

Rules Pertaining to Childcare Leave and Family Care Leave for National University Corporation the University of Osaka Part-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 define, in accordance with the provisions referred to in the following Items, matters relating to Childcare Leave and Family Care Leave for part-time staff, etc. (Hereinafter referred to as “Employee(s)”) who are employed by National University Corporation the University of Osaka (Hereinafter referred to as “the University”).

- (1) Article 21 and 22 of the Rules Pertaining to Working Hours, Holidays and Leave for National University Corporation the University of Osaka Limited Term Commissioned Staff
- (2) Article 23 and 24 of the Rules Pertaining to Working Hours, Holidays and Leave for National University Corporation the University of Osaka Temporary Full-time Education and Research Staff
- (3) Article 19 and 20 of the Rules Pertaining to Working Hours, Holidays and Leave for National University Corporation the University of Osaka Temporary Part-time Staff
- (4) Article 20 and 21 of the Rules Pertaining to Working Hours, Holidays and Leave for National University Corporation the University of Osaka Temporary Part-time Education and Research Staff
- (5) Article 40 and 41 of the Work Regulations for National University Corporation the University of Osaka Part-time Lecturer (hereinafter referred to as “the Work Regulations for Part-time Lecturer”)

Chapter 2: Childcare Leave

(Individual Eligible for Childcare Leave)

Article 2: Employee raising a child under 3 years of age shall be entitled to take childcare leave (Excluding parental leave stipulated in Paragraph 1, Article 5-2. Hereinafter the same shall apply for this Article through Article 5, Article 5-5 and Article 9.), as stipulated in this set of Rules.

2. Notwithstanding what is stipulated in the foregoing Paragraph, individual who falls under either of the following Items shall not be eligible to take childcare leave.

(1) Individual who is ineligible to take childcare leave under the labor-management agreement based on the proviso in Paragraph 1, Article 6 of the Act on Childcare Leave, Caregiver Leave, and Other Measures for the Welfare of Workers Caring for Children or Other Family Members (Law No. 76, 1991. Hereinafter referred to as “Act on Childcare and Family Care Leave”).

(2) Individual whose employment contract will expire by the time the child reaches 1 year and 6 months of age (Excluding Employees whose employment contract is expected to be renewed.).

(Application Procedure for Childcare Leave)

Article 3: As a general rule, Employee who wish to take childcare leave shall submit to their immediate manager an application for childcare leave no later than 1 month (2 weeks, for childcare leave for the child pertaining to childcare leave whose first birthday have passed) prior to the requested start date of said leave (Hereinafter referred to as “Scheduled Start Date of Childcare Leave”).

2. Unless under special circumstances, the number of applications for childcare leave shall be no more than 2 times per child (Multiples shall be considered as one child.).

3. For Paragraph 1, Employee shall promptly submit to their immediate manager any certificate etc. when requested by said manager.

4. When the child pertaining to the application is born after the date of application, said Employee shall report the information to his/her immediate manager within 2 weeks from the date of birth.

(Withdrawal of Application for Childcare Leave)

Article 4: Employee may withdraw the application for childcare leave until the day before the Scheduled Start

Date of Childcare Leave.

2. For Employee who has withdrawn an application for childcare leave, the stipulation in Paragraph 2 of the foregoing Article shall be considered taken with the application pertaining to childcare leave.
3. When a situation occurs by the day before the Scheduled Start Date of Childcare Leave, where the Employee will not be raising the child pertaining to the application for the Leave due to death etc. of the child, Employee shall promptly notify the immediate manager of the situation.
4. For the foregoing Paragraph, the application for childcare leave shall be deemed void.

(Duration of Childcare Leave)

Article 5: As a general rule, the duration of childcare leave shall be until the child reaches the age of 3, and be as stated in the application for childcare leave.

