

○ National University Corporation Kobe University Regulations on Working Hours, Holidays, Paid Leave, etc. of Non-Regular Staff Members

(Established on April 1, 2004)

Revised on: March 17, 2005 March 28, 2006
March 18, 2008 March 25, 2009
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(Purpose)

Article 1 The purpose of these Regulations is to provide for matters concerning working hours, holidays, paid leave, etc. of non-regular staff members working at National University Corporation Kobe University under the provisions of Articles 25 and 31 of the National University Corporation Kobe University Rules on Conditions of Employment for Non-Regular Staff Members (hereinafter referred to as "Rules").

(Changes in Starting and Ending Times, etc.)

Article 2 The procedures and other necessary matters regarding changes in starting and ending times, and rest time (hereinafter referred to as "Early and Late Shifts") in cases of necessity for the good conduct of business duties, or when requested by a staff member raising a child or taking care of a family member as provided for in paragraph 2 of Article 21 and paragraph 4 of Article 27 of the Rules shall be prescribed separately.

2 If a staff member who meets any of the following criteria lodges a request for a change for reasons of childcare, such staff member shall be allowed to work Early and Late Shifts unless such change impedes operations.

(1) Staff member with a child who has not yet reached the first March 31 after his/her 9th birthday;

(2) Staff member who has an elementary school child and goes to collect such child at a facility that provides services for sound upbringing of after-school children pursuant to paragraph 2 of Article 6-2 of the Child Welfare Act.

3 If a staff member who takes care of one or more family members, as stipulated in Article 3 of the National University Corporation Kobe University Regulations on Family Care Leave, etc. for Staff Members, lodges a request for a change, such staff member shall be allowed to work Early and Late Shifts unless such change impedes operations.

4 The starting time and the ending time of the Early and Late Shifts stipulated in paragraph 2 and the preceding paragraph shall be set later than 7:00 a.m. and earlier than 10:00 p.m., respectively.

(Shift System)

Article 3 Starting and ending times, rest time, and holidays for work units that require working in shifts as provided in Articles 22 and 28 of the Rules shall be prescribed separately.

(One-month Variable Working Hours)

Article 4 In respect of non-regular staff members who are required to work in special working patterns for operational reasons, holidays and working hours may be scheduled separately, provided that the average time worked per week over the course of a fixed period of no more than one month does not exceed 40 hours.

2 Necessary matters, including the scope of non-regular staff members covered in the preceding paragraph, shall be prescribed separately.

(One-year Variable Working Hours)

Article 5 In respect of non-regular staff members in workplaces where the workload is subject to seasonal fluctuations, holidays and working hours may be scheduled separately, provided that the average time worked per week over the course of a fixed period of no less than one month and no more than one year does not exceed 40 hours.

2 Necessary matters, including the scope of non-regular staff members covered in the preceding paragraph, shall be prescribed separately.

(Holidays for Staff Members under Part-time Work for Childcare)

Article 5-2 When a staff member who works in accordance with the preceding three Articles works under the condition of Part-time Work for Childcare as provided for in paragraph 2 of Article 32 of the Rules, holidays may be scheduled depending on the details of Part-time Work for Childcare applicable to him/her, as necessary, in addition to the holidays stipulated in the preceding three Articles.

(Flextime System)

Article 6 In a case of operational necessity, a non-regular staff member may be assigned to any duty in which decisions on starting and ending times are left up to such staff member.

2 Necessary matters, including the scope of non-regular staff members covered in the preceding paragraph, shall be prescribed separately.

(Discretionary Labor System)

Article 7 In respect of non-regular staff members for whom decisions on methods of execution of work need to be left largely to such staff members' discretion due to the nature of their work, a de-facto working hour system may be used.

2 Necessary matters, including the scope of non-regular staff members covered in the preceding paragraph, shall be prescribed separately.

(Rescheduling of Holidays)

Article 8 If it is necessary to direct a staff member to work on any of the holidays stipulated in Articles 23 and 29 of the Rules for operational reasons, such holiday may be moved to a normal working day in the same week by prior notice.

(Holiday in Substitution)

Article 9 If a staff member is directed to work on any of the holidays stipulated in Articles 23 and 29 of the Rules, and moving of the holiday as provided for in the preceding Article is not implemented, a holiday in substitution may be granted, subsequent to the original holiday.

(Work away from Normal Place of Work)

Article 10 In a case of operational necessity, a staff member may be directed to work away from his or her normal place of work.

2 In the case where a staff member is directed to work pursuant to the preceding paragraph, and where it is difficult to calculate the number of working hours for the work concerned, such staff member shall be deemed to have worked the number of working hours assigned; provided, however, that if it is necessary to work in excess of his

or her prescribed working hours, such staff member shall be deemed to have worked the number of hours normally required to carry out the work.

