

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

(Established on April 1, 2004)

Revised	March 17, 2005	January 24, 2006
	March 18, 2008	March 23, 2010
	March 27, 2013	March 26, 2014

Chapter 1 General Provisions

(Purpose)

Article 1 These rules (hereinafter referred to as “these rules”) stipulate matters regarding the employment of non-regular staff members of the National University Corporation, Kobe University (hereinafter referred to as the "University") on labor contracts with fixed terms (hereinafter referred to as "fixed-term labor contracts"), including the terms and conditions of employment and service rules.

2 Matters that are not stipulated in these rules shall be governed by the Labor Standards Act (Act No. 49 of 1947) and other laws and regulations where applicable.

(Definitions)

Article 2 “Non-regular staff members” in these rules means persons engaged in specialized duties or duties in a specific field or persons engaged in ancillary or routine duties, and they are classified into two types as listed in the following items:

(1) Staff members employed on a daily basis whose prescribed working hours do not differ from those of a regular staff member (hereinafter referred to as "full-time employee"); and

(2) Staff members whose prescribed daily or weekly working hours are fewer than those of a full-time employee (hereinafter referred to as "part-time employee").

(Contract Period for Fixed-term Labor Contracts)

Article 3 The contract period for fixed-term labor contracts for non-regular staff members shall not exceed the fiscal year in question and shall be stipulated for each staff member. However, a period exceeding the fiscal year but extending to no more than three years may be stipulated in cases deemed especially necessary by the University.

2 When deemed necessary by the University, the contract period for a fixed-term labor contract may be renewed.

3 The contract period for a fixed-term labor contract shall not exceed three years in total. (If there exists a contract period for a labor contract previously concluded with the University (excluding periods stipulated in Article 18, Paragraph 2 of the Labor Contract Act (Act No. 128 of 2007) and in Article 15-2, Paragraph 2 of the Act on Enhancement of Research and Development Capacity and Efficient Promotion, etc. of Research and Development, etc. by Advancement of Research and Development System Reform (Act No. 63 of 2008), that period shall be included in the contract period; the same shall apply hereinafter.)

4 When the contract period for a fixed-term labor contract reaches three years in total, the University, only if it deems an extension to be especially necessary, may extend said fixed-term labor contract for no more than two years.

5 In addition to what is stipulated separately, the stipulations of the preceding four paragraphs may not apply in cases where the University deems duties to be of a special nature or there are other unavoidable circumstances.

Article 4: Deleted

(Adherence to these rules)

Article 5 The University and its non-regular staff members shall adhere to these rules and shall endeavor to implement them in good faith.

Chapter 2: Recruitment

(Recruitment)

Article 6 The University shall recruit its non-regular staff members through selection.

2 Matters concerning the recruitment procedures for non-regular staff members shall be governed by the National University Corporation Kobe University Regulations on Employment, etc. of Non-Regular Staff Members (hereinafter referred to as "Regulations on Recruitment and other procedures").

(Documents to be submitted)

Article 7 Non-regular staff members shall promptly submit the documents prescribed in the Regulations on Recruitment and Other Procedures after recruitment.

2 Non-regular staff members shall promptly notify the University whenever changes occur to the matters recorded in the documents they have submitted.

(Statement of Conditions of Employment)

Article 8 When recruiting non-regular staff members, the University shall state the conditions of employment as listed below.

- (1) Matters concerning the period of the employment contract;
- (2) Matters concerning the place of work and its description;
- (3) Matters concerning the start and end times of a working day, whether overtime work will be required, rests, holidays and leave days, and matters concerning shifts when non-regular staff members are organized in two or more shifts;
- (4) Matters concerning a wage increase;
- (5) Matters concerning the determination, calculation and payment of remuneration, the closing day and payment day for remuneration and for payment of remuneration;
- (6) Matters concerning resignation and retirement (including grounds for dismissal);
- (7) Matters concerning retirement allowances;
- (8) Matters concerning end of term bonus and "assiduity" bonus;
- (9) Matters concerning safety and health;
- (10) Matters concerning job training;
- (11) Matters concerning work accident compensation;

(12) Matters concerning rewards and punishments;

2 The University shall issue a document stating the matters listed in Items 1 through 8 of the preceding article.

Chapter 3: Service Rules

(General Principles)

Article 9 Non-regular staff members must be conscious of the responsibilities attached to their duties, fulfill them faithfully and in a fair manner, and endeavor to maintain order in the university.

