

Rules Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Limited Term Commissioned 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 matters pertaining to working hours, holidays, and leave for staff at National University Corporation Osaka University (Hereinafter referred to as “the University”), of which the Work regulations for National University Corporation Osaka University Limited Term Commissioned Staff (Hereinafter referred to as “Staff”) apply, in accordance with the stipulation in Article 27 of the Work Regulations.

(Applicable Laws and Ordinances)

Article 2: Working hours, breaks, holidays, and leave for Staff shall be in accordance with the Labor Standards Act (Law No. 49 of 1947, herein after referred as “the Labor Standards Act”), other laws and ordinances, and these rules.

Chapter 2: Working Hours, Breaks, and Leave

(Regular Working Hours)

Article 3: Regular Working Hours of the Staff shall be as stipulated in the following Items.

- (1) Full-time work: Regular Working Hours shall be 8 hours per day with a 45-minute break in between.
- (2) Other work excluding Item 1: Regular Working Hours per week shall be set forth individually within a scope of not more than 35 hours.
2. The starting and finishing time of working hours and break time of the Staff (Hereinafter referred to as the “Full-time Commissioned Staff”) who fall under Paragraph 1 of the foregoing Paragraph shall be as follows. However, shift work including rotating schedule shall be set forth 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. Starting and finishing times of working hours for Staff (Hereinafter referred to as “Part-time Commissioned Staff”) who fall under Item 2, Paragraph 1 shall be set forth individually within a scope that does not exceed 8 hours per day, and when working hours per day are 4 hours or more (Working hours of 6 hours or less shall be limited to working hours that start in the morning and finish in the afternoon.), a 45-minute break shall be given in between working hours. However, a break may not be given when the working hours per day do not exceed 6 hours and when agreed by the Staff.
4. Notwithstanding what is stipulated in the foregoing 3 Paragraphs, when a Staff makes a request, the starting and finishing time of working hours and break time may be changed or break time may be extended but working hours shall not exceed 8 hours per day. However, this shall not apply when it interferes with the normal operation of the University business.
5. In addition to what is stipulated in the foregoing Paragraph, when needed for work, the starting and finishing time of working hours and break time may be changed, but working hours shall not exceed 8 hours per day.

(Work at Locations outside the Regular Workplace)

Article 4: When a Staff engages in duties all or part of the regular working hours at a location outside their regular workplace and when calculation of working hours is difficult, it shall be deemed that the Staff has worked regular working hours. However, when there is a need to work hours exceeding the regular working hours, the number of excess hours worked shall be counted as the number of hours normally required to carry out said work.

(Overtime and Work on Holidays)

Article 5: When needed for work, Staff may be ordered to work overtime outside regular working hours stipulated in Article 3 (When regular working hours differ due to variable working hour system stipulated in Article 13 and Article 14, the number of hours under said system. This also applies to the following Article and Article 10.) or to work on regular holidays stipulated in Article 8 (When regular holidays differ due to variable working hour system, the holiday(s) under said system. The same shall apply to the following Article, Article 9, and Article 10.).

