

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

(Established on April 1, 2004)

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(Purpose)

Article 1 In accordance with Article 27 of the National University Corporation Kobe University Rules on Conditions of Employment for Staff Members (hereinafter referred to as “Rules”), these Regulations provide for matters concerning working hours, holidays, leave, etc., of staff members working for Kobe University.

(Change of Starting and Ending Times, etc.)

Article 2 Necessary matters, such as procedures for changing the starting time, ending time, and break (hereinafter referred to as “Early or Late Working”) when necessary in the course of business or upon application by a staff member who takes care of a child or family member provided for in Article 23, paragraph 2 of the Rules, shall be prescribed separately.

2 The University shall approve any application for Early or Late Working that any of the following staff members makes for the purpose of taking care of a child, except when the Early or Late Working interferes with his or her duties:

- (1) A staff member who has a child having not yet reached the first March 31 that occurs on or after the child’s ninth birthday;
- (2) A staff member who has a child attending elementary school and goes to facilities that provide services for sound upbringing of after-school children provided for in Article 6-3, paragraph 2 of the Child Welfare Act to pick up the child.

3 The University shall approve any application for Early or Late Working that a staff member makes for the purpose of taking care of an applicable family member provided for in Article 3 of the National University Corporation Kobe University Regulations on Nursing Care Leave, etc., of Staff Members, except when the Early or Late Working interferes with his or her duties.

4 The starting and ending times of the Early or Late Working provided for in paragraph 2 and the preceding paragraph shall be set at or after 7:00 a.m. and at or before 10:00 p.m., respectively.

(Shift System)

Article 3 In accordance with Article 24 of the Rules, the starting times, ending times, breaks, and holidays for each department where staff members are required to work in shifts shall be prescribed separately.

(Variable Working Hours System within One Month)

Article 4 With respect to staff members who are required to work in a special form for business reasons, holidays and working hours may be allocated separately to the extent that the average weekly working hours over a specified period of up to one month do not exceed 40 hours.

2 Necessary matters, such as the scope of staff members referred to in the preceding paragraph, shall be prescribed separately.

(Variable Working Hours System within One Year)

Article 5 With regard to staff members who work in a workplace with seasonal fluctuations in business, holidays and working hours may be allocated separately to the extent that the average weekly working hours over a specified period of more than one month and up to one year do not exceed 40 hours.

2 Necessary matters, such as the scope of staff members referred to in the preceding paragraph, shall be prescribed separately.

(Holidays of Staff Member Who Uses Shorter Working Hours for Childcare)

Article 5-2 If a staff member who works pursuant to the preceding three Articles uses the Shorter Working Hours for Childcare provided for in Article 28, paragraph 2 of the Rules, holidays may be provided in addition to the holidays under the preceding three Articles, according to the details of said Shorter Working Hours for Childcare, as necessary.

(Flextime System)

Article 6 When necessary in the course of business, staff members may be assigned work whose starting and ending times are determined on their own.

2 Necessary matters, such as the scope of staff members referred to in the preceding paragraph, shall be prescribed separately.

(Discretionary Labor System)

Article 7 Staff members who engage in operations that, by their nature, require significant discretion by the staff members in determining how they are performed may be subject to deemed working hours.

2 Necessary matters, such as the scope of staff members referred to in the preceding paragraph, shall be prescribed separately.

(Transfer of Holiday)

Article 8 If it is required to order a staff member to work on a holiday provided for in Article 25 of the Rules for business reasons, said holiday may be transferred to a working day of the relevant week in advance.

(Substitute Holiday)

Article 9 If a staff member is ordered to work on a holiday provided for in Article 25 of the Rules, and the transfer of the holiday under the preceding paragraph is impossible, a substitute holiday may be provided on or after said holiday.

(Work Away from Workplace)

Article 10 When necessary in the course of business, a staff member may be ordered to work away from his or her regular workplace.