(Obligation to Give Undivided Attention to Duty)

Article 10 Non-regular staff members shall devote their full attention to performing their duties while on the job.

(Workplace Discipline)

Article 11 Non-regular staff members must follow the instructions and orders from their superiors, endeavor to maintain public order in the workplace, and mutually cooperate in the execution of their duties.

(Matters to be Observed)

Article 12 Non-regular staff members must observe the following:

- (1) Non-regular staff members shall not engage in acts that cause damage to the university's credibility or interests, or reflect negatively upon all staff members;
- (2) Non-regular staff members shall not divulge confidential information obtained in the course of their employment to any third parties;
- (3) Non-regular staff members shall not use the above-mentioned confidential information to carry out activities in competition with the University without obtaining permission from it;
- (4) Non-regular staff members shall not use their duties or positions for personal purposes;
- (5) Non-regular staff members shall not engage in fights or any act that disrupts the order or corrupts public morals on the campus or within the facilities of the University (hereinafter referred to as "on the campus");
- (6) Non-regular staff members shall not smoke outside the designated smoking areas;
- (7) Non-regular staff members must not use university facilities, equipment or goods for personal purposes;
- (8) Non-regular staff members shall not conduct broadcasts, advertisements, assemblies, distribution, circulation or display of literature and images unrelated to work on campus without permission;
- (9) Non-regular staff members shall not lend money or goods, or sell goods, for the purposes of profit on the campus without permission;
- (10) Non-regular staff members shall not commit any other acts equivalent to those listed in the preceding items.

(Candidacy for Elective Public Office)

Article 13 Non-regular staff members, when running for public office, such as member of the Diet, head of local governments, member of a local assembly or any other public function (referred to as "public office"; hereinafter the same shall apply in this article and the following article), shall report to the University beforehand.

2 In addition to the preceding paragraph, candidacy for elective public offices shall be stipulated separately.

(Guarantee of Exercise of Civil Rights)

Article 13-2 When a non-regular staff member requests time necessary to exercise voting rights and other civil rights, or to perform public duties during working hours for reasons listed in the following items, such request is guaranteed; however, to the extent not to hinder the exercise of that right or the performance of the public duty, the University may change the time requested:

(1) When a non-regular staff member exercises rights including voting rights provided for in the Public Officers Election Act (Act No. 100 of 1950), and rights relating to the popular review of the appointment of a Supreme Court judge, or voting to dismiss a member or the chairperson of an ordinary local assembly;

(2) When a non-regular staff member appears in the capacity of a lay judge, witness, expert witness or Diet witness in the Diet, a court, a local assembly, or any other government or public office;

(3) When a non-regular staff member runs for an elected post, while campaigning during the determined election campaign period (between the day on which a candidate files his or her candidacy and the day before the date of the relevant election) under the Public Offices Election Act.

2 Remuneration shall be paid for the period during which a non-regular staff member refrains from work pursuant to Items 1 and 2 in the preceding paragraph, but it shall not be paid for the period during which a non-regular staff member refrains from work pursuant to Item 3 in the preceding paragraph.

3 In addition to the two preceding paragraphs, guarantees for the exercise of civil rights shall be established separately.

(No Admittance or Expulsion)

Article 14 The University may prohibit access to campus or exclude a non-regular staff member from the campus in the following cases:

(1) When that non-regular staff member corrupts public morals or disrupts the order at the workplace or is likely to do so;

(2) When that non-regular staff member is in possession of firearms, weapons or other dangerous objects;

(3) When there is a danger to the public health;

(4) In any other equivalent cases disrupting the duty performance.

