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## Nara Institute of Science and Technology Employment Regulations

April 1, 2004  
Regulations No. 2

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### Supplementary provisions

- I. General provisions

#### Article 1 (Purpose)

These regulations stipulate the necessary matters concerning the employment conditions, discipline, and other matters related to duties for employees who work for Nara Institute of Science and Technology (hereinafter referred to as “NAIST”).

#### Article 2 (Scope of application)

1. These regulations shall apply to the employees stipulated in Article 13 of the Nara Institute of Science and Technology Basic Regulations (Basic Regulations No. 1, 2004) who work for NAIST fulltime (hereinafter referred to as the “Employees”).
2. Within Employees, hiring, dismissal, and other personnel-related matters for faculty members shall follow these regulations, as well as the Nara Institute of Science and Technology Regulations for Exceptions Related to Faculty Member Personnel Matters (Regulations No. 1, 2007) and other regulations.

3. For stipulated term Employees, when additional stipulations are made they shall be followed.
4. Employment conditions, discipline, and other matters related to employment for fixed-term education or research Employees and fixed-term Employees shall be stipulated separately.

#### Article 3 (Relation to laws and ordinances)

Matters not stipulated in these regulations shall follow the Labor Standards Act (Law No. 49, 1947; hereinafter referred to as the "Labor Standards Act"), the National University Corporation Act (Law No. 112, 2003; hereinafter referred to as the "Corporation Act"), and stipulations of other related laws and ordinances.

## II. Hiring and resignation, etc.

#### Article 4 (Hiring)

Hiring of Employees shall be conducted by a competitive examination or selection.

#### Article 5 (Clear indication of employment conditions)

When hiring an Employee, NAIST shall issue a document stating the matters below, and shall clearly indicate, either orally or in writing, other employment conditions.

- (1) Employment location and matters related to duties that should be conducted
- (2) Matters related to salary
- (3) Employment period and matters related to renewal criteria (limited to limited-term employment)
- (4) Employment time, possibility of overtime, break times, days off, and matters related to leave
- (5) Matters related to resignation/retirement (including reasons for dismissal)

#### Article 6 (Required documents)

1. A person hired as an Employee must submit the documents below to NAIST promptly after hiring.  
Provided, however, that when NAIST allows, submission of certain documents may be omitted.
  - (1) Resume
  - (2) Certificates related to academic background
  - (3) Certificate of items stated in the residence register
  - (4) Other documents that NAIST recognizes as necessary
2. When there has been a change in a matter stated in a submitted document listed in item 2 through item 4 of the previous clause, the Employee must promptly give notification of that fact.

#### Article 7 (Assuming a post)

An Employee must assume the post immediately after being hired.

#### Article 8 (Trial period)

1. The six-month period beginning the date a person was hired as an Employee shall be a trial period.  
Provided, however, that in the event NAIST recognizes it is necessary, a trial period may be extended or shortened.

2. In the event an Employee who is in a trial period falls under any of the items below, NAIST may dismiss him or her.
  - (1) When the person's employment performance is poor
  - (2) When the person has a mental or physical problem
  - (3) When the person otherwise lacks eligibility as an Employee
3. Trial periods shall be included in the number of years of continuous employment.

#### Article 9 (Employment performance evaluations)

Employment performance evaluations shall be conducted according to separate stipulations.

#### Article 10 (Promotions)

Promotions shall be made based on evaluation of individual employment performance and other abilities.

#### Article 11 (Position changes, concurrent posts, and temporary transfers)

1. When it is necessary for employment, NAIST may order an Employee to change positions, assume a concurrent post, or make a temporary transfer.
2. An Employee ordered to change positions or assume a concurrent post may not refuse to do so without a valid reason.
3. When an Employee is ordered to make a temporary transfer, that Employee's agreement shall be obtained.

#### Article 12 (Leaves of absence)

1. When an Employee falls under any of the items below, NAIST may have the person take a leave of absence.
  - (1) When long-term recuperation is necessary due to mental or physical problems
  - (2) When the person has been indicted in relation to a criminal case
  - (3) When, because of a flood, fire, or other disasters, it is unclear whether the person is alive or dead or his or her whereabouts are unclear
  - (4) When the person will be engaged in academic investigation or research (including guidance related to investigation or research) that may be recognized as being related to duties
  - (5) In addition to the matters stated in each of the items above, when it is recognized that taking a leave of absence is appropriate
2. The stipulations of the previous clause shall not apply for Employees who are in a trial period.
3. In addition to the matters that are stipulated in this article through Article 14, necessary matters relating to leaves of absence shall be stipulated separately.

