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Table of Contents

Chapter I General Provisions (Article 1 - Article 4)

Chapter II Appointment and Dismissal

Section 1 Hiring (Article 5 - Article 9)

Section 2 Evaluation (Article 10)

Section 3 Promotions (Article 11)

Section 4 Transfers (Article 12 - Article 13)

Section 5 Administrative Leave (Article 14 - Article 17)

Section 6 Retirement (Article 18 - Article 21)

Section 7 Demotion, Dismissal (Article 22 - Article 24)

Section 8 Liabilities, etc. of Resignee (Article 25 - Article 27)

Chapter III Remuneration (Article 28)

Chapter IV Service Disciplines (Article 29 - Article 36-2)

Chapter V Working hours, Days off and Leave, etc. (Article 37 - Article 41)

Chapter VI Training (Article 42)

Chapter VII Rewards and Punishments (Article 43 - Article 47)

Chapter VIII Safety and Health (Article 48 - Article 49)

Chapter IX Business Trips (Article 50)

Chapter X Welfare (Article 51 - Article 52)

Chapter XI Accident Compensation (Article 53)

Chapter XII Retirement Allowance (Article 54)

Chapter XIII Interpretation of these Regulations, etc. (Article 55)

Supplementary Provisions

Chapter I General Provisions

(Purposes)

Article 1

1. These Regulations provide for, pursuant to the provisions of Article 21, paragraph 2 of the Hiroshima University Policies and Regulations (Regulation No. 1 of April 1, 2004), the necessary matters pertaining to the employment of employees working for Hiroshima University (hereinafter referred to as "the University").
2. Any matters not provided for in these Regulations shall be governed by the Labor Standards Act (Act No. 49 of 1947; hereinafter refer

Work Regulations for Re-Employed Employees (Regulation No. 80 of April 1, 2004);

- (3) Persons who are employed with a fixed term by the University to be engaged exclusively in any specialized work or other work in any particular field, including but not limited to any employees whose labor contract has been converted into one without a term pursuant to the provisions of Article 18 of the Labor Contract Act (Act No. 128 of December 5, 2007; hereinafter referred to as "Labor Contract Act") (including but not limited to any employees who are deemed to be said employees pursuant to the provisions of Article 15-2 of the Act on Enhancement of Research and Development Capacity and Efficient Promotion of Research and Development by Advancement of Research and Development System Reform (Act No. 63 of June 11, 2008)): the Hiroshima University Work Regulations for Contract Employees (Regulation No. 101 of April 1, 2004);
- (4) Persons who are employed to be engaged in any temporary or seasonal work or have the status of student of the University, including but not limited to any employees whose labor contract has been converted into one without a term pursuant to the provisions of Article 18 of the Labor Contract Act (excluding those listed in the items of the preceding Article): the Hiroshima University Work Regulations for Part-time Employees (Regulation No. 102 of April 1, 2004);

(Compliance and execution)

Article 4

The University and Employees must comply with and strive to execute these Regulations in good faith from their respective standpoints.

Chapter II Appointment and Dismissal

Section 1 Hiring

(Hiring)

Article 5

1. The hiring of Employees shall be based on screening.
2. Necessary matters pertaining to the hiring of Employees shall be prescribed by the Hiroshima University Regulations for Appointment and Removal of Employees (Regulation No. 81 of April 1, 2004; hereinafter referred to as "Regulations for Appointment and Dismissal").

(New posting travel)

Article 6

An Employee must take a new posting at the place of his/her assignment, immediately after his/her being hired; provided, however, that if the University acknowledges that there are any unavoidable reasons, including but not limited to the case where a new posting at the place of his/her assignment requires his/her relocation of residence, then he/she shall take a new posting at the place of his/her assignment within one (1) week after his/her being hired.s

- prescribed working hours, timing of breaks, duration of breaks, days off and leave;
- (5) Matters pertaining to shift changes when employees are employed in two or more shifts
 - (6) Matters concerning retirement;
 - (7) Whether or not retirement allowances will be provided; and
 - (8) Whether or not bonuses will be provided.
2. When any of the matters specified in the preceding paragraph are changed, the University shall issue to the Employee orally or a document containing the contents of the changes.