2 In the event that a non-regular staff member is denied access to the campus or is excluded from the campus before the end of the working hours, the remaining hours shall be considered an absence and no remuneration shall be paid.

(Stay at home)

Article 15 When the University deems it not appropriate to let a non-regular staff member perform his/her duties, it may order him/ her to stay at home. In this case, remuneration shall be paid to the non-regular staff member.

(Non-Regular Staff Member Ethics)

Article 16 Work-related ethical principles that must be observed, and matters for the maintenance of ethics pertaining to work duties shall be governed by the National University Corporation Kobe University Regulations on Ethics for Academic and Administrative Staff Members.

(Prohibition of Harassment)

Article 17 Non-regular staff members shall not adversely affect the work, learning, educational and research environments by saying words or acting against a person's will, in ways that will either favor, or put certain persons at disadvantage in performing their work, education or research.

2 The National University Corporation Kobe University Regulations on Prevention and Prohibition of Harassment shall govern matters concerning the prevention and prohibition of harassment.

(Compensation for Damage)

Article 18 When non-regular staff members cause damage to the University, whether intentionally or by gross negligence, they shall compensate the University for all or part of the damage.

(Handling of Intellectual Property)

Article 19 Matters concerning intellectual property rights shall be governed by the National University Corporation Kobe University Regulations on Handling Intellectual Property.

Chapter 4 Working Hours, Holidays, and Leaves

Section 1: Working Hours, etc. for Full-time Employees

(Scheduled Working Hours)

Article 20 One working day consists of eight working hours and one 45 minute rest.

(Starting and Ending Times and Rest Time)

Article 21 Starting and Ending times, and rest times shall be as follows:

- (1) Starting time: 8:30 a.m.;
- (2) Ending time: 5:15 p.m.;
- (3) Rest time: 0:15 p.m. to 1:00 p.m.

2 Notwithstanding the preceding paragraph, the University may change the starting and ending times, and rest time, such that the prescribed working hours do not exceed eight hours per day, when necessary for the good conduct of business duties, or when requested by a non-regular staff member raising a child or taking care of a family member.

3 Rest time shall be provided to all non-regular staff members simultaneously, except when the nature of duties in a particular work unit makes this inappropriate, in which case it shall be provided on a rotating basis and according to a collective agreement.

(Shift System)

Article 22 The University may implement work shifts based on operational necessity. The starting and ending times and rest time shall be governed by the National University Corporation Kobe University Regulations on Working Hours, Holidays, Paid Leave, etc. of Non-Regular Staff Members (hereinafter referred to as the "Regulations on Working Hours, etc.").

(Holidays)

Article 23 The holidays for Full-time Employees are as follows. In addition to those holidays, Full-time Employees working part-time for the purpose of childcare according to Article 32, Paragraph 2 may be provided additional holidays in either of the five days between Monday and Friday, according to their needs and the part-time work they perform.

(1) Sundays;

(2) Saturdays;

(3) National holidays provided for in the National Holidays Act (Act No. 178 of 1948);

(4) The End of year and New Year holidays from December 29 to January 3 of the following year (excluding holidays already provided for in (3));

(5) Other days designated by the University;

2 The University may change the holidays in the preceding paragraph if necessary.

3 Holidays pursuant to Article 35 of the Labor Standards Act (hereinafter referred to as "legal holidays") shall be those listed in Paragraph 1, (1); however, legal holidays according to the preceding paragraph, and those for non-regular staff members subject to Articles 4, 5 and 6 of the Regulations on Working Hours, etc. shall be stipulated separately.

(Types of Leaves)

Article 24 Leaves shall include annual paid holidays and special leaves of absence.

(Working Hours, Holidays, Paid Leave, etc.)

