

Detailed Rules Pertaining to Commuting Allowances for National University Corporation Osaka University Limited Term 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 official employment contracts have been concluded solely on the basis of the Japanese version of the Work Regulations.

(Purpose)

Article 1: The purpose of these detailed rules shall be to define matters relating to the payment of commuting allowances in accordance with the provisions of Article 29 of Rules Pertaining to Salary for National Corporation Osaka University Limited Term Staff (hereinafter referred to as "The Salary Rules").

2. The term "The University" shall be used in these rules to mean "National University Corporation Osaka University" and "Employee(s)" to mean persons to whom The Salary Rules apply.

(Definitions, etc.)

Article 2: The term "Commuting" as stipulated in Article 29 of The Salary Rules and in these Detailed Rules shall mean the journey between the place of work and the home for University Staff to carry out their duties.

2. The term "automobiles, etc." stipulated in Article 29 of The Salary Rules and within these detailed rules shall refer to automobiles, bicycles with motors and other modes of motorized transport and bicycles. However, such vehicles owned by The University shall not be included in this definition.

3. The distance over which automobiles, etc. shall be the shortest available route on which use of said automobiles, etc. may normally be used.

(Notification)

Article 3: New Employees shall promptly notify The University, by means of a Commuting Notification, of the relevant details of commuting to and from the workplace. This shall also apply to Employees falling into any of the following categories.

(1) Employees who have changed their place of work.

(2) Employees whose residence, route or means of commutation has changed, or whose cost of commutation has changed.

(Confirmation and Decision)

Article 4: Upon receipt of the Commuting Notification defined in the foregoing article, The University shall check the relevant details and shall, in making provisions for Employees to whom No. 1 through 3, Item 1, Article 29 of The Salary Rules apply, either set or amend the amount of the commuting allowance to be paid.

2. The University shall, after determining or amending the amount of the commuting allowance as stipulated in the foregoing item, enter details of the set or amended amount in the Register of Commutation Allowance.

(Special Cases relating to Scope of Payment)

Article 5: No. 4, Item 1, Article 29 of The Salary Rules can be applied for the Employees who suffer physical disability rendering walking difficulty, even if their one-way commuting distance on foot is 2 kilometers or less.

(Criteria for Calculation of Commuting Allowances relating to Means of Transport)

Article 6: The amount of commuting allowances relating to the public transport (with the exception of special express trains such as the Shinkansen bullet train. This shall also apply hereinafter.) shall be calculated in accordance with the most economical and rational normal route and mode of commutation as determined by The University based on factors such as fares, time and distance.

2. The route and the mode of commutation of coming to work and returning home relating to the route and mode of commutation in the foregoing item shall be the same. However, the foregoing stipulation may not apply in cases where justifiable extenuating circumstances exist, such as the regular working hours of

University Limited Term Staff including night hours as stipulated in rules defined in Item 2, Article 3 of Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Limited Term Staff thereby rendering adherence to the foregoing stipulation difficult.

(Fare Equivalent)

Article 7: The amount equivalent to fares as stipulated in No. 1, Item 1, Article 29 of The Salary Rules (hereinafter referred to as "fare equivalent") shall, with the exception of cases applied following items, be in accordance with the amounts detailed below based on the mode of transport (fractions of less than 1 yen shall be discarded).

- (1) Modes of transport for which The University deems use of a commuter pass to be the most economical and rational: Cost of a commuter pass for the payment unit period equivalent to the period of validity of said commuter pass (payment unit period as defined in Item 4, Article 29 of The Salary Rules).
 - (2) Modes of transport for which The University deems use of coupon tickets to be the most economical and rational: Amount equivalent to 21 commutes using said coupon tickets (for Employees engaged in shift work, the average number of coupon tickets required for 1 month of commutation).
2. The fare equivalent in cases where the proviso in Item 2 of the foregoing article applies, the balance of the amounts in each of the above stipulations in respect of the respective modes transport used for each half of the journey shall taken into consideration and amount based on the method of calculation for each paid (fractions of less than 1 yen shall be discarded).

(Date of Payment)

Article 8: Commuting allowances shall be paid on the day of payment of basic salary (hereinafter referred to in this article as "date of payment") in accordance with Article 4 of The Salary Rules of the falling within the first month of the corresponding payment unit period (with the exception of each of the provisions detailed in Item 3) or the period determined in accordance with each of the provisions detailed in Item 3 (referred to in this article and Article 14 as "payment unit period"). However, where payment is not possible due the fact that confirmation of details in accordance with Article 3 is not possible by the date of payment, the payment may be made after said payday.

