

REGULATION Concerning for Personnel of the Retirement Public University Corporation, The University of Aizu

Table of Contents

Chapter 1. General Provisions (Article 1)

Chapter 2. Mandatory Retirement Age System (Articles 2 to 5)

Chapter 3. Upper Age Limit System for Managerial-Supervisory Position (Articles 6 to 11)

Chapter 4. Short-Time Work System for Reappointed Pre-Mandatory-Retirement-Age
Personnel (Article 12)

Chapter 5. Miscellaneous Provisions (Article 13)

Additional Provisions

Chapter 1. General Provisions

Article One

(Objective)

1.1 The objective of this REGULATION, based on the provisions of Articles 18 of the Ruling Concerning Office Regulations for Personnel of the Public University Corporation, The University of Aizu (hereinafter referred to as "PERSONNEL OFFICE REGULATIONS"), is to provide for necessary matters concerning personnel retirement, etc.

1.2 With respect to matters not provided for by this REGULATION, the Fukushima Prefecture Ordinance Concerning Personnel Retirement, Etc. (Ordinance No. 3 of 1984), Regulation on Personnel Retirement, Etc. (Regulation No. 17 of 1984) and other related Fukushima Prefecture ordinances, FUKUSHIMA PERSONEEL REGULATIONS, instructions, etc. provided for separately shall apply correspondingly.

Chapter 2. Mandatory Retirement Age System (Articles 2 to 5)

Article Two

(Retirement)

2.1 The mandatory retirement age of a personnel shall be 65 years of age.

Article Three

(Resignation by Virtue of Retirement)

3.1 Upon reaching retirement age, personnel shall resign on the first March 31 (hereinafter referred to as "mandatory retirement date") after they reach mandatory retirement age.

Article Four

(Exemptions for Faculty Members)

4.1 Should a faculty member, having worked at the University for a total of ten

or more years, resign (including retirement due to death) after having reached 60 but before reaching 65 years of age, such faculty members may be regarded by the Chairperson of the Board of Executives, following deliberation by the Deans and Directors Council, as having resigned at retirement age.

Article Five

(Exemptions to Resignation by Virtue of Retirement)

5.1. If a personnel (excluding faculty members) who has reached the mandatory retirement age is about to retire pursuant to the provisions of Article 3, the Chairperson may keep the personnel in the present position, notwithstanding the provisions of said Article, setting a period up to one year from the day following the said personnel's mandatory retirement date, in order to let the personnel perform duties that said personnel is doing on said mandatory retirement date, when it finds any of the grounds (1) through (3) below exist.

However, in the case of a personnel whose transfer period (a period stipulated in Article 6, Paragraph 1, including the period extended pursuant to the provisions of Article 9, Paragraphs 1 and 2; hereinafter the same shall apply in this paragraph and the next paragraph) is extended pursuant to the provisions of Article 9, Paragraphs 1 and 2 and who is holding a managerial-supervisory position (positions stipulated in Article 7; hereinafter the same shall apply in this Article and Chapter 3) on the mandatory retirement date, the period extended pursuant to the provisions of Article 9, Paragraphs 1 and 2 must not exceed three years from the day following the last day of the transfer period for the managerial-supervisory position which said personnel holds.

(1) When business operations would be significantly impaired because a vacancy arising from the retirement of the personnel cannot be easily filled due to the high degree of knowledge, skills, or experience needed to perform the duties.

(2) When business operations would be significantly impaired because a vacancy arising from the retirement of the personnel cannot be easily filled due to their special work environment and working conditions pertaining to the duties.

(3) When business operations would be significantly impaired due to the retirement of personnel because of special circumstances under which changing the individual responsible for duties concerned would severely impair implementation of those duties.

5.2 Should the date provided for in Paragraph 1 or the extended date provided for in this paragraph expire and the reason mentioned in Paragraph 1 be recognized as continuing to prevail, the Chairperson can extend the date to within a period of no longer than one year from the day following the last day of these periods. However, the date after all extensions can be no later than three years after the "DAY OF RESIGNATION BY RETIREMENT (for a personnel who holds a managerial-supervisory position, the last day of the transfer period)" of relevant personnel.

5.3 The Chairperson, when extending the employment of personnel in accordance with the provisions of Paragraph 1 or extending the date in accordance with the provisions of Paragraph 2, must obtain the agreement of the personnel concerned.

5.4. If a personnel whose transfer period is extended pursuant to the provisions of Paragraphs 1 and 2 and if the ground for such extension is extinguished before the end of the period extended pursuant to the provisions of Paragraphs 1 and 2, the Chairperson may, with the consent of said personnel, move the end of the period in question to an earlier date.

5.5 Procedures required to implement the provisions of the preceding Paragraphs shall be pursuant to the provisions of the Regulations.