#### Article 13 (Period of a leave of absence)

1. The period of a leave of absence due to reasons stated in item 1, 3, 4, or 5 of Article 12.1 shall, as necessary, be stipulated individually for each case within a scope not exceeding three years in any case. In the event that the period of such leave is less than three years, it may be renewed within the limit of three years for the continuous period beginning on the date the leave of absence began.

2. When an Employee takes a leave of absence due to a reason stated in item 1 of Article 12.1, and then within one year after that Employee returns to employment it becomes necessary to recuperate for a long period again due to the same injury or illness or an injury or illness that may be recognized as being caused by the same injury or illness, a leave of absence may be taken again within the limit of three years for the total period of leaves of absence. The same shall apply when it is necessary to repeat long-term recuperation.
3. The period of a leave of absence due to a reason stated in item 2 of Article 12.1 shall be the period in which that case is pending in court.

#### Article 14 (Returning to employment)

1. When the reason for a leave of absence has been eliminated during the leave of absence, the person shall be made to promptly return to employment.
2. When a leave of absence period expires, the person shall return to employment.

#### Article 15 (Resignation)

When an Employee falls under any of the items below, it shall be deemed that he or she resigned on the date stated in the relevant item.

- (1) When the person has reached mandatory retirement age: The first March 31 on or after the person reaches the mandatory retirement age stipulated in Article 17
- (2) When the person assumes a NAIST board member position: The date before the position is assumed
- (3) When the person has died: The date of death
- (4) In a case in which a term is stipulated, when that term has expired: The date of expiration of the term
- (5) When, during a leave of absence due to a reason stated in Article 12.1.1, the period of leave of absence stated in Article 13.1 or Article 13.2 has expired but the reason for the leave of absence has not been eliminated: The date of the leave of absence expiration
- (6) When the person has proposed resignation based on Article 16: The date NAIST allows resignation

#### Article 16 (Resignation based on a proposal by an Employee)

1. When an Employee proposes resignation, he or she shall submit a letter of resignation to NAIST within thirty days before the planned resignation date. Provided, however, that this shall not apply in cases NAIST specially allows.
2. Even after an Employee has proposed resignation under the provisions of the previous clause, he or she must continue to work until the date of resignation.

#### Article 17 (Mandatory retirement age)

Employees' mandatory retirement age shall be as stated in each of the items below. Provided, however, that people who have a stipulated term are excluded.

- (1) Employees who are professors or associate professors: 65 years old
- (2) Employees other than those of item (1): 60 years old

#### Article 17-2 (Rehiring)

1. In the event that an Employee who resigned under the provisions of Article 15.1 falls under Article 17.2, and requests so, he or she shall be rehired as a rehired Employee. Provided, however, that in the event the Employee falls under any of the items of Article 20.1 or 20.2, he or she shall not be rehired.
2. Necessary matters relating to rehiring shall be stipulated separately.

#### Article 18 (Responsibilities of a person who resigns)

1. A person who resigned from NAIST (hereinafter referred to as a "Person who Resigned") must promptly return equipment, books, etc. he or she has custody of.
2. A Person who Resigned must complete handover duties the successor by the designated date.
3. A Person who Resigned may not divulge any secrets obtained through duties to another party.

#### Article 19 (Demotions)

When an Employee falls under any of the items below, NAIST may demote that Employee.

- (1) When the Employee's employment performance is poor
- (2) When performance of duties is hindered due to a mental or physical problem
- (3) In addition to the cases stipulated in the above items, when the Employee lacks the aptitude necessary for duties
- (4) When it is unavoidable due to organizational restructuring, consolidation, or reduction of scale

#### Article 20 (Dismissal)

1. When an Employee falls under any of the items below, NAIST shall dismiss that Employee.
  - (1) When the Employee has become an adult ward or a person under conservatorship
  - (2) When the Employee has received a criminal sentence of imprisonment or harsher sentence
2. When an Employee falls under any of the items below and it will be difficult to continue an employment relationship with NAIST, NAIST shall dismiss that Employee.
  - (1) When the Employee's employment performance is significantly poor
  - (2) When duty performance is hindered or the Employee cannot handle duties due to a mental or physical problem
  - (3) In addition to the cases stipulated in the previous two items, when the Employee lacks the aptitude necessary for duties
  - (4) For a person who took a leave of absence due to a reason stated in Article 12.1.3, Article 12.1.4, or Article 12.1.5, when the reason for the leave of absence has not been eliminated even though leave of absence stipulated in Article 13.1 has expired
  - (5) When it is unavoidable due to organizational restructuring, consolidation, or reduction of scale
3. In the event that dismissal will be conducted under the provisions of Article 20.1 or Article 20.2, notification shall be given by thirty days in advance.