2 If the work referred to in the preceding paragraph is assigned to a staff member, when it is difficult to calculate the working hours for the work, the staff member shall be deemed to have worked for the allotted working hours; provided, however, that if it is required to work beyond the prescribed working hours, the staff member shall be deemed to have worked the hours normally required for the performance of the relevant duties.

(Work Outside Prescribed Working Hours)

Article 11 When necessary in the course of business, a staff member may be ordered to work beyond the prescribed working hours or on a holiday.

2 When a staff member who takes care of a child before entering elementary school or a family member (meaning an applicable family member specified in Article 2, paragraph 1, item (4) of the Act on Childcare Leave, Caregiver Leave, and Other Measures for the Welfare of Workers Caring for Children or Other Family Members (Act No. 76 of 1991); the same shall apply hereinafter) makes a request for the purpose of taking care of said child or family member, the staff member shall not be ordered to perform the work referred to in the preceding paragraph beyond the hours specified separately; provided, however, that this shall not apply when this interferes with normal business operation.

3 If a pregnant staff member or a staff member who is in the first year after childbirth makes a request, or if a staff member who has a child under 3 years of age makes a request for the purpose of taking care of said child (excluding the case where the request interferes with normal business operation), the staff member shall not be ordered to work beyond the prescribed working hours provided for in paragraph 1 or on a holiday.

(Late-Night Work)

Article 12 When necessary in the course of business, a staff member may be ordered to work in the middle of the night (from 10:00 p.m. to 5:00 a.m. of the following day).

2 If a staff member who takes care of a child before entering elementary school or a family member, or a pregnant staff member or a staff member who is in the first year after childbirth, makes a request, the staff member shall not be ordered to work during the hours referred to in the preceding paragraph.

(Work in Times of Disaster, etc.)

Article 13 When necessary due to disaster or other unavoidable extraordinary circumstances, a staff member may be ordered to work beyond the prescribed working hours or on a holiday to the extent required.

(Night and Day Duty)

Article 14 When necessary in the course of business, a staff member may be ordered to be on night or day duty outside the prescribed working hours or on a holiday.

2 The content, hours, and other necessary matters concerning the duty referred to in the preceding paragraph shall be prescribed separately.

(Break during Work Outside Prescribed Working Hours, etc.)

Article 15 If a staff member is ordered to work outside the prescribed working hours provided for in Article 11 or to work more than eight hours due to business necessity, break(s) of not less than one hour, including any break during the prescribed working hours, shall be provided during the working hours.

(Approval for Absence from Work)

Article 16 A staff member may obtain approval for absence from work for certain hours as prescribed separately.

(Attendance Record)

Article 17 Each staff member shall come to work by the starting time, and then immediately affix his or her seal or signature to the attendance record.

(Annual Paid Leave)

Article 18 Annual paid leave shall be granted for one year (from January 1 to December 31; the same shall apply hereinafter), and the number of days thereof per year shall be as set forth in the following items:

- (1) Staff members other than those set forth in the following item: 20 days;
- (2) Persons who newly become staff members (excluding those who transition directly from national government employees, etc., to staff members) in the middle of the relevant year shall be entitled to the number of days set forth in Appended Table 1, according to their period of service during said year;
- (3) In addition to what is provided for in the preceding two items, necessary matters concerning the number of days of annual paid leave to be granted shall be specified separately.

(Carryover of Annual Paid Leave)

Article 19 Annual paid leave may be carried over to the following year, up to a maximum of 20 days.

(Procedures for Annual Paid Leave)

Article 20 Annual paid leave shall be granted at the timing requested by a staff member; provided, however, that if it is found that granting the leave at the requested timing would interfere with the normal operation of business, the leave may be granted at a different timing.

