

## Rules Pertaining to Child and Family Care Leave for Part-time Staff of National University Corporation Osaka University

**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.**

### 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 1 to 4, matters relating to child and family care leave for part-time staff, etc. (hereinafter referred to as "Employee(s)") who are employed by National University Corporation Osaka University (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 Osaka University Limited Term Commissioned Staff
- (2) Article 23 and 24 of the Rules Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Temporary Full-time Staff
- (3) Article 23 and 24 of the Rules Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Temporary Full-time Education and Research Staff
- (4) Article 19 and 20 of the Rules Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Temporary Part-time Staff
- (5) Article 20 and 21 of the Rules Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Temporary Part-time Education and Research Staff

### Chapter 2: Child Care Leave

#### (Employees Eligible for Child Care Leave)

Article 2: Employees needing to provide care for children less than 3 years of age shall be entitled to take child care leave in accordance with the terms and provisions of these rules set out herein.

2. Notwithstanding the provisions of foregoing item, Employees falling into any of the following categories shall not be eligible to take child care leave.
  - (1) Employees with a consecutive employment record of less than 1 year.
  - (2) Employees (excluding Employees whose employment contract is expected to be renewed) whose employment contract will expire within 1 year calculated from the date of submission of application for child care leave (or within 6 months in the case of child care leave for children on or after the day on which the children reached 1 year of age), or will expire by the date on which 1 year will elapse since the day on which the children reached 1 year of age.

#### (Application Procedures for Child Care Leave)

Article 3: As a basic rule, Employees wishing to take child care leave shall submit to their immediate manager a written application for child care leave detailing relevant information no later than 1 month prior to the commencement of said child care leave (hereinafter referred to as "date of commencement of child care leave") (2 weeks in the case of children after the day on which they reached 1 year of age).

2. With the exception of the existence of special circumstances, 1 application for child care leave shall be made for 1 child (Multiples shall also be considered as 1 child). However, the foregoing shall not apply to cases where the Employee (excluding those who have taken the special leave prescribed in No. 7, Item 1, Article 9 of the Detailed Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Limited Term Commissioned Staff, Detailed Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Part-time Staff (Temporary Full-time Staff), and Detailed Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Part-time Staff (Temporary Full-time Education and Research Staff) (hereinafter collectively referred to as the "Working Hours Detailed Regulations for Temporary Full-time Staff, etc.") or No. 7, Item 1, Article 8 of the Detailed

Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Part-time Staff (Temporary Part-time Staff) and Detailed Regulations Pertaining to Working Hours, Holidays and Leave for National University Corporation Osaka University Part-time Staff (Temporary Part-time Education and Research Staff) (hereinafter collectively referred to as the "Working Hours Detailed Regulations for Temporary Part-time Staff, etc.") within the period of 8 weeks from the date following the date of birth of the child pertaining to the child care leave (or, in cases where the child is born before the expected date of birth, within the period commencing on the date of birth and ending on the date after the lapse of 8 weeks from the date following the expected date of birth; or, in cases where the child is born after the expected date of birth, within the period commencing on the expected date of birth and ending on the date after the lapse of 8 weeks from the date following the date of birth; hereinafter be referred to as the "8 week period after birth")) apply for child care leave (limited only to the child care leave that will end within the 8 week period after birth) with the purpose of taking care of the same child.

3. In the case of Item 1 above, Employees applying for child care leave shall promptly submit to their immediate manager any certificates or other documents requested by said manager.
4. In cases where the applying Employee gives birth to the child for whom the application has been made after the date of application, said Employee shall report the relevant information to the immediate manager within 2 weeks of the date of said birth.

#### (Withdrawal of Applications for Child Care Leave)

Article 4: Employees who have submitted applications for child care leave may withdraw said applications prior to the date of commencement of said child care leave.

2. With the exception of the existence of special circumstances, Employees who have submitted an application for child care leave may not submit further applications for child care leave for the same child.
3. In cases of the decease, prior to the date of commencement of child care leave, of the child for whose benefit application for child care leave has been submitted, the applying Employee shall promptly notify the immediate manager of the relevant circumstances.
4. In the case the foregoing item, application for child care leave shall be deemed null and void.

#### (Duration of Child Care Leave)

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

2. Notwithstanding the provisions of Item 1, Article 3 above, in cases where Employees requiring child care leave fail to submit application for said leave no later than 1 month prior to the commencement date of child care leave (2 weeks in the case of children less than 1 year and 6 months of age), the immediate manager of such Employees shall, without reference to the foregoing item, be entitled to stipulate the date of commencement of said child care leave in accordance with the provisions of the law relating to the welfare of workers on child/family care leave engaged in child or family care (Law No. 76 of 1991, hereinafter referred to as "Child Care and Family Care Leave Law"). In such cases, the date of commencement of child care leave shall be set within a period of less than 1 month (2 weeks in the case of children less than 1 year 6 months of age) calculated from the day following the date of application for child care leave.
3. In cases where the applying Employee gives birth prior to the scheduled date of birth, or in the case of the existence of other special circumstances, the date of commencement of child care leave may be brought forward provided that the immediate manager of said Employee is notified of the relevant circumstances no later than 1 week in advance of the date of commencement of said child care leave.
4. In cases of the existence of special circumstances, the applying Employee may extend the period of child care leave within the scope stipulated in the foregoing item provided that immediate manager of said Employee is notified of the relevant circumstances no later than 1 month (2 weeks in the case of children less than 1 year and 6 months of age) prior to the end of said child care leave (hereinafter referred to as "scheduled date of end of child care leave"). However, even in absence of special circumstances, child care leave may be extended until the child reaches the age of 1 year.
5. In cases where any of the circumstances detailed below occur, child care leave shall be deemed to have ended on the dates stipulated respectively hereunder.
  - (1) In cases where child care becomes unnecessary due to the decease of the child under care, child care leave shall be terminated on the date said circumstances arise.