#### Article 21 (Responsibilities of a person who has been dismissed)

1. A person dismissed by NAIST must promptly return equipment, books, etc. he or she has custody of.
2. A dismissed person may not divulge any secrets obtained through duties to another party.

3. A dismissed person must complete handover duties to the successor by the designated date.

### III. Salary

#### Article 22 (Salary)

1. Employees' salary shall be according to stipulations of the Nara Institute of Science and Technology Employee Salary Regulations (Regulations No. 56, 2004).
2. Irrespective of the provisions of the previous clause, salary for Employees under the annual salary system shall be according to stipulations of the Nara Institute of Science and Technology Annual Salary System Employee Salary Regulations (Regulations No. 1, 2015).

### IV. Duties

#### Article 23 (Basic standards for service)

1. Employees must be aware of the public nature of a national university's mission and work stipulated in the Corporation Act, sincerely and honestly perform duties, and be devoted to them.
2. The Employees may not conduct actions that conflict with NAIST's interests.

#### Article 24 (Compliance with laws and ordinances)

Employees must comply with laws, ordinances, and regulations stipulated by NAIST, follow the directions and orders of their immediate supervisor, and mutually cooperate to perform their duties.

#### Article 25 (Prohibition of actions that cause loss of trust)

Employees may not damage NAIST's honor or perform actions that will discredit NAIST.

#### Article 26 (Obligation of confidentiality)

Employees cannot divulge secrets obtained through duties. Provided, however, that this shall not apply in cases which NAIST's permission is obtained and the person shall testify as a witness or appraiser based on a law or ordinance.

#### Article 27 (Maintenance of ethics)

1. Employees may not dishonestly or unjustly give, receive, provide, request, or promise to give or receive money or other profits relating to duties, conduct other similar actions, or be involved in such actions.
2. Necessary matters relating to maintaining Employees' ethics shall be stipulated separately.

#### Article 28 (Prohibition of harassment)

1. Employees may not damage another person's character through words, behavior, or actions that go against that person's will, or conduct actions that may violate another person's human rights (hereinafter referred to as "Harassment").
2. Necessary matters relating to Harassment prevention shall be stipulated separately.

Article 28-2 (Prohibition of discrimination against people with disabilities)

Employees may not, for the reason of a disability, discriminate against people with disabilities or conduct other actions that infringe rights or benefits.

Article 29 (Dual employment)

Dual employment by the Employees shall be according to stipulations of the Nara Institute of Science and Technology Employee Dual Employment Regulations (Regulations No. 53, 2004).

V. Employment hours

Article 30 (Employment hours, holidays and leaves)

Employees' employment hours, holidays and leaves shall be according to stipulations of the Nara Institute of Science and Technology Regulations concerning Employee Employment Hours, Holidays and Leaves (Regulations No. 57, 2004).

Article 31 (Leave of absence for childcare)

1. Employees who must care for a child three years old or younger may apply to NAIST and then take a leave of absence for childcare.
2. Necessary matters relating to leaves of absence for childcare shall be stipulated separately.

Article 32 (Leave of absence for nursing care)

1. Employees who will provide nursing care for a family member may apply to NAIST and then take a leave of absence for nursing care.
2. Necessary matters relating to leaves of absence for childcare shall be stipulated separately.

Article 32-2 (Leave of absence for personal development)

1. Employees who need to take a leave of absence for university studies or to conduct activities for international contributions (hereinafter referred to as the "Personal Development Leave") may apply to NAIST and then take a Personal Development Leave.
2. Necessary matters relating to Personal Development Leave shall be stipulated separately.

Article 32-3 (Leave of absence to accompany spouse)

1. Employees who must take a leave of absence to live with a spouse at a stipulated foreign address or residence due to overseas transfer (hereinafter referred to as the "Leave to Accompany Spouse") may apply to NAIST and then take the Leave to Accompany Spouse.
2. Necessary matters relating to Leaves to Accompany Spouse shall be stipulated separately.