- 2 When taking annual paid leave, a staff member must request the leave by entering it in a leave application form in advance; provided, however, that if it is impossible to make the request in advance due to unavoidable grounds, the staff member may provide the grounds and seek subsequent approval.
- 3 Notwithstanding paragraph 1, if an agreement on the timing of annual paid leave has been made pursuant to Article 39, paragraph 6 of the Labor Standards Act (Act No. 49 of 1947) with respect to the portion in excess of five days out of the annual paid leave provided for in Article 18, the portion shall be granted in accordance with said agreement.

(Units of Annual Paid Leave)

Article 21 The unit of annual paid leave shall be one day or a half day; provided, however, that if deemed particularly necessary, the leave may be taken in units of one hour.

- 2 The scope of staff members eligible for and the maximum number of days of annual paid leave that may be taken in units of one hour shall be specified separately.

(Sick Leave)

Article 22 If a staff member needs medical treatment for injury or illness, and his or her absence from work is found unavoidable, the minimum necessary period shall be granted as sick leave.

- 2 The period of sick leave (hereinafter referred to as "specified sick leave" in this Article) in cases other than the cases set forth below (hereinafter referred to as "industrial accident sick leave" in this Article) shall not exceed 90 consecutive days, excluding any days used for industrial accident sick leave and any holidays during the period of

said industrial accident sick leave (including holidays, substitute holidays, and other non-working days other than sick leave days; hereinafter referred to as “excluded days” in this Article):

- (1) When a staff member finds it extremely difficult to work on menstrual days;
- (2) When a staff member suffers an injury or illness caused in the course of business or while commuting;
- (3) When a staff member’s guidance category is determined as or changed to Lifestyle Regulation B specified in Appended Table 4 of the National University Corporation Kobe University Regulations on Safety and Health Management (established on April 1, 2004) in accordance with Articles 37 and 38 of the same Regulations, and the staff member receives subsequent measures.

3 With regard to the application of the preceding paragraph, the following paragraph, and paragraph 5, if a staff member (including a staff member whose period of specified sick leave is deemed to be consecutive pursuant to this paragraph) who has used specified sick leave for a period of eight or more consecutive days (excluding the case where the number of required working days, except for holidays, substitute holidays, and other non-working days, during said period is three days or less) uses another specified sick leave during any part of the period from the day following the last day of the period of the specified sick leave used consecutively, excluding the excluded days, until the number of days on which the staff member has worked all of the required working hours (hereinafter referred to as “Number of Actual Working Days”) reaches 20 days (hereinafter referred to as “Period for Evaluation of Consecutive Sick Leave”), the first and second periods of the specified sick leave used shall be deemed to be consecutive.

4 Notwithstanding paragraph 2, if the period of specified sick leave used by a staff member reaches 90 consecutive days, excluding the excluded days, when the staff member still needs to receive medical treatment for injury or illness (limited to injury or illness (hereinafter referred to as “specific injury, etc.” in this paragraph) whose symptoms are clearly different from those of injury or illness that relates to the specified sick leave used and to the period from the first day of the specified sick leave period to the day preceding the day on which the staff member gets the specific injury, etc. (hereinafter referred to as “day of the specific injury, etc.” in this paragraph)) even after the 90 consecutive days, and his or her absence from work is found unavoidable, his or her specified sick leave for said specific injury, etc., may be approved even after the day on which the 90 consecutive days have passed. In this case, the period of specified sick leave on or after the day of the specific injury, etc., shall not exceed 90 consecutive days, excluding the excluded days.

5 Notwithstanding paragraph 2, if the period of specified sick leave used by a staff member reaches 90 consecutive days, excluding the excluded days, when the staff member needs to receive medical treatment, during the Period for Evaluation of Consecutive Sick Leave, for injury or illness whose symptoms are clearly different from those of injury or illness that relates to the specified sick leave used and to the specified sick leave period, and his or her absence from work is found unavoidable, his or her specified sick leave for said injury or illness may be approved. In this case, the period of the specified sick leave shall not exceed 90 consecutive days, excluding the excluded days.

