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## Working Regulations for Employees of Tokyo University of Foreign Studies

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Regulation No. 52

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### Chapter 1 General Provisions

#### Article 1 Purposes

These Working Regulations shall specify the necessary matters concerning employment of the employees who work for Tokyo University of Foreign Studies (hereinafter, the “University”), based on the provisions of Article 89 of the Labor Standards Act (Act No. 49 of 1947; hereinafter, the “Labor Standards Act”).

Article 2 Relation with laws and ordinances

The services of the employees shall be performed in accordance with the provisions of these Regulations as well as those set forth in the Labor Standards Act, the Industrial Safety and Health Act (Act No. 57 of 1972; hereinafter referred to as the “Safety and Health Act”), and other relevant laws and ordinances.

Article 3 Definition of employees

In these Regulations, an employee means the person employed as employee of Tokyo University of Foreign Studies by the President.

Article 4 Scope of application

- 1 These Regulations shall be applied to those defined in the preceding article. However, the services performed by those who are employed by the President on a temporary basis for a fixed period or the services performed by rehired employees working on a reduced schedule shall be as provided for in the Working Regulations for Part-Time Employees of Tokyo University of Foreign Studies (Regulation No. 68, 2004).
- 2 The salary, commissioned period, etc. for the part-time lecturer and part-time physician shall be as defined in the Working Regulations for Part-Time Lecturers of Tokyo University of Foreign Studies (Regulation No. 70 of 2004).
- 3 Any matters not set forth in these Regulations concerning the salary, etc. for the foreign researcher shall be as provided for in the Regulations Concerning Foreign Researchers at Tokyo University of Foreign Studies (Regulation No. 67 of 2004).
- 4 The services performed by the specified fixed-term employee shall be as provided for in the Working Regulations for Specified Fixed-Term Employees of Tokyo University of Foreign Studies (Regulation No. 26 of 2008).
- 5 The services performed by the specified fixed-term employee with shorter working hours shall be as provided for in the Working Regulations for Specified Fixed-Term Employees with Shortened Working Hours of Tokyo University of Foreign Studies (Regulation No. 90 of 2012).
- 6 Any matters not set forth in these Regulations the handling of the teachers to whom cross-appointments are applicable shall be as provided for in the Regulations Concerning the Cross-Appointment System at Tokyo University of Foreign Studies (Regulation No. 3 of 2016).
- 7 When an employee hired by the University for a fixed period applies for conversion into an employment contract with no fixed period for providing labor based on the Labor Contract Act (Act No. 128 of 2007) and other relevant laws and ordinances and thereby his/her contract is converted into a permanent (or non-fixed term) labor contract, the mandatory retirement age, etc. of such employee shall be, notwithstanding the provisions of paragraphs 1 to 6, as provided for in the Regulations Concerning Mandatory Retirement Age, etc. for Those Converted into Permanent Labor Contract of Tokyo University of Foreign Studies (Regulation No. 25 of 2017).

Article 5 Delegation of authority

The President may delegate part of its authority defined in these Regulations to other employees.

## Article 6 Observation of Regulations

The President and the employees shall use their best efforts to observe and implement these Regulations in good faith in their respective capacity.

### Chapter 2 Personnel

#### Part 1 Employment

## Article 7 Employment

- 1 The employment of employees shall be determined by competitive examination or selection.
- 2 The placement of the recruited employees shall be determined taking account of the business necessity of the University and qualifications of the relevant employee.
- 3 Any necessary matters relating to the employment shall be as defined in the Regulations Concerning Employment, Separation from Employment, etc., for Employees of Tokyo University of Foreign Studies (Regulation No. 56 of 2004; hereinafter, the “Employment Regulations”).