(Work Outside of Prescribed Working Hours)

Article 11 In a case of operational necessity, a staff member may be directed to work in excess of his or her prescribed working hours, or to work on a holiday.

2 If so requested by a staff member who takes care of a child who is under elementary school age, or any other family member(s) (as specified in item (4) of paragraph 1 of Article 2 of the Act on the Welfare of Workers Who Take Care of Children or Other Family Members Including Child Care and Family Care Leave (Act No. 76 of 1991); the same shall apply hereinafter) for the purpose of taking care of the child or other family members, the non-regular staff member shall not be directed to work prescribed in the preceding paragraph in excess of the number of hours separately specified; provided, however, that this shall not apply in cases where normal operation of business is impeded.

3 If so requested by a non-regular staff member who is pregnant or within one year after childbirth, or by a staff member with a child under three (3) years of age for the purpose of taking care of such child (except in a case where normal operation of business is impeded), such part-time staff member shall not be directed to work in excess of his or her prescribed working hours, or to work on a holiday under paragraph 1.

(Late-night Work)

Article 12 In a case of operational necessity, a staff member may be directed to work late at night (from 10:00 p.m. to 5:00 a.m. on the following day).

2 If so requested by a non-regular staff member who takes care of a child under elementary school age, or any other family member(s), or by a non-regular staff member who is pregnant or within one year after childbirth, such non-regular staff member shall not be directed to work during the hours specified in the preceding paragraph.

(Work During Time of Disaster)

Article 13 If the need arises due to a disaster or other unavoidable event, a staff member may be directed to work in excess of his or her prescribed working hours, or to work on a holiday, to the extent necessary.

(Night /Day Duty)

Article 14 In a case of operational necessity, a staff member may be directed to undertake night or day duty outside of his or her prescribed working hours or on a holiday.

2 Necessary matters, including a description and hours of the duty mentioned in the preceding paragraph, shall be prescribed separately.

(Rest Times During Work Outside of Prescribed Working Hours, etc.)

Article 15 In the case where a staff member is directed to work outside of his or her prescribed working hours under the provisions of Article 11, or to work more than eight (8) hours due to operational necessity, such staff member shall be given at least one hour of cumulative rest times during working hours, inclusive of designated rest times within the prescribed working hours.

(Approval for Absence from Work)

Article 16 A non-regular staff member may obtain approval for absence from work for a certain period of time, as is provided for separately.

(Attendance Register)

Article 17 A staff member shall report for work by the specified starting time and shall immediately place his or her seal on the attendance register; provided, however, that in unavoidable circumstances, a staff member may sign his or her name instead.

(Annual Paid Holidays)

Article 18 The amount for the annual paid holiday shall be the days determined in the relevant item according to the non-regular staff member's classification mentioned respectively in each of the following items.

- (1) Of non-regular full-time staff members with labor contract periods of 6 months or longer and non-regular part-time staff members with labor contract periods of 6 months or longer, a person who has 5 or more designated working days in a week, a person who has 4 or less designated working days in a week but has 30 or more designated working hours in a week, and a person who has working days that are fixed in periods other than weeks and has 217 or more designated working days in a year. On Appointment: 3 days; When staff members have engaged in continuous work for 6 months from the day of appointment, and has come to work for 80% or more of the total working days: 7 days in the next 6 months; When staff members have engaged in continuous work for a year or longer from the day of appointment, and the continuous working period has exceeded a year; When staff members have come to work for 80% or more of the total working days in each year that is to be counted from the day of appointment: the number of days listed in the Appended Table 1 in the following year respectively.
- (2) Of non-regular full-time staff members with labor contract periods of less than 6 months and non-regular part-time staff members with labor contract periods of less than 6 months, a person who has 5 or more designated working days in a week, a person who has 4 or less designated working days in a week but has 30 or more designated working hours in a week, and a person who has working days that are fixed in periods other than weeks and has 217 or more designated working days in a year. When staff members renew the labor contract, have engaged in continuous work for 6 months from the day of appointment, and have come to work for 80% or more of the total working days: 10 days in the next 1 year; When staff members have engaged in continuous work for 1 year and 6 months or more from the day of appointment, and have come to work for 80% or more of the total working days in each year that is to be counted from the day that the continuous working period has exceeded 6 months (hereinafter referred to as "Day of Completion of 6 Months"): the number of days listed in the Appended Table 2 in the following year respectively.
- (3) Of non-regular part-time staff members, a person who has 4 designated working days or less in a week and less than 30 designated working hours in a week, and a person who has working days that are fixed in periods other than weeks and has more than 48 but less than 216 designated working days in a year. When staff members have engaged in continuous work for 6 months from the day of appointment, and has come to work for 80% or more of the total working days: the number of days listed in the Appended Table 3; When staff members have come to work for more than 80% of the total working days in each year that is to be counted from the respective Day of Completion of 6 Months: the number of days listed in the Appended Table 3 in the following year respectively.

