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○ National University Corporation Kobe University Rules on Conditions of Employment for Staff Members

(Established on April 1, 2004)

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Supplementary Provisions

## Chapter 1 General Provisions

### (Purpose)

Article 1 These Rules on Conditions of Employment (hereinafter referred to as “Rules”) provide for the working conditions, service discipline, and other necessary matters concerning employment of staff members working for the National University Corporation Kobe University (hereinafter referred to as “University”), taking into account the University’s characteristics and social roles as an educational and research institution.

2 Any matters not provided for in these Rules shall be governed by the Labor Standards Act (Act No. 49 of 1947; hereinafter referred to as “LSA”) and other applicable laws and regulations.

### (Scope of Application)

Article 2 These Rules shall apply to staff members working for the University; provided, however, that the following staff members shall be excluded: quasi-regular staff members, non-regular staff members, mariners provided for in the Mariners Act (Act No. 100 of 1947), staff members rehired pursuant to Article 67 or paragraph 6 of the Supplementary Provisions, staff members subject to the cross-appointment system, and project staff members and specified fixed-term medical staff members.

2 Matters concerning employment, etc., of staff members falling under the proviso of the preceding paragraph shall be prescribed separately.

### (Observance of Rules)

Article 3 The University and its staff members must observe and sincerely implement these Rules.

## Chapter 2 Employment

### (Employment)

Article 4 Staff members shall be employed through examinations or selection.

2 Necessary matters concerning the procedures for employing staff members shall be governed by the National University Corporation Kobe University Regulations on Employment, Demotions, and Dismissal of Staff Members (hereinafter referred to as “Regulations on Employment, etc.”).

### (Documents to Be Submitted)

Article 5 A person who is employed as a staff member must promptly submit the documents specified in the Regulations on Employment, etc.

2 Whenever there is a change in the matters stated in the submitted documents, notification of the change must be provided promptly.

### (Clear Indication of Working Conditions)

Article 6 In concluding a labor contract with a staff member, the University shall clearly indicate the following working conditions:

- (1) Matters concerning the term of the labor contract;
- (2) Matters concerning the standards for renewal of a fixed term labor contract (including the limit on the total contract term, if any);

- (3) Matters concerning the workplace and duties to be assigned (including the scope of change in the workplace and duties to be assigned);
  - (4) Matters concerning the starting and ending times of work, the presence or absence of work exceeding the prescribed working hours, breaks, holidays and leave, and shift transitions if workers are divided into two or more groups for work;
  - (5) Matters concerning the methods of determination, calculation, and payment of salaries, the timing of closing and payment of salaries, and raises;
  - (6) Matters concerning retirement and resignation (including reasons for dismissal);
  - (7) Matters concerning retirement allowances;
  - (8) Matters concerning year-end and diligence bonuses;
  - (9) Consultation desk for matters concerning improvement of employment management, etc.;
  - (10) Matters concerning safety and health;
  - (11) Matters concerning job training;
  - (12) Matters concerning accident compensation;
  - (13) Matters concerning rewards and punishments;
  - (14) Matters concerning administrative leave.
- 2 With regard to the matters set forth in items (1) to (6) and item (9) of the preceding paragraph (exceeding the matters concerning raises), a document stating these matters shall be delivered.
- 3 When a fixed-term labor contract is concluded under which the staff member becomes eligible to apply for the conclusion of an indefinite-term labor contract subject to Article 18, paragraph 1 of the Labor Contracts Act (Act No. 128 of 2007) (hereinafter referred to as “Application for Indefinite-term Conversion under Article 18, Paragraph 1 of the Labor Contracts Act”) within the term of the labor contract referred to in paragraph 1, in addition to those provided for in paragraph 1, the University shall clearly indicate the matters concerning the Application for Indefinite-term Conversion under Article 18, Paragraph 1 of the Labor Contracts Act and the matters concerning working conditions that constitute the content of the indefinite-term labor contract associated with said application and are set forth in the items of paragraph 1. In this case, with regard to the matters set forth in paragraph 1, items (1) to (6) and item (9) (excluding the matters concerning raises), a document stating these matters shall be delivered.

(Taking a New Post)

Article 7 A staff member must take a new post immediately after his or her employment; provided, however, that this shall not apply if there are unavoidable circumstances, such as relocation of residence, and approval is obtained from the University.

(Probation)

Article 8 A person who is employed as a staff member shall be placed on probation for six months from the date of employment; provided, however, that the period shall be one year for a teacher at an elementary school, secondary school, or school for special needs education attached to Kobe University.

2 Probation may be extended for an additional period of up to six months if the University deems it necessary.

3 Any person who is found to lack the qualifications required for a staff member during probation shall be dismissed.

4 The provisions of Articles 68 to 70 shall apply when a person is dismissed in accordance with the preceding paragraph.

5 The probation period shall be included in the length of service.

(Special Provisions Where No Probation Is Provided)

Article 9 The University shall not provide probation for staff members who are particularly deemed not to require assessment of qualifications.

2 The scope of staff members for whom probation is not provided in accordance with the preceding paragraph shall be governed by the Regulations on Employment, etc.