## Article 8 Starting for the new post

- 1 An employee, when hired, shall take his/her new post on the date of announcement thereof; provided, however, that in the event of any unavoidable circumstances, the employee shall take the new post within a week subsequent to the announcement, inclusive the date thereof.
- 2 The travel expenses necessary for moving to the place of assignment as defined in the preceding paragraph shall be as provided for in the Travel Policy of Tokyo University of Foreign Studies (Regulation No. 128 of 2004; hereinafter, the “Travel Policy”).

## Article 9 Clear statement of working conditions

The president shall clearly specify the working conditions by delivering documents indicating the following matters when employing the employee:

- (1) Matters relating to salary;
- (2) Matters relating to the place of assignment and duties;
- (3) Matters relating to the term of employment contract;
- (4) Matters relating to the start and finish times, presence or absence of work in excess of predetermined working hours, rest periods, holidays, and leave of absence; and
- (5) Matters relating to retirement (including grounds for dismissal).

## Article 10 Probationary period

- 1 A person employed as employee shall be hired on probation for a period of six (6) months subsequent to the date of employment. However, this shall not apply to those who become employees of the University continuously from the position of employees of other national universities or similar institutions concerned.
- 2 Those who are deemed inappropriate as regular employee by the University during or after such probationary period shall not come into regular employment.
- 3 Such probationary period shall be counted in the period of service.

#### Part 2 Promotion and demotion

## Article 11 Promotion

- 1 The promotion of an employee shall be determined as a result of selection based on the assessment of such employee's work performance and other abilities.
- 2 Any necessary matter relating to the promotion shall be as provided for in the Employment Regulations.

#### Article 12 Conditional promotion period

- 1 The promotion of an employee shall be conditional and such promotion shall become official in the event the promoted employee engages in his/her new duties for a period of six (6) months and completes such period with a good work performance.
- 2 In the event such employee who is on conditional promotion is deemed inappropriate to continue to engage in his/her new duties because of poor work performance or physical or mental disabilities or otherwise, such promotion shall be cancelled.

#### Article 13 Demotion

- 1 In the event an employee falls under any one of the following, such employee may be demoted despite his/her intention:
  - (1) in the event work performance is extremely poor;
  - (2) in the event such employee has some difficulty in the performance of assigned duties or is unable to perform the assigned duties because of physical or mental disabilities; or
  - (3) otherwise, in the event such employee lacks the qualifications required for such duties.
- 2 In the event any one of the preceding items applies to such employee, such demotion shall be implemented by delivering to the employee a statement describing the grounds therefor.
- 3 Any necessary matter relating to the demotion shall be subject to the provisions provided in the Employment Regulations.

#### Article 13-2 Upper Age Limit for Managerial or Supervisory Positions

- 1 The President shall, with regard to employees who hold managerial or supervisory positions (Occupations stipulated in Article 14, Paragraph 1 of the Salary Regulations for Employees of Tokyo University of Foreign Studies (Regulation No.54 of 2004, hereinafter referred to as 'Salary Regulations')), demote such employees who have reached the upper age limit to a position other than a managerial or supervisory position. The demotion will take place on the first April 1<sup>st</sup> (hereinafter referred to as the 'Transfer Date') upon reaching the upper age limit.
- 2 The upper age limit for managerial or supervisory positions, as set forth in the preceding paragraph, shall be sixty (60) years of age.
- 3 The President may not hire or promote someone who has reached the upper age limit for managerial or supervisory positions after the Transfer Date.
- 4 The provisions set forth in the preceding paragraphs do not apply to teachers specified in the Appended Table 1 of the Recruitment Regulations (hereinafter referred to as 'Teachers').

#### Article 14 Performance evaluation

The evaluation of work performance of employees (hereinafter, "Other Employees") other than teachers shall be provided for in the Personnel Evaluation Implementation Regulations for Employee of Tokyo University of Foreign Studies (Regulation No. 127 of 2009). The evaluation of work performance of the Teacher shall be as

provided for in the Personnel Evaluation Implementation Regulations for Teachers of Tokyo University of Foreign Studies (Regulation No. 37 of 2013).