(Annual Paid Holidays Carried Over)

Article 19 Unused annual paid holidays may be carried over to the following year, up to a maximum of 20 days.

(Procedures for Annual Paid Holidays)

Article 20 Annual paid holidays shall be granted in the period requested by a non-regular staff member. However, annual paid holidays may be granted in a different period if granting of holidays in the requested period is deemed to interfere with normal business operations.

2 A non-regular staff member who intends to take annual paid holidays shall fill out and submit a Leave of Absence Request Form in advance; provided, however, that, if such staff member is unable to submit the request form beforehand due to unavoidable circumstances, he or she may request approval immediately after the fact, upon describing the circumstances.

(Units of Annual Paid Holidays)

Article 21 Annual paid holidays shall be granted in units of days or half-days. However, annual paid holiday may also be granted in hourly units in cases where such treatment is deemed to be particularly necessary.

2 The scope of staff members who are allowed to take annual paid holidays in hourly units and the ranges of days shall be prescribed separately.

(Special Leave of Absence)

Article 22 If absence from work is deemed appropriate for any reasons given in each of the following items, special paid leave of absence shall be granted for the period specified for that item (items listed in item (5) are limited to non-regular staff members as prescribed separately).

- (1) When a staff member obtains approval for absence from work to rest or follow a supplementary diet under the provisions of Article 49 of the Rules: A period of time deemed necessary (excluding hours that continue from the starting time or to the ending time of prescribed working hours, and hours that continue to a period of absence from work approved under other regulations);
- (2) When a non-regular staff member must attend rituals such as a funeral or mourning due to the death of a family member (limited to family members listed in the Appended Table 4), special leave for a number of consecutive days shall be granted, provided the University considers such absence from work appropriate: A period of up to the number of consecutive days in the "Number of days" column specified depending on the category of relative in the same Appended Table (or up to the number of consecutive days plus the number of days necessary for a round trip in the case of a visit to a funeral held in a distant place);
- (3) When it is deemed to be extremely difficult for a staff member to attend his or her workplace due to earthquake, flood, fire, or other disasters, or in the event of a traffic accident, etc. (hereinafter referred to as "Disasters"): A period within three consecutive days from the day that it was recognized that it is difficult for the person to attend his or her workplace due to a disaster, etc., (when this relevant situation occurred on a day during work or after work (limited to when it is not necessary to attend his or her workplace on the day after the relevant situation occurred) or when this relevant situation occurred on non-work day or on a day approved for not working for the previous day according to other provisions, the next day from the day that the relevant situation occurred)
- (4) When it is deemed to be unavoidable for a non-regular staff member to be absent from work in order to avoid physical danger due to earthquake, flood, fire, or other disaster while commuting to his or her home from the workplace: A period of time deemed necessary

(5) When a staff member is granted approval to undergo a comprehensive health examination during the prescribed working hours: A period of time deemed necessary

(6) When a non-regular staff member is absent from work to attend summer functions, such as the Bon festival, or to maintain and build physical and mental health, or to improve the quality of family life: A period of up to the following number of consecutive days per year, in principle, excluding holidays and holidays in substitution during the period from July through September.

Non-regular full-time staff members: 3 days

Non-regular part-time staff members:

Persons working 5 days a week: 3 days

Persons working 4 days a week: 2 days

Persons working 3 days a week: 1 day

(7) When it is deemed appropriate for a non-regular staff member to be absent from work in order to get married, take a trip, or attend any other marriage-related event deemed to be necessary during the period between five (5) days before the wedding and one month after the wedding: A period of up to 5 consecutive days

(8) Other cases designated by the President: A period of time deemed necessary

2 If absence from work is deemed appropriate for any reasons given in each of the following items, special unpaid leave of absence shall be granted for the period specified for that item. (items listed in item (7) are limited to non-regular full-time staff; items (10) and (11) exclude non-regular staff who are exempt persons (persons with 2 or less designated working days in a week) as provided for by the labor-management agreement.)

(1) When a non-regular staff member volunteers to register as a bone marrow donor for bone marrow transplantation at a registry organization, or donates bone marrow for bone marrow transplantation to a recipient other than his or her spouse, parent, child or sibling, and his or her absence from work due to examination, hospitalization, etc. associated with such registration or donation is deemed to be unavoidable: A period of time deemed necessary

(2) When a staff member raising a child of less than one year of age performs breastfeeding deemed necessary for childcare, and takes the child to and from a day-care center: A period of up to 30 minutes twice a day (in the case of a male non-regular staff member, if the other parent of the child is granted approval to take leave under this item (including equivalent leave) on the day when the male non-regular staff member intends to take leave under this item, or requests time for childcare as provided for in Article 67 of the Labor Standards Act on the same day: a period of time not exceeding the amount of time remaining after subtracting the time duration granted to or requested from the other parent from 30 minutes, for each time, twice a day)