2. When the application for childcare leave is submitted less than 1 month (2 weeks, for childcare Leave for the child pertaining to childcare leave whose first birthday have passed) prior to the Scheduled Start Date of Childcare Leave, the immediate manager of the said Employee shall, without considering the stipulation of the foregoing Paragraph, be entitled to decide the Scheduled Start Date of Childcare Leave, as stipulated in the Act on Childcare and Family Care Leave. In this case, the Scheduled Start Date of Childcare Leave shall be set within a period of no more than 1 month (2 weeks, for Childcare Leave for the for child pertaining to Childcare Leave whose first birthday have passed), from the day after the date of application for childcare leave.
3. When the child is born prior to the scheduled date of birth or for other special circumstances, the Scheduled Start Date of Childcare Leave may be brought forward, provided that the Employee notifies his/her immediate manager no later than 1 week in advance of the Scheduled Start Date of Childcare Leave..
4. For special circumstances, Employee may extend the end date of Childcare Leave within the scope stipulated in Paragraph 1, provided that the Employee makes a request to his/her immediate manager no later than 1 month (2 weeks, for Childcare Leave for the for child pertaining to Childcare Leave whose first birthday have passed) prior to the end date of Childcare Leave (Hereinafter referred to as "Scheduled End Date of Childcare Leave"). However, until the child reaches the age of 1, Childcare Leave may be extended for no special circumstances.
5. When any of the circumstances in the following Items occur, Childcare Leave shall be deemed to have ended on the dates stipulated in the Items.
 - (1) When the Employee will not be raising the child pertaining to Childcare Leave, due to death etc. of the child: The date of said circumstance occurred.
 - (2) When the child pertaining to Childcare Leave reaches the age of 3: The date of the child's 3rd birthday.
 - (3) When the Employee takes Special Leave stipulated in Item 6 and Item 7, Paragraph 1, Article 8 of the Detailed Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation the University of Osaka Limited Term Commissioned Staff (Hereinafter referred to as "Detailed Regulations pertaining to Working Hours for Limited Term Commissioned Staff".), Item 6 and Item 7, Paragraph 1, Article 9 of the Detailed Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation the University of Osaka Temporary Staff (Full-time Education and Research Staff) (Hereinafter referred to as "Detailed Regulations pertaining to Working Hours for Temporary Full-time Education and Research Staff"), Item 6 and Item 7, Paragraph 1, Article 8 of the Detailed Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation the University of Osaka Temporary Staff (Part-time Staff) and Detailed Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation the University of Osaka Temporary Staff (Part-time Education and Research Staff) (Hereinafter both referred to as "Detailed Regulations pertaining to Working Hours for Temporary Part-time Staff"), and Item 4 and Item 5, Paragraph 1, Article 39 of the Work Regulations for Temporary Lecturer, parental leave stipulated in Paragraph 1 in the next Article, Family Care Leave, or another Childcare Leave: The day before the start date of the said Leave(s)
6. When circumstance in Item 1 of the foregoing Paragraph occurs, Employee shall promptly inform his/her immediate manager.
7. When the Employee makes a request to his/her immediate manager to bring forward the Scheduled End Date of Childcare Leave and when the immediate manager approves, the Scheduled End Date of Childcare Leave may be brought forward.

(Individual Eligible for Parental Leave)

Article 5-2: Employee raising a child 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, from the date of birth until the day after 8 weeks from the planned date of birth of the child, and if the child was born after the planned date of birth, 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.) as stipulated in these Regulations.

2. Notwithstanding what is stipulated in the foregoing Paragraph, individual who falls under either of the following Items shall not be eligible to take parental leave.
 - (1) Individual who is ineligible to take parental leave under 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.
 - (2) Individual whose employment contract will expire within the period between the date of birth of the child ((If the child was born before the planned date of birth, the planned date of birth) and the day 6 months will have passed, counting from the day after 8 weeks from the date of birth of the child (Excluding individual whose employment contract is expected to be renewed.)

