

* The Japanese version is the authoritative version, and this English translation is intended for reference purposes only. Should any discrepancies or doubts arise between the two versions, the Japanese version will prevail.

The University of Tokyo Rules on Working Hours and Paid Leave, etc. for Academic and Administrative Staff

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Chapter 1 General Provisions

Article 1 Purpose

The purpose of these Rules is to provide for matters concerning working hours, paid leave, etc. for University of Tokyo academic and administrative staff (hereinafter collectively referred to as “employees”) pursuant to Article 35 of the University of Tokyo Rules on Conditions of Employment of Academic and Administrative Staff (Rules No. 11 of 2004),.

Article 2 Relationship with Laws and Regulations

All matters concerning employees’ working hours, rest periods, days off, leave, etc. that are not provided for herein shall be governed by the Labor Standards Act (Act No. 49 of 1947) and other laws and regulations.

Chapter 2 Working Hours, Rest Periods and Days Off

Article 3 Start and End Working Hours

1. Working hours generally start and end at the times listed below, but may be scheduled at other times determined separately, depending on the nature of the duties assigned to the employee.
 - (1) Start: 8:30 a.m.
 - (2) End: 5:00 p.m. (5:15 p.m. for employees whose rest period is one hour pursuant to the provisions of Article 4, paragraph 1).
2. Notwithstanding the provision of the preceding paragraph, the start and end working hours may be changed to different times in order to fulfill work-related needs or other special needs, provided that the number of working hours in a day does not exceed 7 hours 45 minutes.

Article 4 Rest Periods

1. Employees are given a 45 minute rest period during their working hours. However, employees may take one hour if they so request. Further, employees may take one hour for reasons of personal health or other reasons that make it necessary in the course of business and if they so agree.
2. The rest period prescribed in the preceding paragraph is generally scheduled for 45 minutes from 12 noon to 12:45 p.m., or for one hour from 12 noon to 1:00 p.m., but may also be scheduled at other times prescribed separately, depending on the nature of the duties assigned to the employee.
3. Employees are entitled to spend their rest periods as they wish.
4. Notwithstanding the provision of paragraph 1, rest periods may be rescheduled in order to fulfill work-related needs or other special needs.

Article 5 Work Performed away from Normal Place of Work

When employees spend all or a portion of their working hours working away from their normal place of work, and it is difficult to calculate the number of hours worked, the employees are deemed to have worked the full number of prescribed working hours. If it is necessary for employees to work beyond their prescribed working hours in order to perform duties away from their normal place of work, the employees are deemed to have worked the number of hours normally considered necessary to complete those duties.

Article 6 Overtime and Late-night Work, and Work on Days Off

1. Employees may be ordered to work beyond their prescribed working hours or on the days off prescribed in Article 9, when it is required to fulfill work-related needs.
2. Employees may be ordered, under agreement pursuant to Article 36 of the Labor Standards Act, to work beyond the number of hours prescribed in Article 32 of the same Act (hereinafter referred to as the “statutory working hours”), or to work on the day off

prescribed in Article 35 of the same Act (hereinafter referred to as “statutory days off”), when it is required to fulfill work-related needs.

Article 7 Rest Periods for Overtime Work

If employees are ordered to work under paragraph 1 of the preceding Article, and the work exceeds eight hours in one day, the employees shall be given a rest period of one hour during the additional working hours (an additional rest period to that given during their normal working hours).

Article 8 Work During Extraordinary Disasters

1. Employees may be ordered to temporarily serve, to the necessary extent, beyond the statutory working hours and on statutory days off in times of disaster or other unavoidable circumstances that require their service.
2. When employees are ordered to serve under the provision of the preceding paragraph, the necessary procedures shall be completed as prescribed in Article 33, paragraph 1 of the Labor Standards Act.

Article 9 Days Off

1. The days listed below are the prescribed days off.
 - (1) Sundays.
 - (2) Saturdays.
 - (3) Holidays prescribed in the Act on National Holidays (Act No. 178 of 1948) (hereinafter referred to as “national holidays”).
 - (4) Days in the period from December 29 to January 3 of the following year (excluding national holidays prescribed in the preceding item).
 - (5) Other days specially designated as days off.
2. The days prescribed in item (1) of the preceding paragraph are statutory days off.
3. Under separate rules, those days off listed in the preceding 2 paragraphs may be replaced by other weekdays as substitute days off.