Chapter 3 Service

(General Principles)

Article 10 Staff members must be aware of their work responsibilities, perform their duties sincerely and fairly, and endeavor to maintain order in the University.

(Obligation to Devote Themselves to Duties)

Article 11 Staff members must devote themselves to their duties during work.

(Workplace Discipline)

Article 12 Staff members must follow work-related orders and instructions from their superiors, maintain order in the workplace, and perform their duties in cooperation with one another.

(Rules to Be Observed)

Article 13 Staff members must observe the following rules:

- (1) Do not engage in any acts that may discredit the University, harm its interests, or dishonor its staff members as a whole, whether during or outside of duties;
- (2) Do not divulge to others any secret obtained in the course of duties;
- (3) Do not engage in competitive activities by using any secret referred to in the preceding item without permission;
- (4) Do not use their duties or positions for private purposes;
- (5) Do not commit noisy or other acts that disturb order and public morals on the grounds and facilities of the University (hereinafter referred to as "Campus");
- (6) Do not smoke outside the designated areas;
- (7) Do not use equipment, articles, etc., of the University for private purposes;
- (8) Do not broadcast, advertise, hold meetings, or distribute, circulate, or display documents or pictures outside of duties within the Campus without permission;
- (9) Do not lend or borrow money or goods, or buy or sell articles, etc., for the purpose of profit within the Campus without permission;
- (10) Do not commit other acts equivalent to those set forth in the preceding items.

(Candidacy for Public Office)

Article 14 If a staff member runs for public office, such as a member of the Diet, the head of a local government, or a member of the assembly of a local government (hereinafter referred to as "public office" in this and following Articles), the staff member must notify the University of the candidacy in advance.

2 In addition to what is provided for in the preceding paragraph, matters concerning candidacy for public office shall be prescribed separately.

(Guarantee of the Exercise of Civil Rights)

Article 14-2 The University shall guarantee the acceptance of a staff member's request for time needed to exercise the right to vote or any other civil right or to perform a public duty during working hours in any of the following cases; provided, however, that the time requested by the staff member may be changed as long as the change does not hinder the exercise of said right or the performance of said public duty:

- (1) In addition to the right to vote provided for in the Public Offices Election Act (Act No. 100 of 1950), when the staff member exercises the right pertaining to a national referendum on judges of the Supreme Court or a vote for removal of a member of the assembly or the head of an ordinary local government;
- (2) When the staff member appears as a saiban-in, witness, expert, person of reference, etc., at the Diet, a court, the assembly of a local government, or any other public agency;
- (3) When the staff member conducts an election campaign in association with candidacy for public office during the period of election campaign specified in the Public Offices Election Act (from the date of notification of candidacy to the day preceding the date of the election).

2 No salary shall be paid to a staff member during a period in which the staff member does not work pursuant to item (3) of the preceding paragraph.

3 In addition to what is provided for in the preceding two paragraphs, matters concerning the guarantee for the exercise of civil rights shall be prescribed separately.

(Prohibition of Entry and Leaving)

Article 15 The University may prohibit a staff member from entering the Campus or order him or her to leave the Campus in any of the following cases:

- (1) If the staff member disrupts, or is likely to disrupt, public morals or order in the workplace;
- (2) If the staff member possesses dangerous goods such as firearms or weapons;
- (3) If the staff member is recognized as harmful to public health;
- (4) If the staff member is deemed unsuitable for work in circumstances equivalent to those set forth in the preceding items.

2 If a staff member is prohibited from entering the Campus or ordered to leave the Campus before the prescribed ending time pursuant to the preceding paragraph, the staff member shall be deemed absent from work thereafter and his or her salary shall be reduced.

(Staying at Home)

Article 16 The University may order a staff member to stay at home if it deems it inappropriate to have the staff member work. In this case, his or her salary shall not be reduced.

(Ethics of Staff Members)

Article 17 With regard to ethics of staff members, ethical principles to be observed relating to their duties and matters necessary for the maintenance of their ethics shall be governed by the National University Corporation Kobe University Ethical Regulations for Staff Members.

(Prohibition of Harassment)

Article 18 Staff members must not engage in any behavior against the will of others to grant advantages or disadvantages to the others' duties or studies, resulting in deteriorating the environment for work, study, education, or research.

2 Matters concerning the prevention and prohibition of harassment (including sexual violence; the same shall apply hereinafter) shall be governed by the Regulations for the Prevention of Harassment, etc., at the National University Corporation Kobe University.

(Restriction on Concurrent Employment)

Article 19 Staff members must not engage in concurrent employment without permission from the University.

2 Necessary matters concerning the concurrent employment of staff members shall be governed by the National University Corporation Kobe University Concurrent Employment Regulations for Staff Members.

(Damage Compensation)

Article 20 If a staff member causes damage to the University intentionally or by gross negligence, the University shall make the staff member compensate for the damage in whole or in part.

(Handling of Intellectual Property)

Article 21 Necessary matters concerning intellectual property shall be governed by the National University Corporation Kobe University Regulations on Handling Intellectual Property.

