

National University Corporation Kyushu University Regulations of Employment of Special Fixed-term Faculty Members

Kyushu University Employment Regulation No. 14 of 2006

Established: March 28, 2007

Last amended: March 31, 2022

(Kyushu University Employment Regulation No. 17 of 2021)

(Purpose)

Article 1 These Regulations shall provide for necessary matters with regard to working conditions, service discipline, and other basic matters relevant to employment of special fixed-term faculty members, beyond what is provided in 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").

(Definitions)

Article 2 The term "special fixed-term faculty members" as used in these Regulations means faculty members provided in Article 2, paragraph (1), item (i) of the General Regulations of Employment, who are employed for a fixed term to engage in work specially recognized by National University Corporation Kyushu University (hereinafter referred to as the "University").

(Types of Jobs and Duties)

Article 3(1) The types of jobs of special fixed-term faculty members are faculty members (university wide management), faculty members (special project), faculty members (donated fund laboratory) and faculty members (donated research department) (meaning those employed for a fixed term on donations given to the relevant donated fund laboratories and donated research departments; the same applies hereinafter), faculty members (funded research department) (meaning those employed for a fixed term under research expenses allocated to the relevant funded research departments; the same applies hereinafter) and faculty members (excellent researcher).

(2) The duties of special fixed-term faculty members are as set forth in the following items respectively according to the types of jobs:

- (i) faculty members (university wide management): work recognized by the University as requiring university-wide initiatives;
- (ii) faculty members (special project): educational and research work for special purposes;
- (iii) faculty members (donated fund laboratory): educational and research work at the

donated fund laboratory;

(iv) faculty members (donated research department): educational and research work at the donated research department;

(v) faculty members (funded research department): research work at the funded research department;

(vi) faculty members (excellent researcher): educational and research work based on the excellent researcher development plan.

(Term of Employment)

Article 4(1) The term of employment of faculty members (university wide management) and faculty members (special project) is as set forth in the following:

(i) the maximum term of employment is five years;

(ii) if a faculty member (university wide management) or a faculty member (special project) is employed for a term of less than five years, the term of employment may be extended to the extent that it does not exceed five years from the date of employment; provided, however, that if the faculty member falls under Article 15-2, paragraph (1) of the Act on Activation of the Creation of Science and Technology Innovation (Act No. 63 of 2008), the term of employment may be extended to the extent that it does not exceed ten years from the date of employment, notwithstanding the provisions of the preceding item;

(iii) notwithstanding the provisions of the preceding two items, the term of employment may not exceed the period of the work recognized by the University as requiring university-wide initiatives or the educational and research work for special purposes that faculty members (university wide management) or faculty members (special project) engage in; and

(iv) notwithstanding the provisions of the preceding three items, if the term of employment of faculty members (university wide management) is provided separately, those provisions prevail.

(2) The term of employment of faculty members (donated fund laboratory), faculty members (donated research department) and faculty members (funded research department) is as set forth in the following:

(i) the maximum term of employment is five years;

(ii) if a faculty member (donated fund laboratory), faculty member (donated research department) or faculty member (funded research department) is employed for a term of less than five years, the term of employment may be extended to the extent that it does not exceed five years from the date of employment; provided, however, that if the faculty member falls under Article 15-2, paragraph (1) of the Act on Activation of the Creation of Science and Technology Innovation (Act No. 63 of 2008), the term of employment

may be extended to the extent that it does not exceed ten years from the date of employment, notwithstanding the provisions of the preceding item; and

(iii) notwithstanding the provisions of the preceding two items, the term of employment may not exceed the duration of the donated fund laboratory, donated research department or funded research department to which faculty members (donated fund laboratory), faculty members (donated research department) or faculty members (funded research department) are assigned.

(3) The term of employment of faculty members (excellent researcher) is as set forth in the following:

(i) the term of employment is five years (limited to those who meet the requirements provided in Article 14 of the Labor Standards Act (Act No. 49 of 1947));

(ii) the term of employment is three years for those who do not fall under the preceding item; and

(iii) after the expiration of the term of employment referred to in the preceding item, the term of employment may be extended for two years only once.