Article 10 Rescheduled or Compensatory Days Off

The use of rescheduled or compensatory days off to make up for days off under the preceding Article on which employees were ordered to work shall be prescribed separately.

Chapter 3 Day or Night Duty

Article 11 Day or Night Duty

1. Employees may be ordered to serve beyond their normal duties, during hours outside their

prescribed working hours or on days off, by being put on duty to maintain facilities, equipment, etc. or handle communication with external parties, by being put on duty at medical facilities such as the university hospital, or by being put on duty to care for animals or plants at facilities where animals are bred or plants are cultivated, etc.

2. The scope, time and other details of day or night duty shall be prescribed separately.

Chapter 4 Approval of Absence from Work

Article 12 Approval of Absence from Work

Employees may receive approval for absence from their work during certain period of time as prescribed separately.

Chapter 5 Special Provisions to Working Hours

Article 13 Monthly Variable Working Hours System

With regard to employees whose duties require them to work in special work patterns, the employees' days off and working hours may be determined separately, provided that the average number of hours worked per week in a set period of one month or less does not exceed 38 hours 45 minutes.

Article 14 Annual Variable Working Hours System

1. With regard to employees whose duties are subject to seasonal fluctuations in the amount of work performed, the employees' days off and working hours may be determined separately, provided that the average number of hours worked per week in a set period greater than one month but no more than one year does not exceed 38 hours 45 minutes.
2. An agreement based on the provisions of Article 32-4 of the Labor Standards Act will be concluded to stipulate the scope of employees indicated in the preceding paragraph and other necessary matters.

Article 15 Flextime System

1. Employees may be allowed to decide the start and end times of their working hours if it is deemed that the duties performed by the employees or other circumstances require employees to decide their working hours. In such cases, the start and end times of working hours shall, in principle, fall between the hours listed below.
 - (1) Start: 7 a.m. to 10 a.m.
 - (2) End: 3 p.m. to 10 p.m.
2. An agreement based on the provisions of Article 32-3 of the Labor Standards Act will be

concluded to stipulate the scope of employees indicated in the preceding paragraph and other necessary matters.

Article 16 Discretionary Labor System

1. Certain employees may be subject to a de facto working hours system if it is deemed that the nature of the employees' duties requires such treatment.
2. All necessary matters pertaining to the de facto working hours system prescribed in the preceding paragraph will be stipulated in an agreement based on the provisions of Article 38-3 of the Labor Standards Act, or by a resolution passed by a labor-management committee based on the provisions of Article 38-4 of the Labor Standards Act.
3. Article 3 does not apply to employees subject to the de facto working hours system prescribed in the preceding two paragraphs.

Chapter 6 Leave

Article 17 Types of Leave

Employees are entitled to the following types of leave: annual paid leave, sick leave and special leave.

Article 18 Annual Paid Leave

1. Annual paid leave shall be granted every year (referring to the period from January 1 to December 31 in the same calendar year; the same shall apply hereinafter). The number of days of annual paid leave allotted to employees each year is as listed below.
 - (1) Employees other than those indicated in item (2) below shall be allotted 20 days of annual paid leave.
 - (2) Employees who were newly hired in a certain year (excluding employees of other national university corporations, etc. who directly become University of Tokyo employees and executive staff members who directly became University of Tokyo employees) shall be allotted the number of annual paid leave days set out in the appended table for their respective period of employment.
2. In addition to the provisions in the preceding paragraph, other necessary matters pertaining to the number of days of annual paid leave allotted shall be prescribed separately.

Article 19 Authority to Change or Specify the Period for Granting Annual Paid Leave

1. Annual paid leave shall be granted during the period requested by the employee. However, when it is deemed that granting of leave in the requested period would interfere with the normal operation of the organization in which the employee serves, the annual

- paid leave may be granted during a different period.
2. If the timing of certain annual paid leave is prescribed by an agreement pursuant to Article 39, paragraph 6 of the Labor Standards Act, the annual paid leave shall be granted in accordance with the provisions of the agreement.