2. In cases where Employees retire or decease prior to the date of payment of the commuting allowance for the corresponding payment unit period, payment of said allowance shall be made upon said retirement or decease.
3. "Separately determined commuting allowances" stipulated in Item 2, Article 29 of The Salary Rules shall be in accordance with the following commuting allowances and "separately determined periods" stipulated in the same item shall be in accordance with the periods detailed below based on classification of the corresponding commuting allowance.
 - (1) Corresponding commuting allowance in cases of payment of commuting allowances equivalent to amounts defined in No.1, Item 1, Article 29 of The Salary Rules for Employees using 2 or more modes of transport, and where the amount of the fare equivalent for 1 month is in excess of 55,000 yen: The longest payment unit period available for the corresponding commuting allowance.
 - (2) Corresponding commuting allowances in cases of payment of commuting allowances to Employees in the amount determined in accordance with No. 1 or 2, Item 1, Article 29 of The Salary Regulations and where the total of the amount of the fare equivalent for 1 month and the amount determined in accordance with each of the said items exceeds 55,000 yen: The longest payment unit period available for the corresponding commuting allowance.

(Commencement of Payment)

Article 9: In cases of Employees to whom any of the provisions of No. 1 through 3, Item 1, Article 29 of The Salary Rules becomes applicable for the first time, payment of commuting allowance shall commence in the month following the day in which the day said provisions become applicable falls (in cases where said day is the first of the month, in the month in which said day falls).

2. Notwithstanding the provisions of the foregoing item, in cases where notification relating to the corresponding commuting allowance is submitted after 15 days have passed from the day on which the relevant circumstances occur, the commuting allowance shall be paid the month following the month within which the day said notification was received falls (in cases where said day is the first of the month, in the month in which said day falls).
3. In cases where any of the following circumstances apply, payment of commuting allowance shall be

terminated on the month in which the day said circumstances apply falls.

(1) Upon the retirement or decease of the Employee receiving the commuting allowance.

(2) In cases where the Employee becomes ineligible for payment of commuting allowance.

4. Notwithstanding the provisions of the foregoing item, in cases where said circumstances arise on the first day of the month, payment of the commuting allowance shall terminated on the month preceding the month in which said day falls.

(Amendment of Amount Paid)

Article 10: In cases where circumstances arise that necessitate changes to the amount of commuting allowance paid to an Employee, the amount paid shall be amended commencing the month following the month in which said circumstances arise (in cases where said day is the first of the month, in the month in which said day falls).

2. Notwithstanding the provisions of the foregoing item, in cases where notification relating to the corresponding commuting allowance is submitted after 15 days have passed from the day on which the relevant circumstances occur, in cases where said amendment results in an increased amount, the amount paid shall be amended the month following the month within which the day said notification was received falls (in cases where said day is the first of the month, in the month in which said day falls).

(Reasons for Return of Commuting Allowances, Amounts)

Article 11: "Upon occurrence of circumstances defined separately" in Item 3, Article 29 of The Salary Rules shall refer to the following circumstances.

(1) Upon the retirement or decease of Employee (hereinafter referred to as "Employee(s)" in this item) receiving commuting allowances (with the exception of commuting allowances with payment unit periods of 1 month), or in cases where Employees to whom No. 1 through 3, Item 1, Article 29 of The Salary Rules apply cease to satisfy corresponding conditions.

(2) In cases where Employees clearly change the route or mode of commutation, or in cases where the amount of the commuting allowance is amended in accordance with changes in the amount fare born by said Employee.

(3) In cases where Employees take leave of absence in mid-month in accordance with the provisions of Item 1, Article 12 of the Work Regulations for National University Corporation Osaka University Limited Term Staff (hereinafter referred to as "The Work Regulations"), or are suspended in accordance with the provisions of No. 3, Item 3, Article 33 of The Work Regulations, or in cases where said Employees take child or family care leave in accordance with the provisions of the Rules Pertaining to Child and Family Care Leave for Limited Term Staff of National University Corporation Osaka University(hereinafter referred to as "Child and Family Care Leave Rules"), and said periods of suspension or leave 2 months , or more.

(4) In cases where Employees do not commute to work from the first to last day of the month for reasons such as business trips, leave or absence.

2. "Separately determined amounts" appearing in Item 3, Article 29 of The Salary Rules shall refer to the following amounts determined in accordance with the corresponding classifications.

