

Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Part-time Staff (Temporary Full-time 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 rules shall be to provide, in accordance with Article 28 of the said regulations, terms and conditions relating to working hours, holidays and leave for members of Temporary Full-time Staff employed at the National University Corporation Osaka University (hereinafter referred to as “The University”) to whom the National University Corporation Osaka University Temporary Full-time Staff Working Regulations apply (hereinafter referred to as “Employee(s)”).

(Applicable Laws and Ordinances)

Article 2: Working hours, breaks, holidays and leave for Employees shall be in accordance with The Labor Standards Law (Law No. 49 of 1947, hereinafter referred as “The LSL”) and other relevant laws and ordinances as well as the terms and provisions of the rules set out herein.

Chapter 2: Working Hours, Breaks and Holidays

(Regular Working Hours)

- Article 3: The regular working hours per day shall comprise 8 working hours inclusive of a 45 minutes break.
2. Starting and finishing times as well as the duration of breaks shall be as follows. Regulations governing shift work shall, however, be defined separately.
 - (1) Start Time: 08.30 a.m.
 - (2) Finish Time: 17.15 p.m.
 - (3) Break: from 12.15 p.m. to 13.00 p.m.
 3. Notwithstanding the provisions of the foregoing item, when an Employee to whom any of the following apply makes a request, start and finish times as well as the duration of breaks determined herein may be changed with the proviso that the number of working hours shall not exceed 8 hours per day. However, in cases where such change hinders the normal operation of business, this provision shall not be applicable.
 - (1) Employees raising children not yet entered in primary school
 - (2) Employees leaving to pick up or see off children of primary school age (limited to those children who use any of the services herein described) at facilities where after-school day services or after-school child sound upbringing services are operated as a project under the Child Welfare Act (Act No. 164 of 1947; hereinafter referred to as the “Child Welfare Act”), a location where mutual support activities are operated as part of a project under the Ordinance for Enforcement of the Child Welfare Act (Ordinance of the Ministry of Health and Welfare No. 11 of 1948; hereinafter referred to as the “Child Welfare Act Enforcement Ordinance”), facilities where shorter day-time support services such as baby and child sitting services are operated as part of a regional community life support project under the Act on Comprehensive Support of Daily Lives and Social Lives of Persons with Disabilities Persons with Disabilities (Act No. 123 of 2005; hereinafter referred to as the “Persons with Disabilities Comprehensive Support Act ”), or a location where after-school learning activities or other activities are operated as part of a project subsidized by the Ministry of Education, Culture, Sports, Science and Technology to promote educational support activities through cooperation between schools, households and local communities
 - (3) Employees who take care of the subject family members (hereinafter referred to as “Subject Family Members”) specified by the No. 4, Article 2, of the provisions of the law relating to the welfare of workers on child and family care leave engaged in child or family care (Law No. 76 of 1991, hereinafter referred to as “CCFCLL”).
 4. In addition to the provisions defined in the foregoing item, when necessary in practical terms, the start finish

and breaks as specified in Items 2 may be changed with the proviso that the number of working hours shall not exceed 8 hours per day.

(Work at Locations outside the Regular Workplace)

Article 4: In cases where an Employee is engaged in work consuming all or part of the regular working hours at a location outside their regular workplace, rendering calculation of working hours difficult, it shall be assumed that the said Employee has worked the regular working hours. However, in cases where it is necessary, in order to carry out work, to work in excess of the regular working hours, the number of excess hours worked shall be assumed to be equivalent to the number of hours normally required to carry out said work.

(Overtime and Working on Holidays)

Article 5: In cases where, to accommodate the necessities of work, an Employee may be ordered either to work hours outside the regular working hours as set forth in Article 3 (in cases where the regular working hours differs due to the use of the restructured working hours 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 stipulated in Article 8 below. (In cases where the stipulated holidays differ due to the use of the restructured working hour system, the holidays are to be stipulated under said system. This also applies to the following article and Articles 9 and 10 below.)

