

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 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 provide, in accordance with the terms and provisions of Article 28 of the regulations, items relating to working hours, holidays and leave for members of Part-time Staff (Temporary Full-Time Education and Research Staff) employed by National University Corporation Osaka University (hereinafter referred to as "The University") to whom the National University Corporation Osaka University Temporary Full-time Education and Research Staff Working Regulations apply (hereinafter referred to as "Employee(s)").

(Relationship to Laws and Ordinances)

Article 2: Working hours, breaks, holidays and leave for Employees shall be in accordance with the terms and details of the Labor Standards Law (Law No. 49 of 1947, hereinafter referred to as "The LSL"), other relevant laws, and ordinances and the following rules.

Chapter 2: Working Hours, Holidays and Leave

(Regular Working Hours)

Article 3: The regular working hours per day shall be comprised of 8 working hours and a 45 minutes break in the middle of the working.

2. Starting and finishing times as well as the duration of breaks shall be as follows. Regulations governing shift work shall, however, be defined separately.

(1) Starting Time: 8.30 a.m.

(2) Finishing Time: 5.15 p.m.

(3) Break: Between 12.15 p.m. and 1.00 p.m.

3. Notwithstanding the details of the foregoing item, when an Employee to whom any of the following apply makes a request, starting and finishing times as well as the duration of breaks determined herein may be changed with the proviso that the number of working hours shall not exceed 8 hours per day. However, in cases where such change hinders the normal operation of business, this detail shall not be applicable.

(1) Employees raising children not yet entered in primary school

(2) Employees leaving to pick up or see off children of primary school age (limited to those children who use any of the services herein described) at facilities where after-school day services or after-school child sound upbringing services are operated as a project under the Child Welfare Act (Act No. 164 of 1947; hereinafter referred to as the "Child Welfare Act"), a location where mutual support activities are operated as part of a project under the Ordinance for Enforcement of the Child Welfare Act (Ordinance of the Ministry of Health and Welfare No. 11 of 1948; hereinafter referred to as the "Child Welfare Act Enforcement Ordinance"), facilities where shorter day-time support services are operated as part of a regional community life support project under the Services and Supports for Persons with Disabilities Act (Act No. 123 of 2005; hereinafter referred to as the "Services and Supports for Persons with Disabilities Act"), or a location where after-school learning activities or other activities are operated as part of a project subsidized by the Ministry of Education, Culture, Sports, Science and Technology to promote educational support activities through cooperation between schools, households and local communities

(3) Employees caring for relatives who are in need of nursing care

4. In addition to the details defined in the foregoing item, when necessary in practical terms, starting and finishing times, and breaks stated in Item 2 may be changed with the proviso that the number of working hours shall not exceed 8 hours per day.

(Work at Locations outside the Regular Workplace)

Article 4: In cases where an Employee 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 Employees 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 Working on Holidays)

Article 5: In cases where, in order to accommodate the necessities of workload, Employees may be ordered either to work hours outside the regular working hours as set forth in Article 3 (in cases where the regular working hours differs due to use of the restructured working hours system as defined in the terms and details of Articles 13 and 14, the number of hours under said system. This also applies to the following article and Article 10 below), or to work on holidays stipulated in Article 8 below (In cases where the stipulated holidays differ due to use of the restructured working hours system, the holidays are to be stipulated under the system. This also applies to the following article and Articles 9 and 10 below).