VI. Training

Article 33 (Training)

When necessary for employment, NAIST may order Employees to undergo training.

## VII. Business trips

### Article 34 (Business trips)

1. When necessary for employment, NAIST may order an Employee to take a business trip.
2. When an Employee who was ordered to take a business trip completes the trip, the Employee must promptly report this to the immediate supervisor.
3. Necessary matters relating to business trips shall be stipulated separately.

## VIII. Recognition and discipline

### Article 35 (Recognition)

When an Employee falls under any of the items below, NAIST shall recognize that Employee for his or her achievements.

- (1) When an Employee has distinguished achievements in assigned duties
- (2) When an Employee has highly distinguished improvement of efficiency in assigned duties
- (3) When an Employee is found to have outstanding behavior outside of employment that deserves recognition as a model for other Employees, such as being highly evaluated by society or significantly increasing NAIST's honor by saving a life, conducting volunteer activities, etc.
- (4) When NAIST otherwise recognizes that it is necessary

### Article 36 (Discipline)

1. When an Employee falls under any of the items below, NAIST may take disciplinary action, depending on the degree of that illegal action.
  - (1) When an Employee is absent without permission and without valid reason
  - (2) When an Employee neglects employment, such as repeated tardiness or leaving early without valid reason
  - (3) When an Employee causes NAIST damage due to deliberate intention or gross negligence
  - (4) When an Employee significantly damages NAIST's honor or reputation
  - (5) When an Employee disrupts NAIST's order or morals due to bad behavior
  - (6) When an Employee provides false information for employment
  - (7) When an Employee performs an action that falls under a punitive law or ordinance
  - (8) When an Employee violates a matter that should be complied with under these or other NAIST regulations or has conducted a disadvantageous action that is equivalent to one of the items above
2. If NAIST will discipline an Employee, it shall issue a written explanation stating the reason.
3. When disciplining an Employee, NAIST shall give that Employee opportunity to give an explanation.

### Article 37 (Types of discipline)

The types and content of discipline shall be as stated below.

- (1) Warning: Responsibility will be confirmed and the Employee will be cautioned about future conduct.



- (2) Salary reduction: Salary will be reduced within a scope in which the total amount does not exceed one-tenth of the total amount of salary for one salary payment period, limited to the half-day amount of average salary per instance.
- (3) Suspension: The Employee will not be allowed to engage in duties and salary will not be provided for that period, limited to within three months.
- (4) Resignation instruction: The Employee will be advised to resign, and, in the event that he or she does not comply with this, he or she will be given thirty days of advance notice or paid the average wages for thirty days and then dismissed. Provided, however, that in the event that average wages were paid per one day, the number of days of advance notice will be reduced by the number of payment days.
- (5) Punitive dismissal: The Employee will be dismissed immediately without a period of advance notice.

#### Article 38 (Reprimands)

In addition to the cases stipulated in Article 37, when it is necessary to be strict about duties and to maintain discipline, NAIST may give a reprimand, strong warning, or warning.

#### Article 39 (Compensation for damage)

For an Employee who caused NAIST damage due to deliberate intention or gross negligence, in addition to disciplinary action NAIST shall also have the Employee provide compensation for all or a portion of the damage.

### IX. Safety and health

#### Article 40 (Measures related to safety and health)

1. NAIST shall take the necessary measures to ensure Employee safety and health improvement, based on the Industrial Safety and Health Act (Law No. 57, 1972) and other related laws and ordinances.
2. In relation to safety and health, the Employees must comply with the Industrial Safety and Health Act and other related laws and ordinances, as well as NAIST's instructions, and must cooperate with measures that NAIST takes in relation to safety and health.
3. In addition to the stipulations of this chapter, necessary matters relating to safety and health shall be stipulated separately.

#### Article 41 (Safety and health education)

The Employees must complete courses and training NAIST conducts concerning ensuring safety, hygiene, and health.

#### Article 42 (Emergency and disaster measures)

When an Employee discovers that a fire or another emergency or disaster has occurred or learns that there is a chance of one, he or she must take emergency measures, immediately contact the immediate supervisor and other related parties, follow their instructions, and make efforts to reduce harm.

#### Article 43 (Matters to comply with relating to safety and health)

In order to ensure safety and health, the Employees must comply with the matters below.