(1) In cases where the fare equivalent for 1 month (where the Employee in question fall under the definitions given in the text of No. 3, Item 1, Article 29 of The Salary Rules and amount refers to the total of the fair equivalent for 1 month and the amount defined in No. 2, Item 1, Article 29 of The Salary Rules. This shall apply to below hereunder in this item.) is less than 55,000 yen: Pertaining to the mode of transport (in cases where, after amendment in accordance with the same provision, the amount of fare equivalent for 1 month exceeds 55,000 yen, all modes of transport used by said Employee) in cases where the circumstances detailed in No. 2 of the foregoing item arise, the mode of transport used by said Employee in cases where the circumstances detailed in No. 1, 3 or 4 of the same item occur, the refunded amount of the commuter pass for the period of usage shall be the amount (hereinafter referred to as "refund equivalent amount") acquired on the last day of the month (hereinafter referred to as "the month circumstances arise") defined by the applicable provision in accordance with classification of reasons defined in the foregoing item.

(2) In cases where the fare equivalent for 1 month exceeds 55,000 yen, the amount shall be determined as detailed below in accordance with the respective classifications.

(a) In cases other than those defined in (b): the amount calculated by multiplying 55,000 yen by the number of months from the month following the month circumstances arise up to the end of the

payment unit period, or the refund equivalent for the mode of transport relating to the circumstances detailed in the provisions of the foregoing item, whichever amount is lower (0 yen in cases where the month circumstances arise is the last month of the payment unit period).

(b) In cases of payment of commuting allowances as defined in No. 1 or 2, Item 3, Article 8: the amount calculated by multiplying 55,000 yen by the number of months from the month after the month circumstances arise to the last month of the period defined in No. 1 or 2 of the same item, or the total of the refund equivalent for all modes of transport used by the Employee in question and the amount separately defined, whichever amount is lower (0 yen in cases where the month circumstances arise is the last month of the payment unit period).

3. In cases of return, in accordance with the provisions of Item 3, Article 29 of The Salary Rules, by Employees of the amounts defined in the foregoing item, the amount in question may be deducted the following month from the salary of said Employee.

(Payment Unit Period)

Article 12: "Separately defined periods" stipulated in Item 4, Article 29 of The Salary Rules shall refer to the periods defined hereunder.

(1) In cases of modes of transport for which The University deems use of a commuter pass to be the most economical and rational means: The longest period of validity, no longer than 6 months, available for the commuter pass issued for the corresponding mode of transport.

(2) In cases of modes of transport for which The University deems use of coupon tickets to be the most economical and rational means: 1 month.

2. Concerning the modes of transport stated in No. 1 of the foregoing item, in cases where, on the first day of the period defined in the same provision, separately defined circumstances become clear such as retirement, extended business trips for research purposes, changes to work structure necessitating changes in the amount born by said Employee for commuting fares, or other separately defined circumstances the month before the last month of the period defined in the same provision, notwithstanding the provisions of the said item, the payment unit period for the period up to the month in which the day said circumstances occur falls (the same month in cases where said day is the first on the month) may be determined in accordance with the provisions of the same item.

(Commencement of Payment Unit Period)

Article 13: The payment unit period shall commence from the month when payment of commuting allowance starts in accordance with the provisions of Article 9 or from the month when payment of amended commuting allowance starts in accordance with the provisions of Article 10.

2. In cases where Employees take leave in accordance with the provisions of Item 1, Article 12 of The Work Regulations, or are suspended in accordance with the provisions of No. 3, Item 2, Article 33 of The Work Regulations, or take child or family care leave in accordance with the provisions of Child and Family Care Leave Rules and where said period of leave, suspension or child/family care leave belonging to 2 months, or more (with the exception of the provisions of the following item), the payment unit period shall commence in the month following the month in which said Employee returns to work or resumes their duties (the same month in cases where said day falls on the first of the month).
3. In cases where Employees do not commute to and from work for 1 entire month from the first day to the last for reasons such as business trips, leave, absence or other reasons, the payment unit period shall commence from the month in which the day said Employee resumes commutation to work (with the exception of cases where Employees do not return work from the time defined in the foregoing item and do not commute to and from work during the entire corresponding period).

(Non-payment)

Article 14: In cases where Employees do not commute to and from work for the entire payment unit period from the first day to the last for reasons such as business trips, leave, absence or other reasons, payment of commuting allowance shall not be made for said payment unit period.

(Confirmation after the Fact)

Article 15: The University shall be entitled to carry out at any time checks to confirm whether Employees receiving commuter allowances are in compliance with the requirements of Item 1, Article 29 of The Salary Rules, whether the monthly commuting allowance amount is appropriate, etc.

Supplementary Provision

These detailed regulations shall be implemented from 14th April 2004 and applied from 1st April 2004.