2. In cases where an Employee is ordered to work overtime or to work on holidays as detailed above and the number of hours worked exceeds 8 hours a day (including cases where the regular working hours a day exceeds 8 hours due to use of the restructured working hours system), a minimum break of 1 hour shall be allowed during said working hours.
3. In cases where an Employee is ordered to work overtime or to work on holidays as detailed in Item 1 above and the work in question either exceeds the number of working hours defined under Article 32 onward of The LSL (hereinafter referred to as "overtime work") or constitutes work on a legal holiday as defined in Article 35 of The LSL (hereinafter referred to as "holiday work"), said work shall be subject to labor-management agreement as defined in Article 36 of the same law.
4. An Employee ordered to work overtime or to work on holidays detailed in Item 1 above shall be paid the stipulated extra wages.
5. Notwithstanding the terms and provisions of the foregoing Item 1, Employees who are engaged in care and raising of children under 3 years of age (excluding Employees who, under a labor-management agreement concluded in accordance with Item 1, Article 16-8, of CCFCLL , are not allowed to lodge a request for limitation on overtime work) shall not, upon lodging a request for the purpose of care of said children, be required to work overtime. The foregoing shall not, however, apply in cases where said restrictions hinder the normal operation of work.
6. Notwithstanding the terms and provisions of the foregoing Item 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. The foregoing shall not, however, apply in cases where said restrictions hinder the normal operation of work.

(Working during Emergencies)

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

2. The rules stipulated in Items 2 and 4 of the forgoing Article shall conform to the above 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 Item 1 above and said work corresponds to the definitions of overtime work or working on holidays, the necessary procedures defined in Item 1 Article 33 of The LSL shall be applied.

(Night Work)

Article 7: To accommodate the needs of work, an Employee may be ordered to work during the period from 22.00 p.m. to 05.00 a.m. (hereinafter referred to as "Night Work.).

2. Employees ordered to work at night shall be paid the regular extra wages.

3. Notwithstanding the items and provisions of Item 1 above, an Employee engaged in the raising of children of preschool age or the care of family members and who do not fall into either of the following categories shall not be required to work at night providing that the necessary request for consideration in respect of the said raising of children or care of family has been lodged. The foregoing shall not, however, apply in cases where said restrictions interfere with the proper performance of work.

(1) Employees with a continuous employment record of less than 1 year.

(2) Employees with others over the age of 16 sharing the same residence capable of implementing care of said children or family members during nights when said Employee is ordered to work.

(Regular Holidays)

Article 8: Regular holidays shall be as defined hereunder.

(1) Sundays

(2) Saturdays

(3) Holidays defined in laws relating to national holidays (Law No. 178 of 1948).

(4) The period commencing on 29 December and ending 3 January (with the exception of holidays defined in each of the foregoing items).

(5) Other holidays stipulated by The University.

2. Notwithstanding the foregoing, The University shall be entitled to stipulate holidays differing from the above with respect to a certain Employee for whom such changes are deemed necessary by The University, providing that said changes do not affect the actual number of regular holidays allotted.

(Substitute Holidays)

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

2. In cases where holidays are substituted as detailed above, notwithstanding the terms and provisions of Item 4, Article 5, work normally carried out on the day to which the holiday is substituted shall not be subject to payment of extra wages.

Chapter 3: Night/Day Duty

(Night/Day Duty)

Article 10: To accommodate the needs of work, an Employee may be ordered to work night or day duty either during hours outside the regular working hours defined in Article 3 above (including hours between 22.00 p.m. and 05.00 a.m.) or on regular holidays defined in Article 8.

Chapter 4: Permission for Abstention from Work

(Permission for Abstention from Work)

Article 11: Subject to separate determination, Employees may be granted permission to abstain from work during specific working hours.

Chapter 5: Special Exception for Working Hours

(Reduced Working Hours)

Article 12: Regular working hours of Employees as defined in Article 3 shall be reduced as detailed hereunder when said Employees have lodged appropriate requests for special dispensation for care of children or family. However, the period shall not exceed the period of employment contract.

(1) Reduction of regular working hours by a maximum of 2 hours per day for Employees raising children of preschool age, said reduction to remain effective until said children attain the age for entry into primary school.

(2) Reduction of regular working hours by a maximum of 4 hours per day for Employees engaged in care of family members as long as said care remains necessary (The maximum of the period is 93 days in total per a member of Subject Family Members(in cases where the family care leave defined in Article 24 is taken for the

same Subject Family Member, the upper limit for days with reduced working hours shall be the period which is obtained by subtracting from 93 days the number of days for the family care leave)).

(Restructured Working Hours System Applicable for a Maximum of 1 Month)

Article 13: Employees requiring a special work structure to accommodate needs imposed by duties may, notwithstanding the terms and provisions of Items 1 and 2, Article 3 and Article 8, work a restructured work schedule based on working hours and holidays differing to those defined in the aforementioned articles providing that working hours are assigned in advance and work does not exceed 40 working hours per week based on the average for a prescribed period no longer than 1 month.