2. When Staff are ordered to work overtime or on holidays as stipulated in the foregoing Paragraph, and when the number of work hours exceeds 8 hours per day (Including cases where regular working hours per day exceed 8 hours due to application of variable working hour system), at least a total of 1 hour of break shall be given between said working hours.
3. When Staff are ordered to work overtime or on holidays as stipulated in Paragraph 1, and when the work applies to either work outside statutory working hours (Hereinafter referred to as "Overtime Work") set forth in the stipulation in Article 32 and the following of the Labor Standards Act, or work on statutory holiday (Hereinafter referred to as "Work on Holidays") as stipulated in Article 35 of the same Act, said work shall be as set forth in the Labor-Management Agreement based on Article 36 of the same Act.
4. Staff ordered either Overtime Work (Only when the work is considered Overtime Work) or Work on Holidays in Paragraph 1 shall be paid the predetermined extra wage.
5. Notwithstanding what is stipulated in Paragraph 3, the University shall make effort to not order Staff to do Overtime Work or Work on Holidays.
6. Notwithstanding what is stipulated in Paragraph 1, Staff (Excluding individuals who are not entitled to make a request for limitations on Overtime Work under the Labor-Management Agreement based on Paragraph 1, Article 16-8 and Paragraph 1, Article 16-9 of the Act on Childcare and Family Care Leave.) who is raising a child under 3 years of age or taking care of subject family member(s) (Hereinafter referred to as "Subject Family Member(s)") under Item 4, Article 2 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 of 1991. Hereinafter referred to as the "Act on Childcare and Family Care Leave"), makes a request to raise the child or to take care of the Subject Family Member(s), the Staff shall not be ordered to do Overtime Work. However, this shall not apply when it interferes with the normal operation of the University business.
7. Notwithstanding what is stipulated in Paragraph 3, Staff (Excluding individuals whose period of continuous service is less than 1 year, and whose regular working days per week is less than 2 days) who is raising a child who has not reached the age to enter elementary school or taking care of Subject Family Member(s) shall not be ordered to do Overtime Work exceeding 24 hours per month and 150 hours per year, when the Staff makes a request to raise the child or to take care of the Subject Family Member(s). However, this shall not apply when it interferes with the normal operation of the University business.

(Working during Emergencies)

Article 6: In cases where necessary due to disasters or other unavoidable reasons, Staff 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 foregoing Article shall conform to the above when said circumstances come into force.
3. In cases where Staff 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 Labor Standards Act shall be applied.

(Night Work)

Article 7: When needed for work, Staff may be ordered to work between 10:00 p.m. and 5:00 a.m. (Hereinafter referred to as "Night Work").

2. Staff ordered to do Night Work shall be paid the predetermined extra wage.
3. Notwithstanding what is stipulated in Paragraph 1, Staff who is raising a child who has not reached the age to enter elementary school or taking care of Subject Family Members, who apply to the neither of the following Items, shall not be ordered to do Night Work, when Staff makes a request to raise the child or to take care of the Subject Family Member(s). However, this shall not apply when it interferes with the normal operation of the University business.

(1) Individual whose period of continuous service is less than 1 year

- (2) Individual living with family members over the age of 16, who can provide care for said child or Subject Family Member(s) during nighttime when the individual is ordered to work

(Regular Holidays)

Article 8: Regular holidays shall be the days set forth in the following Items:

- (1) Sundays
 - (2) Saturdays
 - (3) Holidays set forth in the Public Holiday Law (Law No. 178 of 1948).
 - (4) From 29 December to 3 January of the next year (Excluding holidays set forth in the foregoing Items.)
 - (5) Other days designated by the University
2. Notwithstanding what is stipulated in the foregoing Paragraph, a different Regular Holiday may be set forth without changing the number of Regular Holidays, for individuals deemed especially necessary by the University.

(Substitute Holidays)

Article 9: When there is a need to have Staff work on regular holidays as stipulated in the foregoing Article, the holidays may be substituted in accordance with the stipulation set forth separately.

2. For the foregoing Paragraph, notwithstanding what is stipulated in Paragraph 4, Article 5, extra wage shall not be paid for substituted holidays.

Chapter 3: Night/Day Duty

(Night/Day Duty)

Article 10: When needed for work, Staff may be ordered to work Night/Day Duty either outside Regular Working Hours stipulated in Article 3 (Including hours between 10:00 p.m. and 5:00 a.m.) or on Regular Holidays stipulated in Article 8.

Chapter 4: Permission for Abstention from Work

(Permission for Abstention from Work)

Article 11: In accordance with the stipulation set forth separately, Staff may be permitted to not work during specific working hours.