(Application Procedure for Parental Leave)

Article 5-3: As a general rule, Employee who wish to take parental leave shall submit to their immediate manager an application for parental leave, no later than two weeks prior to the requested start date of parental leave (Hereinafter referred to as "Scheduled Start Date of Parental Leave").

2. The number of application for parental leave shall be no more than 2 times per child (Multiples shall be considered as one child.). However, Employee who wish to divide one parental leave into two, he/she must submit the application of the second parental leave along with the first one stipulated in the foregoing Paragraph.
3. When the number of days of parental leave taken (Which means, the number of days from the start date of parental leave to the end date of the said leave. The same shall apply to Item 3, Paragraph 5, Article 5-5.) is more than 28 days, Employee shall not be able to make an application stipulated in Paragraph 1, for the same child.
4. For Paragraph 1, Employee shall promptly submit to their immediate manager certificate etc. when requested by his/her manager.
5. When the child pertaining to the application is born after the date of application, Employee shall report the information to the immediate manager within 2 weeks of the date of said birth.

(Withdrawal of Application for Parental Leave)

Article 5-4: Employee may withdraw the application for parental leave until the day before the Scheduled Start Date of Parental Leave.

2. Individual who has withdrawn an application for parental leave, Paragraph 2 and Paragraph 3 of the foregoing Article shall be considered taken with the application pertaining to parental leave.
3. When a situation occurs by the day before the Scheduled Start Date of Childbirth Leave, where the Employee will not be raising the child pertaining to the application for the Leave due to death etc. of the child, Employee shall promptly notify his/her immediate manager of the situation.
4. For the foregoing Paragraph, the application for parental leave shall be deemed void.

(Duration of Parental Leave)

Article 5-5: The duration of parental leave shall be as stated in the application for parental leave, and duration stipulated in Paragraph 1, Article 5-2 as the limit.

2. When the application for parental leave is submitted less than 2 weeks prior to the Scheduled Start Date of Childbirth Leave, the immediate manager shall, without considering the stipulation of the foregoing Paragraph, be entitled to decide the Scheduled Start Date of Childbirth Leave, as stipulated in the Act on Childcare and Family Care Leave. In this case, the Scheduled Start Date of Childcare Leave shall be set within a period of no more than 2 weeks, from the day after the date of application for parental leave.
3. When the child is born prior to the scheduled date of birth or for other special circumstances, the Scheduled Start Date of Childbirth Leave may be brought forward only one time, by making a request to his/her immediate manager no later than 1 week in advance of the Scheduled Start Date of Childbirth Leave.
4. Employee may extend the end date of parental leave only one time, within the scope stipulated in

Paragraph 1, Article 5-2, by making a request to his/her immediate manager no later than 2 weeks before the requested end date (Hereinafter referred to as the "Scheduled End Date of Childbirth Leave").

5. When any of the circumstances in the following Items occur, parental leave shall be deemed to have ended on the dates stipulated in the Items.
 - (1) When the individual will not be raising the child pertaining to parental leave, due to death etc. of the child: The date of said circumstance occurred
 - (2) When eight weeks have passed, counting from the day after the date of birth of the child pertaining to parental Leave (The day after the scheduled date of birth, when the child is born before the scheduled date of birth): The date of the said eighth week that have passed
 - (3) When the number of days of parental leave taken after the date of birth of the child pertaining to parental leave (The scheduled date of birth, when the child is born before the scheduled date of birth) is more than 28 days: The date of the said 28th day that have passed
 - (4) When the Employee takes special leave stipulated in Item 6 and Item 7, Paragraph 1, Article 8 of the Detailed Regulations pertaining to Working Hours for Limited Term Commissioned Staff, Item 6 and Item 7, Paragraph 1, Article 9 of the Detailed Regulations pertaining to Working Hours for Temporary Full-time Education and Research Staff, Item 6 and Item 7, Paragraph 1, Article 8 of the Detailed Regulations pertaining to Working Hours for Temporary Part-time Staff, and Item 4 and Item 5, Paragraph 1, Article 39 of the Work Regulations for Part-time Lecturer, childcare leave, family care leave, or another parental leave: The day before the start date of the said leaves
6. When circumstance in Item 1 of the foregoing Paragraph occurs, Employee shall promptly inform the immediate manager.
7. When the Employee makes a request to his/her immediate manager to bring forward the Scheduled End Date of Childcare Leave and when the immediate manager approves, the Scheduled End Date of Childcare Leave may be brought forward.