Chapter 4 Working Hours, Holidays, Leave, etc.

(Prescribed Working Hours)

Article 22 The prescribed working hours shall be eight hours per day, and the break shall be 45 minutes per day.

(Starting and Ending Times, etc.)

Article 23 The starting time, ending time, and break shall be as follows:

- (1) Starting time: 8:30 a.m.;
- (2) Ending time: 5:15 p.m.;
- (3) Break: From 12:15 p.m. to 1:00 p.m.

2 Notwithstanding the preceding paragraph, the starting time, ending time, and break may be changed as long as the working hours do not exceed eight hours per day, when necessary in the course of business or upon application by a staff member who takes care of a child or family member.

3 Breaks shall be granted simultaneously; provided, however, that in a department where simultaneous granting is not appropriate due to the nature of its operations, breaks shall be granted in shifts in accordance with the labor-management agreement.

(Shift System)

Article 24 The University may have staff members work in shifts when necessary in the course of business. In this case, the starting time, ending time, and break shall be governed by the National University Corporation Kobe University Regulations on Working Hours, Holidays, Paid Leave, etc., of Staff Members (hereinafter referred to as "Regulations on Working Hours, etc.").

(Holidays)

Article 25 Holidays shall be as follows; provided, however, that for a staff member who uses the Shorter Working Hours for Childcare under Article 28, paragraph 2, holiday(s) may be provided for five days from Monday to Friday in addition to the days below, according to the details of said Shorter Working Hours for Childcare, as necessary:

(1) Sundays;

(2) Saturdays;

(3) Holidays specified by the Act on National Holidays (Act No. 178 of 1948);

(4) From December 29 to January 3 of the following year (excluding the holidays specified in the preceding three items);

(5) Other days designated by the University.

2 The University may transfer any of the holidays referred to in the preceding paragraph to another day in advance if it deems it necessary for business reasons.

3 The holidays under Article 35 of the LSA (hereinafter referred to as “Statutory Holidays”) shall be the holidays referred to in paragraph 1, item (1); provided, however, that the Statutory Holidays for staff members subject to the preceding Article, as well as Articles 4, 5, and 6 of the Regulations on Working Hours, etc., shall be specified separately.

(Types of Leave)

Article 26 Leave shall consist of annual paid leave, sick leave, and special leave.

(Working Hours, Holidays, Leave, etc.)

Article 27 In addition to what is provided for in the preceding five Articles, necessary matters concerning working hours, holidays, leave, etc., shall be governed by the Regulations on Working Hours, etc.

(Childcare Leave, etc.)

Article 28 A staff member who needs to take care of a child under 3 years of age may take childcare leave upon his or her request.

2 A staff member who needs to take care of a child who has not yet reached the first March 31 that occurs on or after the child’s ninth birthday may work on the days and during the time frame that the staff member desires while holding his or her position (hereinafter referred to as “Shorter Working Hours for Childcare”) upon his or her request.

3 In addition to the preceding paragraph, a staff member who needs to take care of a child who has not yet reached the first March 31 that occurs on or after the child’s ninth birthday may be absent from work up to two hours per day (hereinafter referred to as “Childcare Time”) upon his or her request.

4 Persons eligible for, periods of, and procedures for taking childcare leave, the Shorter Working Hours for Childcare, and the Childcare Time shall be governed by the National University Corporation Kobe University Regulations on Childcare Leave, etc., of Staff Members.

(Nursing Care Leave, etc.)

Article 29 A staff member who has a family member requiring nursing care may take nursing care leave, partial nursing care leave, or nursing care time (hereinafter referred to as “Nursing Care Leave, etc.”) upon his or her request.

2 Persons eligible for, periods of, and procedures for taking the Nursing Care Leave, etc., shall be governed by the National University Corporation Kobe University Regulations on Nursing Care Leave, etc., of Staff Members.

(Leave for Self-Development, etc.)

Article 29-2 If a staff member who has served two years or more as a staff member voluntarily applies for leave for study at a university, etc., or for international contribution activities (hereinafter referred to as “Leave for Self-Development, etc.”) for the purpose of obtaining opportunities for self-development and international cooperation, when the performance of his or her duties is deemed not to be interfered with, the staff member may take the Leave for Self-Development, etc.

2 Staff members eligible for, periods of, and procedures for taking the Leave for Self-Development, etc., shall be governed by the National University Corporation Kobe University Regulations on Leave for Self-Development, etc., of Staff Members.

(Leave for Accompanying Spouse)

Article 29-3 If a staff member applies for leave to live together at a domicile or residence in a foreign country with his or her spouse (including a person in a de facto marital relationship without registering a marriage with the staff member) who has taken up said domicile or residence due to work, etc., in the foreign country (hereinafter referred to as “Leave for Accompanying Spouse”), when the performance of his or her duties is deemed not to be interfered with, the staff member may take the Leave for Accompanying Spouse.

2 Persons eligible for, periods of, and procedures for taking Leave for Accompanying Spouse shall be governed by the National University Corporation Kobe University Regulations on Leave for Accompanying Spouse of Staff Members.