(Reduced Working Hours)

Article 11-2: When a Staff (Excluding Staff who, in accordance with the labor-management agreement based on the proviso in Paragraph 1, Article 23 of the Act on Childcare and Family Care Leave, are not allowed to lodge a request for reduction of regular working hours) lodges a request to raise a child or take care of Subject Family Members for reasons stated in the following Items, regular working hours in Article 3 shall be reduced as stipulated in the Items.

- (1) Period required to raise a child who have not yet entered elementary school: Up to 2 hours per day
- (2) Period required for Staff to care for their Subject Family Members (Up to 3 consecutive years for 1 Subject Family Member): Up to 4 hours per day

Chapter 5: Special Exception for Working Hours

(Variable Working Hour system Applicable for a Maximum of 1 Month)

Article 12: Notwithstanding what is stipulated in Paragraph 1 and Paragraph 2 of Article 3, and Article 8, for Staff who need to work on a special schedule due to his/her work, 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 (For Part-time Commissioned Staff, 35 hours) per week for a fixed period in one month or less.

2. In addition to what is stipulated in the foregoing Paragraph, when Staff that apply to any of the following Items who need to work on a special schedule has made a request, notwithstanding the stipulation in Paragraph 1 and Paragraph 2 of 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 (For Part-time Commissioned Staff, 35 hours) per

week for a fixed period in one month or less. However, this shall not apply when it interferes with the normal operation of the University business.

(1) Staff who is raising a child who has not reached the age to enter junior high school

(2) Staff who is taking care of Subject Family Member(s)

(3) Other Staff deemed necessary by the University

3. For Paragraph 1, when Staff makes a request, starting and finishing time of working hours and break time assigned in advance may be changed or break time may be extended, within the scope of work hours per day not exceeding Regular Working Hours. However, this shall not apply when it interferes with the normal operation of the University business.
4. Notwithstanding what is stipulated in Paragraph 4, Article 5, when Regular Working Hours per day or per week exceed 8 hours or 40 hours respectively or assigned to work on regular holidays stipulated in Article 8 due to assignment of working hours in Paragraph 1 and Paragraph 2, extra wage shall not be paid for said Regular Working Hours and Work on Holidays.
5. The assignment of working hours in Paragraph 1 and Paragraph 2 shall be set forth separately.
6. The stipulation in Paragraph 5, Article 3 shall apply mutatis mutandis to scope set forth in Paragraph 1 and Paragraph 2.

(Variable Working Hour system Applicable for a Maximum of 1 Year)

Article 13: For Staff who works in a work place with a work load that fluctuates depending on the season, the University may provide said Staff, notwithstanding the terms and provisions of Items 1 through 3 of Article 3, and Article 8, working hours differing from those defined in the aforementioned articles by assigning a modified working hour schedule in advance to the extent that the average weekly working hours and holidays 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 (or, in the case of the Part-time Commissioned Staff, 35 working hours)..

2. The regulation defined in Items 3 and 4 of the foregoing article shall apply to the case stipulated in the above item.
3. The assignment of working hours detailed in Item 1 above shall be subject to labor-management agreement in accordance with Article 32-4 of the Labor Standards Act.
4. Fixed extra wages for hours in excess of 40 hours per week of average weekly working hours for actual service period, which has become shorter than the target period due to the expiration of the employment contract etc., shall be paid to Staff who has worked in the work place defined in item 1.
5. The provisions set forth in Item 5, Article 3 shall be applied to the extent provided for in Item 1.

(Flexitime System)

Article 14: In cases where recognized as necessary to accommodate work-related or other needs, Staff may work a schedule within which said Staff 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 10:00 a.m.

(2) Finish time: between 3:00 p.m. and 10:00 p.m.

2. The scope of the Staff 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 Article 32-3 of the Labor Standards Act.

Chapter 6: Leave

(Types of Leave)

Article 15: Staff shall be entitled to annual paid leave and special leave.