(4) Notwithstanding the provisions of the preceding three paragraphs, the final day of the term of employment of special fixed-term faculty members may not come after the date of retirement by reason of the mandatory retirement age provided in Article 2 of the National University Corporation Kyushu University Rules for Mandatory Retirement Age of Faculty Members (Kyushu University Employment Regulation No. 12 of 2004).

(Annual Lump-Sum Payment)

Article 5(1) An annual lump-sum payment is paid to faculty members (university wide management) on the pay date of the monthly amount of basic salary provided in the National University Corporation Kyushu University Rules for Compensation of Employees (Kyushu University Employment Regulation No. 14 of 2004) (hereinafter referred to as the "pay date") in March of each business year; provided, however, that if a faculty member (university wide management) voluntarily terminates employment or is dismissed in the middle of a business year, an annual lump-sum payment is paid on the pay date in the month in which the date of voluntary termination of employment or date of dismissal falls, or the pay date in the month following that month.

(2) Notwithstanding the provisions of the preceding paragraph, an annual lump-sum payment is not paid if a faculty member (university wide management) falls under any of the following items:

(i) if the faculty member's length of service in the relevant business year is less than six months (excluding the case where the faculty member voluntarily terminates employment due to an injury or disease or death resulting from an employment-related cause or due to an injury or disease or death resulting from commuting (meaning commuting provided in

Article 7, paragraph (2) of the Industrial Accident Compensation Insurance Act (Act No. 50 of 1947));

(ii) if the faculty member has been sentenced to imprisonment without work or a heavier punishment and is dismissed because it has become difficult to maintain the employment contract therewith; or

(iii) if the faculty member is dismissed by disciplinary action as provided in Article 44, paragraph (2), item (i) of the General Regulations of Employment.

(3) With regard to the calculation of the length of service referred to in item (i) of the preceding paragraph, the calculation of the length of service under the provisions of Article 9, paragraphs (1), (2) and (5) (excluding item (i)) of the National University Corporation Kyushu University Rules for Retirement Allowance for Employees (Kyushu University Employment Regulation No. 27 of 2004) applies mutatis mutandis; in this case, the term "employee" shall be deemed to be replaced with "special fixed-term faculty member (limited to a faculty member (university wide management))."

(4) The amount of annual lump-sum payment is the sum of the monthly amount of basic salary and the adjusted amount of basic salary that the faculty member (university wide management) receives as of the last day of the relevant business year or the date of voluntary termination of employment or date of dismissal.

(5) An annual lump-sum payment is, in principle, paid by bank transfer to the deposit or savings account held and designated by the faculty member (university wide management).

(Application Mutatis Mutandis of the Regulations of Employment of Fixed-term Faculty Members)

Article 6 With regard to the administrative leave, voluntary termination of employment, dismissal, restriction on dismissal, advance notice of dismissal and disciplinary action of special fixed-term faculty members, the provisions of Articles 4 to 12 of the National University Corporation Kyushu University Regulations of Employment of Fixed-term Faculty Members (Kyushu University Employment Regulation No. 3 of 2004) apply mutatis mutandis. In this case, the term "fixed-term faculty member" shall be deemed to be replaced with "special fixed-term faculty member," and the phrase "fixed-term faculty member set forth in Article 30, paragraph (2), item (ii) (b) of the Compensation Rules" shall be deemed to be replaced with "employee (excluding the employee set forth in Article 2, paragraph (2) of the General Regulations of Employment)."

(Compensation of Faculty Members (Special Project), etc.)

Article 7 The compensation of faculty members (special project), faculty members (donated fund laboratory) and faculty members (donated research department), faculty members (funded research department) and faculty members (excellent researcher) is

provided by the National University Corporation Kyushu University Rules for Compensation of Faculty Members (Special Project), etc. (Kyushu University Employment Regulation No. 7 of 2015).