## Chapter 5 Salary

(Salary)

Article 30 Necessary matters concerning the salary for staff members shall be governed by the National University Corporation Kobe University Regulations on Salary for Staff Members (hereinafter referred to as “Regulations on Salary for Staff Members”), the National University Corporation Kobe University Regulations on Salary for Staff Members Subject to Annual Salary System, the National University Corporation Kobe University Regulations on Salary for Faculty Members Subject to Annual Salary System (Retirement Allowance Payment Type), and the National University Corporation Kobe University Regulations on Salary for Policy and Research Officers under Annual Salary System.

2 University faculty members (meaning professors, associate professors, full-time lecturer (associate professors), assistant professors, research associates, specially appointed professors, specially appointed associate professors, specially appointed lecturer (associate professors), and specially appointed assistant professors; the same shall apply hereinafter) shall be subject to the National University Corporation Kobe University Regulations on Salary for Faculty Members Subject to Annual Salary System (Retirement Allowance Payment Type); provided, however, that this shall not apply to persons dispatched pursuant to the Act on Dispatchment of Judges, Public Prosecutors, and Other National Public Officers Engaged in Regular Services to Law Schools (Act No. 40 of 2003).

## Chapter 6 Promotion, Demotion, and Evaluation

### Section 1 Promotion and Demotion

(Promotion)

Article 31 The promotion of staff members shall be through selection.

2 Necessary matters concerning promotion shall be governed by the Regulations on Employment, etc.

(Demotion)

Article 32 The University may demote a staff member in any of the following cases:

- (1) If the staff member has poor work performance;
- (2) If the staff member is unable to perform his or her duties or is incapable of bearing the demands of the duties due to mental or physical disorder;
- (3) If the staff member lacks the qualifications required for a staff member;
- (4) If the staff member requests his or her demotion.

2 Notification of any demotion of a University faculty member shall be provided to said faculty member after deliberation by the Discipline Meeting or the Faculty Personnel Committee.

3 Any faculty member who has received a notice of demotion referred to in the preceding paragraph against his or her will may request the Academic Council (hereinafter referred to as "Council") to review the demotion.

4 Any staff member, other than a University faculty member, whose demotion has been determined against his or her will may file a complaint against the president.

5 Other necessary matters concerning demotion shall be governed by the Regulations on Employment, etc.

(Demotion due to Upper Age Limit for Managerial or Supervisory Position, etc.)

Article 32-2 In addition to what is provided for in the preceding Article, the University shall demote or transfer a staff member (excluding a University faculty member; the same shall apply hereinafter in this Article) who holds a managerial or supervisory position (hereinafter referred to as "Managerial or Supervisory Position") or a position equivalent to the Managerial or Supervisory Position (hereinafter collectively referred to as "Managerial or Supervisory Position, etc.") specified in the Regulations on Salary for Staff Members and has reached the upper age limit for the Managerial or Supervisory Position, etc. (hereinafter referred to as "Mandatory Retirement Age for Managerial Positions") from the Managerial or Supervisory Position to a position other than the Managerial or Supervisory Position or from the position equivalent to the Managerial or Supervisory Position to a position other than the Managerial or Supervisory Position, etc., on the first April 1 that occurs on or after the day on which said staff member reached the Mandatory Retirement Age for Managerial Positions (hereinafter referred to as "Demotion, etc.>").

2 In addition to what is provided for in the preceding paragraph, necessary matters concerning the Demotion, etc. shall be governed by the Regulations on Employment, etc.

Section 2 Evaluation

(Work Performance Evaluation)

Article 33 The University shall evaluate the work performance of its staff members.

2 Necessary matters concerning the work performance evaluation for University faculty members shall be governed by the National University Corporation Kobe University Regulations on Activity Evaluation for Faculty Members and the National University Corporation Kobe University Regulations on Activity Evaluation for Faculty Members Subject to Annual Salary System.

3 Necessary matters concerning work performance evaluation for administration-related staff members (meaning administrative staff and technical staff (limited to technicians in facility management)) shall be governed by the

National University Corporation Kobe University Regulations on Personnel Evaluation for Administration-related Staff Members.

## Chapter 7 Personnel Affairs

### Section 1 Relocation

(Transfer and Secondment)

Article 34 The University may order a staff member to be transferred or seconded (hereinafter referred to as “relocate” or “relocation” in this Article) for business reasons.

2 A staff member ordered to relocate shall not refuse the order without reasonable grounds.

3 Notification of any relocation of a University faculty member shall be provided to said faculty member after deliberation by the Discipline Meeting or the Faculty Personnel Committee.

4 Any faculty member who has received a notice of relocation referred to in the preceding paragraph against his or her will may request the Council to review the relocation.

5 A staff member ordered to relocate must return supplies, documents, and all other articles in his or her custody, complete the handover of duties to his or her successor, and report the completion of these tasks to his or her immediate manager.

6 Article 7 shall apply mutatis mutandis to a staff member ordered to relocate.

7 A staff member on secondment shall be placed on administrative leave.

8 Other necessary matters concerning secondment shall be governed by the National University Corporation Kobe University Regulations on Temporary Transfer of Staff Members.