Chapter 3: Family Care Leave

(Individual Eligible for Family Care Leave)

Article 6: Employee who is giving care to family member(s) in need of care shall be entitled to take Family Care Leave as stipulated in this set of Rules.

2. Family member(s) in need of care, in the foregoing Paragraph shall mean the following individuals (Hereinafter referred to as "Subject Family Members".) who are injured, ill, physically or mentally disabled, requiring constant care for a period of more than 2 weeks.
 - (1) Spouse
 - (2) Parent(s)
 - (3) Child(ren)
 - (4) Parent(s)-in-law
 - (5) Grandparent(s), sibling(s) or grandchild(ren)
 - (6) Other family member(s) approved by the University
3. Notwithstanding what is stipulated in Paragraph 1, individual who falls under either of the following Items shall not be eligible to take Family Care Leave.
 - (1) Individual who is ineligible to take Family Care Leave under 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 12 of the same Act.
 - (2) Individual whose employment contract will expire (Excluding Employees whose employment contract is expected to be renewed.) by the date on which 6 months will have passed, counting from the 93rd day from the requested start date of Family Care Leave (Hereinafter referred to as the "Scheduled Start Date of Family Care Leave")

(Application Procedure for Family Care Leave)

Article 7: As a general rule, Employee who wish to take Family Care Leave shall submit to their immediate manager an Application for Family Care Leave no later than 2 weeks (No later than 1 week, for unavoidable circumstances) prior to the requested start date of said Leave.

2. Unless under special circumstances, the number of applications for Family Care Leave shall be no more than 3 times for 1 condition needing care, per Subject Family Member.
3. For Paragraph 1, Employee shall promptly submit to their immediate manager certificate etc. when

requested by his/her manager.

(Withdrawal of Application for Family Care Leave)

Article 8: Employee may withdraw the application for Family Care Leave, until the day before the Scheduled Start Date of Family Care Leave.

2. As a general rule, individual who has withdrawn an application for Family Care Leave may submit no more than 1 re-application for said leave.
3. When a situation occurs by the day before the Scheduled Start Date of Family Care Leave, where the Employee will not be caring for the Subject Family Member pertaining to Family Care Leave, due to death etc. of the Subject Family Member, Employee shall promptly notify the immediate manager of the situation.
4. For the foregoing Paragraph, the application for Family Care Leave shall be deemed void.

(Duration of Family Care leave)

Article 9: The duration of Family Care Leave for 1 family member in need of care shall as stipulated in the Application for Family Care Leave, within the scope of not more than 93 days.