Supplementary Provisions

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

Supplementary Provisions (Kyushu University Employment Regulation No. 4 of 2007)

These Regulations come into effect as of April 1, 2008.

Supplementary Provisions (Kyushu University Employment Regulation No. 8 of 2008)

(Effective Date)

Article 1 These Regulations come into effect as of April 1, 2009.

(Application Mutatis Mutandis of Provisions concerning Annual Lump-Sum Payment to Faculty Members (Special Projects))

Article 2 With regard to faculty members (special project) who have been in office since March 31, 2009, and are subject to the Basic Salary Schedule for Educational Services provided in Article 9, paragraph (1), item (iii) of the National University Corporation Kyushu University Rules for Compensation of Employees (Kyushu University Employment Regulation No. 14 of 2004), the provisions of Article 5 of the National University Corporation Kyushu University Regulations of Employment of Special Fixed-term Faculty Members (Kyushu University Employment Regulation No. 14 of 2006) as amended by these Regulations apply mutatis mutandis, and an annual lump-sum payment is paid to them. In this case, the phrase "faculty members (university wide management)" shall be deemed to be replaced with "special fixed-term faculty members" and the phrase "special fixed-term faculty members (limited to a faculty member (university wide management))" shall be deemed to be replaced with "special fixed-term faculty members."

Supplementary Provisions (Kyushu University Employment Regulation No. 6 of 2010)

1. These Regulations come into effect as of October 1, 2010.

2. The National University Corporation Kyushu University Regulations of Employment of Special Fixed-term Faculty Members as amended apply to persons employed by the University on or after October 1, 2010.

Supplementary Provisions (Kyushu University Employment Regulation No. 25 of 2010)

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

Supplementary Provisions (Kyushu University Employment Regulation No. 14 of 2011)  
These Regulations come into effect as of November 1, 2011.

Supplementary Provisions (Kyushu University Employment Regulation No. 15 of 2012)

1. These Regulations come into effect as of April 1, 2013.
2. With regard to the term of employment of faculty members (university wide management) and faculty members (special project) who have been in employment since March 31, 2013, or before that date, prior regulations continue to govern, notwithstanding the provisions of Article 4, paragraph (1) of the National University Corporation Kyushu University Regulations of Employment of Special Fixed-term Faculty Members as amended.
3. With regard to the term of employment of faculty members (donated fund laboratory), faculty members (donated research department), and faculty members (funded research department), who have been in employment since March 31, 2013, or before that date, prior regulations continue to govern, notwithstanding the provisions of Article 4, paragraph (2) of the National University Corporation Kyushu University Regulations of Employment of Special Fixed-term Faculty Members as amended; provided, however, that the final day of the term of employment may not come after March 31, 2018.

Supplementary Provisions (Kyushu University Employment Regulation No. 8 of 2013)  
These Regulations come into effect as of April 1, 2014.

Supplementary Provisions (Kyushu University Employment Regulation No. 4 of 2015)

1. These Regulations come into effect as of December 1, 2015.
2. With regard to faculty members (special project), faculty members (donated fund laboratory) and faculty members (donated research department), and faculty members (tenure track) (hereinafter referred to as "faculty members (special project), etc."), who have been in office since November 30, 2015, and are currently subject to the National University Corporation Kyushu University Regulations of Employment of Special Fixed-term Faculty Members (Kyushu University Employment Regulation No. 14 of 2006), prior regulations continue to govern while they continue to be in office as faculty members (special project), etc.

Supplementary Provisions (Kyushu University Employment Regulation No. 6 of 2016)  
These Regulations come into effect as of August 1, 2016.

Supplementary Provisions (Kyushu University Employment Regulation No. 22 of 2019)  
These Regulations come into effect as of December 14, 2019.

Supplementary Provisions (Kyushu University Employment Regulation No. 17 of 2021)  
These Regulations come into effect as of April 1, 2022.