2. In cases as mentioned in the foregoing item, when a person to whom any of the following apply makes a request, previously assigned starting and finishing times as well as the duration of breaks may be changed with the proviso that the number of working hours shall not exceed the regular working hours per day. However, in cases where such change hinders the normal operation of business, this provision shall not be applicable.

(1) Employees raising children not yet entered in primary school

(2) Employees leaving to pick up or see off children of primary school age (limited to those children who use any of the services herein described) at facilities where after-school day services or after-school child sound upbringing services are operated as a project under the Child Welfare Act, a location where mutual support activities are operated as part of a project under the Child Welfare Act Enforcement Ordinance, facilities where shorter day-time support services are operated as part of a regional community life support project under the Persons with Disabilities Comprehensive Support Act or a location where after-school learning activities or other activities are operated as part of a project subsidized by the Ministry of Education, Culture, Sports, Science and Technology to promote educational support activities through cooperation between schools, households and local communities

(3) Employees who take care of the Subject Family Members

3. In cases where, due to the working hour assignments mentioned in Item 1 above, the working hours for 1 day or 1 week exceed 8 days or 40 hours respectively, or in cases where regular holidays defined in Article 8 are set as work days, notwithstanding the terms and provisions of Item 4, Article 5, extra wages shall not be paid for work carried out on regular holidays set as regular working hours and work days.

4. Working hour assignment detailed in Item 1 above shall be subject to separate determination.

5. The provisions set forth in Item 4, Article 3 shall be applied to the extent provided for in Item 1.

(Restructured Working Hours System Applicable for a Maximum of 1 Year)

Article 14: An Employee working in a place of work with a work load that fluctuates depending on the season, may, notwithstanding the terms and provisions of Items 1 and 2, Article 3 and Article 8, work a restructured work schedule based on working hours and holidays differing to those defined in the aforementioned articles providing that working hours are assigned in advance and work does not exceed 40 working hours per week based on the average for a prescribed period of more than 1 month and less than 1 year (hereinafter referred to as "The Target Period.").

2. The regulation defined in Items 2 and 3 of the foregoing article shall apply to the case stipulated in the above item.

3. Working hour assignment as detailed in Item 1 above shall be subject to labor-management agreement in accordance with Item 4, Article 32 of The LSL.

4. Fixed extra wages shall be paid to employee for hours in excess of 40 hours per average week of work periods in work places as defined in Item 1 foregoing shorter than The Target Period.

5. The provisions set forth in Item 4, Article 3 shall be applied to the extent provided for in Item 1.

(Flexitime System)

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

(1) Start time: between 7.00 a.m. and 22.00 a.m.

(2) Finish time: between 15.00 p.m. and 22.00 p.m.

2. The scope of the Employee and other related issues pertinent to the foregoing provision shall be subject to decisions reached through labor-management agreement in accordance with the terms and provisions of

Item 3, Article 32 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 implementation of work to an Employee engaged in said work, it shall be deemed that said Employee have worked the hours stipulated through agreements in accordance with labor-management agreement as defined in Item 3, Article 38 of The LSL and resolutions by the labor-management committee as defined in Item 4, Article 38 of the same law.

Chapter 6: Leave

(Types of Leave)

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

(Annual Paid Leave)

Article 18: The number of days for annual paid leave to be entitled to Employees shall be represented in the table below. Employees who have worked less than 80% of the stipulated working day total in each period shall not, however, be entitled to take its annual paid leave.

Period of Continuous Service	6 months	1 year and 6 months	2 years and 6 months	3 years and 6 months	4 years and 6 months	5 years and 6 months	6 years and 6 months
Number of Leave to be Entitled	10 days	11 days	12 days	14 days	16 days	18 days	20 days

2. The periods defined in hereunder shall qualify as work time in respect of the proviso described in Item 1 above.

- (1) Periods of leave for medical treatment and recuperation necessary due to occurrence of accidents incurred during the performance of duties as defined in No. 1, Item 1, Article 7 of The Workers' Accident Compensation Law (Law No. 50 of 1947) or of accidents during commutation to or from the place of work as defined in No. 2 of the same item
- (2) Periods of child care leave defined in Article 23 of this set of rules or of family care leave as defined in Article 24 of the same.
- (3) Periods of pre/post maternity leave for female Employees in accordance with Article 65 of The LSL.
- (4) Periods of annual paid leave.
- (5) Periods other than the above specially recognized as necessary by The University.