2. In cases where an Employee is ordered to work overtime or to work on holidays as defined in Item 1 and the number of hours worked exceeds 8 hours a day (including cases where the stipulated numbers of working hours a day exceeds 8 hours due to use of the sliding working hours system), a minimum break of 1 hour shall be allowed during said working hours.
3. In cases where an Employee is ordered to work overtime or to work on holidays as detailed above and the work in question either exceeds the number of working hours defined under Article 32 onward of The LSL (hereinafter referred to as "overtime work") or constitutes work on a legal holiday as defined in Article 35 of The LSL (hereinafter referred to as "work on holidays"), work shall be subject to labor-management agreement as defined in Article 36 of the same law.
4. Employees ordered to work overtime or to work on holidays detailed in Item 1 shall be paid the stipulated extra wages.
5. Notwithstanding the terms and provisions of the foregoing Item 1, Employees who are engaged in care and raising of children under 3 years of age (excluding Employees who, under a labor-management agreement concluded in accordance with Item 1, Article 16-8, of the Law Governing the Welfare of Workers Taking Child Care or Family Care Leave (Law No. 76 of 1991: hereinafter referred to as "CCFCLL"), are not allowed to lodge a request for limitation on overtime work) shall not, upon lodging a request for the purpose of care of said children, be required to work overtime. The foregoing shall not, however, apply in cases where said restrictions hinder the normal operation of work.
6. Notwithstanding the terms and provisions of the foregoing Item 3, Employees (excluding those whose number of continuous service years is less than 1 year) who are engaged in care and raising of children until the attainment of the age for entry into primary school or in care of subject family members as referred to in No. 4, Article 2 of CCFCLL (hereinafter referred to as "Subject Family Members") shall not, upon lodging a request for the purpose of care of said children or said Subject Family Members, be required to work overtime in excess of 24 hours in 1 month or 150 hours in 1 year. The foregoing shall not, however, apply in cases where said restrictions hinder the normal operation of work.

(Working during Emergencies)

Article 6: In cases when it is necessary, due to disasters or other unavoidable reasons, an Employee 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 an Employee 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 LSL shall be applied.

(Night Work)

Article 7: To accommodate the needs of workload, an Employee may be ordered to work during the period from 10.00 p.m. to 5.00 a.m. (hereinafter referred to as "Night Work").

2. Employees ordered Night Work shall be paid the stipulated extra wages.
3. Notwithstanding the terms and details of Item 1, an Employee engaged in the raising of children of pre school age or the care of family members and who do not fall into either of the following categories shall not be required to undertake Night Work providing that the necessary request for consideration in respect of the said raising of children or care of family has been lodged.
 - (1) Employees with a continuous employment record of less than 1 year
 - (2) Employees with others aged 16 over sharing the same residence capable of implementing care of children or family members during nights when Employee is ordered to work

(Regular Holidays)

Article 8: Regular holidays shall be as defined hereunder.

- (1) Sundays
 - (2) Saturdays
 - (3) Holidays defined in The Public Holiday Law (Law No. 178 of 1948)
 - (4) The period commencing on 29th December and ending 3rd January (with the exception of holidays defined in each of the foregoing items)
 - (5) Other holidays stipulated by The University
2. Notwithstanding the foregoing items, The University shall be entitled to stipulate holidays differing from the above with respect to a certain an Employee for whom such changes are deemed necessary by The University, providing that said changes do not affect the actual number of regular holidays allotted.

(Transferring Holidays)

Article 9: In cases where it is deemed necessary that Employees work on the regular holidays defined in the foregoing article, such holidays may be transferred in accordance with separate definitions.

2. In cases where holidays are transferred as defined in the foregoing item, notwithstanding the terms and details of Item 4, Article 5, work normally carried out on the day to which the holiday is transferred shall not be subject to payment of extra wages.

Chapter 3: Night/Day Duty

(Night/Day Duty)

Article 10: To accommodate the needs of work, an Employee may be ordered to work night or day duty either during hours outside the stipulated working hours defined in Article 3 (including hours between 10.00 p.m. and 5.00 a.m.) or on regular holidays as defined in Article 8.

Chapter 4: Permission for Abstention from Work

(Permission for Abstention from Work)

Article 11: Subject to separate determination, Employees may be granted permission to abstain from work during specific working hours.

Chapter 5: Special Cases Relating to Working Hours

(Reduced Working Hours)

Article 12: Stipulated working hours of Employees as defined in Article 3 shall be reduced as detailed hereunder when employees have lodged appropriate requests for special dispensation for care of children or family.

