of days of annual paid leave in the table below in accordance with the month of employment falls in that Fiscal year. However, Individuals with special approval from The University shall be given annual paid leave for the number of days approved by The University.

Month of employment	April	May	June	July	August	September	October	November	December	January	February	March
Number of Leave days to be Entitled	10 days	10 days	10 days	10 days	10 days	10 days	9 days	7 days	6 days	4 days	3 days	1 day

3. The proviso in Paragraph 1 shall not apply to employees who fall under the provision of the preceding paragraph.
4. The periods defined in hereunder shall qualify as work time in respect of the proviso defined in the preceding Paragraph 1.
- (1) Periods of leave for medical treatment and recuperation necessary due to work-related accidents as defined in Item 1, Paragraph 1, Article 7 of The Industrial Accident Compensation Insurance Act (Law No. 50, 1947) or commuting accidents as defined in Item 3 of the same paragraph.
 - (2) Periods of child care leave is taken in accordance with Article 23, parental leave is taken in accordance with Article 23-2, or family care leave is taken in accordance with Article 24 of this set of regulations.
 - (3) Periods of pre/post maternity leave for female Employees in accordance with Article 65 of the Labor Standard Act.
 - (4) Periods of annual paid leave is taken.
 - (5) In addition to what is prescribed in the preceding items, other period the University deems particularly necessary.
5. For Employees to whom the measures prescribed in Item 5 of the preceding paragraph are applied, notwithstanding the provisions of Paragraph 1, the number of days of leave shall be approved by The University and shall not exceed 20 days.

(Specifying and Changing of the Timing of Leave)

Article 19: When Employees wish to take annual paid leave, said Employees shall stipulate the timing of the leave (commencement and end dates of leave) and shall lodge a request with their immediate manager no later than the finishing time of 2 days prior to the said day of commencement of the period of leave. However, this shall not apply in cases of unavoidable circumstances.

2. In cases where the granting of days of annual paid leave as specified by an Employee in accordance with the preceding paragraph would hinder the normal operations of business of The University, the timing of the said leave may be changed to a different period.
3. In cases where, in accordance with labor-management agreement based on the regulations prescribed in Paragraph 6, Article 39 of the LSL, the timing of a part of the annual paid leave is provided, such part shall be granted pursuant to said agreement.
4. In cases where Employees are entitled to 10 or more days of annual paid leave in accordance with the preceding Article, The University shall stipulate the timing for 5 days of the total number of days of said annual paid leave to be taken in the relevant year (in cases where employment begins middle of the fiscal year, The University shall stipulate the timing for 5 days of the total number of days of said annual paid leave to be taken before 31 March of the following year. Hereinafter referred to as the "period of

annual leave grant”) However, if annual paid leave is in accordance with the provisions of the three paragraphs above, the number of days of said leave taken shall be deducted from the number of days of annual leave set by The University.

5. Notwithstanding the provision of the preceding paragraph, in the case where 10 or more days of annual paid leave is granted to an Employee on the first day of the period of annual leave grant (hereinafter referred to as the “day of annual leave grant”), and another 10 or more days of the annual paid leave is granted newly on a specified day within a maximum of 1 year from the said day of annual leave grant (hereinafter referred to as the “day of second annual leave grant”), the number of days of leave obtained by dividing the number of months in the period commencing on the first day of the annual leave grant and ending on the day upon which one year has lapsed from the day of second annual leave grant (hereinafter referred to as the “period of implementation”) by 12 and multiplying the result by 5, shall be granted within the period of implementation.

(Units of Annual Paid Leave)

Article 20: Annual paid leave shall be calculated in units of whole or half days. In cases of extenuating circumstances recognized by the immediate manager, annual paid leave may be taken in units of 1 hour.

2. Day(s) or hours(s) of Annual paid leave taken in accordance with the provision of the preceding paragraph shall be deemed as time worked and shall, accordingly, be subject to payment of salary.

(Carrying over Annual Paid Leave)

Article 21: Annual Paid Leave (excluding days carried over from the preceding year in accordance with the provisions of this article and units less than one whole day shall be cut off.) may be carried over to the following year.