(Probationary period)

Article 9

1. The probationary period for a newly hired Employee shall be six (6) months (in the case of a teacher, one (1) year) from the day on which he is hired, and said Employee shall become a regular Employee if he/she has performed his/her duties satisfactorily during the period; provided, however, that when deeming it necessary, the University may shorten or extend or omit the probationary period.
2. The University may dismiss the Employee if, during or at the end of the probationary period specified in the preceding paragraph, he/she is:
 - (1) poor in work performance;
 - (2) mentally or physically disabled; or
 - (3) otherwise inappropriate as an Employee.
3. Article 23, paragraph 3 and Article 24 herein shall apply mutatis mutandis to the case where the University dismisses an Employee during the probationary period (excluding an Employee whose probationary period elapsed within the previous fourteen (14) days) pursuant to the preceding paragraph.
4. The probationary period shall be included in the calculation of the years of service.
5. Necessary matters pertaining to the probationary period shall be prescribed by the Regulations for Appointment and Dismissal.

Section 2 Evaluation

(Evaluation of work performance)

Article 10

Evaluation of work performance of Employees shall be conducted.

Section 3 Promotions

(Promotions)

Article 11

1. Promotion of Employees shall be determined based on comprehensive evaluation of their capabilities.
2. Necessary matters pertaining to a promotion shall be prescribed by the Regulations for Appointment and Dismissal.

Section 4 Transfers

(Transfers)

Article 12

1. An Employee may be ordered to change position, serve concurrently in more than one post, or take a secondment (hereinafter referred to as "Transfer") according to operational requirements.
2. An Employee may not reject any order of Transfer without just cause; provided, however, that no Faculty Member (excluding assistant principals, teachers, nursing teachers or school dietitians) shall be ordered to change position or take a secondment against his/her will unless the order is based on the result of deliberations by the Education and Research Council.
3. An Employee who has been ordered to change position or take a secondment must return any and all equipment, documents and other goods in his possession, and must complete, and notify his

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superiors of the completion of, the transfer of his/her duties by the designated date.

(Return to work)

Article 16

1. In cases where the grounds for administrative leave of an Employee have been resolved during his/her administrative leave, the University shall then promptly have the Employee return to work; provided, however, that this shall not apply to the case where said Employee has left his/her job or has been placed on administrative leave due to another reason.

Article 21

1. In addition to those described in Article 18, when falling under any of the following items, an Employee shall retire from office and lose his/her status as an Employee of the University:
 - (1) when a letter of resignation has been submitted by him/her for personal reasons and is approved by the University;
 - (2) when fourteen (14) days have passed after the day on which he/she notifies the University of his/her intention to retire from office;
 - (3) when a letter of resignation has been submitted by him/her using the early retirement plan and is approved by the University;
 - (4) when the prescribed term of office or employment period expires, and no reappointment or renewal has been made;
 - (5) when, for an Employee who has been placed on administrative leave due to any event set forth in Article 14, item 1 or item 3 to 7 above, the grounds for administrative leave have not been resolved despite the expiration of the period of administrative leave;
 - (6) when he/she takes office as an executive of the University;
 - (7) when he/she becomes subject to the regulations set forth in Article 3, item 3, on request of the University; or
 - (8) when he/she is deceased.
2. Necessary matters pertaining to the early retirement plan shall be prescribed by the Hiroshima University Regulations for Early Retirement of Employees (Regulation No. 86 of April 1, 2004).

Section 7 Demotion, Dismissal

(Demotion)

Article 22

1. If any event falling under any of the following items arises, an Employee may be demoted:
 - (1) when his/her work performance is poor;
 - (2) when the execution of his/her duties is impeded, or impossible, due to a physical or mental impairment;
 - (3) when there are operationally or occupationally unavoidable reasons, such as revision or abolition of organizations; or
 - (4) when there are unavoidable reasons similar to those described in any of the above items.
2. Necessary matters pertaining to the demotion shall be prescribed by the Regulations for Appointment and Dismissal.

(Dismissal)

Article 23

1. If any event falling under any of the following items arises, an Employee may be dismissed:
 - (1) when he/she becomes an adult ward or a person under curatorship;
 - (2) when he/she falls under any of the grounds for disciplinary action stipulated in Article 44;
 - (3) when his/her work performance is remarkably poor and there is no hope of improvement and he/she cannot be assigned to another position, or he/she otherwise cannot perform his/her duties;
 - (4) when the execution of his/her duties is significantly impeded, or impossible, due to a physical or mental impairment;
 - (5) when there occurs a surplus of personnel, in the course of business operation, or due to a reduction in business activity resulting from any natural disaster or similar unavoidable reason, and it is difficult for him/her to be assigned to another position;
 - (6) when the University has employed him/her pursuant to the Hiroshima University Regulations for the Tenure Track System (Regulation No. 10 of March 26, 2013) and, after receiving from him/her an application for conversion of the employment into one without a fixed term pursuant to the provisions of Article 18 of the Labor Contract Act during the tenure track period, fails to grant tenure to him/her after screening therefor; or
 - (7) when there are unavoidable reasons similar to those described in any of the above items.
2. If he/she is dismissed pursuant to the preceding paragraph, at least 30 days advance notice shall