- (1) Comply with and implement the immediate supervisor's orders and instructions concerning safety and health
- (2) Always strive to keep the workplace orderly, neat, and clean, and make efforts to prevent disasters and to improve health
- (3) Not freely move safety and health equipment, fire-extinguishing equipment, or other safety instruments, and not entering a relevant area without permission
- (4) Other matters stipulated by NAIST in order to ensure safety and health

#### Article 44 (Health examinations)

1. Employee health examinations shall be conducted annually. When necessary, additional health examinations shall also be conducted for all or a portion of the Employees.
2. In addition to the health examinations of the previous clause, health examinations for special matters shall be conducted for Employees engaged in hazardous duties stipulated in laws and ordinances.
3. In the event that it is recognized as necessary based on health examination results of one of the previous clauses, the measures necessary for maintaining the health of the relevant Employee, such as prohibiting the Employee from coming to work or restricting employment hours, shall be taken.
4. An Employee may not refuse a health examination of clause 1 or clause 2 or the measure of clause 3 without a valid reason.

#### Article 45 (Prohibition of coming to work)

1. When an Employee falls under any of the items below, NAIST may prohibit that Employee from coming to work.
  - (1) When the Employee, a person living with that Employee, or a neighbor has or may have an infectious disease (including tuberculosis)
  - (2) When there is a chance that an illness will become worse if the Employee continues to work
  - (3) When there are circumstances that are equivalent to one of the items above
2. In a case that falls under item 1 or item 2 of the previous clause, notification must be made to the immediate supervisor and his or her instructions must be followed.

### X. Benefits

#### Article 46 (Staff housing)

1. The Employees may use staff housing.
2. Necessary matters relating to use of staff housing shall be stipulated separately.

#### Article 47 (Use of welfare facilities)

1. For the purpose of well-being, Employees may use NAIST's facilities stated in the items below.
  - (1) University Union

(2) Guesthouse Sentan researcher interaction facility

2. Use of facilities of the previous clause shall be according to separate stipulations.

#### XI. Accident compensation

##### Article 48 (Occupational accidents)

Employees' occupational accident matters shall be according to stipulations of the Labor Standards Act and the Industrial Accident Compensation Insurance Act (Law No. 50, 1947; hereinafter referred to as the "Industrial Accident Act").

##### Article 49 (Commuting accidents)

Employee commuting accident matters shall be according to stipulations of the Industrial Accident Act.

#### XII. Severance allowance

##### Article 50 (Severance allowance)

The Employees' severance allowance shall be according to stipulations of the Nara Institute of Science and Technology Employee Severance Allowance Regulations (Regulations No. 58, 2004).

#### XIII. Employee inventions

##### Article 51 (Attribution of employee inventions and rights)

Necessary matters relating to attribution of rights for inventions, devices, or literary works that the Employees made through their duties (hereinafter referred to as the "Employee Inventions") and other handling of the Employee Inventions shall be stipulated separately.

##### Supplementary provision

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

##### Supplementary provision

These Regulations shall come into effect on April 1, 2006.

##### Supplementary provision

These Regulations shall come into effect on April 1, 2007.

##### Supplementary provision

These Regulations shall come into effect on January 24, 2008. Provided, however, that the revised provision that adds one article after Article 32 shall come into effect on April 1, 2008.

##### Supplementary provisions

##### (Date of enforcement)

1. These Regulations shall come into effect on April 1, 2009.

##### (Interim provisions associated with adding up periods of leaves of absence)

2. Irrespective of the provisions of Article 13.2 after revision, the periods of the relevant leaves of absence for an Employee who is already taking a leave of absence based on the provisions of Article

12.1.1 (hereinafter referred to as the "Leave of Absence for Illness") before these Regulations go into effect or an Employee who has taken a Leave of Absence for Illness in the past before these Regulations come into effect shall not be subject to being added together.

Supplementary provision

These Regulations shall come into effect on April 1, 2009.

Supplementary provision

These Regulations shall come into effect on April 1, 2011.

Supplementary provision

These Regulations shall come into effect on April 1, 2013.

Supplementary provision

These Regulations shall come into effect on July 1, 2014.

Supplementary provision

These Regulations shall come into effect on February 1, 2015.

Supplementary provision

These Regulations shall come into effect on April 1, 2016.

Supplementary provision

These Regulations shall come into effect on December 1, 2016.