

Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Part-time Staff (Temporary Full-time Education and Research 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 Temporary Staff at National University Corporation Osaka University (Hereinafter referred to as “the University”), of which the Work regulations for National University Corporation Osaka University Temporary Staff (Full-time Education and Research Staff)(Hereinafter referred to as “Staff”) apply, in accordance with the stipulation in Article 28 of the Work Regulations.

(Relationship to 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, hereinafter referred to as “the Labor Standards Act”), other laws and ordinances, and these Regulations.

Chapter 2: Working Hours, Breaks, and Leave

(Regular Working Hours)

Article 3: Regular Working Hours shall be 8 hours per day with a 45-minute break in between.

2. Starting and finishing time of working hours and break time shall be as follows. However, shift work schedule shall be set forth separately.

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

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

(3) Break: Between 12:15 p.m. and 1:00 p.m.

3. Notwithstanding what is stipulated in the foregoing 2 Paragraphs, when 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.

4. In addition to what is stipulated in the foregoing Paragraph, when needed for work, the starting and finishing time of the working hours, and break time in Paragraph 2 may be changed, but working hours shall not exceed 8 hours per day.

(Work at Locations outside the Regular Workplace)

Article 4: In cases where Staff 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 Staff has worked the regular working hours. However, in cases where it is necessary in order to carry out workload, when working in excess of the regular hours, the number of excess hours worked shall be assumed to be equivalent to the number of hours normally required to carry out workload.

(Overtime and Work on Holidays)

Article 5: When needed for work, Staff may be ordered either 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 or Work on Holidays in Paragraph 1 shall be paid the predetermined extra wage.
5. 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.
6. Notwithstanding what is stipulated in Paragraph 3, Staff (Excluding individuals whose period of continuous service is less than 1 year.) who is raising a child who has not reached the age to enter elementary school or taking care of Subject Family Members 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 when it is 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, work overtime hours in excess of the stipulated working hours defined in Article 3, or to work on holidays defined in Article 8 below.

2. The regulations stipulated in Items 2 and 4 of the foregoing Article shall conform to the foregoing item when said circumstances come into force.
3. In cases where Staff has been ordered to work overtime hours, or to work on holidays as defined in Item 1 and 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 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.
 - (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 defined 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.

Chapter 5: Special Cases Relating to Working Hours

(Reduced Working Hours)

Article 12: When 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

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

Article 13: 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 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 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, previously assigned starting and finishing time of working hours and break time 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 4, 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 14: When 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 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 to the extent 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 Items 3 and 4 of the foregoing article shall apply to the case stipulated in the foregoing item.
- 3. In case the assignment of working hours defined in Item 1 shall be subject to labor-management negotiation in accordance with Item 4, Article 32 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 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, Staff may work a schedule within the condition that Staff is entrusted the setting of starting and finishing times. In such cases, as a basic rule, the scopes within which starting and finishing shall be set as follows.

- (1) Start time: Between 07.00 a.m. and 10.00 a.m.
- (2) Finish time: Between 15.00 p.m. and 22.00 p.m.

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

(Discretionary Labor System)

Article 16: In cases where it is necessary to entrust the method of implementation of work to Staff engaged in work, due to the nature of the work, it shall be deemed that the Staff has worked the hours stipulated through agreements in accordance with labor-management agreement as defined in Article 38-3 of the Labor Standards Act and resolutions by the labor-management committee as defined in Article 38-4 of the same law.

Chapter 6: Leave

(Types of Leave)

Article 17: Staff 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 stated in the following table, with Fiscal year as the unit (i.e. From 1 April to 31 March of the following year. Hereinafter the same shall apply.). However, Staff 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.

Period of continuous service	1 year or less	More than 1 year, but 2 year or less	More than 2 years, but 3 year or less	More than 3 years, but 4 year or less	More than 4 years, but 5 year 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 what is stipulated in the foregoing Paragraph, newly appointed Staff shall be given the number of days of Annual Paid Leave stated in the table below, in accordance with the month employment falls on in that Fiscal year.

Month of employment	April	May	June	July	Aug ust	Sept emb er	Octo ber	Nov emb er	Dec emb er	Janu ary	Febr uary	Mar ch
Number of days of leave given	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 Staff who fall under the stipulation of the foregoing Paragraph.
4. 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 of 1947), or commuting accidents as stipulated in Item 3 of the same Paragraph.
 - (2) Period of childcare leave taken as stipulated in Article 23, parental leave taken as stipulated in Article 23-2, or family care leave taken as stipulated in Article 24 of this set of regulations
 - (3) Period of pre-post Maternity Leave taken by female Staff in accordance with 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 19: Staff who wish to take annual paid leave 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 foregoing item 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 rules stipulated in Item 6, Article 39 of the Labor Standards Act, the timing for a part of the annual paid leave is set, such part shall be granted pursuant to said agreement.
4. In cases where Staff 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 said annual paid leave days in the relevant year (in cases where a decision is made to employ in the middle of the fiscal year, The University shall stipulate the timing for 5 days of the total number of days of the said annual paid leave to take in the period until the first 31 of March after the date of employment. 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 annual paid leave days have been taken shall be deducted from the number of days of such annual leave which is supposed to be set.
5. Notwithstanding the provision of the foregoing item, in the case where 10 or more days of annual paid leave is granted 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 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 said period of implementation, specifying the time to take.

(Unit of Annual Paid Leave)

Article 20: 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. Day(s) or hour(s) of Annual Paid Leave taken in accordance with what is stipulated in the foregoing 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 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.

(Special Leave)

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

Chapter 7: Childcare Leave and Family Care Leave

(Childcare Leave)

Article 23: Staff raising a child under 3 years of age may take childcare leave (Excluding parental leave 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 the labor-management agreement based on the proviso in Paragraph 1, Article 6 of the Act on Childcare and Family Care Leave.
3. Wage shall not be paid during childcare leave 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 Part-time Staff.

(Parental Leave)

Article 23-2: 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.
3. The stipulation in Paragraph 3 and Paragraph 4 of the foregoing Article shall apply mutatis mutandis to parental leave.

(Family Care Leave)

Article 24: 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 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 23 shall apply mutatis mutandis to Family Care Leave.

Chapter 8: Female Staff

(Work Restrictions for Pre/Post Maternity Staff)

Article 25: 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 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 Period of continuous service)

2. The "Period of continuous service" stipulated in Paragraph 6, Article 5, Item 1, Paragraph 3, Article 7 and Paragraph 1, Article 18 shall include Period of continuous service 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 of Article 18, annual paid leave of those who were Staff prior to the acquisition by Osaka University of National University Corporation status 2 days before the application date of these rules shall be handled in accordance with previous details.

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 Provisions

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

(Interim measures)

2. Notwithstanding the regulation in the amended No. 2, Article 12, 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 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.

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 19 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 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 shall continue to work on the date of implementation, the “day of annual leave grant” stipulated in Item 5, Article 19 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.