### Part 3 Personnel reshuffle

#### Article 15 Transfer

- 1 The president may order an employee to change his/her place of work or type of work if there are any business necessities.
- 2 In ordering such transfer, the president must notify the relevant employee of the new unit, duties, title, time, and related matters in advance.
- 3 The employee may reject such order in paragraph 1 if he/she has a valid reason therefor.
- 4 Any necessary matter relating to the transfer shall be as provided in the Employment Regulations.

#### Article 16 Sending an employee on loan

- 1 The president may send an employee on loan if there are any business necessities.
- 2 In sending the employee on loan, the president must notify the relevant employee of the terms and conditions of such loan in advance and obtain the approval thereof.

### Part 4 Administrative leave, etc.

#### Article 17 Administrative leave and reinstatement

The administrative leave and reinstatement of employees shall be as provided for in the Employment Regulations.

Article 18 Deleted

Article 19 Deleted

Article 20 Deleted

Article 21 Deleted

### Part 5 Retirement and dismissal

#### Article 22 Retirement

- 1 The employee shall retire from office in the event such employee falls under any one of the following:
  - (1) In the event intent to retire is expressed and the President accepts the request, or in the event fourteen (14) days elapse subsequent to the date when resignation notice is submitted;
  - (2) In the event the employee reaches retirement age;
  - (3) In the event the employee is employed for a fixed period and the period expires; or
  - (4) In the event the employee is deceased.
- 2 If the employee wishes to express intent to retire as set forth in item 1 of the preceding paragraph, such employee shall notify such intent in writing at least thirty (30) days prior to such resignation date. However, in the event such employee is unable to submit such resignation notice for unavoidable circumstances, such employee shall submit it at least fourteen (14) days prior to such resignation date.
- 3 Any necessary matter relating to the retirement shall be subject to the provisions of the Employment Regulations.

#### Article 23 Mandatory retirement age

- 1 The mandatory retirement age for employees shall be any of sixty-three (63) through sixty-five (65) years of age as selected by each employee (hereinafter, the "Selective Retirement Age System") in the case of Teachers and sixty-five (65) years of age in the case of Other Employees.
- 2 The date of retirement due to the mandatory retirement age in the preceding paragraph shall be the first March 31 subsequent to the date such employee reaches his/her mandatory retirement age.
- 3 Any necessary matters relation to the Selective Retirement Age System in paragraph 1 shall be specified separately.

Article 24 Reemployment

- 1 Employees (excluding teachers) who have retired pursuant to the provisions of Item 1 or 2 of Paragraph 1, Article 22, after the last day of the fiscal year in which they reached sixty (60) years of age, , may continue to be reemployed up to the last day of the fiscal year in which they reach sixty-five (65) years of age, for those who wish to be reemployed and that do not fall under any of the grounds for dismissal in Article 25.
- 2 Notwithstanding the provisions of the preceding paragraph, any person who fails to meet any of the standards specified in the labor-management agreement under Article 9, paragraph 2 of the Act on Stabilization of Employment of Elderly Persons before amendment which is said to be still effective, based on paragraph 3 of the Supplementary Provisions of the Act to Partially Revise the Act on Stabilization of Employment of Elderly Persons (Act No. 78 of 2012) shall be employed until the age eligible for such standards.
- 3 In the case of the preceding paragraph, the standards for the period set forth in the left-hand column of the following table shall be applied to the persons who are older than the age set forth in the right -and column corresponding to each of the categories set forth in the left-hand column.