- (1) Reduction of stipulated working hours by a maximum of 2 hours per day for Employees raising children of preschool age, reduction to remain effective until said children attain the age for entry into primary school.
- (2) Reduction of stipulated working hours by a maximum of 4 hours per day for Employees engaged in care of family members as long as care remains unnecessary.

(Restructured Working Hours System Applicable for a Maximum of 1 Month)

Article 13: Employees requiring a special work structure to accommodate needs imposed by duties may, notwithstanding the terms and details of Items 1 and 2, Article 3 and Article 8, work a restructured work

schedule based on working hours and holidays differing to those defined in the aforementioned articles providing that working hours are assigned in advance and work does not exceed forty working hours per week based on the average for a prescribed period no longer than 1 month.

2. In cases as mentioned in the foregoing item, when a person to whom any of the following apply makes a request, previously assigned starting and finishing times as well as the duration of breaks may be changed with the proviso that the number of working hours does not exceed the stipulated number of working hours per day. However, in cases where such change hinders the normal operation of business, this provision shall not be applicable.
 - (1) Employees raising children not yet entered in primary school
 - (2) Employees leaving to pick up or see off children of primary school age (limited to those children who use any of the services herein described) at facilities where after-school day services or after-school child sound upbringing services are operated as a project under the Child Welfare Act, a location where mutual support activities are operated as part of a project under the Child Welfare Act Enforcement Ordinance, facilities where shorter day-time support services are operated as part of a regional community life support project under the Services and Supports for Persons with Disabilities Act or a location where after-school learning activities or other activities are operated as part of a project subsidized by the Ministry of Education, Culture, Sports, Science and Technology to promote educational support activities through cooperation between schools, households and local communities
 - (3) Employees caring for relatives who are in need of nursing care
3. In cases where, due to working hour assignment mentioned in Item 1, the working hours for 1 day or 1 week exceed 8 or 40 hours respectively, or in cases where regular holidays defined in Article 8 are set as work days, notwithstanding the terms and details of Item 4, Article 5, extra wages shall not be paid for work carried out on the regular holidays set as regular working hours and work days.
4. Working hour assignment detailed in Item 1 shall be subject to separate determination.
5. The provisions set forth in Item 4, Article 3 shall be applied to the extent provided for in Item 1.

(Restructured Working Hours System Applicable for a Maximum of 1 Year)

Article 14: An Employee with a required workload that fluctuates depending on the season, may, notwithstanding the terms and details of Items 1 and 2, Article 3 and Article 8, work a restructured work schedule based on working hours and holidays differing to those defined in the aforementioned articles providing that working hours are assigned in advance and work does not exceed 40 working hours per week based on the average for a prescribed period no less than 1 month and no longer than 1 year (hereinafter referred to as "The Target Period").

2. The regulation defined in Items 2 and 3 of the foregoing article shall apply to the case stipulated in the foregoing item.
3. In case the working hour assignment defined in Item 1 shall be subject to labor-management negotiation in accordance with Item 4, Article 32 of The LSL.
4. Fixed extra wages shall be paid to employee for hours in excess of 40 hours per average week of work periods in work places as defined in Item 1 foregoing shorter than The Target Period.
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, an Employee may work a schedule within the condition that an Employee 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 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 Employees 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 LSL.

(Discretionary Labor System)

Article 16: In cases where it is necessary to entrust the method of implementation of work to an Employee engaged in work, due to the nature of the work, it shall be deemed that the Employee has worked the hours stipulated through agreements in accordance with labor-management agreement as defined in

Article 38-3 of The LSL 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: Employees shall be entitled to annual paid leave and special leave.

(Annual Paid Leave)

Article 18: The number of days for annual paid leave to be entitled to an Employee shall be stipulated in the table below. Employees who have worked less than 80% of the regular working day total in each period shall not, however, be entitled to take its annual paid leave.

Continuous Service Period	6 months	1 year and 6 months	2 years and 6 months	3 years and 6 months	4 years and 6 months	5 years and 6 months	6 years and 6 months
Leave Entitlement	10 days	11 days	12 days	14 days	16 days	18 days	20 days

2. The periods defined in the following items shall qualify as work time in respect of the proviso described in Item 1 foregoing.