Article 25 In addition to the stipulations of the preceding five articles, matters concerning working hours, holidays, paid leaves, etc. shall be governed by the Regulations on Working Hours. etc.

Section 2: Working Hours, etc. for Part-time Employees

(Scheduled Working Hours)

Article 26 Working hours not exceeding 40 hours per week shall be stipulated for each staff member.

(Starting and Ending Times and Rest Time)

Article 27 Starting and ending times shall be stipulated for each staff member, such that their prescribed total daily working hours do not exceed eight hours per day.

2 If the prescribed working hours exceed four hours per day, a 45-minute rest time shall be granted during working hours. However, if the prescribed working hours do not exceed six hours per day, rest time may not be granted if there are special circumstances requiring continuous engagement in work.

3 The rest time stipulated in the preceding paragraph shall be from 0:15 p.m. to 1:00 p.m.

4 Notwithstanding the preceding two paragraphs, the University may change the starting and ending times, and rest time, such that the prescribed working hours do not exceed eight hours per day, when necessary for the good conduct of business duties, or when requested by a non-regular staff member raising a child or taking care of a family member.

5 Rest time shall be provided to all non-regular staff members simultaneously, except when the nature of duties in a particular work unit makes this inappropriate, in which case it shall be provided on a rotating basis and according to a collective agreement.

(Shift System)

Article 28 The University may implement work shifts based on operational necessity. In such cases, starting and ending times and rest time shall be governed by the Regulations on Working Hours, etc.

(Holidays)

Article 29 The holidays for Part-time Employees are as follows. In addition to those holidays, Part-time Employees working part-time for the purpose of childcare according to Article 32, Paragraph 2 may be provided additional holidays in either of the five days between Monday and Friday, according to their needs and the part-time work they perform.

(1) Sundays;

(2) Saturdays;

(3) National holidays provided for in the National Holidays Act (Act No. 178 of 1948);

(4) The End of year and New Year holidays from December 29 to January 3 of the following year (excluding holidays already provided for in (3));

(5) Other days designated by the University;

2 The University may change the holidays in the preceding paragraph if necessary.

3 Legal holidays shall be those listed in Paragraph 1, (1); however, legal holidays according to the preceding paragraph, and those for non-regular staff members subject to Articles 4, 5 and 6 of the Regulations on Working Hours, etc. shall be stipulated separately.

(Types of Leave)

Article 30 Leaves shall include annual paid holidays and special leaves of absence.

(Working Hours, Holidays, Paid Leave, etc.)

Article 31 In addition to the stipulations of the preceding five articles, matters concerning working hours, holidays, paid leaves, etc. shall be governed by the Regulations on Working Hours, etc.

Section 3: Childcare Leave and Family Care Leave

(Childcare Leave)

Article 32 A non-regular staff member who is responsible for raising a child under the age of 18 months will be eligible for a childcare leave upon application.

2 A non-regular staff member who is responsible for taking care of a pre-school child may, at his/her request, work on days and hours he/she desires while staying in his or her current position (hereinafter referred to as "Part-time Work for Childcare").

3 In addition to the preceding paragraph, a non-regular staff member who is responsible for taking care of a pre-school child may, at his/her request, take a leave from work of up to two hours in a day (hereinafter referred to as "Time for Childcare").

4 Rules concerning non-regular staff members who are eligible for the childcare leave, Part-time work for childcare, time for childcare, duration of childcare leaves, and procedures for taking such leaves shall be governed by the National University Corporation Kobe University Regulations on Childcare Leave, etc. for Academic and Administrative Staff Members.

(Family Care Leave)

Article 33 A non-regular staff member who has a family member requiring care may, at his/her request, take a family care leave or a partial family care leave (hereinafter referred to as "Family Care Leave").

2 Rules concerning non-regular staff members who are eligible for taking a family care leave, the duration of such leaves, and procedures for taking such leaves shall be governed by the National University Corporation Kobe University Regulations on Family Care Leave for Academic and Administrative Staff Members.