Article 19-2 The University Specifying the Period of Annual Paid Leave

1. Academic and administrative staff who are granted more than 10 days of annual paid leave in a given year, shall be granted according to the categories of staff listed in the respective items, number of days specified in the following items (hereinafter referred to as the “number of period specific days”).
 - (1) Five days in a given year for academic and administrative staff as prescribed in Article 18, paragraph 1 item 1.
 - (2) Number of days specified in either of the following points for academic and administrative staff as prescribed in Article 18, paragraph 1, item 2.
 - a. Five days within a period not exceeding one year from the date on which the annual paid holidays were granted (hereinafter referred to as the “base date”).
 - b. The number of days obtained by dividing the number of months in the period from the base day to the last day of the next year by 12 and then multiplying by five.
2. Notwithstanding the provisions of the preceding paragraph, in cases where annual paid holidays are granted pursuant to the provision of the preceding Article, the number of day of annual holidays granted (in cases where the number of days exceeds the number of period specified days, then the number of period specified days) shall be granted without specifying a period.

Article 20 Units of Annual Paid Leave

Annual paid leave shall be granted in units of days and half-days. However, it may also be granted in hourly units when an employee so requests and such treatment is deemed to be particularly necessary.

Article 21 Carrying Forward of Annual Paid Leave

Up to 20 unused days of annual paid leave may be carried forward to the immediately following year (excluding days that were already carried forward from the preceding year under this Article).

Article 22 Sick Leave

1. Sick leave is defined as leave granted when an employee needs to receive medical treatment for injury or illness and the employee’s absence from work is deemed unavoidable in order to receive that medical treatment.
2. Sick leave under the preceding paragraph may be applied *mutatis mutandis* to cases where

female employees are, at their request, excused from work during their menstrual period as it is significantly difficult to work on the days of the menstrual period.

3. The duration of sick leave shall be determined as the minimum period of absence from work deemed unavoidable in order for the employee to receive medical treatment. However, the period of sick leave other than the cases provided as follows (hereinafter referred to as “specified sick leave” in this Article) shall not exceed 90 consecutive days, excluding the days sick leave is taken and other days prescribed separately (hereinafter referred to as “excluded days” in this Article).
 - (1) In the case of the provision in the preceding paragraph.
 - (2) In case of injury or sickness resulting from work or the commute to work (referring to the commute prescribed in Article 7, paragraph 2 in the Workers' Accident Compensation Insurance Act (Act No.50 of 1947)).
 - (3) In case an employee is subject to a reduction of working hours as a result of follow-up measures in Article 26 paragraph 3 in The University of Tokyo Regulations on Environment, Safety and Health Management for Academic and Administrative Staff (Rules No.10 of 2004).
4. With regard to the application of the provisions of the provisos to the preceding paragraph and of the following paragraph until paragraph 7, when employees (including those whose period of specified sick leave is regarded as ongoing under the provisions of this paragraph) take specified sick leave of 8 consecutive days or more (if the number of work days in the applicable period is less than this period, a period shall be prescribed separately taking into consideration that number of work days) and then take specified sick leave again from the day following the end of the specified sick leave excepting excluded days, the subsequent period of specified sick leave shall be regarded as taking place consecutively with the former period of specified sick leave if taken before the completion of 20 days (defined as “actual working days” in paragraph 6) of full-time work (excluding time as prescribed separately).
5. In the case that the employee still requires treatment to cure the injury or illness (only provided the symptoms of the injury or illness which occurred between the first day of previous specified sick leave and the day before the employee is injured or became ill (hereinafter referred to as “specified injury day” in this paragraph) are distinctly different from the symptoms of the injury or illness for which the previous specified sick leave was taken. Hereinafter referred to as “specified injury” in this paragraph.) after the period of specified sick leave taken totals 90 consecutive days and further absence is recognized as unavoidable, and regardless of the provisions of the proviso to paragraph 3, further specified sick leave may be approved for the specified injury after the cumulative specified sick leave comes to 90 days. In this case, the period of the specified sick leave after the specified injury, etc. day must not exceed 90 consecutive days excepting excluded days.
6. In the case that the period of the specified sick leave used comes to 90 consecutive days

excepting excluded days, and the employee develops an injury or illness whose symptoms are distinctly different from the injury or disease for which that specified sick leave was taken in the period between the day following the completion of the specified sick leave and before the completion of 20 full working days excepting excluded days, and it is recognized that further absence from work is unavoidable in order to treat the illness or injury, further specified sick leave will be approved for the applicable injury or illness regardless of the provisions of the proviso to paragraph 3. In this case, the period of the applicable specified sick leave must not exceed 90 consecutive days excepting excluded days.