(Special Leave)

Article 22: Regulations governing leave for Employees for special reasons such as medical treatment either for injury or illness, as well as marriage, giving birth and the exercise of voting rights shall be defined separately.

Chapter 7: Child Care Leave and Family Care Leave

(Child Care Leave)

Article 23: Employee who is raising children under 3 years of age may take child care leave, (Excluding the parental leave prescribed in Paragraph 1 of the next Article. Hereinunder the same shall apply in this Article.) by submitting the necessary application to their immediate manager.

2. The preceding paragraph shall not apply to Employees who are ineligible to take child care leave in accordance with labor-management agreements based on the proviso in Paragraph 1, Article 6 of The CCFCLL.
3. Salary shall not be paid during periods of child care leave prescribed in Paragraph 1.
4. In addition to what is prescribed in the preceding three Paragraphs, matters necessary for child care leave shall be as prescribed in the Rules Pertaining to Childcare and Family Care Leave for National University Corporation the University of Osaka Staff. .

(Parental Leave)

Article 23-2: Employee who is raising children may take parental leave (Which is childcare leave, for a period of not more than four weeks (If the child was born before the planned date of birth, parental leave may be taken from the date of birth until the day after 8 weeks from the planned date of date of birth of the child, and if the child was born after the planned date of birth, parental leave may be taken from the planned date of birth until the day after 8 weeks from the date of birth of the child.), within the period up to the day after eight weeks counting from the date of birth of the child. Hereinafter the same shall apply.) by submitting the necessary application to their immediate manager.

2. The provision of the preceding paragraph shall not apply to Employees who are ineligible to take parental leave under the labor-management agreement based on the proviso in Paragraph 1, Article 6 of the Act on Childcare and Family Care Leave, which applies mutatis mutandis to Paragraph 2, Article 9-3 of the same Act.
3. The provision in Paragraph 3 and Paragraph 4 of the preceding Article shall apply mutatis mutandis to Family Care Leave.

(Family Care Leave)

Article 24: Employees who provide care for Subject Family Members may take family care leave by submitting the necessary application to their immediate manager.

2. The provision of the preceding paragraph shall not apply to Employees who are ineligible to take family care leave under the labor-management agreement based on the proviso of Paragraph 1, Article 6 of the Act on Childcare and Family Care Leave, which applies mutatis mutandis to Paragraph 2, Article 12 of the same Act.
3. What is prescribed in Paragraphs 3 and 4 of Article 23 shall apply mutatis mutandis to family care leave.

Chapter 8: Female Employees

(Work Restrictions for Pre/Post Maternity Employees)

Article 25: Employees who are either undergoing a term of pregnancy or who are within a period of less than 1 year after giving birth (hereinafter referred to as "Pre/Post Maternity Employee(s)") shall not be permitted to engage in work that may have adverse effects on pregnancy, childbirth or child nursing.

2. Notwithstanding the provisions of Paragraph 1, Article 5, Paragraph 1, Article 6 and Paragraph 1, Article 7, the University shall not require Pre/Post Maternity Employees to work overtime, work on holidays or at nights after submission of the appropriate request.
3. Provisional to submission of appropriate requests, Pre/Post Maternity Employees shall be allocated a lightened workload or assigned to other light work.

Supplementary Provisions

(Date of Implementation)

1. The preceding regulations shall be implemented from 14 April 2004 and applied from 1 April 2004.

(Special Cases relating to Calculation of Period of Continuous Service)

2. The "Period of Continuous Service" prescribed in Paragraph 6, Article 5 and Item 1, Paragraph 3, Article 7 shall include Period of Continuous Service prior to the University of Osaka acquiring National University Corporation status. However, previous periods of employment shall not be taken into account in cases where a period of 1 month or more elapses between periods of employment.

(Interim Measures relating to Annual Paid Leave)

3. Notwithstanding the provisions of Paragraphs 1 and 2 of Article 18, the annual paid leave of Employees who were the University of Osaka Staff prior to the acquisition by National University Corporation status on the date of 1 day before the application of these regulations shall, for the period ending on 31 December 2004 only, be handled in accordance with previous provisions.