From April 1, 2023 through March 31, 2025	61 years old
From April 1, 2025 through March 31, 2027	62 years old
From April 1, 2027 through March 31, 2029	63 years old
From April 1, 2029 through March 31, 2031	64 years old

- 4 The period of reemployment under the preceding three (3) paragraphs shall not exceed one (1) year.
- 5 The time limit set forth in the preceding paragraph shall be renewed within a period not exceeding one (1) year with the upper limit on the last day of the fiscal year in which the employee reaches the age of sixty-five (65). However, in the case of applying paragraph 2, any person who is beyond the age set forth in paragraph 3 and fails to meet any of the standards specified in the labor-management agreement shall not be eligible for renewal.
- 6 Any necessary matter relating to the reemployment shall be subject to the provisions of the Employment Regulations.

Article 25 Grounds for dismissal

- 1 In the event any employee falls under any one of the following, the President may dismiss such employee:
  - (1) In the event the work performance of such employee is extremely poor;
  - (2) In the event such employee has difficulty in the performance of assigned duties or is unable to perform the

assigned duties because of physical or mental disabilities;

- (3) In the event there still exists any of the grounds for administrative leave as set forth in items 1 to 4 of paragraph 1 of Article 21 of the Employment Regulations, even after expiration of the maximum period of the relevant administrative leave as set forth in items 1 to 4 of paragraph 1 of Article 22 of the Employment Regulations;
- (4) Otherwise in the event such employee materially lacks the qualifications required for the employee; or
- (5) In the event the reduction of employee is objectively deemed reasonable in the course of business management and is approved as a reasonable measure under normal social conventions.

2 Any necessary matter relating to the dismissal shall be subject to the provisions of the Employment Regulations.

#### Article 26 Restriction of dismissal

Notwithstanding the provisions in the preceding article and paragraphs 4 and 5 of Article 57, no dismissal shall be made during the period of time that falls under any one of the following. However, this shall not apply in the event of item 1 if the employee fails to recover from an injury or disease even after three (3) years from the commencement date of medical treatment, and the compensation for discontinuation is paid pursuant to the provisions of Article 81 of the Labor Standards Act.

- (1) Period of leave for the treatment of any occupational injury or disease and thirty (30) days subsequent; or
- (2) Period of maternity leave for female employee pursuant to the provisions of Article 65 of the Labor Standards Act and thirty (30) days subsequent.

#### Article 27 Prior notice of dismissal

- 1 In the event of dismissal pursuant to the provisions of Article 25 and items 4 and 5 of Article 57, notice shall be provided at least thirty (30) days in advance or a payment in lieu of notice equivalent to thirty (30) days of average pay under the provisions of Article 12 of the Labor Standards Act shall be made to the relevant employee. However, this shall not apply to the case of dismissing any employee on probation (except for those who are continuously hired for more than fourteen (14) days) or the case as approved by the head of the competent Labor Standards Inspection Office.
- 2 The dismissal set forth in the preceding paragraph shall be implemented by delivering the statement specifying the grounds for dismissal.

#### Article 28 Return of money and goods

- 1 Upon receipt of the request from the rightful claimant at the time of retirement or dismissal of the employee, the President must pay the salary within seven (7) days and return money and goods that are rightfully owned by such employee, whether reserve fund, guarantee deposit, savings, or whatsoever regardless of the nature thereof.
- 2 In the event of any dispute in relation to the salary or money or goods specified in the preceding paragraph, the president shall pay or return the portion thereof that is not subject to such dispute within the period defined in the preceding paragraph.
- 3 The employee must return to the University any items borrowed from the University at the time of retirement or dismissal.

#### Article 29 Delivery of leaving certificate

The President shall, upon request of the retired employee (including dismissed employee) pursuant to the provisions of Article 22 of the Labor Standards Act, promptly deliver the leaving certificate to such employee.

### Chapter 3 Service disciplines

#### Article 30 Obligation to devote to the duty

The employee shall realize the public nature of the University and perform the assigned duties in good faith and in a fair manner in compliance with these Regulations and the relevant regulations and in accordance with the instructions of supervisory managers (i.e., those who have authority to issue work orders; hereinafter, the same shall apply).