(3) If requested by a non-regular staff member who is expected to give birth within eight (8) weeks (or within 14 weeks in the case of a multiple pregnancy): A period requested until the date of childbirth

(4) When a non-regular staff member gives birth (referring to the delivery 12 weeks after pregnancy; the same applies hereinafter): A period of eight weeks from the day after giving birth (excluding the period in which a non-regular staff member returns to work at her request after six weeks following childbirth and perform duties approved by a physician)

(5) Where it is found to be unavoidable for a non-regular staff member to miss work as it is significantly difficult for her to work during her menstrual period: A period of time deemed necessary

(6) Where it is necessary for a non-regular staff member to recuperate due to work-related injury or sickness and it is regarded as unavoidable for him or her to miss work: A period of time deemed necessary

(7) Where it is necessary for a non-regular staff member to recuperate due to injury or sickness and it is regarded as unavoidable for him or her to miss work (excluding the cases provided for in the preceding two items): A period of up to 10 days per year (from April 1 to March 31 of next year; the same applies hereinafter)

- (8) When a staff member is granted approval to receive health guidance or undergo a health examination during the prescribed working hours as prescribed in Article 48 of the Rules: A period of time deemed necessary within the limits of the prescribed working hours in a day, once every four (4) weeks until the 23rd week of pregnancy; once every two (2) weeks from the 24th through 35th week of pregnancy; once every week from the 36th week of pregnancy through childbirth; and once during the first year after giving birth (the number of times for each period instructed by a physician if any specific instructions are given by a physician, etc.)
- (9) When a staff member is granted approval to miss work in order to ease commuting difficulties as prescribed in Article 49 of the Rules: A period of time deemed necessary within a range of one hour per day, either just after the start time or just before the end time
- (10) When it is deemed appropriate for a non-regular staff member who takes care of a child (including a child of a spouse; the same shall apply hereinafter in this item) before the time of commencement of elementary school to be absent from work to care for the child (referring to caring for an injured or sick child, or having a child receive a vaccination or a medical checkup to prevent illness): A period of up to five (5) days per year (or 10 days in the case of a part-time staff member who takes care of more than one child before the time of commencement of elementary school)
- (11) When it is deemed appropriate for a non-regular staff member to be absent from work in order to care for a family member who needs constant care for longer than two (2) weeks due to injury, illness, or physical or mental disability: A period of up to five (5) days per year (or 10 days in the case of a part-time staff member who takes care of 2 or more family members)
- (12) When it is deemed appropriate for a non-regular staff member to be absent from work in order to attend on his wife (including a person who has not submitted notification of marriage, but is under virtually the same circumstances in a marital relationship) who gives birth during the period between the date of hospitalization and two (2) weeks after childbirth, if deemed necessary: A period of up to two (2) days
- (13) Other cases designated by the President: A period of time deemed necessary

(Procedures for Special Leave of Absence)

Article 23 A part-time staff member who requests special leave of absence shall fill out and submit a Leave of Absence Request Form in advance (except in the case under paragraph 2 item (4) of the preceding Article); provided, however, that if such part-time staff member is unable to submit the request form beforehand due to unavoidable circumstances, he or she may request approval immediately after the fact, upon describing the circumstances.

2 A part-time staff member who requests special leave of absence shall submit a document indicating the reason for such request, the requested period of leave, etc. as an attachment to a Leave of Absence Request Form.

(Units of Special Leaves of Absence)

Article 24 Special leave of absence shall be granted in units of days, hours or minutes, as necessary. However, in the case of leave of absence under Article 22, paragraph 2, items (10) and (11), leave of absence shall be granted in either daily or hourly units.

2 In the case of leave of absence under items (2) and (3) of paragraph 1 of Article 22, even if the leave is granted in units of hours or minutes, such leave shall be deemed to be taken for a day.

(Other Provisions)

Article 25 In addition to matters provided for in these Regulations, other necessary matters shall be prescribed separately.

Supplementary Provisions

1 These Regulations come into force on April 1, 2004.

2 Notwithstanding the provisions of the same Article, the continuous service period as prescribed in Article 18 for a non-regular staff member subjected to the provisions of paragraph 2 of the Supplementary Provisions of the Rules (Hereinafter referred to as "Continuous Service Persons") shall include the period he or she worked continuously as a non-regular staff member at Kobe University.

3 Notwithstanding the provisions of the same Article, the number of days of annual paid holidays as prescribed in Article 18 for Continuous Service Persons shall be based on previous examples.

Supplementary Provisions between the original and the latest are omitted.

Supplementary Provisions (March 27, 2013)

These Regulations come into force on April 1, 2013.

Appended Tables 1 to 4 are omitted.