Chapter 3. Upper Age Limit System for Managerial-Supervisory Position

Article Six

(Demotion, etc. Due to the Upper Age Limit for Managerial-Supervisory Position)

6.1 The Chairperson shall demote a personnel who holds a managerial-supervisory position and reaches the upper age limit for the managerial-supervisory position during a transfer period (which means a period from the day following the date when the personnel reaches the upper age limit for the managerial-supervisory position to the first April 1 after said date; hereinafter the same applies in this Chapter) to a position other than managerial-supervisory positions.

Article Seven

(Managerial-Supervisory Positions Subject to Upper Age Limit)

7.1 Managerial-supervisory positions that are subject to upper age limit shall be those listed in the following items.

- (1) Positions (excluding faculty positions) to which special adjustments to salaries stipulated in Article 10, Paragraph 1 of the Regulation Concerning Salaries for Personnel are added
- (2) Positions determined by the Chairperson as necessary for the balance with the positions listed in Item (1) above

Article Eight

(Upper Age Limit for Managerial-Supervisory Position)

8.1 The upper age limit for managerial-supervisory position shall be 60 years of age.

Article Nine

(Special Provisions for Demotion, etc. Due to the Upper Age Limit for Managerial-Supervisory Position and Restriction on Appointment to Managerial-Supervisory Position)

9.1 The Chairperson may extend a transfer period for a personnel who holds a managerial-supervisory position and is to be demoted, etc. to other positions, when it finds that any of the following grounds exist for the personnel, within the period not exceeding one year from the day following the last day of the transfer period for the managerial-supervisory position which the personnel holds (for a personnel whose mandatory retirement date falls within said period, within the period from the day following the last day of said transfer period to the mandatory retirement date), and keep said personnel holding a managerial-supervisory position in the present position.

(1) When business operations would be significantly impaired because a vacancy arising from the demotion, etc. of the personnel to other positions cannot be easily filled due to the high degree of knowledge, skills, or experience needed to perform the duties.

(2) When business operations would be significantly impaired because a vacancy arising from the demotion, etc. of the personnel to other positions cannot be easily filled due to their special work environment and working conditions pertaining to the duties.

(3) When business operations would be significantly impaired due to the demotion, etc. of the personnel to other positions because of special circumstances under which changing the individual responsible for duties concerned would severely impair implementation of those duties.

9.2 The Chairperson may further extend said transfer period for the personnel in a managerial-supervisory position whose transfer period (including the period extended pursuant to the after-mentioned provisions) has been extended pursuant to the provisions of the preceding paragraph and this paragraph, when it finds that grounds listed in each of the items of the preceding paragraph still exist, within the period not exceeding one year from the day following the last day of the extended transfer period for the managerial-supervisory position (for a personnel whose mandatory retirement date falls within said period, within the period from the day following the last day of said transfer period to the mandatory retirement date); provided, however, that the last day of the further extended transfer period must not exceed three years from the day following the last day of the transfer period for the managerial-supervisory position.

Article Ten

(Personnel's Consent Pertaining to Extension, etc. of Transfer Period)

10.1 The Chairperson shall obtain prior consent of a personnel when extending their transfer period pursuant to the provisions of Article 9, Paragraphs 1 and 2.

Article Eleven

(Measures to Be Taken When Ground for Extension of Transfer Period is Extinguished)

11.1 If personnel whose transfer period is extended pursuant to the provisions of Article 9, Paragraphs 1 and 2, and if the ground for such extension of the

transfer period is extinguished before the last day of the extended transfer period, the Chairperson shall demote, etc. the personnel who holds a managerial-supervisory position to other positions.

Chapter 4. Short-Time Work System for Reappointed Pre-Mandatory-Retirement-Age Personnel

Article Twelve

(Appointment of Pre-Mandatory-Retirement-Age Reappointed Short-Time Personnel)

12.1 The Chairperson may appoint, by means of selection based on the previous work performance and other information specified by rules of the Ruling Concerning Office Regulations for Personnel, a person who retires (except in cases where temporary personnel, other personnel appointed with a term of office which is provided for by law, and personnel who hold positions not requiring full-time service retire) on or after the day when the person reaches 60 years of age (hereinafter referred to as a “retiree 60 years of age or older” in this Article) to a short-time position (which means a position where the normal working hours per week of a personnel who holds such position is shorter than that of a personnel who holds a full-time position with similar duties; hereinafter the same applies in this Article).

However, this does not apply to a retiree 60 years of age or older who has passed the day equivalent to the mandatory retirement date (which means the mandatory retirement date, on the assumption that a personnel holding a short-time position holds a full-time position with similar duties for the short-time position to which these retirees are to be appointed) for the short-time position to which these retirees are to be appointed.