be given to him/her, or an allowance of at least 30 days of average wages prescribed in Article 12 of the Labor Standards Act shall be paid; provided, however, that this shall not apply in a case where he/she is under the probationary period (except if he/she has been employed for more than 14 days), or where he/she is subject to disciplinary dismissal as prescribed in Article 45, item 1, with the approval of the competent Labor Standards Inspection Office Chief, or where he/she is dismissed due to any reasons attributable to him/her.

3. The number of days of advance notice set forth in the main clause of the preceding paragraph may be reduced by the number of days for which the average wage for each day has been paid.
4. In the event of a dismissal pursuant to the preceding two paragraphs, upon receiving a request for issuance of a document stating the grounds for dismissal from the employee who has received the advance notice during the period from the date of advance notice to the date of dismissal, the University shall issue to him/her without delay a certificate of grounds for dismissal.
5. Necessary matters pertaining to the dismissal of Employees shall be prescribed by the Regulations for Appointment and Dismissal.

(Restrictions on dismissal)

Article 24

Notwithstanding the provisions of the preceding Article, paragraph 1, an Employee shall not be dismissed during the following periods; provided, however, that this shall not apply to a case where, in the case of item 1, an injury or illness has not been resolved or cured even after three years have passed from the start of recuperation and an injury and disease compensation pension is paid under the provisions of the Workers' Accident Compensation Insurance Act (Act No. 50 of 1947; hereafter referred to as the "Workers' Compensation Act") or the compensation for termination is deemed to have been paid under the provisions of Article 81 of the Labor Standards Act, or where the approval of the competent Labor Standards Inspection Office Chief is given under the provisions of Article 19, paragraph 2 of the Labor Standards Act:

- (1) the period of time of his/her absence from work for medical treatment for injury or illness suffered in the course of employment, and thirty (30) days thereafter; and
- (2) the period of time within six weeks of the date on which she is scheduled to give birth, calculated from her due date (or 14 weeks in the case of a multiple pregnancy), the period of time until eight weeks have passed after the day following the delivery, and thirty (30) days thereafter.

Section 8 Liabilities, etc. of Resignee

(Liabilities after retirement)

Article 25

1. A person who retires from office or is dismissed may not leak any secrets or personal information he/she has obtained during the employment period.
2. If a person who retires from office or is dismissed takes office as an officer of any commercial company closely related to the duties he/she performed during the five (5) years of work before retirement or dismissal, then he/she shall notify the University of that fact, if it occurs within two (2) years after his/her retirement or dismissal.

(Return of lent articles)

Article 26

An Employee who retires from office or is dismissed must promptly return articles borrowed from the University, and must complete, and notify their superiors of the completion of, taking over of their duties by the designated date.

(Issuance of severance certificate)

Article 27

Upon request, the University shall issue a severance certificate described in Article 22 of the Labor Standards Act.

Chapter III Remuneration

(Remuneration)

Article 28

Necessary matters pertaining to the remuneration of Employees shall be prescribed by the Hiroshima University Regulations for Employee Salaries (Regulation No. 88 of April 1, 2004) and the Hiroshima University Regulations for Annual Salaries of Employees (Regulation No. 27 of March 26, 2014).

Chapter IV Service Disciplines

(Duty to work in good faith)

Article 29

1. Employees must, understanding the public nature of its business, engage in good faith in their duties. C A
2. Employees shall not engage in any acts against the interest of the University.

(Requirement on services)

Article 30

1. An Employee must comply with relevant laws and regulations, and perform his/her duties in accordance with the instructions of his/her superiors.
2. An Employee must at all times aim to develop his/her abilities, and improve his/her efficiency and operation, and strive to ensure normal business operation through mutual collaboration.
3. Superiors must respect the personality of, and strive to give guidance and training to, an Employee under his/her direction and supervision, and take the initiative in performing his/her own duties.