(Employment Transfer)

Article 35 The University may order a staff member to transfer employment, after obtaining his or her consent, for business reasons.

(Supplementary Assignment)

Article 36 The University may order a staff member to take a supplementary assignment for business reasons.

2 Necessary matters concerning supplementary assignments shall be governed by the Regulations on Employment, etc.

### Section 2 Business Trip

(Business Trip)

Article 37 The University shall order a staff member to go on a business trip when it is deemed necessary in the course of business.

2 A staff member must promptly report to his or her superior upon completion of a business trip.

### Section 3 Job Training

(Job Training)

Article 38 The University may order a staff member to receive job training in order to improve knowledge and skills necessary for his or her duties.

2 Necessary matters concerning job training shall be governed by the National University Corporation Kobe University Regulations on Job Training for Staff Members.

## Section 4 Administrative Leave and Reinstatement

### (Administrative Leave)

Article 39 The University shall place a staff member on administrative leave in any of the following cases:

- (1) If the period of the staff member's sick leave exceeds consecutive 90 days due to personal injury or illness, and the staff member still requires medical treatment;
- (2) If the staff member is prosecuted for a criminal case, and the prosecution interferes with the normal performance of his or her duties;
- (3) If the staff member's life or death is unknown, or his or her whereabouts are unknown due to a flood, fire, or any other disaster;
- (4) If the staff member falls under the case referred to in Article 34, paragraph 7;
- (5) In addition to what is set forth in the preceding items, if it is deemed appropriate to place the staff member on administrative leave.

2 The preceding paragraph shall not apply to staff members on probation.

### (Period of Administrative Leave)

Article 40 The period of administrative leave due to the reason referred to in paragraph 1, item (1) or (3) of the preceding Article shall be determined by the University, as necessary, within the scope not exceeding three years. In this case, when the period of administrative leave is less than three years, the period may be extended within a scope not exceeding three years from the start date of the administrative leave.

2 The period of administrative leave due to the reason set forth in paragraph 1, item (2) of the preceding Article shall be the period during which the relevant case is pending in court; provided, however, that if the period of pendency exceeds two years, the period of administrative leave shall be two years.

### (Reinstatement)

Article 41 The University shall order a staff member to be reinstated when the period of his or her administrative leave is expired or when the reason for the administrative leave is extinguished before the expiration of said period; provided, however, that with respect to the administrative leave referred to in Article 39, paragraph 1, item (1), reinstatement shall be ordered only if the relevant staff member requests to be reinstated before the expiration of the period of administrative leave and a physician and the University determine that the reason for the administrative leave has been extinguished.

2 In the case of the preceding paragraph, the relevant staff member shall be reinstated to his or her original position, in principle; provided, however, that the staff member may be assigned to other duties in consideration of his or her mental and physical conditions and others.

### (Necessary Matters Concerning Administrative Leave)

Article 42 In addition to what is provided for in the preceding three Articles, necessary matters concerning administrative leave shall be governed by the National University Corporation Kobe University Regulations for Administrative Leave for Staff Members.

## Chapter 8 Safety, Health, and Accident Compensation

### Section 1 Safety and Health

#### (Measures to Ensure Safety and Health)

Article 43 The University shall take measures to ensure safety and health necessary for promoting the health of its staff members and preventing dangers in accordance with the Industrial Safety and Health Act (Act No. 57 of 1972) and other applicable laws and regulations.

2 Staff members must cooperate with the measures referred to in the preceding paragraph that are taken by the University.

(Education on Safety and Health)

Article 44 Staff members must receive education and training on safety and health provided by the University.

(Measures at Time of Extraordinary Disaster)

Article 45 If a staff member becomes aware of the occurrence or potential occurrence of a fire or any other extraordinary disaster, the staff member must take urgent measures, immediately notify his or her superior, and follow the superior's instructions to minimize the damage.

(Rules to Be Observed Concerning Safety and Health)

Article 46 Staff members must observe the following rules:

- (1) Always endeavor to keep the workplace organized, tidy, and clean, and work to prevent disasters and improve sanitation;
- (2) Do not move safety and health equipment, fire extinguishing equipment, sanitary equipment, or other equipment for hazard prevention, or enter related facilities, without permission;
- (3) Obey and carry out orders and instructions from superiors regarding safety and health.

(Medical Examinations)

Article 47 The University must conduct a medical examination of its staff members at regular intervals every year.

2 In addition to the case provided for in the preceding paragraph, a medical examination may be conducted on a temporary basis for all or some staff members, as necessary.

3 Staff members must undergo the medical examinations referred to in the preceding two paragraphs; provided, however, that this shall not apply when a staff member has undergone a medical examination by a physician and has submitted a document certifying the results of the medical examination.

4 When the University deems it necessary based on the results of staff members' medical examinations, it shall take necessary measures to maintain the health of said staff members, such as prohibiting them from working or limiting their working hours.