#### Article 31 Items to be observed

The employee shall observe the following:

- (1) The employee shall not commit any act to bring discredit on the University's name;
- (2) The employee shall not disclose any secret information he/she comes to know in the performance of the assigned duties. This shall apply even after retirement. In the event the employee is required to publish any job-related secret information as a witness or appraiser under laws and regulation, such employee shall do so with the approval of the President;
- (3) The employee shall not commit any act to impair the educational and research projects of the University and shall use best efforts to maintain the order of workplace; and
- (4) The employee shall at all time keep in mind the distinction between private and public matters and shall not take advantage of the assigned duties or position for private purposes.

#### Article 32 Subsidiary business

- 1 In the event any employee intends to perform any subsidiary business, such employee shall obtain the approval of the President.
- 2 Any necessary matter relating to the subsidiary business of the employee shall be as provided in the Regulations Concerning Subsidiary Business of Employees at Tokyo University of Foreign Studies (Regulation No. 57 of 2004).

#### Article 33 Ethics of employee

The maintenance of ethical standards relating to the work shall be as provided in the Employee Ethics Regulations for Tokyo University of Foreign Studies (Regulation No. 61 of 2004).

#### Article 34 Prevention of harassment

- 1 The employee shall not commit harassment in any manner whatsoever and shall use best efforts for the prevention thereof.
- 2 Such measures as are relating to the prevention, etc. of harassment shall be as provided in the Harassment Prevention Guidelines for Tokyo University of Foreign Studies.

#### Article 35 Use of original family name

The employee may express the intention to use such employee's original family name with regard to the name described in papers and documents.

### Chapter 4 Service

#### Article 36 Working hours, etc.



- 1 The working hours, rest periods, holidays, leave, etc. for employee shall be as provided in the Regulations Concerning Working Hours, Leave, etc. for Employee of Tokyo University of Foreign Studies (Regulation No. 53 of 2004).
- 2 The childcare leave for the employee shall be as provided in the Childcare Leave Regulations for Employees of Tokyo University of Foreign Studies (Regulation No. 58 of 2004).
- 3 The caregiver leave for the employee shall be as provided in the Regulations Concerning Caregiving Leave for Employees at Tokyo University of Foreign Studies (Regulation No. 59 of 2004).

#### Article 36-2 Teleworking

- 1 The employee may work at their own homes, etc. (hereinafter, "Teleworking") in principle, away from their usual place of work.
- 2 Necessary matters pertaining to teleworking shall be stipulated separately.

#### Chapter 5 Salary and retirement allowance

#### Article 37 Salary

- 1 The salary for the employee shall be as provided in the Salary Regulations.
- 2 Notwithstanding the provisions of the preceding paragraph, the salary for the employee to whom the annual salary system is applicable and who are subject to the measures of annual salary system introduction promotion expenses shall be as provided for in the Salary Regulations for Annual Salary Basis Employees of Tokyo University of Foreign Studies (Regulation No. 86 of 2014) as separately specified.
- 3 Notwithstanding the provisions of the preceding paragraph, the salary for the employee to whom the annual salary system is applicable and who are paid retirement allowance at the time of retirement shall be as provided for in the Salary Regulations for Employee under the New Salary Regulations for Annual Salary Basis Employees of Tokyo University of Foreign Studies (Regulation No. 8 of 2020) as separately specified.

#### Article 38 Retirement allowance.

- 1 The retirement allowance for the employee shall be as provided for in the Regulations for Retirement Allowance for Employee of Tokyo University of Foreign Studies (Regulation No. 63 of 2004).
- 2 Notwithstanding the provisions of the preceding paragraph, no retirement allowance shall be paid in the case paragraph 2 of the preceding article is applicable.

#### Chapter 6 Business travel

#### Article 39 Business travel

- 1 The president may order the employee to travel on business if deemed necessary for business reasons.
- 2 The employee ordered to travel on business shall report to the president promptly after completion of such business travel.
- 3 The expenses necessary for such business travel shall be as provided in the Travel Policy.

