

National University Corporation Kyushu University Regulations for Personnel Affairs of Faculty Members

Kyushu University Employment Regulation No.2 of 2004

Established: April 1, 2004

Last amended: December 6, 2019

(Kyushu University Employment Regulation No. 19 of 2019)

(Purpose)

Article 1 These Regulations shall provide for the types of jobs, duties, personnel affairs and other necessary matters relevant to faculty members working at National University Corporation Kyushu University (hereinafter referred to as the "University"), based on the particularity of the duties and the responsibilities of the faculty members provided in Article 2, paragraph (1), item (i) of the National University Corporation Kyushu University General Regulations of Employment (Kyushu University Employment Regulation No. 1 of 2004; hereinafter referred to as the "General Regulations of Employment").

(Types of Jobs and Duties)

Article 2 (1) The types of jobs of faculty members are professor, associate professor, lecturer, assistant professor, research associate (jun jokyō), and research associate (joshu; referred to as the "kyōmu joshu").

(2) The duties of professors, associate professors, lecturers, assistant professors, and research associate (kyōmu joshu) shall be governed by the provisions of Article 92 of the School Education Act (Act No. 26 of 1947), and the duties of research associates (jun jokyō) shall be to assist professors and associate professors in their duties.

(Employment for Fixed Term or for a Term of Office)

Article 3 (1) Faculty members may be employed for a fixed term or for a term of office pursuant to the Act on Term of Office of University Teachers, etc. (Act No. 82 of 1997).

(2) The provisions of Article 13, item (iv) of the General Regulations of Employment apply mutatis mutandis when the term of office of a faculty member employed for a term of office referred to in the preceding paragraph has expired. In this case, the term "a fixed term" in the same item is deemed to be replaced with "a term of office"; and the phrase "term has expired" in the same item is deemed to be replaced with "term of office has expired (except when re-employed)."

(Employment and Promotion)

Article 4 With regard to employment and promotion of faculty members, the President screens candidates and makes the final decision.

(Transfer and Temporary Transfer)

Article 5 (1) When the President decides to transfer a faculty member to another job or another location, or to transfer a faculty member to another organization on a temporary basis, the faculty council may state its opinion to the President pursuant to Article 3, paragraph (2) of the National University Corporation Kyushu University General Regulations of Faculty Councils (Kyushu

University Regulation No. 8 of 2004; hereinafter referred to as the "General Regulations of Faculty Councils").

(2) In the case of ordering a faculty member to be transferred to another organization on a temporary basis, the President shall obtain the faculty member's consent, specifying the purpose of the temporary transfer, type of job and duties at the place of the temporary transfer, the duration, and other matters.

(Dismissal)

Article 6 (1) A faculty member who falls under any of the following items may be dismissed:

- (i) if the faculty member falls under the provisions of Article 9, item (i) or (iv) of the School Education Act;
- (ii) if it is found that the faculty member's work performance or work efficiency is extremely poor and is not expected to improve;
- (iii) if the faculty member is found unable to work due to a mental or physical disability;
- (iv) if it is found that the faculty member's work attitude is extremely poor and is not expected to improve, and that the faculty member is incapable of fulfilling their duties as faculty member;
- (v) if the faculty member is found inappropriate to maintain the status as faculty member;
- (vi) if there is any unavoidable necessity to reduce the number of faculty members due to the deterioration of the business environment; or
- (vii) if there are any other unavoidable circumstances equivalent to those set forth in the preceding items.

(2) When the President decides to dismiss a faculty member, the faculty council may state its opinion to the President pursuant to the provisions of Article 3, paragraph (2) of the General Regulations of Faculty Councils.

(Demotion)

Article 7 When the President decides to demote a faculty member, the faculty council may state its opinion to the President pursuant to the provisions of Article 3, paragraph (2) of the General Regulations of Faculty Councils.

(Disciplinary Action)

Article 8 When the President decides to take disciplinary action against a faculty member, the faculty council may state its opinion to the President pursuant to the provisions of Article 3, paragraph (2) of the General Regulations of Faculty Councils.

(Opportunities for Training)

Article 9 (1) Faculty members shall be given the opportunity for training.

(2) Faculty members may leave their workplace for training with the approval of the director of the faculty or the like to which they belong, as long as this does not affect their duties.

(3) Faculty members may receive long-term training while remaining in their present post as provided by the President.