5 Staff members must not refuse the measures referred to in the preceding paragraph without reasonable grounds.

(Prohibition of Work)

Article 48 The University shall prohibit a staff member from working if the staff member falls under any of the following items:

- (1) A person who has contracted a contagious disease and is likely to transmit disease germs;
- (2) A person who has contracted a disease of the heart, kidney, lungs, etc., that may be exacerbated significantly by working;
- (3) A person who has contracted a disease that is equivalent to those set forth in the preceding items and specified by the Minister of Health, Labour and Welfare.

2 When the University intends to prohibit a staff member from working pursuant to the preceding paragraph, it must hear the opinion of an industrial physician or any other specialist in advance.

(Necessary Matters Concerning Safety and Health)

Article 49 In addition to what is provided for in this Section, other necessary matters concerning the safety and health management of staff members shall be governed by the National University Corporation Kobe University Regulations on Safety and Health Management.

## Section 2 Accident Compensation

(Work-Related Disasters)

Article 50 Any staff member who has a work-related disaster shall receive compensation benefits referred to in the LSA and the Industrial Accident Compensation Insurance Act (Act No. 50 of 1947; hereinafter referred to as “IACIA”) pursuant to the same Acts.

2 In addition to what is provided for in the preceding paragraph, matters concerning compensation to be provided by the University shall be prescribed separately.

(Accidents while Commuting)

Article 51 Any staff member who has an accident while commuting to or from work shall receive benefits referred to in the IACIA pursuant to the same Act.

2 In addition to what is provided for in the preceding paragraph, matters concerning benefits to be provided by the University shall be prescribed separately.

## Chapter 9 Women

(Restriction on Work for Staff Member Who Is an Expectant or Nursing Mother, etc.)

Article 52 The University shall not assign operations hazardous to pregnancy, childbirth, nursing, etc., to a pregnant staff member or a staff member who is in the first year after childbirth (hereinafter referred to as “Staff Member Who Is an Expectant or Nursing Mother”).

2 Upon request from a Staff Member Who Is an Expectant or Nursing Mother, the University shall not have her work between 10:00 p.m. and 5:00 a.m. or work outside the prescribed working hours.

(Health Examination for Staff Member Who Is an Expectant or Nursing Mother)

Article 53 Upon request from a Staff Member Who Is an Expectant or Nursing Mother, the University shall approve that she is absent from work in order to receive the health guidance provided for in Article 10 of the Maternal and Child Health Act (Act No. 141 of 1965) or the health examination provided for in Article 13 of the same Act.

(Reduction of Duties of Staff Member Who Is an Expectant or Nursing Mother, etc.)

Article 54 Upon request from a Staff Member Who Is an Expectant or Nursing Mother, the University must reduce her duties or assign other light duties to her.

2 Upon request from a Staff Member Who Is an Expectant or Nursing Mother, when her duties are deemed to affect the health maintenance of the mother or the fetus, the University may approve her absence from work during the time necessary to take appropriate rest or consume supplementary meals.

3 Upon request from a Staff Member Who Is an Expectant or Nursing Mother, when the level of congestion in the public transportation she uses for commuting is deemed to affect the health maintenance of the mother or the

fetus, the University must approve her absence from work, either at the beginning or end of the prescribed working hours, for no more than one hour per day.

(Measures for Staff Member Who Finds It Extremely Difficult to Work on Menstrual Days)

Article 55 Upon request from a staff member who finds it extremely difficult to work on menstrual days, the University shall not have her work on the menstrual days.

#### Chapter 10 Welfare Benefits

(Accommodation Use)

Article 56 Accommodation use by staff members shall be governed by the National University Corporation Kobe University Regulations on Accommodation Management (established on April 1, 2004).

#### Chapter 11 Rewards and Punishments

(Awards)

Article 57 The University shall give an award to a staff member who has rendered distinguished service in University operations and is deemed sufficient to serve as a model for others.

2 Necessary matters concerning awards shall be governed by the National University Corporation Kobe University Regulations on Awards for Staff Members.

(Disciplinary Action)

Article 58 The University shall take disciplinary action against a staff member in any of the following cases:

- (1) If the staff member fails to follow work-related orders or instructions;
- (2) If the staff member neglects to work by repeatedly being absent, arriving late, or leaving early without any reasonable grounds;
- (3) If the staff member commits an act that constitutes a criminal offence under the Penal Code, such as theft, embezzlement, or bodily injury, or an act that violates the Road Traffic Act, such as drunk driving;
- (4) If the staff member engages in concurrent employment without permission;
- (5) If the staff member damages the honor or credibility of the University;
- (6) If the staff member disturbs the order or public morals within the Campus due to his or her bad behavior;
- (7) If the staff member forges his or her credentials;
- (8) If the staff member causes damage to the University intentionally or by gross negligence;
- (9) If the staff member engages in conduct deemed to be harassment;
- (10) If the staff member violates these Rules or commits any other disadvantageous act equivalent to those set forth in the preceding items.

2 Disciplinary action against a University faculty member shall be issued after review by the Council; provided, however, that this shall not apply if a person who concurrently serves as the head of a discipline, fundamental structure, or department (hereinafter referred to as “Head of Department, etc.”) is subject to disciplinary action in connection with the duties of the Head of Department, etc.