(Stipulation of and Changes to Timing of Leave)

Article 19: In cases where Employees wish to take days of annual paid leave, said Employees shall stipulate the timing of said leave (commencement and end of period of leave) and shall lodge a corresponding request with their immediate manager no later than 2 days prior to commencement of said period of leave. The foregoing shall not apply, however, in cases of extenuating circumstances.

- 2. In cases where the granting of days of annual paid leave as stipulated by Employees in accordance with the above provision interferes with the normal implementation of work, the timing of said period of leave may be changed.
- 3. In cases where, in accordance with resolution resulting from labor-management agreement based on the rules stipulated in Item 6, Article 39 of The LSL, the timing of part of the total period of annual paid leave is set, said part shall be granted in accordance with the timing determined by said resolution.

(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. Annual paid leave taken in accordance with the provisions of the above provision shall be deemed to be time worked and shall, accordingly, be subject to payment of salary.

(Carrying over Annual Paid Leave)

Article 21: Remaining days of annual paid leave (exclusive of days carried over in accordance with the provisions of this article and units of less than 1 whole day shall be discarded) may be carried over to the

following year.

(Special Leave)

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

Chapter 7: Child-care Leave and Family-care Leave

(Child Care Leave)

Article 23: Employees needing to provide care for children less than 3 years of age may take child care leave by submission of the necessary application to their immediate manager.

2. The above rule shall not apply to Employees not entitled to child care leave in accordance with labor-management agreement based on the proviso stated in Item 1, Article 6 of the Child Care and Family Care Leave Law.
3. Salaries shall not be paid during periods of child care leave in accordance with the provisions of Item 1 above.
4. Issues relating to child care leave other than the rules detailed in Item 3 above shall be determined in accordance with the Rules Pertaining to Child and Family Care Leave for Part-time Staff of National University Corporation Osaka University.

(Family Care Leave)

Article 24: Employees needing to provide care for family members may take family care leave by submission of the necessary application to their immediate manager.

2. The above rule shall not apply to an Employee not entitled to family care leave in accordance with labor-management agreement based on the proviso of Item 1, Article 6 of the Child Care and Family Care Leave Law applicable under Item 2, Article 12 of the same law.
3. Items 3 and 4 of the foregoing article shall apply to family care leave.

Chapter 8: Female Employees

(Work Restrictions for Pre/Post Maternity Employees)

Article 25: An Employee who is either undergoing a term of pregnancy or who is within a period of less than 1 year after giving birth (hereinafter referred to as "pre/post maternity Employee") shall not be permitted to engage in work that may have adverse effects on pregnancy, birth or child nursing.

2. Notwithstanding the provisions of Item 1, Article 5, Item 1, Article 6 and Item 1, Article 7, pre/post maternity Employee shall not, after submission of the appropriate request, be required to work overtime, to work on holidays or at nights.
3. Provisional to submission of appropriate requests, pre/post maternity Employee shall be allocated a lightened workload or assigned to light work.

Supplementary Provisions

(Date of Implementation)

1. These rules shall be implemented from 14 April 2004 and applied from 1 April 2004.

(Special Cases relating to Calculation of Continuous Employment Records)

2. The "continuous employment record" stipulated in Item 6, Article 5, No. 1, Item 3, Article 7 and No. 1, Item 1, Article 18 shall include continuous employment records prior to Osaka University 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 Measure Applicable to Annual Paid Leave)

3. Notwithstanding the provisions of Item 1 Article 18, annual paid leave of those who were Employees 2 days before the application date of these rules prior to the acquisition by National University Corporation Osaka University status, shall be handled in accordance with previous provisions.

Supplementary Provision

The foregoing amendments shall be implemented from 1 April 2005.

Supplementary Provision

The foregoing amendments shall be implemented from 19 June 2006.

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 Provision

1. The foregoing amendments shall be implemented from 19 Jun 2014.

(interim measure)

2. Notwithstanding the regulation in the amended No. 2, Article 12, in cases where an employee has received a reduction of regular working hours defined in the regulation of same No. or has taken a family care leave defined in Article 24 before the date of implementation shown in the preceding item (hereinafter referred to as the "Date of Implementation"), the periods before the Date of Implementation are excluded from the "93" days defined in the same No.