

Labor-Management Agreement Concerning Overtime and Holiday Work

The Public University Corporation, the University of Aizu (hereinafter referred to as “CORPORATION”) and the representative of the majority of the personnel of the University of Aizu (hereinafter referred to as the “MAJORITY REPRESENTATIVE”) shall, based on the Labor Standards Law, Article 36, Paragraph 1, enter into an agreement regarding overtime and holiday work, as follows:

Article One

(Definitions)

1.1 For the purpose of this agreement, the terms “overtime work” and “holiday work” shall be defined as follows:

- (1) Overtime work: working in excess of the statutory work hours
- (2) Holiday work: working on legally-mandated holidays

Article Two

(Statutory Work Hours, Legally-mandated Holidays)

2.1 “Statutory work hours” in Article One above refers to up to 8 hours a day, up to 40 hours a week.

2.2 “Legally-mandated holiday(s)” in Article One above refers to either one of the weekly holidays.

Article Three

(Types of Work, Number of Personnel, and Reasons for Which Overtime and Holiday Work Can Be Required)

3.1 The CORPORATION may order overtime and holiday work when any of the following applies. The number of personnel and the reasons for which overtime and holiday work can be required for each of the following types of work are as follows.

- (1) General affairs and accounting work (51 employees): Unusually high levels of work, recruitment of personnel and students, handling of various operations conducted by the university as a whole
- (2) Facility management (3: employees): Unusually high levels of work, handling of defects of facilities, handling of electrical equipment inspections, handling of various operations conducted by the university as a whole
- (3) System management (4 employees): Unusually high levels of work, system updates/installations, handling of defects of systems, handling of electrical equipment inspections, handling of various operations conducted by the university as a whole
- (4) Librarians (6 employees): Unusually high levels of work, handling of various operations conducted by the university as a whole

3.2 Personnel may refuse overtime and holiday work if they have justifiable reasons to do so.

Article Four

(Overtime Cap)

4.1 The overtime cap shall be as follows:

- (1) Five hours a day
- (2) 45 hours a month
- (3) 360 hours a year

Article Five

(Cap on Holiday Work Days)

5.1 The cap on holiday work days shall be two days per month.

5.2 The work hours per holiday provided for in Paragraph 5.1 above shall be up to 7 hours and 45 minutes.

Article Six

(Overtime Work in Excess of Overtime Cap)

6.1 In the event that it is necessary to temporarily order personnel to work in excess of the overtime cap provided for in Article Four to perform duties of the types of work for the concrete reasons given below, the CORPORATION can give orders for them to do so up to 7 hours 45 minutes a day, 75 hours a month, 630 hours a year. However, the CORPORATION can give up to six such orders a year.

With regard to the overtime premium rate in the event that overtime work hours exceed 4 hours a month or 360 hours a year and the overtime premium rate in the event that the total of overtime and holiday work hours exceeds 60 hours a month, the Regulation Concerning Salaries for Personnel of the Public University Corporation, the University of Aizu and the Fukushima Prefecture Ruling Concerning Payment of Personnel Salaries shall apply.

With regard to the designation of overtime compensation leave, the Regulation Concerning Working Hours, Holidays, Leave, Etc. for Personnel of the Public University Corporation, the University of Aizu and the Fukushima Prefecture Rules Concerning Personnel Working Hours, Leave, Etc. shall apply.

- (1) General affairs and accounting work (51 employees) : Concentration of work at the change of the fiscal year, handling of planning budgets, settlement of accounts, audits, student recruitment, handling of various operations conducted by the university as a whole, and unexpected contingencies
- (2) Facility Management (3 employees) : Concentration of work at the end of fiscal year, handling of defects of large facilities
- (3) System management (4 employees) : Concentration of work at the end of fiscal year, system updates/installations, fixing defects of large systems,
- (4) Librarians (6 employees) : Concentration of work at the end of fiscal year, handling of unexpected contingencies

6.2 In the event of ordering personnel to do overtime work in excess of the monthly overtime cap provided for in Article 4, Paragraph 1, Item (2) above, the CORPORATION must notify the Majority Representative of the Personnel of the University of Aizu of the name(s) of the personnel working in excess of the overtime cap and reasons for the work, etc. by using the Notification of Work in Excess of Overtime Cap Based on the 36 Agreement Special Clause (Form 1).

Further, the Majority Representative of the Personnel of the University of Aizu, upon receiving the notification, must confirm the content of the notification.

Article Seven

(Cap on the Total of Overtime and Holiday Work Hours)

7.1 The cap on the total of overtime and holiday work hours for which the CORPORATION can order shall be 90 hours per month. However, the average number of hours of overtime and holiday work in each of the following periods shall not exceed 80 hours per month: 1) the month in question and the previous month, 2) the month in question and the previous two months, 3) the month in question and the previous three months, 4) the month in question and the previous four months, and 5) the month in question and the previous five months.

However, this shall only apply to overtime and holiday work ordered after April 1, 2019.

Article Eight

(Ensuring the Health and Welfare of the Personnel)

8.1 The CORPORATION must take the following measures to ensure the health and welfare of the personnel working in excess of the overtime cap.

- (1) In the event that an employee who has worked more than 80 hours of a total number of overtime and holiday work hours and been recognized as having accumulated fatigue requests an in-person health consultation with an industrial physician, etc., the CORPORATION must arrange for the personnel to have an in-person health consultations with an industrial physician, etc.
- (2) The CORPORATION shall encourage personnel to take annual paid leave by making use of “Plans to Take Annual Paid Leave” and “Designation of Period for Paid Annual Paid Leave.”
- (3) A mental and physical consultation service shall be established.

Article Nine

(Effective Period of this Agreement)

9.1 This agreement shall be in effect on April 1, 2019, and effective until March 31, 2020.

Article Ten

(Renewal of the Agreement)

10.1 Without any objections made to this agreement either by labor or management one month prior to the expiration date of this agreement, this agreement shall be renewed under the same terms and conditions for one more year. The same shall apply to following years.

March 29, 2019

(Seal)

Ryuichi Oka
Chairperson of the Board of Executives
The Public University Corporation, the University of Aizu

(Seal)

Emiko Kaneko
Majority Representative of the Personnel of the University of Aizu

Request Date :

Chairperson of the Board of Executives
 The Public University Corporation, the University of Aizu

Affiliation

Name

Seal

Request for Application of 36 Agreement Special Clause (Overtime Work in Excess of the Overtime Cap)

I hereby request overtime work in excess of the overtime cap by personnel as follows based on Article 6, Paragraph 1 of the Labor-Management Agreement Concerning Overtime and Holiday Work.

Name of personnel to work in excess of the overtime cap			
Month in which the overtime work hours per month exceed 45 hours	month and year	Number of exceeding hours	Up to 7 hours 45 minutes a day Up to 75 hours a month
		Accumulated number of orders	orders (up to six orders)
Period in which overtime work hours per year exceed 360 hours	months and years	Number of hours in excess	(Up to 630 hours a year)
Reasons for work in excess of the overtime cap			

 Notification Date:

Majority Representative of the Personnel of the University of Aizu

Chairperson of the Board of Executives,
 The Public University Corporation, the University of Aizu

Notification of Work in Excess of Overtime Cap Based on the 36 Agreement Special Clause

This is to notify you that overtime work in excess of the overtime cap by personnel has become necessary as indicated above based on Article 6, Paragraph 1 of the Labor-Management Agreement Concerning Overtime and Holiday Work.

Please put your seal below after checking the above request as to whether there is any problem with ordering the overtime work. and.

Majority Representative of the Personnel
Seal