6 With regard to the application of paragraph 2 to the preceding paragraph, holidays, substitute holidays, and other non-working days other than industry accident sick leave during the medical treatment period shall be deemed as days on which specified sick leave is used.

7 The provisions of paragraph 2 to the preceding paragraph shall not apply to staff members on probation.

(Procedures for Sick Leave)

Article 23 When taking sick leave, a staff member must request the leave by entering it in a leave application form in advance; provided, however, that if it is impossible to make the request in advance due to unavoidable grounds, the staff member may provide the grounds and seek subsequent approval.

2 If the period of sick leave exceeds one week, a medical certificate from a physician stating the expected period of medical treatment must be submitted along with the relevant leave application form. The same shall apply if further medical treatment is required beyond the expected period of medical treatment.

3 If a staff member who has been approved for sick leave exceeding one month based on a medical certificate from a physician newly comes to work during or after his or her medical treatment, the staff member must submit a medical certificate from a physician stating that he or she is available for work from that day.

(Special Leave)

Article 24 If it is deemed appropriate to be absent from work due to any of the reasons set forth in the following items, the period specified in the relevant item shall be treated as special leave:

(1) If a staff member offers to register as a bone marrow donor for bone marrow transplantation with an registration agency or donates bone marrow for bone marrow transplantation to a person other than his or her spouse (including a person in a de facto marital relationship without registering a marriage with the staff member; the same shall apply hereinafter), parents, children, or siblings, when his or her absence from work is found unavoidable due to necessary examination, hospitalization, etc., associated with said offer or donation:
A period deemed necessary;

(2) If a staff member voluntarily engages in any of the following social contribution activities (excluding activities exclusively supporting relatives) without receiving remuneration, when his or her absence from work is found reasonable: A period of up to five days per year;

(a) Activities to support disaster victims, such as distribution of household goods, provision of meals for people whose daily lives are hindered due to damage to houses or interruption of water, electricity, or gas services, taking care at an evacuation site, removal of debris, and other necessary assistance work, in a municipality (including a special ward) where a disaster large enough to require relief under the Disaster Relief Act (Act No. 118 of 1947) has occurred due to an earthquake, storm, eruption, etc., or in the prefecture to which the municipality belongs or a neighboring prefecture;

(b) Activities at custodial care facilities for the physically disabled, special nursing homes for the elderly, or other facilities primarily aimed at providing necessary measures for persons with physical or mental disabilities or persons with injuries or illnesses that are approved by the University;

(c) In addition to those set forth in (a) and (b) above, activities to provide direct assistance, such as cooking, washing and repairing of clothes, and giving comfort, to persons with physical or mental disabilities, injuries, or illnesses that hinder their ability to carry out daily activities on a regular basis;

(3) If it is deemed appropriate for a staff member to be absent from work for a wedding ceremony, travel, or other events deemed necessary in connection with his or her marriage during the period from five days prior to the date of marriage until one month has passed after the date of marriage: A period of up to five consecutive days;

(4) If a staff member is approved to receive health guidance or health examination during working hours in accordance with Article 53 of the Rules: The time deemed necessary within the scope of the prescribed working hours per day, which is once every four weeks up to 23 weeks of pregnancy, once every two weeks from 24 to 35 weeks of pregnancy, once every one week from 36 weeks of pregnancy until childbirth, and once during the first year postpartum (or, if special instructions are given by a physician, the number of times instructed for any of these periods);