#### Chapter 7 Training

#### Article 40 Training

- 1 The President shall use best efforts for the provision of training opportunities to the employee including the establishment of such system as to encourage the training of the employee and other training-related programs.
- 2 In the event the employee is ordered to participate in the training courses in order to improve the quality

necessary for the performance of the assigned duty and to promote efficiency, such employee must receive such training.

- 3 The expenses necessary for the training set forth in the preceding paragraph shall be as provided in the Travel Policy.
- 4 The Teacher may, with the approval of the President, take training at a place other than the usual work location if such training does not interfere with its operations.
- 5 The Teacher may take special training with the approval of the President.

#### Chapter 8 Safety and health

##### Article 41 Safety measures

- 1 The President shall take such measures as required for securing the safety, hygiene, and health of the employee under the Safety and Health Act and other laws and ordinances concerned.
- 2 Any matter necessary for taking such measures as defined in the preceding paragraph shall be as provided in the Regulations Concerning Employee Safety and Health Management at Tokyo University of Foreign Studies (Regulation No. 60 of 2004).

##### Article 42 Obligation to cooperate

The employee must observe the Safety and Health Act and other laws and ordinances concerned and follow the instructions of supervisory managers in order to secure safety, hygiene, and health and cooperate with such measures relating to safety and health as undertaken by the University.

##### Article 43 Safety and health education

The employee shall receive such education and training program for securing of safety, hygiene, and health as provided by the University.

##### Article 44 Disaster prevention

- 1 In the event the employee discovers the occurrence of fire or other emergencies or recognizes situations where emergencies may arise, such employee shall take temporary measures and use best efforts to minimize any possible damage.
- 2 The University's disaster prevention measures shall be as provided in the Regulations Concerning Fire Prevention and Control at Tokyo University of Foreign Studies (established on May 30, 1977).

##### Article 45 Matters to be observed in relation to safety and health

The employee shall observe the following:

- (1) The employee shall at all times attempt to keep the workplace clean and tidy and try to prevent disasters and improve public health; and
- (2) The employee shall not move safety and health devices, fire control equipment, sanitary installations, and other safety facilities by preference or enter such areas unauthorized.

##### Article 46 Health examination

The employee shall undergo regular or occasional health examinations provided by the University every year unless such employee has a health examination by a physician and submits a document to certify the results of such health examination.

##### Article 47 Post-health examination measures

1 If deemed necessary based on the results of the health examination, the president shall restrict the services to be performed by the employee and take such measures as required for the preservation of such employee's health including a change of position or otherwise.

2 The employee may not reject such measures as described in the preceding paragraph without reasonable cause.

#### Article 48 Suspension from work

1 In the event the employee is or is threatened to be affected by such infectious diseases as separately specified, such employee shall immediately notify the president of such fact and receive instructions of the president.

2 If deemed necessary based on the results of such notification as set forth in the preceding paragraph, the president may order the suspension from work to such employee.

3 The period of time during which the employee is ordered suspension from work and does not attend work pursuant to the provisions of the preceding paragraph shall be considered as if the employee attended its work.

#### Chapter 9 Female employee

#### Article 49 Restriction of services by expectant or nursing female employee

The President may not order any female employee who is pregnant or has given birth in the past year (hereinafter, the "Expectant or Nursing Female Employee") to attend work that may be harmful to the pregnancy, childbirth, childcare, and otherwise.

#### Article 50 (Restriction of Expectant or Nursing Female Employee's midnight shift and overtime)

The President may not order any Expectant or Nursing Female Employee to attend work between the period from 10:00 p.m. to 5:00 a.m. or in excess of statutory working hours upon request of such Expectant or Nursing Female Employee.