(Treatment of Employees for Fixed Term)

Article 10 Among the matters relevant to the treatment of employees who are employed for a fixed term pursuant to the provisions of Article 2, paragraph (2) of the General Regulations of Employment, the matters subject to the application of the provisions of these Regulations with the replacement of relevant terms are treated as provided in Appended Table 1, the matters to which the provisions of these Regulations shall not apply are treated as provided in Appended Table 2, and the matters to which the provisions of these Regulations shall not apply but the provisions of other regulations provided therein shall apply are treated as provided in Appended Table 3.

(Treatment of Employees Whose Labor Contracts Have Been Converted to Labor Contracts Those Without Fixed Term)

Article 11 Among the matters relevant to the treatment of employees whose fixed-term labor contracts have been converted to labor contracts without a fixed term pursuant to the provisions of Article 2, paragraph (3) of the General Regulations of Employment, the matters subject to the application of the provisions of these Regulations with the replacement of relevant terms are treated as provided in Appended Table 4, and the matters to which the provisions of these Regulations shall not apply are treated as provided in Appended Table 5.

Supplementary Provisions

These Regulations come into effect as of April 1, 2004.

Supplementary Provisions (Kyushu University Employment Regulation No. 12 of 2006)

These Regulations come into effect as of April 1, 2007.

Supplementary Provisions (Kyushu University Employment Regulation No. 2 of 2007)

These Regulations come into effect as of December 26, 2007.

Supplementary Provisions (Kyushu University Employment Regulation No. 8 of 2011)

These Regulations come into effect as of November 1, 2011.

Supplementary Provisions (Kyushu University Employment Regulation No. 13 of 2012)

These Regulations come effect as of April 1, 2013.

Supplementary Provisions (Kyushu University Employment Regulation No.10 of 2014)

These Regulations come into effect as of April 1, 2015.

Supplementary Provisions (Kyushu University Employment Regulation No.5 of 2018)

These Regulations come into effect as of October 1, 2019.

Supplementary Provisions (Kyushu University Regulation No. 19 of 2019)

These Regulations come into effect as of December 14, 2019.

Appended Table 1 (Re: Article 10)

Persons concerned	Provisions subject to deemed replacement of terms	Terms to be replaced
Fixed-term faculty members	Article 4 (Employment and Promotion)	“Employment and Promotion” is deemed to be replaced with "Employment"
Special fixed-term faculty members	Article 4 (Employment and Promotion)	“Employment and promotion” is deemed to be replaced with "Employment"

Appended Table 2 (Re: Article 10)

Persons concerned	Provisions excluded from application
Fixed-term faculty members	Article 5 (Transfer and Temporary Transfer) Article 7 (Demotion)
Special fixed-term faculty members	Article 5 (Transfer and Temporary Transfer) Article 7 (Demotion)

Appended Table 3 (Re: Article 10)

Persons concerned	Provisions excluded from application	Names of the regulations separately providing the matters which are excluded from application of these Regulations, and the relevant provisions
Fixed-term faculty members	Article 6 (Dismissal) Article 8 (Disciplinary Action)	National University Corporation Kyushu University Regulations of Employment of Fixed-term Faculty Members, Article 9 National University Corporation Kyushu University Regulations of Employment of Fixed-term Faculty Members, Article 12
Faculty member (annual salary)	Article 6 (Dismissal) Article 8 (Disciplinary Action)	National University Corporation Kyushu University Regulations of Employment of Faculty Members (Annual Salary), Article 11 National University Corporation Kyushu University Regulations of Employment of Faculty Members (Annual Salary), Article 14
Special fixed-term faculty members	Article 6 (Dismissal) Article 8 (Disciplinary Action)	National University Corporation Kyushu University Regulations of Employment of Special Fixed-term Faculty Members, Article 6 National University Corporation Kyushu University Regulations of Employment of Special Fixed-term Faculty Members, Article 6

Appended Table 4 (Re: Article 11)

Persons concerned	Provisions subject to deemed replacement of terms	Terms to be replaced
Fixed-term faculty members (converted to labor contracts without fixed term)	Article 4 (Employment and Promotion)	“Employment and Promotion” is deemed to be replaced with “Promotion”.
Special fixed-term faculty members (converted to labor contracts without fixed term)	Article 4 (Employment and Promotion)	“Employment and promotion” is deemed to be replaced with “Promotion”.

Appended Table 5 (Re: Article 11)

Person concerned	Provisions excluded from application
Fixed-term faculty members (converted to labor contracts without fixed term)	Article 5 (Transfer and Temporary Transfer) Article 7 (Demotion)
Special Fixed-term faculty members (converted to labor contracts without fixed term)	Article 5 (Transfer and Temporary Transfer) Article 7 (Demotion)