- (5) If a staff member is approved to be absent from work due to commuting adjustments, rest, and supplementary meals in accordance with Article 54 of the Rules: For commuting adjustments, the time deemed necessary at the beginning or end of the prescribed working hours, within a scope not exceeding one hour per day; and for rest and supplementary meals, the time deemed necessary (excluding time consecutive to the beginning or end of the prescribed working hours and time consecutive to any time of absence approved pursuant to other provisions);
- (6) If a staff member who is expected to give birth makes a request within eight weeks (or 14 weeks for multifetal pregnancy) prior to the expected date of delivery: The requested period up to the date of childbirth;
- (7) If a staff member gives birth (meaning delivery after 12 weeks of pregnancy; the same shall apply hereinafter): A period of up to eight weeks from the day following the date of childbirth (excluding the period during which a staff member who is at least six weeks postpartum requests to work and is assigned operations approved by a physician as having no adverse effect on her);
- (8) If a staff member raising a child under 1 year of age breastfeeds the child or takes the child to or from a day-care center as deemed necessary to bring up the child: A period of up to 30 minutes each, twice a day (or, if the other parent of the child is approved to take the leave referred to in this item (including any equivalent leave) on the day on which the staff member intends to use the leave referred to in this item, or requests childcare time on the same day pursuant to Article 67 of the LSA, a period not exceeding 30 minutes each, twice a day, minus the duration of each instance approved or requested);
- (9) If, during the period from the day on which a staff member's spouse is admitted to hospital for childbirth to the day on which two weeks have passed after the date of said childbirth, it is deemed appropriate for the staff member to be absent from work for the purpose of, for example, accompanying the spouse during hospitalization deemed necessary for said childbirth: A period of up to two days;
- (10) If it is deemed appropriate for a staff member who takes care of a child (including a child of his or her spouse; the same shall apply hereinafter in this item) having not yet reached the first March 31 that occurs on or after the child's ninth birthday to be absent from work for the purpose of nursing the child (meaning taking care of the child who has suffered an injury or illness or having the child receive a vaccination or medical examination necessary to prevent illness): A period of up to five days (or 10 days for a staff member who takes care of two or more children having not yet reached the first March 31 that occurs on or after the children's ninth birthday) per year;
- (11) If it is deemed appropriate for a staff member to be absent from work for the purpose of nursing a family member who requires constant nursing care for two weeks or more due to an injury, illness, or physical or mental disability: A period of up to five days (or 10 days when there are two or more members requiring nursing care) per year;
- (12) If a relative of a staff member (limited to any of the relatives set forth in the "Relative" column of Appended Table 2) dies, when it is deemed appropriate for the staff member to be absent from work for a funeral, mourning, or other events deemed necessary due to the death of the relative: A period of up to the number of consecutive days set forth in the "Number of Days" column of the same table (or, for a staff member who travels to a remote place for a funeral, the number of days including the days required for the round-trip travel) according to the relative;
- (13) If it is deemed appropriate for a staff member to be absent from work for a special event for the remembrance of a parent of the staff member (limited to that within 15 years after the death of the parent): A period of up to one day;

- (14) If it is deemed appropriate for a staff member to be absent from work for the purpose of enhancing work–life balance, such as attending a child’s school event or a family event, or promoting his or her health: A period of up to three days per year;
- (15) If a staff member is approved to undergo a comprehensive health examination during the prescribed working hours: A period deemed necessary;
- (16) If the present residence of a staff member is lost or damaged due to an earthquake, flood, fire, or any other disaster, when it is deemed appropriate for the staff member to be absent from work for restoration work of said residence, etc.: A period of up to seven consecutive days, in principle;
- (17) If it is deemed extremely difficult for a staff member to come to work due to an earthquake, flood, fire, or other disaster, or an accident involving public transportation: A period deemed necessary;
- (18) If an earthquake, flood, fire, or any other disaster occurs, when it is found unavoidable for a staff member to be absent from work for the purpose of avoiding physical danger while commuting home: A period deemed necessary;
- (19) If a staff member with good work performance and 20 or more years of service at the University as of Labor Thanksgiving Day (hereinafter referred to as “Base Date”) seeks to refresh mentally and physically: A period of up to five consecutive days, excluding holidays, during a one-year period from the Base Date of the relevant year;
- (20) If, during a period from six weeks (or 14 weeks for multifetal pregnancy) prior to a staff member’s spouse’s expected delivery date to the day on which one year has passed after the date of said delivery, it is deemed appropriate for the staff member who takes care of a child relating to said delivery or a child (including a child of his spouse) having not yet reached the first March 31 that occurs on or after the child’s ninth birthday to be absent from work for the purpose of taking care of the child: A period of up to five days during said period;
- (21) If a staff member undergoes fertility treatment, when it is deemed appropriate for the staff member to be absent from work for hospitalization or outpatient treatment: A period of up to 10 days per year;
- (22) Any other case designated by the president: A period deemed necessary.