7. In the case that the period of the specified sick leave used is expected to exceed 90 consecutive days excepting excluded days, specified sick leave for the injury or illness may be approved even after the day following that on which the specified sick leave totals 90 days regardless of the provisions of the proviso to paragraph 3 only provided that it is clear from the diagnosis of an industrial physician or university-designated physician that the employee will recover from the injury or illness for which the specified sick leave was taken and that the employee will be able to return to work within 7 days from the day following that on which the specified sick leave totals 90 days. In this case, the period of applicable specified sick leave must not exceed 97 consecutive days excepting excluded days.
8. Holidays, compensatory leave or days away from work excluding sick leave during recuperation are regarded as days taken for specified sick leave for the provisions of the provisos to paragraph 3 and from paragraph 4 to paragraph 7.
9. The provisions of the provisos to paragraph 3 and from paragraph 4 to the preceding paragraph are not applicable to employees on probation.

Article 23 Special Leave

Special leave is defined as leave granted, at the employee's request, for special reasons such as to exercise the right to vote in public elections, marriage, childbirth and public transport accidents.

Chapter 7 Maternal Health Management

Article 24 Restrictions on Duties and Duty Exemptions for Pregnant or Nursing Employees

1. Employees who are pregnant or have given birth to a child within the immediately preceding one-year period (hereinafter collectively referred to as "pregnant or nursing employees") shall not be assigned duties that may be harmful to their pregnancy, giving birth or the nursing of the child.

2. Pregnant or nursing employees, whose days off and working hours are governed by Article 13 or Article 14 may, at their request, be exempted from working beyond their statutory working hours.
3. Pregnant or nursing employees may, at their request, be exempted from working outside the hours between 10 a.m. and 5 p.m. or outside their prescribed working hours.

Article 25 Health Examinations for Pregnant or Nursing Employees

Pregnant or nursing employees may, at their request, be permitted to be excused from work in order to receive health guidance as prescribed in Article 10 of the Maternal and Child Health Act (Act No. 141 of 1965) or health examinations as prescribed in Article 13 of the same Act.

Article 26 Reduced Duties or other Treatment for Pregnant or Nursing Employees

1. Pregnant or nursing employees may, at their request, have their normal duties reduced or be assigned different and lighter duties.
2. Pregnant employees may, at their request, be excused from working at various times during their daily work schedule in order to take appropriate rest periods or eat supplementary meals if the employees' duties are deemed to affect the maintenance of their health or the health of their fetus.
3. Pregnant employees may, at their request, be permitted to be excused from up to one hour of work per day at the start and/or end of their prescribed working hours if crowding on public transport they commute to work on is deemed to affect the maintenance of their health or the health of their fetus.

Chapter 8 Limit to Overtime Work for Child and Family Care

Article 27 Limit to Over Time Work

1. If an employee (from hereinafter referred as "staff in child/family care") who looks after a child (as specified in Article 2 item 1 of the Act on Childcare Leave, Caregiver Leave, and other Measures for the Welfare of Workers Caring from Children or Other Family Members (Act No. 76 of 1991), the same shall apply hereinafter) still in grade three of junior school or younger, or provides nursing care to other eligible members of the family (as specified in Article 8 paragraph 2 of The University of Tokyo Rules on Temporary Absence from Work for Academic and Administrative Staff (from herein after Rules on Temporary Absence)) requests not to have to work out of hours, unless there are exceptional circumstances, they should not be made to work overtime until after the end of March of the year when the child finishes grade three.
2. If a staff in child/family care requests work in excess of the standard working hours stipulated in Article 32 of the Labor Standards Act in order to care for the child or relative,

then they will do so pursuant to Article 36 of the Labor Standards Act.

3. If a staff in child/family care requests that they do not work nights (22:00hrs to 05:00hrs), then paragraph 1 shall apply *mutatis mutandis*.

Article 28 Reduction of Working Hours

1. It is possible for staff who needs to care for their child or relative to work reduced hours. Duration and time shall be as specified in the following items.
 - (1) During child care until the end of March when the child finishes third grade of junior school – up to 3 hours 45 minutes per day.
 - (2) For the period the employee requires to look after a relative in need of long-term care (as specified in Article 8, Paragraph 1 of the Rules on Temporary Absence, the same shall apply hereinafter).
2. Item (2) of the previous paragraph shall be up to three consecutive years from the first day of the period of reduced working hours for each continuous condition of need for long-term care.
3. The times stipulated in the items of Paragraph 1 may be applied to the start of work and end of work times in units of 15 minutes.