Chapter 5: Remuneration

(Remuneration)

Article 34 Matters for non-regular staff member remuneration shall be governed by the National University Corporation Kobe University Regulations on Salary for Non-Regular Staff Members.

Chapter 6: Personnel

(Transfers)

Article 35 The University may direct reassignment of non-regular staff members to different workplaces for work-related reasons (hereinafter referred to as "transfer").

2 Non-regular staff members cannot refuse a transfer directive without reasonable grounds for such refusal.

(Business Trips)

Article 36 The University may order non-regular staff members to make business trips when necessary for work operations.

2 Non-regular staff members who made a business trip shall report about it to their superiors immediately after it is ended.

(Job Training)

Article 37 The University may order non-regular staff members to receive job training to improve the knowledge and skills required for their work.

2 Matters necessary for job training shall be governed by the National University Corporation Kobe University Regulations on Job Training for Academic and Administrative Staff Members.

Chapter 7: Safety, Health and Occupational Accident Compensation

Section 1: Safety and Health

(Measures for the Maintenance of Safety and Health at work)

Article 38 The University shall take measures necessary for securing and promoting all non-regular staff members' health and safety, and to prevent hazards according to the Industrial Safety and Health Act (Act No. 57 of 1972) and other applicable laws and regulations.

2 Non-regular staff members must cooperate with the safety and health measures carried out by the University.

(Safety and Health Education)

Article 39 Non-regular staff members must undergo safety and health-related education and training as the University provides.

(Measures against Emergency/Disaster)

Article 40 When a non-regular staff member discovers a fire or other emergency, or acknowledges that such emergency may occur, he/she shall take immediate measures, inform superiors at once, follow their directions and strive to minimize damages.

(Safety and Health Compliance)

Article 41 Non-regular staff members must observe the following:

- (1) Non-regular staff members must always work to keep the workplace organized and clean, to prevent disasters, and to promote hygiene;
- (2) Non-regular staff members may not remove safety and health equipment, fire extinguishers, sanitary equipment or any other safety equipment without permission, nor enter related facilities;
- (3) Non-regular staff members must follow and carry out orders and directions regarding safety and health from their superior.

(Health Examinations)

Article 42 The University must periodically conduct annual health examinations for non-regular staff members, except in respect of those part-time employees for whom separate examinations are stipulated.

2 In addition to the preceding paragraph, the University may provide all or part of non-regular staff members with extra health examinations as needed.

3 Non-regular staff members must undergo health examinations prescribed in Paragraph 2; however, this does not apply when a non-regular staff member undergoes a health examination done by a medical doctor and submits a document certifying its results.

4 If necessary based on the results of a health examination, the University shall take measures such as prohibiting to work, or limiting working hours of a certain non-regular staff member, in order to maintain his/her health.

5 Non-regular staff members may not refuse the measures stated in the preceding paragraph without a reasonable cause.

(Prohibition to Work)

Article 43 The President of the university shall prohibit non-regular staff members falling under any of the following items from working:

- (1) A person who has contracted an infectious disease, which may be contagious to other people;
- (2) A person who is suffering from a heart disease, kidney or lung disease, which is suspected to aggravated due to employment;
- (3) A person who suffers from a similar disease to the preceding paragraph, provided by the Minister of Health, Labor and Welfare.

2 If the university decides to prohibit a non-regular staff member from working, according to the preceding paragraph, it must do so after consulting an industrial or medical expert.

3 Remuneration will not be paid if working is prohibited pursuant to the provision of Paragraph 1.

(Matters Concerning Safety and Health)

Article 44 In addition to the stipulations in this section, other matters concerning the health and safety administration of non-regular staff members by the university shall be governed mutatis mutandis by the National University Corporation Kobe University Regulations on Health and Safety Management for Academic and Administrative Staff Members.