#### Article 51 Health examination for Expectant or Nursing Female Employee

The President shall permit the Expectant or Nursing Female Employee not to attend work in order to have such health guidance as prescribed in Article 10 of the Maternal and Child Health Act (Act No. 141 of 1965) or such health examination as prescribed in Article 13 of such Act upon request of such Expectant or Nursing Female Employee.

#### Article 52 Reduction of work load of Expectant or Nursing Female Employee

1 The President shall reduce the workload of the Expectant or Nursing Female Employee or transfer such employee to other easy and simple duties upon request of such Expectant or Nursing Female Employee.

2 In the event the duties of any expectant female employee is determined to have any adverse influence on the preservation of health of such employee's body or unborn child, the President must, upon request of such expectant female employee, permit said employee not to attend work for such period of time as necessary for her to take an appropriate rest or to eat.

3 In the event the degree of congestion of any transport facility used for commuting by any expectant female employee is determined to have any adverse influence on the preservation of health of such employee's body or unborn child, the President must, upon request of such expectant female employee, permit her not to attend work at the beginning or end of the regular defined working hours for less than an hour of the period of time per day.

#### Article 53 Measures for employee with extreme difficulty in attending work on menstrual dates

The president shall not, upon request of any female employee that has extreme difficulty in attending work on her menstrual dates, order such female employee to attend work on such menstrual dates.

#### Chapter 10 Accident compensation

##### Article 54 Accident compensation

Accident compensation in the event any employee suffers any disaster (i.e., any injury, disease, disability, or death; hereinafter, the same shall apply) in the course of working or commuting, promotion of rehabilitation of the afflicted employee, and welfare service necessary for the support of such afflicted employee and family shall be as prescribed in the Industrial Accident Compensation Insurance Act (Act No. 50 of 1947) as well as the Regulations Concerning Non-Statutory Compensation for Employees of Tokyo University of Foreign Studies (Regulation No. 91 of 2012).

#### Chapter 11 Awards

##### Article 55 Awards

The recognition of employee shall be as defined in the Awards Regulations for Employee of Tokyo University of Foreign Studies (Regulation No. 64 of 2004).

#### Chapter 12 Punishments

##### Article 56 Grounds for discipline

- 1 In the event employee falls under any one of the following, the president may take disciplinary measures including reprimand, salary reduction, or suspension from work according to the circumstances:
  - (1) In the event the employee skips work for not more than twenty (20) days without valid reason;
  - (2) In the event the employee neglects work as the result of frequent absences from work, coming late, and leaving work early without valid reason;
  - (3) In the event the employee causes damage to the University due to negligence;
  - (4) In the event the employee debases the University's order or morals due to bad behavior;
  - (5) In the event the employee breaches the provisions of any of Articles 31 to 34; or
  - (6) Otherwise, in the event the employee violates these Regulations or commits any improper act similar to those defined in each of the preceding items.
- 2 In the event employee falls under any one of the following, the President may dismiss such employee immediately. In this case, if authorized by the head of the labor standards supervision office, the pay in lieu of notice set forth in Article 27 shall not be paid. However, in consideration of everyday work attitude of such employee and other circumstances, the University may take such measures as dismissal under instruction, salary reduction, or suspension from work.
  - (1) In the event the employee gains employment by misrepresenting any important personal history;
  - (2) In the event the employee skips work for twenty-one (21) days or more without valid reason and ignores the order to get back to work;
  - (3) In the event the employee is frequently absent from work, is late for work, and leaves work early without permission and fails to remedy such behavior after repeated reprimands;
  - (4) In the event the employee often fails to follow the business-related instructions or orders without valid reason;