Supplementary Provision

The preceding amendments shall be implemented from 19 June, 2006.

Supplementary Provisions

(Date of Implementation)

1. The preceding amendments shall be implemented from 1 October, 2007.

(Special Exception relating to Integration)

2. With respect to Employees who held office in the National University Corporation the University of Osaka of Foreign Studies prior to the integration (hereafter referred to as "The Former OUFS") as of 30 September 2007 whose status was transferred to The University due to the integration and fall under "Employees" set forth in Article 1, the period of continuous service that they have earned in the Former OUFS shall be counted in the "period of continuous service" as described in Paragraph 6, Article 5 and Item 1, Paragraph 3, Article 7.

(Interim Measures relating to Integration)

3. Employees set forth in the preceding paragraph shall be subject to appropriate interim measures in accordance with the provisions of the following table.

Applied Articles	Detail of interim measures	Term of interim measures
Paragraphs 1 and 2, Article 18	With respect to the handling of annual	Term until 31 December 2007

	paid leave, prior regulations shall remain applicable	
--	---	--

Supplementary Provision

The foregoing amendments shall be implemented from 19 February, 2008.

Supplementary Provision

The foregoing amendments shall be implemented from 1 April, 2010.

Supplementary Provision

The foregoing amendments shall be implemented from 30 June, 2010.

Supplementary Provision

These rules shall be implemented from 29 November, 2012.

Supplementary Provisions

1. The foregoing amendments shall be implemented from 19 June, 2014.

(Interim Measure)

2. Notwithstanding the regulation of in the amended Item 2, Article 12 after the amendments, in cases where an Employee has taken received a reduction of regular working hours defined in the regulation of same Item or has taken a family care leave defined in Article 24 before the date of implementation shown in the preceding paragraph (hereinafter referred to as the "Date of Implementation"), the periods before the Date of Implementation are excluded from the "186" days defined in the same No.

Supplementary Provision

The foregoing amendments shall be implemented from 1 April, 2016.

Supplementary Provision

The foregoing amendments shall be implemented from 1 January, 2017.

Supplementary Provisions

(Date of Implementation)

1. The foregoing amendments shall be implemented from 1 April, 2019.

(Interim Measures)

2. On the occasion of enforcement of the amendments, annual paid leave for Employees whose day of annual leave grant is other than April 1, shall remain subject to the prior regulations notwithstanding the amended provisions of Paragraph 4 and 5, Article 19 until the day of annual leave grant of said Employee comes for the first time after the date of implementation shown in the foregoing paragraph.

Supplementary Provision

The foregoing amendments shall be implemented from 1 April, 2019.

Supplementary Provisions

The foregoing amendments shall be implemented from 1 April, 2021.

Supplementary Provision

The foregoing amendments shall be implemented from 1 April, 2020.

Supplementary Provisions

(Date of Implementation)

1. The foregoing amendments shall be implemented from 1 April, 2021.

(Interim Measures relating)

2. Annual Paid Leave for Employees who have been employed on the day before the date of implementation and shall continue to work on the date of implementation, notwithstanding the provision of Paragraph 1, Article 18, are entitled to 20 days after the implementation. In this case, the annual paid leave (units of less

than 1 whole day shall be discarded) granted by the day before the implementation date may be carried over to the year including the implementation date, up to the number of remaining days within the range not exceeding 20 days.

3. For Employees set forth in the foregoing paragraph, the “day of annual leave grant” prescribed in Paragraph 5, Article 19 shall include day of annual leave grant in accordance with the regulations prior to revision.

Supplementary Provision

The foregoing amendments shall be implemented from 1 October, 2022.

Supplementary Provision

The foregoing amendments shall be implemented from 1 April, 2023. Supplementary Provision

The foregoing amendments shall be implemented from 1 April, 2024.

Supplementary Provision

The foregoing amendments shall be implemented from 1 April, 2025.