Section 2 Occupational Accident Compensation

(Work-related Accidents)

Article 45 The Labor Standards Act and the Industrial Accident Compensation Insurance Act (Act No. 50 of 1947 hereinafter referred to as "Industrial Accident Insurance Act") shall apply to the compensation for occupational diseases and accidents of non-regular staff members.

2 In addition to the preceding paragraph, compensation by the University shall be governed by separate regulations.

(Commuting Accidents)

Article 46 The Industrial Insurance Act shall apply for the compensation of commuting accidents of non-regular staff members.
2 In addition to the preceding paragraph, compensation by the University shall be governed by separate regulations.

Chapter 8: Women

(Limitations on the Work of Pregnant and Nursing Non-Regular Staff Members)

Article 47 The University shall not assign pregnant non-regular staff members, or non-regular staff members within one year after childbirth (hereinafter referred to as "pregnant and nursing non-regular staff members") to work that may affect pregnancy, childbirth, nursing, etc.

2 If a pregnant or nursing non-regular staff member so requests, the University shall not make her work between 10 p.m. and 5 a.m., nor work overtime.

(Prenatal and Health Care for Pregnant and Nursing Non-Regular Staff Members)

Article 48 If a pregnant or Nursing non-regular staff member so requests, the University shall approve their leave from work to undergo the health guidance prescribed in Article 10 of the Maternal and Child Health Act (Act No. 141 of 1965), or medical examinations prescribed in Article 13 of that Act.

(Reduction of the Workload of Pregnant and Nursing Non-Regular Staff Members)

Article 49 If a pregnant or nursing non-regular staff member so requests, the University shall reduce her workload or transfer her to lighter duties.

2 If a pregnant non-regular staff member so requests, the University may approve of additional rest times or meal times where necessary, in order to protect her pregnancy or the health of the baby.

3 If a pregnant non-regular staff member so requests, and when the level of congestion in the commuting means used by that non-regular staff member may affect her health or that of the baby, the university must give her permission not to work for a time not exceeding one hour, either at the beginning, or the end of the working day.

(Special Measures for Women for whom Menstrual Periods are Exceptionally Difficult)

Article 50 If a woman non-regular staff member for whom menstrual periods are exceptionally difficult to work, requests so, the University shall not have her work on those days.

Chapter 9: Rewards and Punishments

(Merit Recognition)

Article 51 The University shall recognize the merits of non-regular staff members who come under any of the following descriptions:

(1) Persons deemed to have recorded exceptionally remarkable achievements in education, research, administration or other work-related matters;

- (2) Persons who have achieved noteworthy results in prevention of occupational accidents;
- (3) Persons who have contributed to the University's reputation through having been recognized by society or having won an award;
- (4) Persons with other achievements comparable to those in Items 1 through 3.

(Disciplinary Actions)

Article 52 Non-regular staff members who commit any of the following offenses shall be subject to disciplinary sanction:

- (1) Refusal or failure to obey an order or an instruction relating to a non-regular staff member's function;
- (2) Absenteeism, excessive tardiness or early leaving without reasonable reasons;
- (3) Committing an act constituting a criminal offense such as theft, embezzlement, or assault, or an act that violates the Road Traffic Act, such as drinking and driving (driving under the influence of alcohol);
- (4) Behavior that damages the University's honor or reputation;
- (5) Misconduct or behavior disrupting order or morals on the campus;
- (6) Fraud in the application for employment;
- (7) Intentionally causing damage to the University or doing so by gross negligence;
- (8) Act or behavior deemed as harassment;
- (9) Other activities that violate these rules or any other improper conduct equivalent to those specified in (1) to (8).

2 The University shall take any disciplinary action against non-regular staff members through a review in Kobe University Disciplinary Committee set forth in Article 8 of National University Corporation Kobe University Disciplinary Regulations on Academic and Administrative Staff Members (hereinafter referred to as the "Disciplinary Regulations").

(Types of Disciplinary Actions)

Article 53 Disciplinary actions to be taken in respect of non-regular staff members shall be in one of the following forms, depending on its gravity.