3 Disciplinary action against a staff member other than a University faculty member shall be issued after review by the Kobe University Disciplinary Committee provided for in Article 8 of the National University Corporation Kobe University Disciplinary Regulations on Staff Members (hereinafter referred to as “Disciplinary Regulations”).

(Types of Disciplinary Action, etc.)

Article 59 Disciplinary action against a staff member shall be taken in accordance with the following categories, depending on the level of disciplinary action:

- (1) Reprimand: The University has the staff member submit a letter of apology and warns him or her regarding the future;
- (2) Salary reduction: The University has the staff member submit a letter of apology and reduce his or her salary; provided, however, that the amount of salary reduction at one time shall not exceed half of his or her average salary per day and the total amount shall not exceed one-tenth of his or her total salary per pay period;
- (3) Suspension: The University suspends the staff member from duty for up to six months, and does not pay salary to him or her during that period;
- (4) Counseled dismissal: The University recommends the staff member to submit a letter of resignation. If the staff member fails to submit a letter of resignation within one week from the day following the recommendation date, he or she shall be subject to disciplinary dismissal;
- (5) Disciplinary dismissal: The University dismisses the staff member immediately without advance notice. In this case, the retirement allowance provided for in Article 73 shall not be paid.

2 The University may suspend a staff member subject to disciplinary action from duty and order him or her to stay at home until the disciplinary action is carried out. In this case, his or her salary shall not be reduced.

3 Article 69 shall apply mutatis mutandis to the case of disciplinary dismissal based on paragraph 1, item (4) or (5).

(Notification of Grounds for Review)

Article 60 In the event of review of disciplinary action, a document stating the grounds for the review shall be delivered to the relevant staff member in advance.

(Request for Opportunity to Provide Explanation)

Article 61 A staff member who has received a document provided for in the preceding Article may request an opportunity to provide an explanation within 14 days from the day following the receipt date.

(Necessary Matters Concerning Disciplinary Action)

Article 62 In addition to what is provided for in the preceding four Articles, necessary matters concerning disciplinary procedures, etc., shall be governed by the Disciplinary Regulations.

(Admonitory Warning, etc.)

Article 63 Even if the University does not take any disciplinary action provided for in Article 59, when it is deemed necessary to ensure strict adherence to duty and maintenance of discipline, the University may give a staff member an admonitory or stern warning.

(Damage Compensation and Disciplinary Action, etc.)

Article 64 Even if a staff member is subject to disciplinary action, etc., in accordance with Article 59 or the preceding Article, the staff member shall not be exempted from compensation for damage based on Article 20.

## Chapter 12 Retirement/Resignation, Dismissal, and Retirement Allowance

### Section 1 Retirement/Resignation and Dismissal

(Retirement/Resignation)

Article 65 A staff member shall retire or resign in any of the following cases:

- (1) If the staff member reaches mandatory retirement age;
- (2) If the staff member applies for resignation and obtains approval from the University, or if 14 days have passed since the submission of his or her letter of resignation;
- (3) If the University encourages and approves the staff member's retirement;
- (4) Deletion
- (5) If the staff member receives certification from the University pursuant to the National University Corporation Kobe University Regulations on Recruitment of Staff Members Retiring Early, and reaches the date on which he or she should retire;
- (6) If the term of the staff member's labor contract expires;
- (7) If the period of the staff member's administrative leave under Article 39, paragraph 1, item (1) reaches three years, and the reason for the administrative leave still exists;
- (8) If the period of the staff member's administrative leave under Article 39, paragraph 1, item (2) reaches two years, and the reason for the administrative leave still exists;
- (9) If the staff member assumes public office, such as becoming a Minister of State, a member of the Diet, the head of a local government, or a member of the assembly of a local government;
- (10) If the staff member dies.

2 If a staff member is to retire or resign pursuant to item (2), (3), or (5) of the preceding paragraph, the staff member must continue his or her existing duties until the retirement or resignation.

(Mandatory Retirement Age and Upper Age Limit for Employment)

Article 66 The mandatory retirement age for staff members shall be as specified in the following items:

- (1) University faculty members: 65 years of age;
- (2) Staff members other than those referred to in the preceding item: 65 years of age;

2 The mandatory retirement date of staff members shall be the first March 31 that occurs on or after the day on which they reach the mandatory retirement age.

3 Paragraph 1 shall apply mutatis mutandis to the upper age limit for employment of a staff member employed under a fixed-term labor contract, and no labor contract shall be concluded or renewed beyond the upper age limit.

(Rehiring Prior to Mandatory Retirement)

Article 67 The University may rehire a staff member (excluding a University faculty member or a staff member employed under a fixed-term labor contract) who resigns on or after the first March 31 that occurs on or after his or her 60th birthday (limited to resignation under Article 65, paragraph 1, item (2)) in a part-time position (meaning a staff member whose prescribed working hours per week are less than those of a full-time employee) through selection based on personnel evaluation, work record, etc.

