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東海国立大学機構の育児又は介護を行う職員の深夜勤務の制限に関する規程取扱細則(改正:令和3年3月31日機構規程第197号)

Detailed Rules on the Handling of the Tokai National Higher Education and Research System Rules on Restrictions on Late-night Work by Employees Carrying out Childcare and Family Care (Revision: THERS Detailed Rule No. 197 of March 31, 2021)

翻訳年月日:令和6年3月6日

Translation Date: March 6, 2024

東海国立大学機構の育児又は介護を行う職員の深夜勤務の制限に関する規程取扱細則

Detailed Rules on the Handling of the Tokai National Higher Education and Research System Rules on Restrictions on Late-night Work by Employees Carrying out Childcare and Family Care

(令和2年4月1日機構細則第20号)

(THERS Detailed Rule No. 20 of April 1, 2020)

改正

Revision

令和3年3月31日機構規程第197号

THERS Detailed Rule No. 197 of March 31, 2021

(趣旨)

(Purpose)

第1条 東海国立大学機構の育児又は介護を行う職員の深夜勤務の制限に関する規程(令和2年度機構規程第38号。以下「深夜勤務の制限規程」という。)の取扱いについては、この細則の定めるところによる。

Article 1 Matters related to the handling of the Tokai National Higher Education and Research System Rules on Restrictions on Late-night Work by Employees Carrying out Childcare and Family Care (THERS Rule No. 38 of 2020; hereinafter referred to as "Rules on Late-night Work Restrictions") shall be governed by these Detailed Rules. (職員の配偶者が状態として養育できる者)

(Spouse of Employee Who Is Able to Provide Care under Normal Circumstances)

第2条 深夜勤務の制限規程第2条の「職員の配偶者(内縁関係を含む。以下同じ。)が常態としてその子を養育することができる者」とは、次に掲げるいずれにも該当する者をいう。

Article 2 A person described in Article 2 of the Rules on Late-night Work Restrictions, "cases when an employee's

spouse (including common law spouse; hereinafter the same shall apply) is able to care for the child in question under normal circumstances," shall be those who fall under all of the following:

- 一 請求に係る深夜の時間帯において、就業していない者(深夜の時間帯における就業日数が1月について3日以下の者を含む。)
- (i) A person who does not work during the late-night hours related to the application (including a person who works for three days or less per month during the late-night hours);
- 二 負傷,疾病又は身体上若しくは精神上の障害により,請求に係る子を養育することが困難な状態に ある者でないこと。
- (ii) A person who is not in a situation where it is difficult to care for the child related to the application due to injury, illness or physical or mental disability;
- 三 8週間(多胎妊娠の場合にあっては、14週間)以内に出産する予定であるか又は産後8週間を経過しない者でないこと。
- (iii) A person who is not within eight weeks of the due date for birth (or 14 weeks in the case of a multiple pregnancy) or who have not given birth within the past eight weeks.

(深夜勤務の制限の請求等の様式)

(Form for Making Applications for Restrictions on Late-night Work)

第3条 深夜勤務の制限規程第3条第1項及び第6条第1項の深夜勤務の制限の請求は、別記様式第1号による。

Article 3 Applications to restrict late-night work under Article 3 Paragraph (1) or Article 6 Paragraph (1) of the Rules on Late-night Work Restrictions shall be made using Appended Form 1.

第4条 深夜勤務の制限規程第3条第2項及び第6条第2項の深夜勤務の制限を請求した職員に対し交付する通知書は、別記様式第2号による。

Article 4 A written notice issued to employees who have made an application for restrictions on late-night work under Article 3 Paragraph (2) or Article 6 Paragraph (2) of the Rules on Late-night Work Restrictions shall be made using Appended Form 2.

(育児を行う職員のこれに準ずる事由)

(Equivalent Circumstances for Employees Carrying Out Childcare)

第5条 深夜勤務の制限規程第3条第3項及び第4条第1項第1号の「これに準ずる事由」とは、次に掲げる事由が生じた場合をいう。

Article 5 "Equivalent circumstances" as used under Article 3 Paragraph (3) and Article 4 Paragraph (1) Item (i) of the Rules on Late-night Work Restrictions mean the cases where the following circumstances arise:

- 一 東海国立大学機構職員の育児休業等に関する規程取扱細則(令和2年度機構細則第18号)第7条 に定める事由により当該請求に係る子が養子である場合における離縁又は養子縁組の取消しにより職員 の子でなくなった場合
- (i) The child related to the application was adopted child, but who is no longer the child of the employee because adoptive relation has been dissolved or the adoption has been annulled for reasons prescribed in Article 7 of the Tokai National Higher Education and Research System Detailed Rules on the Handling of the Rules on Employee Childcare Leave (THERS Detailed Rule No. 18 of 2020);