- (1) Admonitory warning: Have a non-regular staff member submit a written apology, as a warning measure against his/ her future conduct.
- (2) Salary cut: Have a non-regular staff member submit a written apology, and undergo a salary cut. However, the amount of a one-time salary cut may not exceed the equivalent of one half day of salary, whereas the total amount of the salary cut may not exceed one-tenth of the salary for one remuneration calculation period.
- (3) Suspension: Have a non-regular staff member submit a written apology, and suspend him/ her from duties for no more than two weeks, for which period the non-regular staff member shall not receive remuneration.
- (4) Disciplinary dismissal: Immediate dismissal without notice.

2 Non-regular staff members may be suspended from work and ordered to stay at home until a disciplinary action is taken. In such case, the non-regular staff member will receive remuneration.

3 The stipulations of Article 63 shall apply to disciplinary dismissal pursuant to Paragraph 1, Item 4.

(Notification of Grounds for Disciplinary Action)

Article 54 When a non-regular staff member is subject to a disciplinary action, the University shall notify the grounds of such disciplinary action in writing to the non-regular staff member before it is taken.

(Request for Justification)

Article 55 A non-regular staff member who has received a written notification according to the preceding article may initiate a request for justification within 14 days after its reception.

(Matters Concerning disciplinary actions)

Article 56 Matters concerning disciplinary procedures other than those set forth in the preceding four articles, shall be governed mutatis mutandis by the Disciplinary Regulations.

(Admonishments)

Article 57 When necessary in order to ensure that a non-regular staff member strictly adheres to his/ her obligations and upholds the rules even when disciplinary actions under Article 53 are not taken, an admonitory warning may be given to a non-regular staff member.

(Compensation for Damage and Disciplinary Actions)

Article 58 Non-regular staff members who have been subjected to a disciplinary procedure according to Article 53 or the preceding article shall not be discharged from compensation for any damage pursuant to Article 18.

Chapter 10: Termination of Employment, Dismissal and Retirement Allowances

Section 1: Termination of Employment and Dismissal

(Resignation)

Article 59 When non-regular staff members fall under any of the following items, they shall have their employment terminated:

- (1) Non-regular staff members who have submitted a letter of resignation that has been accepted by the University, or non-regular staff members who have submitted such letter and 14 days have passed since such submission;
- (2) The term of the labor contract has expired and the contract has not been renewed;
- (3) Non-regular staff members who take a public office, including state minister, a member of the Diet, head of local governments, or member of a local assembly;
- (4) Non-regular staff members who have deceased.

2 When non-regular staff members resign by way of the procedure stated in (1) of the preceding paragraph, they must continue to duly pursue their duties until their day of resignation.

(Mandatory Retirement Age)

Article 60 The mandatory retirement age for non-regular staff members shall correspond to the mandatory retirement ages stipulated in Article 66 of the National University Corporation Kobe University Rules on Conditions of Employment for Staff Members and shall be stipulated in the Regulations on Recruitment and Other Procedures for each position.

(Dismissal)

Article 61 The University may dismiss non-regular staff members who fall under any of the following items:

- (1) Non-regular staff members with poor performance
- (2) Non-regular staff members who are impeded from fulfilling their work duties or can no longer endure their work duties due to a mental or physical disability
- (3) Non-regular staff members who lack qualifications required for their position
- (4) When it becomes difficult for the university to continue their employment for reasons of restructuring, consolidation or a downsizing of the organization
- (5) When there are other significant reasons equivalent to any of the items cited above.

2 A non-regular staff member may file an objection to the decision of dismissal against his/ her will to the President.

3 Other matters concerning dismissal shall be governed by the Regulations on Recruitment and Other Procedures.

(Restrictions on Dismissal)

Article 62 Notwithstanding Paragraph 1 in the preceding article, non-regular staff members shall not be dismissed during either of the periods listed in the following items; however, this shall not apply to cases under (1), where a non-regular staff member has not yet recovered from an injury or illness after three years following the initiation of medical treatment and the University duly compensates him/her for the dissolution of the contract pursuant to Article 81 of the Labor Standards Act, or when it has become impossible to pursue the university's activities due to unavoidable reasons, such as a natural disaster.