Article 29 Changes to the Start of Work and End of Work Times

1. Employees who need to care for their child or relatives are able to start work at the time prescribed in Article 3, Paragraph 1 of this Rules and Article 3, Paragraph 1 of the University of Tokyo Detailed Rules on Working Hours and Leave, etc. for Academic and Administrative Staff (Rules No. 14 of 2004) without making changes to their stated working hours.
2. Article 28 (excluding Paragraph 3) shall apply *mutatis mutandis* to the period to which the start time for work as prescribed in the previous paragraph.

Article 30 Application of Monthly Variable Working Hours System

1. Employees who need to care for their child or relatives are able to vary their working hours as prescribed in Article 13 of this Rules if it will impact the business detrimentally.
2. Article 28 (excluding Paragraph 3) shall apply *mutatis mutandis* to the period the working hours can be varied as prescribed in the previous paragraph.

Article 31 Procedures

In order to be able to make use of the provisions stipulated in Articles 27 to 30, application must be made in advance using the prescribed form filled with the necessary information.

Chapter 9 Exemptions

Article 32 Exemption Pertaining to Working Hours

The provisions of Chapters 2 to 5 of these Rules shall not apply to employees who receive the managerial personnel allowance prescribed in Article 21 of the University of Tokyo Rules on Compensation for Academic and Administrative Staff (Rules No. 12 of 2004) or to employees who are subject to the Designated Service Salary Table.

Supplementary Provisions

Effective Date

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

Carryover of Annual Paid Leave

2. With regard to employees who assumed their status as employees of the University of Tokyo under Article 4 of the Supplementary Provisions in the National University Corporation Act (Act No. 112 of 2003), the number of days of annual paid leave available to the employees as of the Effective Date shall, notwithstanding the provisions of Article 18, paragraph 1, be deemed to be the number, as of the day before the Effective Date, of unused days of annual paid leave and hours (hereinafter referred to as the “number days and hours of leave”) as prescribed in the Act on Working Hours, Leave, etc. for National Public Officers Engaged in Regular Services (Act No. 33 of 1994; hereinafter referred to as the “Working Hours Act”).
3. Employees prescribed in the preceding paragraph who were granted on January 1, 2004 (hereinafter referred to as the “grant date”) less than 20 days of annual paid leave under the Working Hours Act (excluding the number of days carried over from the preceding year (hereinafter referred to as the “number of carryover days”)) shall be construed as having received 20 days of annual paid leave on the grant date, and their number of days of annual paid leave as of the Effective Date shall be calculated as the aggregate of the 20 days and the number of carryover days, less the number of days and hours of leave that were used in the period from the grant date to the day immediately preceding the Effective Date.

Supplementary Provisions

These Rules shall come into force on April 1, 2005.

Supplementary Provisions

These Rules shall come into force on April 1, 2007.

Supplementary Provisions

These Rules shall come into force on April 1, 2009.

Supplementary Provisions

These Rules shall come into force on April 1, 2010.

Supplementary Provisions

(Effective date)

These Rules shall come into force on April 1, 2011.

(Sick leave transitional measures)

The provisions of the provisos to Article 22 paragraph 3 and of paragraph 4 to paragraph 8 shall be applied to sick leaves taken on and after the effective date.

Supplementary Provisions

These Rules shall come into force on April 1, 2013

Supplementary Provisions

These Rules shall come into force on April 1, 2014

Supplementary Provisions

These Rules shall come into force on April 1, 2016

Supplementary Provisions

These Rules shall come into force on January 1, 2017

Supplementary Provisions

(Effective date)

These Rules shall come into force on April 1, 2019

(Transitional Measures for the University Specifying the Period of Annual Paid Leave)

The provisions of Article 19-2 after the revision of this Regulation shall apply to academic and administrative staff who have been granted annual paid holidays of 10 days or more on or after the date of enforcement of this Regulation.

Appended Table
(Re: Article 18, item (2))

Period of Employment	Number of days allotted
1 full month or less	2
More than 1 month but not exceeding 2 months	3
More than 2 months but not exceeding 3 months	5
More than 3 months but not exceeding 4 months	7
More than 4 months but not exceeding 5 months	8
More than 5 months but not exceeding 6 months	10
More than 6 months but not exceeding 7 months	12
More than 7 months but not exceeding 8 months	13
More than 8 months but not exceeding 9 months	15
More than 9 months but not exceeding 10 months	17
More than 10 months but not exceeding 11 months	18
More than 11 months but less than 1 year	20