(Prohibition of acts which may damage confidence)

Article 31

No Employee shall:

- (1) cause a loss of reputation of, or confidence in, the University, or damage the honor of those employed, or
- (2) cause disruption of discipline or order in the University.

(Matters to be observed)

Article 32

Employees shall comply with the following rules:

- (1) An Employee may not leak any secrets or personal information he has obtained in the course of his/her duties;
- (2) In publishing, as a witness, expert witness and so on under any laws or regulations, any matters falling under official secrets, an Employee must acquire the permission of the University;
- (3) An Employee must secure the safety and reliability of the information asset of the University, and avoid causing a loss of social confidence;
- (4) An Employee shall always make a proper distinction between the public and the private, and shall not utilize his/her duties or position for private interests of his/her own;
- (5) An Employee may not commit any acts that disturb or otherwise disrupt order and discipline on the campus or within the facilities of the the University (hereinafter referred to as "on Campus");
- (6) An Employee may not conduct, as an act conducted for and on behalf of the University, any political education or other political activities, for the purpose of supporting or opposing any specific political parties;
- (7) An Employee may not conduct, using his

permitted if it is likely to disrupt order and discipline on Campus.

- (9) No employee may lend money or goods, or sell goods, for profit on Campus without permission of the University.

(Additional jobs)

Article 33

1. An Employee may not engage in an additional job or jobs, or personally run a for-profit company, except where the University's permission has been received.
2. Necessary matters pertaining to additional jobs of Employees described in paragraph 1 above shall be prescribed by the Hiroshima University Regulations on Side Businesses of Employees (Regulation No. 89 of April 1, 2004).

(Ethics)

Article 34

Necessary matters pertaining to the maintenance of ethics in duties of Employees shall be prescribed by the Hiroshima University Regulations for the Employee Code of Ethics (Regulation No. 90 of April 1, 2004).

(Prevention of harassment)

Article 35

1. No Employee may engage in any harassment in any way.
2. Matters pertaining to the prevention of harassment, etc. shall be governed by the provisions of the Hiroshima University Regulations Regarding Harassment Prevention. (Regulation No. 111 of April 1, 2004).

(Intellectual property rights)

Article 36

Matters pertaining to intellectual property rights shall be governed by the provisions of the Hiroshima University Regulations for Employee Inventions (Regulation No. 112 of April 1, 2004).

(Whistle-blowing)

Article 36-2

Matters pertaining to whistle-blowing shall be governed by the provisions of the Hiroshima University Regulations for Handling of Whistleblowing (Regulation No. 20 of March 14, 2006).

Chapter V Working hours, Days off and Leave, etc.

(Working hours, etc.)

Article 37

Necessary matters pertaining to working hours, days off and leave, etc. shall be prescribed by the Hiroshima University Regulations for Working Hours, Time-off and Leave for Employees (Regulation No. 91 of April 1, 2004).

(Childcare leave, etc.)

Article 38

1. An Employee responsible for raising a child shall be eligible for childcare leave or partial childcare leave on making a request to the University.
2. Necessary matters pertaining to the childcare leave or partial childcare leave of Employees shall be prescribed by the Hiroshima University Regulations for Employee Childcare Leave (Regulation No. 92 of April 1, 2004).

(Family care leave, etc.)

Article 39

1. An Employee who needs to take care of his/her family member due to an injury or illness shall be eligible for family care leave or partial family care leave on making a request to the University.

2. Necessary matters pertaining to the family care leave or partial family care leave of Employees shall be prescribed by the Hiroshima University Regulations for Employee Family Care Leave (Regulation No. 93 of April 1, 2004).

(Graduate School Study Leave)

Article 40

An Employee (excluding professors, associate professors, lecturers, assistant professors, research associates and assistant principals) may, for the purpose of improving his/her qualities, take leave for the purpose of enrolling in and pursuing a course at Graduate School (hereinafter referred to as "Graduate School Study Leave ") with the University's permission.

2. Necessary matters pertaining to Graduate School Study Leave shall be prescribed by the Hiroshima University Regulations for Employee Leave for Graduate School Attendance (Regulation No. 94 of April 1, 2004).

(International contribution activity leave)

Article 40-2

1. Employees may, for engaging in international contributions, take a leave for participating in volunteer activities abroad (hereinafter referred to as "International Contribution Activity Leave") with the University's permission.
2. Necessary matters pertaining to International Contribution Activity Leave shall be prescribed by the Hiroshima University Regulations for Employee Leave for Social Activities (Regulation No. 62 of March 28, 2008).