- (1) During a leave of absence to undergo medical treatment for injuries or illnesses suffered in the course of employment or during the 30 days immediately following such a leave;
- (2) During a maternity leave in accordance with Article 22, Paragraph 2, al. 3 and 4 of the Regulations on Working Hours or during 30 days immediately following such leave.

(Advance Notice of Dismissal)

Article 63 When the University dismisses a non-regular staff member pursuant to Article 61, it shall give at least 30 days of advance notice. When it does not do so, it shall pay the equivalent of 30 days of salary according to Article 12 of the Labor Standards Act (hereinafter referred to as "average wage"); however, this shall not apply when it has become impossible to pursue the university's activities due to unavoidable reasons such as a natural disaster, or when the non-regular staff member is dismissed for reasons attributable to him/ her.

2 The length of the advance notice of the preceding article may be reduced if the University pays a compensation of the amount equivalent to the average wage corresponding to the number of days reduced.

(Obligations upon and after Retirement)

Article 64 Non-regular staff members who have resigned or who have been terminated must promptly transfer their duties to their successors and report it to their immediate manager.

2 Non-regular staff members who have resigned or who have been terminated must return all equipment, documents and other goods in their custody.

3 Non-regular staff members who have resigned or have been dismissed from the University shall not reveal secrets they have learned during their time in office.

(Certificate of Separation from Work)

Article 65 When requested by a person who has resigned or has been dismissed, the University shall promptly issue a certificate of separation from work.

2 When a non-regular staff member requests so in the period between the advance notice of Article 63, Paragraph 1 and the day of retirement, the University shall issue a certificate stating the reason of the dismissal without delay; however, if the non-regular staff member retires after the advance notice has been given, for reasons other than those of the original dismissal, the University does not have to issue such a certificate.

Section 2: Retirement Allowances

(Retirement Allowances)

Article 66 The University will not pay retirement allowances to non-regular staff members.

Supplementary Provisions

1 These rules come into effect on April 1, 2004.

2 With regard to the renewal and date of expiry of labor contracts for non-regular staff members working at Kobe University in March 2004, who were subsequently employed in April 2004 under the same type of appointment, the rules in force at that time shall remain applicable, regardless of the stipulations in Article 4.

3 With regard to those daily contract employees working at Kobe University in March 2004, who were subsequently employed in April 2014 as full-time employees, and who then retired by the end of fiscal 2005, retirement allowances may be paid, regardless of the stipulations in Article 66. In such cases, matters pertaining to retirement allowances shall be stipulated separately.

Supplementary Provisions (March 17, 2005)

These rules come into effect on April 1, 2005.

Supplementary Provisions (January 24, 2006)

These rules come into effect on January 24, 2006.

Supplementary Provisions (March 18, 2008)

These rules come into effect on April 1, 2008.

Supplementary Provisions (March 23, 2010)

These rules come into effect on April 1, 2010.

Supplementary Provisions (March 27, 2013)

1 These rules come into effect on April 1, 2013.

2 With regard to the date of expiry, renewal and total number of years of fixed-term labor contracts for non-regular staff members working at the University on March 31, 2013 who remained employed as non-regular staff members when these regulations were enacted, the rules in force at that time shall remain applicable, regardless of the stipulations in Article 3 of the revised National University Corporation Kobe University Rules on Conditions of Employment for Non-Regular Staff Members; however, fixed-term labor contracts for non-regular staff members employed between April 2, 2012 and March 31, 2013 cannot be concluded or renewed beyond March 31, 2018.

Supplementary Provisions (March 26, 2014)

These rules come into effect on April 1, 2014.