- 二 当該請求に係る子が養子となったことその他の事情により職員と当該子が同居しないこととなった 場合
- (ii) The child related to the application no longer lives with the employee because the child was adopted out or due to other circumstances;
- 三 負傷,疾病又は身体上若しくは精神上の障害により,当該請求に係る制限期間の末日までの間,当該 請求に係る子を養育することができない状態となった場合
- (iii) The employee is no longer able to care for the child related to the application until the final date of the restricted period related to the application, due to injury, illness, or physical or mental disability;
- 四 配偶者が第2条各号のいずれにも該当することとなった場合
- (iv) A spouse became fall under all of the items in Article 2.

(深夜勤務の制限事由消滅等の様式)

(Form for Notification of Loss of Circumstances for Restrictions on Late-night Work)

第6条 深夜勤務の制限規程第3条第4項,第4条第2項,第6条第4項及び第7条第2項の届け出は,別記様式第3号による。

Article 6 A notification under Article 3 Paragraph (4); Article 4 Paragraph (2); Article 6 Paragraph (4); and Article 7 Paragraph (2) of the Rules on Late-night Work Restrictions shall be submitted using Appended Form 3.

(介護を行う職員のこれに準ずる事由)

(Equivalent Circumstances for Employees Carrying Out Family Care)

第7条 深夜勤務の制限規程第6条第3項及び第7条第1項第1号の「これに準ずる事由」とは、次に掲げる事由が生じた場合をいう。

Article 7 "Equivalent circumstances" as used under Article 6 Paragraph (3) and Article 7 Paragraph (1) Item (i) of the Rules on Late-night Work Restrictions mean the cases where the following circumstances arise:

- 一 当該請求に係る対象家族と離婚、婚姻の取消し、離縁等により親族関係が消滅した場合
- (i) Family relationship with the eligible family member related to the application ends due to divorce, annulment of a marriage, or dissolution of relationship, etc.;
- 二 負傷,疾病又は身体上若しくは精神上の障害により,当該請求に係る制限期間の末日までの間,当該 請求に係る対象家族を介護することができない状態となった場合
- (ii) The employee is no longer able to care for the eligible family member related to the application until the final date of the restricted period related to the application, due to injury, illness, or physical or mental disability; and
- 三 当該請求に係る対象家族と同居しないこととなった場合
- (iii) The employee no longer lives with the eligible family member related to the application.

附則

Supplementary provisions

この細則は、令和2年4月1日から施行する。

These Detailed Rules shall come into force as of April 1, 2020.

附 則(令和3年3月31日機構規程第197号)

Supplementary provisions (THERS Rule No. 197 of March 31, 2021)

この規程は、令和3年3月31日から施行する。

These Detailed Rules shall come into force as of March 31, 2021.

## 深夜勤務制限請求書

	請求年月日 令和 年 月 日
機構長殿	#13.37   23   1.
	求者   所属
	職名
	氏名
口光大	
次のとおり □養育 のため深夜勤務の制限を請求 □介護	求します。
1. 請求に係る 氏 名	
子又は対象続がある。柄	
家族生年月日	令和 年 月 日生(□出産予定日)
養子縁組の効力が生じた日	令和 年 月 日
2. 職員の配偶 □ 有(以下に記入) □ 無	10.100
者で当該子 □ 深夜において就業している	
	申上の障害により養育が困難である
	合にあっては、14週間)又は産後8週間以内であ
- THE TANK A STATE OF TH	1 1 2 1 3 1 4 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5
□ 上記のいずれにも該当しない	、(養育ができる)
3. 対象家族の	(217)
常態及び具	
体的な介護	
の内容	
4.請求に係る 令和 年 月 日から	□ 毎日
4   調形に係る   予和	□ 毎日 □ その他( )
(注)	
1について	
	求の場合にのみ記入すること。なお、請求に係る
	生年月日」欄に出産予定日を記入し、□出産予定
日にレ印記入すること。	工十月日 ] 欄に田座 ] た日を記べし, 日田座 ] た
	養育するための請求の場合のみ記入すること。申
	の子・養子縁組里親に委託されている子・養育里
親として委託された子の場合、その手続き	
2について	
①この欄は、子を養育するための請求の場合(	のみ記入すること。
②「就業している」とは、就業日数が1月に	
3について	
この欄は、対象家族を介護するための請求の特別	場合のみ記入すること。
4について	
	る場合には、当該請求に係る子が満6歳に達する日
以後の最初の3月31日以前の日を制限終了	
※深夜勤務の制限を請求する場合には、次に掲げ	
①妊娠の事実 診断書等	, , , , , , , , , , , , , , , , , , , ,
②出生の事実 出生届受理証明書,母子健康	手帳の写し等
③養子縁組の事実 養子縁組届受理証明書等	
④配偶者が深夜に就業している事実 労働契約	り、就業規則の写し等
⑤産前・産後の期間中である事実 診断書,	
	は常時介護を必要とする状態についての申告書