(Spouse Overseas Transfer Leave)

Article 40-3

1. An Employee may take leave to accompany his/her spouse who lives or stays overseas for his/her work or other reasons in order to live together with her/him at such overseas location () approval.
2. Necessary matters pertaining to Spouse Overseas Transfer Leave shall be prescribed by the Hiroshima University Regulations for Employee Leave for Spouse Overseas Transfers (Regulation No. 42 of March 27, 2018).

(Guarantee of the exercise of civil rights)

Article 41

1. The University shall not refuse a request from an Employee for time necessary to exercise franchise and other civil rights or to perform public duties during working hours; provided, however, that the University may adapt the grant of the time requested by the Employee to the extent that such change does not hinder the exercise of the right or the performance of the public duty.
2. If an Employee intends to run for membership of the national diet, a head of a local government, a member of assembly of a local government or other public office, he/she shall notify the University to that effect in advance.
3. If an Employee intends to take the office of a minister of the state, a member of the national diet, a head of a local government, a member of assembly of a local government or other public office, he/she shall notify the University to that effect.

Chapter VI Training

(Training)

Article 42

1. The University must provide an Employee with opportunities to receive training.
2. Necessary matters pertaining to the training of Employees above shall be prescribed by the Hiroshima University Regulations for Employee Training (Regulation No. 95 of April 1, 2004).

Chapter VII Rewards and punishments

(Commendation)

Article 43

1. When an Employee is recognized as having given particularly meritorious service that serves as a model to others in regard to the work of the University, the University shall commend him/her.
2. Necessary matters pertaining to the commendation of Employees above shall be prescribed by the Hiroshima University Regulations for Employee Commendations (Regulation No. 96 of April 1, 2004).

(Disciplinary Actions)

Article 44

1. If any event falling under any of the following items arises, an Employee may be subject to disciplinary action:
 - (1) he/she is absent from work without reasonable cause;
 - (2) he/she frequently arrives late, departs early or otherwise neglects his/her duties without reasonable cause;
 - (3) he/she has caused damage to the University either through intentional act or through gross negligence;
 - (4) he/she commits any crime falling under the Penal Code, including but not limited to theft, misappropriation or injury;
 - (5) he/she seriously injures the reputation of, or confidence in, the University;
 - (6) he/she corrupts the order or morals in the University by inappropriate behaviors;
 - (7) he/she has seriously misrepresented his/her professional or personal background; or
 - (8) he/she violates any rules prescribed in these Regulations or is otherwise involved in any act similar to those described in the preceding items.

(Types of disciplinary actions)

Article 45

Types of disciplinary actions for Employees shall be as follows:

- (1) Disciplinary dismissal: the employee is immediately dismissed without prior notice in principle;
- (2) Suggested severance: the employee is recommended to submit a letter of resignation and, if he fails to do so, is subject to disciplinary dismissal;
- (3) Disciplinary administrative leave: the employee is suspended from work and prohibited from engaging in his/her duties for more than 3 months but no longer than 6 months, and is not paid for that period;
- (4) Suspension (Teishoku): the employee is suspended from work and prohibited from engaging in his/her duties for 11 days or more but no longer than 3 months, and is not paid for that period;
- (5) Suspension (Shukkin Teishi): the employee is suspended from work and prohibited from engaging in his/her duties for 1 day or more but no longer than 10 days, and is not paid for that period;
- (6) Pay reduction: the employee's pay is reduced; provided, however, that the amount of decrease for a single occasion shall not exceed 50 percent of the daily average wage as defined in Article 12 of the Labor Standards Act, and the total amount of decrease shall not exceed 10 percent of the total wages for a single pay period; or
- (7) Admonition: the employee is cautioned on future conduct.

(Measures against misconduct committed during his/her tenure of office by an Employee who has retired from office or been dismissed)

Article 45-2

When an Employee who has retired from office or been dismissed is discovered to have committed any act falling under any of the grounds for disciplinary action described in Article 44 during his/her tenure of office, the University may recognize the Employee's act set forth in the items of the preceding Article for such acts within one (1) year from his/her retirement or dismissal.

Article 45-3

4. Necessary matters pertaining to disciplinary action other than those described in the preceding three Articles shall be prescribed by the Hiroshima University Regulations for Disciplinary Punishment of Employees (Regulation No. 97 of April 1, 2004).

(Reprimands, etc.)

Article 46

In addition to those described in Article 45, when it is necessary to ensure an employee adheres strictly to the code of conduct and upholds the rules, a written admonishment or a written or verbal strict warning may be given.