(2) In cases where the child under care reaches the age of third years, child care leave shall be terminated on the date of said child's third birthday.

(3) In cases where the Employee is granted a period pre/post maternity leave, family care leave or a new period of child care leave, child care leave shall be terminated on the preceding day of commencement of the new period of leave.

6. In cases where the circumstances detailed in No. 1 of the above item arise, the Employee in question shall promptly inform the immediate manager of the relevant details.

7. In cases where the Employee proposes to his/her immediate manager that the Employee wishes to bring forward the scheduled termination date of child care leave, the termination date of child care leave may be brought forward provided that the immediate manager approves such proposal.

### Chapter 3: Family Care Leave

#### (Employee Eligible for Family Care Leave)

Article 6: Employees having family members in need of care shall be entitled to family care leave in accordance with the terms and provisions of these rules.

2. Family members in need of care in the foregoing item shall be defined as relatives listed hereunder suffering injury, illness, physical or mental disability requiring constant care for a period of more than 2 weeks.

(1) Spouse;

(2) Parents;

(3) Children;

(4) Parents-in-law;

(5) Grandparents, siblings or grandchildren residing with and dependent on the Employee in question

(6) Family members other than the above recognized by The University.

3. Notwithstanding the provisions of Item 1 above, Employees falling into any of the following categories shall not be eligible for family care leave.

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

(2) Employees whose employment contract will clearly be terminating within 93 days calculated from the date of submission of application for family care leave (with the exception for Employees who are planned to renew the employment contract).

#### (Application Procedures for Family Care Leave)

Article 7: As a basic rule, Employees wishing to take family care leave shall submit to their immediate manager a written application for family care leave detailing relevant information no later than 2 weeks prior to the commencement of said family care leave (hereinafter referred to as "date of commencement of family care leave" (1 week in cases of special circumstances)).

2. With the exception of the existence of special circumstances, 1 application for family care leave shall be made for 1 family member.

3. In the case of Item 1 above, Employees applying for family care leave shall promptly submit to their immediate manager any certificates or other documents requested by said manager.

#### (Withdrawal of Applications for Family Care Leave)

Article 8: Employees who have submitted applications for family care leave may withdraw said applications prior to the date of commencement of said family care leave.

2. As a basic rule, Employees who have withdrawn an application for family care leave may submit no more than 1 re-application for said leave.

3. In cases of the decease, prior to the date of commencement of family care leave of the family member for whose benefit application for family care leave has been submitted, the applying Employee shall promptly notify the immediate manager of the relevant circumstances.

4. In the case of the foregoing item, application for family care leave shall be deemed null and 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 said leave be less than a total of 93 days. However, in cases where No, 2, Item 1, Article 12 of the Rules as referred to in No. 1, 2 and 3 of Article 1 applies to the family member for whose benefit

leave is taken, the resultant number of days shall be deducted from the aforementioned maximum of 93 days.

2. Notwithstanding the provisions of Item 1, Article 7, in cases where Employees requiring family care leave fail to submit application for said leave no later than 2 weeks prior to the date of commencement said family care leave, the immediate manager of such Employees shall, without reference to the foregoing item, be entitled to stipulate the date of commencement of said family care leave in accordance with the provisions of the Child Care and Family Care Leave Law. In such cases, the date of commencement of family care leave shall be set within a period of no more than 2 weeks calculated from the day following the date of application for family care leave.
3. The applying Employee may extend the period of family care leave within the scope stipulated in Item 1 the foregoing item provided that immediate manager of said Employee is notified of the relevant circumstances no later than 2 weeks prior to the end of said family care leave (hereinafter referred to as "scheduled date of end of family care leave").
4. In cases where any of the circumstances detailed below occur, family care leave shall be deemed to have ended on the dates stipulated respectively hereunder.
  - (1) In cases where care becomes unnecessary due to the decease of the family member under care, family care leave shall be terminated on the date said circumstances arise.
  - (2) In cases where the Employee is granted a period pre/post maternity leave, child care leave or a new period of family care leave, leave shall be terminated on the preceding day of commencement of the new period of leave.
5. In cases where the circumstances detailed in No. 1 of the foregoing item occur, the Employee in question shall promptly inform the immediate manager of the relevant details.
6. In cases where the Employee proposes to his/her immediate manager that the Employee wishes to bring forward the scheduled termination date of family care leave, the termination date of family care leave may be brought forward provided that the immediate manager approves such proposal.

#### Supplementary Provision

The foregoing regulations shall be implemented from 14<sup>th</sup> April 2004 and applied from 1st April 2004.

#### Supplementary Provisions

(Date of Implementation)

1. The foregoing amendments shall be implemented from 1<sup>st</sup> 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<sup>rd</sup> May 2005.

#### Supplementary Provision

The foregoing amendments shall be implemented from 1<sup>st</sup> April 2007.

#### Supplementary Provisions

(Date of Implementation)

1. The foregoing amendments shall be implemented from 1<sup>st</sup> 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 Osaka University of Foreign Studies prior to the integration (hereafter referred to as "The Former OUFS") as of 30<sup>th</sup> September 2007, continuously employed by The University on and after 1<sup>st</sup> 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<sup>th</sup> June 2010.

Supplementary Provision

These rules shall be implemented from 29<sup>th</sup> November 2012.