(Procedures for Special Leave)

Article 25 When taking special leave, a staff member must request the leave by entering it in a leave application form in advance (excluding item (7) of the preceding Article); provided, however, that if it is impossible to make the request in advance due to unavoidable grounds, the staff member may provide the grounds and seek subsequent approval.

2 When requesting special leave, a staff member must submit documents showing the grounds for the request, the period, etc., along with the relevant leave application form, as necessary.

(Units of Sick Leave and Special Leave)

Article 26 The unit of sick leave and special leave shall be one day, one hour, or one minute, as appropriate; provided, however, that the unit of the leave referred to in Article 24, items (9) to (11), (20), and (21) shall be one day or one hour.

2 With regard to the number of days referred to in Article 24, items (2), (3), (12), (14), and (16), any leave taken in units of one hour or one minute shall be treated as that taken in units of one day.

(Other)

Article 27 Necessary matters other than those provided for in these Regulations shall be prescribed separately.

Supplementary Provisions

- 1 These Regulations shall come into effect on April 1, 2004.
- 2 Any remaining days of annual leave as of the day preceding the enforcement date of these Regulations shall be included in the number of annual paid leave days available on and after the enforcement date.

Supplementary Provisions between the original and the latest are omitted.

Supplementary Provisions (March 28, 2023)

- 1 These Regulations shall come into effect on April 1, 2023.
- 2 If a staff member whose spouse gave birth during the period from April 2, 2022, to March 31, 2023, has any remaining days of special leave provided for in Article 24, item (20) of the National University Corporation Kobe University Regulations on Working Hours, Holidays, Paid Leave, etc., of Staff Members prior to this revision, the staff member may take said special leave only for up to the number of said remaining days for the period of one year from the date of said childbirth.

Appended Table 1

Period of Service	Number of Days
Period not exceeding 1 month	2 days
Period exceeding 1 month but not exceeding 2 months	3 days
Period exceeding 2 months but not exceeding 3 months	5 days
Period exceeding 3 months but not exceeding 4 months	7 days
Period exceeding 4 months but not exceeding 5 months	8 days
Period exceeding 5 months but not exceeding 6 months	10 days
Period exceeding 6 months but not exceeding 7 months	12 days
Period exceeding 7 months but not exceeding 8 months	13 days
Period exceeding 8 months but not exceeding 9 months	15 days
Period exceeding 9 months but not exceeding 10 months	17 days
Period exceeding 10 months but not exceeding 11 months	18 days
Period exceeding 11 months but less than one year	20 days

Appended Table 2

Relative	Number of Days
Spouse	7 days

Parent	
Child	5 days
Grandparent	3 days (or 7 days if the staff member is an heir per stirpes and succeeds to ritual implements, etc.)
Grandchild	1 day
Sibling	3 days
Uncle or aunt	1 day (or 7 days if the staff member is an heir per stirpes and succeeds to ritual implements, etc.)
Parent's spouse or spouse's parent	3 days (or 7 days if he or she has shared the same livelihood with the staff member)
Child's spouse or spouse's child	1 day (or 5 days if he or she has shared the same livelihood with the staff member)
Grandparent's spouse or spouse's grandparent	1 day (or 3 days if he or she has shared the same livelihood with the staff member)
Sibling's spouse or spouse's sibling	
Uncle's or aunt's spouse	1 day