(Stay at home)

Article 46-2

When the University finds that both of the following requirements are met, the University may order an Employee to stay at home until a decision or disposition made by the University comes into effect.

- (1) Any act of the Employee falls under or is likely to fall under any of the disciplinary actions described in Article 45, item 1 to 4; and
- (2) Attendance of the Employee at work hinders the execution of normal business or has a large impact on other members.

(Damages)

Article 47

If an Employee has caused damage to the University either through intentional act or gross negligence, the Employee shall be required to compensate for the damage in whole or in part.

Chapter VIII Safety and Health

(Measures to secure safety and health)

Article 48

1. The University shall take necessary measures to promote the health of, and prevent risks to, the mind and body of an Employee.
2. Matters pertaining to the safety and health management for Employees shall be governed by the Hiroshima University Regulations for Safety and Health Management (Regulation No. 113 of April 1, 2004).

(Duty to cooperate)

Article 49

Employees shall obey superiors' orders in addition to the Industrial Safety and Health Act (Act No. 57 of 1972) and other relevant laws, for securement of safety, hygiene and health, and cooperate with the University in taking measures for safety and health.

Chapter IX Business Trips

(Business trips)

Article 50

1. An Employee may take a business trip with the permission of the University if it is necessary for his/her work.
2. Necessary matters pertaining to the business trips of Employees shall be prescribed by the Hiroshima University Travel Regulations (Regulation No. 98 of April 1, 2004).

Chapter X Welfare

(Rules for use of employee housing)

Article 51

Matters pertaining to the employee housing shall be governed by the Hiroshima University Regulations for Employee Housing (Regulation No. 114 of April 1, 2004).

(Rules for use of parking space on Campus)

Article 52

Matters pertaining to the use by Employees of parking space on Campus shall be governed by the Hiroshima University Regulations Regarding Utilization of Campus Parking Areas (Regulation No. 115 of April 1, 2004).

Chapter XI Accident Compensation

(Accident compensation)

Article 53

Matters pertaining to the accident compensation as well as the welfare projects necessary to promote

rehabilitation of injured employees shall be governed by the Hiroshima University Regulations Regarding Utilization of Campus Parking Areas (Regulation No. 115 of April 1, 2004).

These Regulations shall come into effect from April 1, 2008.

Supplementary Provisions (Regulation No. 63 of March 31, 2009)

These Regulations shall come into effect from April 1, 2009.

Supplementary Provisions (Regulation No. 73 of March 31, 2010)

1. These Regulations shall come into effect from April 1, 2010.

2. The term "65 years of age" in the provisions of Article 18 paragraph 1 of the Hiroshima University Work Regulations for Employees after the revision by these Regulations shall be read as "64 years of age" for a person who was born on or before April 1, 1949.

Supplementary Provisions (Regulation No. 22 of March 31, 2011)

These Regulations shall come into effect from April 1, 2011.

Supplementary Provisions (Regulation No. 31 of March 30, 2012)

These Regulations shall come into effect from April 1, 2012.

Supplementary Provisions (Regulation No. 11 of March 26, 2013)

These Regulations shall come into effect from April 1, 2013.

Supplementary Provisions (Regulation No. 82 of September 24, 2013)

These Regulations shall come into effect from November 1, 2013.

Supplementary Provisions (Regulation No. 15 of March 26, 2014)

These Regulations shall come into effect from April 1, 2014; provided, however, that the revised provisions of Article 28 and 54 herein shall come into effect from November 25, 2014.

Supplementary Provisions (Regulation No. 93 of November 25, 2014)

These Regulations shall come into effect from November 25, 2014;

Supplementary Provisions (Regulation No. 102 of December 24, 2014)

These Regulations shall come into effect from January 1, 2015.

Supplementary Provisions (Regulation No. 27 of March 24, 2015)

These Regulations shall come into effect from April 1, 2015.

Supplementary Provisions (Regulation No. 40 of March 24, 2016)

These Regulations shall come into effect from March 24, 2016, and the provisions of Article 54 of the Hiroshima University Work Regulations for Employees after the revision by these Regulations shall be applicable from November 25, 2014.

Supplementary Provisions (Regulation No. 128 of September 26, 2017)

These Regulations shall come into effect from October 1, 2017.

Supplementary Provisions (Regulation No. 26 of March 27, 2018)

These Regulations shall come into effect from April 1, 2018.

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