2. When the Application for Family Care Leave is submitted less than 2 weeks prior to the Scheduled Start Date of Family Care Leave, the immediate manager shall, without considering the stipulation of the foregoing Paragraph, be entitled to decide the Scheduled Start Date of Family Care Leave, as stipulated in the Act on Childcare and Family Care Leave. In this case, the Scheduled Start Date of Childcare Leave shall be set within a period of no more than 2 weeks, from the day after the date of application for Family Care Leave.
3. Employee may extend the end date of Family Care Leave (Hereinafter referred to as the "Scheduled End Date of Family Care Leave"), within the scope stipulated in Paragraph 1, by making a request to his/her immediate manager no later than 2 weeks before the requested end date .
4. When either circumstance in the following Items occur, Family Care Leave shall be deemed to have ended on the dates stipulated in the Items.
 - (1) When the Employee will not be caring for the Subject Family Member pertaining to Family Care Leave due to death etc. of the Subject Family Member: The date of said circumstance occurred
 - (2) When the Employee takes special leave stipulated in Item 6 and Item 7, Paragraph 1, Article 8 of the Detailed Regulations pertaining to Working Hours for Limited Term Commissioned Staff, Item 6 and Item 7, Paragraph 1, Article 9 of the Detailed Regulations pertaining to Working Hours for Temporary Full-time Education and Research Staff, Item 6 and Item 7, Paragraph 1, Article 8 of the Detailed Regulations pertaining to Working Hours for Temporary Part-time Staff, and Item 4 and Item 5, Paragraph 1, Article 39 of the Work Regulations for Temporary Lecturer, childcare leave, parental leave, or another family care leave: The day before the start date of the said Leave(s)
5. When circumstance in Item 1 of the foregoing Paragraph occurs, Employee shall promptly inform the immediate manager.
6. When the Employee makes a request to his/her immediate manager to bring forward the Scheduled End Date of Family Care Leave and when the immediate manager approves, the Scheduled End Date of Family Care Leave may be brought forward.

Supplementary Provision

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

Supplementary Provisions

(Date of Implementation)

1. The foregoing amendments shall be implemented from 1 April 2005

(Interim Measures)

2. Notwithstanding Items 1 and 3, Article 9 after amendments, Employees who submitted applications for family care leave prior to the date of implementation cited in the above item shall be entitled to leave of the duration stipulated in said family care leave applications, even in cases where said period of leave exceeds 93 days, and may furthermore extend said family care leave (including cases where the provisions of No. 2, Item 1, Article 12 of the Working Hour Regulations apply to the family member in question) beyond the date of termination of family care leave stated in said application provided that a period of 6 months is not exceeded.

Supplementary Provision

The foregoing amendments shall be implemented from 23 May 2005.

Supplementary Provision

The foregoing amendments shall be implemented from 1 April 2007.

Supplementary Provisions

(Date of Implementation)

1. The foregoing amendments shall be implemented from 1 October 2007.

(Special Exception relating to Integration)

2. With respect to Employees who were employed as assistant administrative staff or temporary laborers by 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, continuously employed by The University on and after 1 October 2007 and who fall under the description of "Employees" set forth in Article 1, the period of continuous service earned in The Former OUFS (including a period of continuous service that they earned as assistant administrative staff or temporary laborers in OUFS prior to the incorporation) shall be counted in the "consecutive employment record" described in No. 1, Item 2, Article 2 and No. 1, Item 3, Article 6.

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

The foregoing amendments shall be implemented from 22 June 2015 and be applied from 1 April 2015.

Supplementary Provision

The foregoing amendments shall be implemented from 1 January 2017.

Supplementary Provision

The foregoing amendment shall be implemented from 1 April 2022

Supplementary Provisions

(Date of Implementation)

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

(Interim Measures)

2. For Employees who have started their childcare leave before the date of implementation in the foregoing Paragraph (Limited to childcare leave that have been taken by the Employee within the period up to the day after eight weeks will have passed, counting from the day after the date of birth of the child pertaining to the Childcare Leave taken (If the child was born before the planned date of birth, the date of birth shall be the start date of the period, and the date of the day 8 weeks will have passed, counting from the day after the planned date of date of birth of the child shall be its end date. If the child was born after the planned date of birth, the planned date of birth shall be the start date of the period, and the date of the day 8 weeks will have passed, counting from the day after the date of birth of the child shall be its end date. Hereinafter referred to as "Period After 8 Weeks from Birth".), to raise the child, and ends within the Period After 8 Weeks from Birth.), Paragraph 2 of Article 3, Paragraph 2 and Paragraph 3 of Article 5-3 shall be deemed as parental leave stipulated in Paragraph 1 of Article 5-2