- (5) In the event the employee causes serious damage to the University intentionally or by gross negligence;
  - (6) In the event the employee commits any act in violation of any provisions of the Penal Code or other penal laws in the University and the fact constituting a crime becomes apparent (except where such act constitutes a minor violation);
  - (7) In the event the employee seriously debases the University's order or morals due to bad behavior;
  - (8) In the event the employee is determined that he/she has no intention to improve the work attitude despite the fact that the said employee has received disciplinary punishment repeatedly;
  - (9) In the event the employee interferes with the smooth job performance or deteriorates the workplace environment through sexual behavior that is disliked by other persons or commits such acts as to put such person at a disadvantage depending on the response of such person to such sexual behavior;
  - (10) In the event the employee looks after his/her own interests or accepts or demands money or goods or accepts entertainment from people concerned taking advantage of the professional position;
  - (11) In the event the employee commits any act to impede the reputation and credit of the University and seriously affects the operation thereof through illegal acts in personal life or through libel or slander against the University;
  - (12) In the event the employee discloses important business secrets of the University to others; or
  - (13) In the event the employee commits such level of inappropriate acts as is similar to those set forth in any of the preceding items.
- 3 The president shall take any disciplinary measure after sufficient investigation and deliberation and shall specify the reason for the discipline to the relevant employee in writing.
- 4 Notwithstanding the foregoing, in the event the president takes any disciplinary measure, such measure must be approved after deliberation thereof by the Educational Research Council.

#### Article 57 Type and nature of disciplinary measures

The type and nature of disciplinary measures shall be as stipulated in each of the following items:

- (1) Reprimand: Caution the employee for the future;
- (2) Salary reduction: Reduce salary. In this case, each salary reduction shall not exceed fifty (50) percent of one (1) day's average salary and total salary reduction per month shall not exceed ten (10) percent of the monthly salary for the relevant month;
- (3) Suspension from work: Place on suspension and not allow the employee to attend work for the period of maximum one (1) year with no payment of the salary during such period;
- (4) Dismissal under instruction: Suggest submission a notice of resignation. However, in the event the relevant employee fails to accept such suggestion, the president may dismiss such employee by providing thirty (30) days prior notice or dismiss immediately by paying average salary equivalent to thirty (30) days' average salary or more.
- (5) Punitive dismissal: Dismiss immediately without setting any period of notice.

#### Article 58 Admonitory warning

In addition to these measures set forth in the preceding article, the president may give the employee admonitory warning, strict warning, or warning if necessary for the maintenance of discipline.

#### Article 59 Supervisory manager's responsibility

In the event of any disciplinable act committed by the employee under the supervision and management of any supervisor, such supervisor may be subject to the discipline due to supervisory responsibility; provided, however, that in the event such supervisor takes any measure to prevent such act, such discipline may be exempted depending on the circumstances.

#### Article 60 Damages

- 1 In the event any employee causes damage to the University intentionally or by gross negligence, the president may claim damages in whole or in part against such employee.
- 2 Such liability for damages as set forth in the preceding paragraph shall not be exempted even after the retirement of such employee.

#### Chapter 13 Welfare, mutual aid

#### Article 61 Use of dormitory

The use of dormitory by the employee shall be as provided in the laws and ordinances concerned and International Residence Regulations for Employee of Tokyo University of Foreign Studies (Regulation No. 170 of 2004).

#### Article 62 Mutual aid

The mutual aid system for the employee shall be as prescribed in the National Public Officers Mutual Aid Association Act (Act No. 128 of 1958) and the Act for Enforcement in Relation to Long-term Benefit under the National Public Officers Mutual Aid Association Act (Act No. 129 of 1958).

#### Chapter 14 Complaint handling

#### Article 63 Complaint handling

- 1 The president shall establish an appropriate organization to handle complaints from the employee relating to work.
- 2 The president shall establish a grievance committee as the organization set forth in the preceding paragraph, members of which includes any person nominated by the person representing the majority of the employee and cause such committee to settle the issues on a neutral, impartial, and fair ground.

#### Chapter 15 Supplementary regulations

Article 64 Any matter necessary for the implementation of these Regulations, apart from such matters as separately determined, shall be subject to the regulations applied to the government officials.