Appended Form No. 1 (Related to Article 3)

Application for Restrictions on Late-night Work

			8
		Date	of Application:
To: The Chancellor of the Tol	kai National Higher Educatio Applicant's I		stem
I hereby apply for a restriction	n on late-night work for $\Box$ c	hildcare / 🗌 family	y care.
1. Child or Family Member	Name:		
Related to the	Relationship:		
Application:	Date of birth:	Date:	(□ Due Date)
	Date adoptive relationship came into effect:	Date:	
2. Whether or Not There Is a	a ☐ Yes (Check the applicable box below) ☐ No		
Spouse Who Is a Parent of the Child, and the	☐ Works late-night hours		
Spouse's Situation: Difficulties performing childcare due to injury, illness, or physical or menta			ury, illness, or physical or mental
	disability		
	☐ Due to give birth within	8 weeks (14 weeks	in the case of multiple births) or has
	given birth in the past 8	3 weeks	
	☐ None of the above apply	(spouse is able to	provide care)
3. Condition of Eligible			
Family Member and			
Specifics of Care:			
4. Period Applied for:	From:		☐ Every day
	То:		$\square$ Other ( )

### (Notes)

### About Item 1:

- (1) Fill in the "Date of birth" section with the child's date of birth only when the application is made for childcare. If the child has yet to be born when the application is made, enter the expected delivery date for the child and check the "due date" box.
- (2) Fill in the "Date adoptive relationship came into effect" section only when the application is made for childcare. If the child pertaining to the application is under the custody period of a special adoption, is placed with adoptive foster parents, or is placed with foster parents, enter the date when these procedures were completed.

### About Item 2:

- (1) Fill in this section only when the application is made for childcare.
- (2) "Works late-night hours" means the number of days working late exceeds 3 days per month.

### About Item 3:

Fill in this section only when the application is made for family care for an eligible family member.

#### About Item 4

When you apply for restrictions on late-night work for the purposes of childcare, the end date for the restrictions must be before the first March 31st after the child pertaining to the application turned 6 years old.

- \*The following certificates shall be attached when you apply for restrictions on late-night work:
- (1) Proof pregnancy: A medical certificate, etc.;
- (2) Proof of birth: Copies of the Certificate of Acceptance of Birth Notification, Maternal and Child Health Handbook, etc.;
- (3) Proof of adoptive relation: A Certificate of Acceptance of Adoption Notification, etc.;
- (4) Proof of spouse working late-night hours: Copies of the labor agreement, working rules, etc.;
- (5) Proof of being shortly before or shortly after birth: Copies of the medical certificate, Certificate of Acceptance of Birth Notification, Maternal and Child Health Handbook, etc.
- (6) Proof of situation requiring family care: A Notice of Certification of Requiring Long-term Family Care, etc. or a declaration of state requiring full-time care.

## 深夜勤務取扱通知書

令和 年 月 日

殿

東海国立大学機構長

令和 年 月 日付けで請求のありました深夜勤務の制限に関し、下記のとおり取り扱いますので、通知します。

記

□ 請求のとおり深夜勤務の制限を承認します。

請求期間 令和 年 月 日 から 令和 年 月 日まで (□ 毎日 □その他( ))

□ 業務の正常な運営を妨げるので、次に掲げる期間(又は日)については、深夜勤務の制限は、認められません。

令和 年 月 日から 令和 年 月 日

# **Notice on the Handling of Late-night Work**

			Date:	
To:				
The Chan	cellor of the Tokai	National Higher l	Education and Research Syst	em
This is to notify that the restriction (Date), (Year) are to be handled a		ork pertaining to	the application dated (Month	1)
□ Restrictions on late-night w	ork shall be approv	ved in accordance	with the application.	
Period Applied for: From	1:	To:		
(□ Every day	□ Other (		))	
□ Restrictions on late-night work shall not be approved during the following period (or days) because this would hinder normal work operations.				
From:	To:			