(Annual Paid Leave)

Article 16: Annual Paid Leave shall be given the number of days stated in the following Items, with Fiscal year as the unit (i.e., From 1 April to 31 March of the following year. Hereinafter the same shall apply.) However, individuals whose total number of actual working days is less than 80% of the total number of regular working days in the previous Fiscal year shall not be given the Leave.

- (1) Staff whose regular working hours are less than 30 hours per week, and whose regular working days are 4 days or less per week, or 216 days or less per year.

Stipulated working days in a calendar week	Stipulated working days per year	Period of continuous service /Number of days of leave given					
		1 year or less	More than 1 year, but 2 years or less	More than 2 years, but 3 years or less	More than 3 years, but 4 years or less	More than 4 years, but 5 years or less	More than 5 years
4 days	169 - 216 days	8 days	9 days	10 days	12 days	13 days	15 days
3 days	121 – 168 days	6 days	6 days	8 days	9 days	10 days	11 days
2 days	73 – 120 days	4 days	4 days	5 days	6 days	6 days	7 days
1 day	48 - 72 days	2 days	2 days	2 days	3 days	3 days	3 days

(2) Individuals who are not Staff that apply to the foregoing Item

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 days of leave given	11 days	12 days	14 days	16 days	18 days	20 days

2. Notwithstanding the foregoing, Annual paid leave to be granted to Staff who are continuously employed after the age-limit retirement shall be given by adding the number of days in accordance with the provisions of the foregoing item to the number of days with a limit of no more than 20 remaining days within the number of days Staff hold at the time of retirement.
3. The period that fall under any of the following Items shall qualify as time worked, which applies to the proviso in Paragraph 1.
 - (1) Period of Leave taken for medical treatment and recuperation necessary due to Work-related Accident(s) as stipulated in Item 1, Paragraph 1, Article 7 of the Industrial Accident Compensation Insurance Act (Law No. 50, 1947) or commuting accidents as stipulated in Item 3 of the same Paragraph.
 - (2) Period of childcare leave taken as stipulated in Article 21, parental leave taken as stipulated in Article 21-2, or family care leave taken as stipulated in Article 22 of this set of regulations.
 - (3) Period of pre-post Maternity Leave taken by female Staff as stipulated in Article 65 of the Labor Standards Act.
 - (4) Period of Annual Paid Leave taken
 - (5) In addition to what is stipulated in the foregoing Items, other period the University deems particularly necessary

(Specifying and Changing of the Timing of Leave)

- Article 17: When Staff wish to take annual paid leave, said Staff shall stipulate the timing of the leave (commencement and end dates of the leave) and shall lodge a request with their immediate manager no later than the finishing time of 2 days prior to the day of commencement of the 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 specified by Staff in accordance with the above provision interferes with 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 stipulated in Item 6, Article 39 of the Labor Standards Act, 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 Staff is 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 the said annual paid leave to take within the period, regulated in the relevant year (hereinafter referred to as the "period of annual

leave grant”), However, in case where annual paid leave is granted in accordance with the provisions of the three items above, the number of days of said leave have been taken shall be deducted from the number of days of such annual leave which is supposed to be set by the University.

5. Notwithstanding the provision of the foregoing item, in the case where 10 or more days of annual paid leave is granted to Staff 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 annual leave grant and ending on the day upon the lapse of 1 year 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, being specified the time to take.

(Units of Annual Paid Leave)

Article 18: For Full-time Commissioned Staff, Annual Paid Leave shall be calculated in units of whole or half days.

However, for unavoidable reasons when recognized by the immediate manager, Annual Paid Leave may be taken in hourly units.

2. For Part-time Commissioned Staff, Annual Paid Leave shall be calculated in units of whole days. However, for unavoidable reasons when recognized by the immediate manager, Annual Paid Leave may be taken in hourly units.
3. Day(s) or hour(s) of Annual Paid Leave taken in accordance with what is stipulated in the foregoing 2 Paragraphs shall be deemed as time worked and shall accordingly, be subject to payment of salary.