(1) Periods of leave for medical treatment and recuperation necessary due to occurrence of accidents incurred during the performance of duties as defined in No. 1, Item 1, Article 7 of The Workers' Accident Compensation Insurance Law (Law No. 50 of 1947) or of accidents during commute to or from the workplace as defined in No. 2 of the same item

(2) Periods of child care leave as defined in Article 23 of this set of rules or of family care leave as defined in Article 24 of the same

(3) Periods of pre-post maternity leave for female Employee in accordance with Article 65 of The LSL

(4) Periods of annual paid leave

(5) Periods other than the foregoing specially recognized as necessary by The University

(Stipulation of and Changes to Timing of Leave)

Article 19: In cases where Employees wish to take days of annual paid leave, Employees shall stipulate the timing of leave (commencement and end of period of leave) and shall lodge a corresponding request with their immediate manager no later than 2 days prior to commencement of 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 stipulated by Employees in accordance with the above provision interferes with the normal implementation of work, the timing of said period of leave may be changed.

3. In cases where, in accordance with resolution resulting from labor-management agreement based on the rules stipulated in Item 6, Article 39 of The LSL, the timing of part of the total period of annual paid leave is set, the part shall be granted in accordance with the timing determined by resolution.

(Units of Annual Paid Leave)

Article 20: Annual paid leave shall be calculated in units of whole or half days. In cases of extenuating circumstances recognized by the immediate manager, annual paid leave may be taken in units of 1 hour.

2. Annual paid leave taken in accordance with the provisions of the above provision shall be deemed to be time worked and shall, accordingly, be subject to payment of salaries.

(Carrying over Annual Paid Leave)

Article 21: Remaining days of annual paid leave (exclusive of days carried over in accordance with the provisions of this article and units of less than a whole day shall be discarded) may be carried over to the following year.

(Special Leave)

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

Chapter 7: Child Care Leave and Family Care Leave

(Child Care Leave)

Article 23: Employees needing to provide care for children less than 3 years of age may take childcare leave by submission of the necessary application to their immediate manager.

2. The above rule shall not apply to an Employee not entitled to childcare leave in accordance with labor-management agreement based on the proviso stated in Item 1, Article 6 of the Child Care and Family Care Leave Law.
3. Salaries shall not be paid during periods of childcare leave in accordance with the provisions of Item 1.
4. Issues relating to child care leave other than the rules detailed in foregoing 3 items shall be determined in accordance with rules relating to child and family care leave for National University Corporation Osaka University Part-time Employee.

(Family Care Leave)

Article 24: Employees needing to provide care for family members may take family care leave by submission of the necessary application to their immediate manager.

2. The above rule shall not apply to an Employee not entitled to family care leave in accordance with labor-management agreement based on the proviso of Item 1, Article 6 of the Child Care and Family Care Leave Law applicable under Item 2, Article 12 of the same law.
3. Items 3 and 4 of the foregoing article shall apply to family care leave.

Chapter 8: Female Employees

(Work Restrictions for Pre/Post Maternity Employee)

Article 25: An Employee 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 Employee(s)") 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 Employees 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 Employees shall be allocated a lightened workload or assigned to light work.

Supplementary Provisions

(Date of Implementation)

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

(Special Cases relating to Calculation of Continuous Employment Records)

2. The "continuous employment record" stipulated in No. 1, Item 5, Article 5, No. 1, Item 3, Article 7, Item 1, Article 18, No. 1, Item 1, Article 23 and No.1, Item 1, Article 24 shall include continuous employment records 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 Employees 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 1st April 2005.

Supplementary Provision

The foregoing amendments shall be implemented from 19th June 2006.

Supplementary Provision

The foregoing amendments shall be implemented from 19th February 2008.

Supplementary Provision

The foregoing amendments shall be implemented from 1st April 2010.

Supplementary Provision

The foregoing amendments shall be implemented from 30th June 2010.

Supplementary Provision

These rules shall be implemented from 29th November 2012.