Chapter 5. Miscellaneous Provisions (Article 13)

Article Thirteen

(Miscellaneous Provisions)

13.1 Other than provided by this REGULATION, necessary matters concerning the retirement age, etc. of personnel shall be determined by the Chairperson separately.

Additional Provisions

(Date of Enforcement)

1. This REGULATION shall be enforced as of April 1, 2006.

(Exceptions Concerning the Last Day of a Term of Office)

2. With regard to application of the provisions of Article 6, Paragraph 3 to the last day of a term of office, mention of the phrase “65 years of age” in Article

6 shall be substituted with the corresponding phrase listed in this table, and shall be applied respectively.

April 1, 2006 ~ March 31, 2007	62 Years of Age
April 1, 2007 ~ March 31, 2010	63 Years of Age
April 1, 2010 ~ March 31, 2013	64 Years of Age

Additional Provisions

This REGULATION shall be enforced as of April 1, 2007.

Additional Provisions

This REGULATION shall be enforced as of April 1, 2015.

Additional Provisions

This REGULATION shall be enforced as of August 7, 2015.

Additional Provisions

This REGULATION shall be enforced as of April 1, 2017.

Additional Provisions

(Transitional Measures Regarding Retirement Age)

1. With regard to the application of the provisions of Article 2, Paragraph 1 from April 1, 2023 to March 31, 2031, the term “65 years of age” in the same paragraph shall be replaced with the terms listed in the right column of the following table, according to the classification of the period listed in the left column of said table. However, faculty members shall be excluded.

April 1, 2023 - March 31, 2025	61 Years of Age
April 1, 2025 - March 31, 2027	62 Years of Age
April 1, 2027 - March 31, 2029	63 Years of Age
April 1, 2029 - March 31, 2031	64 Years of Age

(Provision of Information and Confirmation of Willingness to Work)

2. For the time being, the Chairperson shall, in the fiscal year preceding the one in which a personnel (excluding faculty members) reaches 60 years of age, provide said personnel with the details of the measures to be applied to said personnel regarding their appointment after their age reaches 60 years and salary, as well as other necessary information, and strive to confirm their willingness to continue to work after their mandatory retirement date (hereinafter “FISCAL YEAR OF PROVISION AND CONFIRMATION”). However, if said personnel was not employed at the time of the FISCAL YEAR OF PROVISION AND CONFIRMATION and was appointed after their FISCAL YEAR OF PROVISION AND CONFIRMATION, such PROVISION AND

CONFIRMATION shall be made during the period from the day of their appointment to the end of the fiscal year that includes the same day. Further, if said personnel's FISCAL YEAR OF PROVISION AND CONFIRMATION ends before their transfer, etc., said PROVISION AND CONFIRMATION shall be made during the fiscal year in which the date of the transfer, etc. of said personnel falls (or the fiscal year before the transfer, etc. if the date of the transfer, etc. falls on the first day of the fiscal year).

Additional Provisions

Article One

(Effective Date)

1.1 This Regulation shall be enforced as of April 1, 2023.

Article Two

(Transitional Measures Regarding Reemployment of Retirees, etc.)

- 2.1 The Chairperson may reemploy, for a period not exceeding one year, personnel (excluding faculty members) who retired due to the mandatory retirement age (stipulated in Article 2 of the old regulations) but has not reached 65 years of age and wish to be reemployed, until the first March 31 after the personnel reaches 65 years of age (hereinafter "LAST DAY OF FISCAL YEAR OF ATTAINMENT"). However, this shall not apply to those who fall under any of the grounds for dismissal listed in each item of Article 20, Paragraphs 1 or 2 of the Office Regulations for Personnel.
- 2.2 Until March 31, 2032, the Chairperson may reemploy personnel (excluding faculty members) who reached the revised mandatory retirement age but has not reached the LAST DAY OF FISCAL YEAR OF ATTAINMENT and wish to be reemployed, for a period not exceeding one year. However, this shall not apply to those who fall under any of the grounds for dismissal listed in each item of Article 20, Paragraphs 1 or 2 of the Office Regulations for Personnel.
- 2.3 The term of office under the preceding two paragraphs or the term of office renewed under this paragraph may be renewed for a period not exceeding one year. However, the last day of such term of office for those who are reemployed pursuant to preceding two paragraphs and those renewed pursuant to this paragraph shall be before the LAST DAY OF FISCAL YEAR OF ATTAINMENT.
- 2.4 The Chairperson may renew the term of office, pursuant to the preceding paragraph, of provisionally-appointed personnel (personnel employed pursuant to Paragraphs 1 or 2) as long as the previous work performance of said provisionally-reappointed personnel during the term of office immediately prior to said renewal is deemed satisfactory.
- 2.5 The Chairperson shall obtain the prior consent of the provisionally-reappointed personnel regarding the renewal of the term of office.