(Carrying over Annual Paid Leave)

Article 19: Annual Paid Leave (Excluding days carried over in accordance with what is stipulated in this Article and units of less than 1 whole day shall be cut off.) may be carried over to the following year, with a limit of no more than 20 remaining days.

(Special Leave)

Article 20: Regulations governing leave for Staff for special reasons such as medical treatment either for injury or illness, as well as marriage, birth and the exercise of voting rights shall be defined separately.

Chapter 7: Childcare Leave and Family Care Leave

(Childcare Leave)

Article 21: Staff raising a child under 3 years of age may take childcare leave (Excluding parental leave, as stipulated in Paragraph 1 in the next Article. Hereinafter the same shall apply in this Article.) by submitting necessary application to their immediate manager.

2. The foregoing Paragraph shall not apply to Staff who are ineligible to take childcare leave in accordance with labor-management agreements based on the proviso in Paragraph 1, Article 6 of the Act on Childcare and Family Care Leave.
3. Salary shall not be paid during childcare leave, as stipulated in Paragraph 1.
4. In addition to what is stipulated in the foregoing three Paragraphs, matters necessary for childcare leave shall be as stipulated in the Regulation Pertaining to Childcare and Family Care Leave for National University Corporation Osaka University Limited Term Staff.

(Parental Leave)

Article 21-2: Staff 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 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.) by submitting necessary application to his/her immediate manager.

2. The stipulation of the foregoing Paragraph shall not apply to Staff who are 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.

The stipulation in Paragraph 3 and Paragraph 4 of the foregoing Article shall apply mutatis mutandis to parental leave.

(Family Care Leave)

Article 22: Staff who provide care for Subject Family Members may take Family Care Leave by submitting necessary application to their immediate manager.

2. The stipulation of the foregoing Paragraph shall not apply to Staff who are ineligible to take Family Care 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 12 of the same Act.

3. What is stipulated in Paragraph 3 and Paragraph 4 of Article 21 shall apply mutatis mutandis to Family Care Leave.

Chapter 8: Female Staff

(Work Restrictions for Pre/Post Maternity Staff)

Article 23: Staff 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 Staff") 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 Staff 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 Staff shall be allocated a lightened workload or assigned to other light work.

Supplementary Provision

The foregoing regulations shall be implemented from 1 April 2007.

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

(Date of Implementation)

1. These rules shall be implemented from 1 April 2013.

(Interim Measure)

2. The provision of Item 1, Paragraph 1, Article 3 shall apply only on the condition that an individual, according to the classification period listed in the left column in the following Table, whose age is younger than those listed in the right column in the same Table, enters into or renews the employment contract during the period until 31 March 2025. However, this shall not apply for case(s) with special approval from the University..

Period	Age
From 1 April 2013 to 31 March 2016	61
From 1 April 2016 to 31 March 2019	62
From 1 April 2019 to 31 March 2022	63
From 1 April 2022 to 31 March 2025	64

Supplementary Provision

The foregoing amendments shall be implemented from 1 April 2014.

Supplementary Provisions

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

(Interim Measure)

2. Notwithstanding the regulation in the amended No. 2, Article 11-2, in cases where Staff has received a reduction of regular working hours defined in the regulation of same No. or has taken Family Care Leave defined in Article 22 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.

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 Staff whose day of annual leave grant is other than April 1, shall remain subject to the prior regulations notwithstanding the amended provisions of item 4 and 5, Article 17 until the day of annual leave grant of said Staff comes for the first time after the date of implementation shown in the foregoing item.

Supplementary Provision

The foregoing amendments shall be implemented from 1 April 2019.

Supplementary Provision

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. For Staff who have been employed on the day before the date of implementation and who continue to work on the date of implementation, the "day of annual leave grant" stipulated in Item 5, Article 17 shall include the day of annual leave grant under the provisions 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.