# 育児又は介護の状況変更届

	令和	年	月	日届出
機構長殿				
(届出者) 所属 職名 氏名				
次のとおり深夜勤務の制限に係る子の養育又は対象家族の介護ので、届け出ます。	)状況につい	いて、変	変更が설	生じたの
1 届出の事由				
<ul><li>(1) 養育状況の変更</li><li>□ 子が死亡した</li><li>□ 職員の子でなくなった</li><li>(理由:</li></ul>			)	
<ul><li>□ 同居しなくなった</li><li>□ 負傷,疾病又は身体上若しくは精神上の障害により,態となった</li><li>□ 職員の配偶者で子の親であるものが養育できる者に該</li></ul>				きない状
<ul> <li>(2) 介護の状況の変更         □ 対象家族が死亡した         □ 対象家族と職員との親族関係が消滅した         (消滅の理由:</li></ul>				
<ul><li>2 届出の事実が発生した日 令和 年 月 日</li></ul>				

### 証明書類の添付

育児又は介護の状況変更届を届け出る場合は、次に掲げる証明書類を添付すること。

事 項	証明書類
○子が死亡したとき	・医師が交付する死亡証明書又は死体検案書等
○子が養子の場合で、離縁や養子縁組を取り消し	・官公署が発行する養子離縁届受理証明書又は法
したとき	律上の親子関係が取り消されたことが確認でき
	る書類等
○子が同居しないこととなったとき	• 住民票記載事項証明書等
○負傷又は疾病等により子を養育することができ	・身体障害者手帳の写し、医師の交付する入院又
ない状態となったとき	は安静を必要とする旨の診断書等
○対象家族が死亡したとき	・医師が交付する死亡証明書又は死体検案書等
○離婚したとき	・官公署が発行する離婚届受理証明書等
○婚姻を取り消ししたとき	・官公署が発行する戸籍の記載事項の証明書等
○配偶者が死亡した場合の姻族関係終了の意思表	・官公署が発行する姻族関係終了届受理証明書等
示をしたとき	
○離縁(死後離縁を含む。)したとき	・官公署が発行する養子離縁届受理証明書等
○養子縁組を取り消ししたとき	・官公署が発行する戸籍の記載事項の証明書等
○負傷又は疾病等により対象家族を介護すること	・身体障害者手帳の写し、医師の交付する入院又
ができない状態となったとき	は安静を必要とする旨の診断書等

# **Notification of Changes in Circumstances of Childcare or Family Care**

Date of Notification:
To: The Chancellor of the Tokai National Higher Education and Research System
(Applicant) Affiliation:  Job Title:  Name:
This is to notify that a change has arisen in the circumstances of the childcare of a child or family care of an eligible family member related to the restrictions of late-night work.
1. Reason for Notification
(1) Changes in the circumstances of childcare  The child has died. The child is no longer a child of the employee. (Reason: No longer living together. The employee is no longer able to care for the child because of injury, illness, or physical or mental disability A spouse of the employee who is a parent of the child is now able to care for the child.  (2) Changes in the circumstances of family care The eligible family member has died. The familial relationship between the eligible family member and the employee has dissolved. (Reason: The employee is no longer able to care for eligible family member because of injury, illness, or physical or mental disability
Date on Which the Notifying Fact Occurred     Date:

### Attachment of Certificates

When submitting a Notification of Changes in Circumstances of Childcare or Family Care, the following documentation must be attached:

Matters	Certificates
When the child has died	- Death Certificate or Post-mortem Certificate etc. issued by a doctor
oIn the case that the child is adopted child, when the relation with the child is dissolved or adoption is annulled	- Certificate of Acceptance of Adoption Dissolution Notification issued by a government or public office or documentation confirming that legal parent-child relations have been dissolved
When no longer living together with the child	- Certificate of Items Stated in Resident Record, etc.
OWhen the employee is no longer able to care for the child because of injury or illness, etc.	- Copy of Physical Disability Certificate or medical diagnosis, etc. issued by a doctor stating that hospitalization or rest at home is necessary
OWhen the eligible family member has died	- Death Certificate or Post-mortem Certificate etc., issued by a doctor
○When divorced	- Certificate of Acceptance of Divorce Notification, etc. issued by a government or public office
• When a marriage is annulled	- Certificate of Items Stated in Family Register, etc. issued by a government or public office
<ul> <li>When declared the intention to end relationship by affinity when the spouse has died</li> </ul>	- Certificate of Acceptance of End of Relationship by Affinity Notification, etc. issued by a government or public office
<ul> <li>When the familial relationship is dissolved (including dissolution after death)</li> </ul>	- Certificate of Acceptance of Adoption Dissolution Notification, etc. issued by a government or public office
• When an adoption is annulled	- Certificate of Items Stated in Family Register, etc. issued by a government or public office
• When the employee is no longer able to care for the eligible family member because of injury or illness, etc.	- Copy of Physical Disability Certificate, written diagnosis, etc. issued by a doctor stating that hospitalization or rest at home is necessary