(Dismissal)

Article 68 The University may dismiss a staff member in any of the following cases:

- (1) If the staff member's work performance is extremely poor;
- (2) If the staff member is unable to perform his or her duties or is incapable of bearing the demands of the duties due to mental or physical disorder;
- (3) If the staff member lacks the qualifications required for a staff member;

- (4) If continued employment of the staff member becomes difficult due to organizational restructuring, integration, reduction, etc.;
- (5) If there are other material grounds equivalent to those set forth in the preceding items.
- 2 Notification of any dismissal of a University faculty member shall be provided to said faculty member after deliberation by the Discipline Meeting or the Faculty Personnel Committee.
- 3 Any faculty member who has received a notice of dismissal referred to in the preceding paragraph against his or her will may request the Council to review the dismissal.
- 4 Any staff member, other than a University faculty member, whose dismissal has been determined against his or her will may file a complaint against the president.
- 5 Other necessary matters concerning dismissal shall be governed by the Regulations on Employment, etc.

(Restriction on Dismissal)

Article 69 Notwithstanding paragraph 1 of the preceding Article, the University shall not dismiss any staff member during the following periods; provided, however, that this shall not apply if, in the case of item (1), the relevant injury or illness has not healed within three years after the commencement of medical treatment and compensation for discontinuance is paid pursuant to Article 81 of the LSA, or if the continuation of business becomes impossible due to natural disaster or other unavoidable circumstances:

- (1) A period of absence from work for medical treatment for injury or illness caused in the course of business and 30 days thereafter;
- (2) A period of absence from work taken by a staff member before and after childbirth pursuant to Article 24, item (8) or (9) of the Regulations on Working Hours, etc., and 30 days thereafter.

(Advance Notice of Dismissal)

Article 70 If the University dismisses a staff member pursuant to Article 68, it must provide at least 30 days advance notice to the staff member, or when the University fails to provide 30 days advance notice, it must pay 30 days' worth of the average wage provided for in Article 12 of the LSA (hereinafter referred to as "Average Wage"); provided, however, that this shall not apply if the continuation of business becomes impossible due to natural disaster or other unavoidable circumstances, or if the dismissal is for reasons attributable to the staff member.

- 2 The number of days of advance notice referred to in the preceding paragraph may be reduced by the number of days for which the Average Wage is paid.
- 3 Paragraph 1 shall not apply if a staff member on probation is dismissed within 14 days.

(Responsibility at and after Retirement/Resignation)

Article 71 A retired, resigned, or dismissed person must promptly hand over duties to his or her successor and report the completion of this task to his or her immediate manager.

- 2 A retired, resigned, or dismissed person must promptly return supplies, documents, and all other articles in his or her custody.
- 3 A retired, resigned, or dismissed person must not divulge to others any secret obtained during his or her tenure.

(Leaving Certificate)

Article 72 When a retired, resigned, or dismissed person requests the issuance of a leaving certificate, the University shall issue it without delay.

2 If a staff member requests a certificate of the grounds for his or her dismissal during the period from the date of advance notice of the dismissal referred to in Article 70, paragraph 1 to the date of his or her retirement, the University shall issue it without delay; provided, however, that when the staff member resigns on or after the date of said advance notice for reasons other than the dismissal, it is not required to issue the certificate on or after his or her resignation date.

## Section 2 Retirement Allowance

### (Retirement Allowance)

Article 73 Necessary matters concerning retirement allowances for staff members shall be governed by the National University Corporation Kobe University Regulations on Retirement Allowances for Staff Members.

## Supplementary Provisions

1 These Rules shall come into effect on April 1, 2004.

2 Prior rules shall continue to govern the work performance evaluation for staff members other than those provided for in Article 33, paragraphs 2 and 3.

3 Deletion

4 A person who is on administrative leave at the time of enforcement of these Rules shall be deemed to be on administrative leave pursuant to these Rules; provided, however, that prior rules shall continue to govern the period of administrative leave for a person who is on administrative leave pursuant to Article 79, item (2) of the National Public Service Act, notwithstanding Article 40, paragraph 2.

5 Regarding the application of Article 66, paragraph 1 to staff members (excluding University faculty members) during the period from April 1, 2024, to March 31, 2031, the term “65 years of age” in the same paragraph shall be replaced with the age set forth in the right column of the following table, according to the period set forth in the left column of the same table.

Period	Age
From April 1, 2024, to March 31, 2025	61 years of age
From April 1, 2025, to March 31, 2027	62 years of age
From April 1, 2027, to March 31, 2029	63 years of age
From April 1, 2029, to March 31, 2031	64 years of age

6 If those who retire at the mandatory retirement age pursuant to Article 66 prior to the revision by the Rules Partially Revising these Rules (established on March 25, 2024) or those who retire at the mandatory retirement age pursuant to Article 66 after the revision during the period from April 1, 2024 to March 31, 2031, desire to be rehired and do not fall under the grounds for dismissal or retirement, the University shall rehire them until the first March 31 that occurs on or after their 65th birthday, pursuant to the Act on Stabilization of Employment of Elderly Persons (Act No. 68 of 1971).

Supplementary Provisions between the original and the latest are omitted.

Supplementary Provisions (March 25, 2024)

These Rules shall come into effect on April 1, 2024.