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Detailed Regulations for Payment, etc. of Commuting Allowance at Tokyo University of Foreign Studies

March 23, 2010
Regulation No. 14

Article 1 General Provisions

Payment of the commuting allowance defined in Article 17 of the Salary Regulations for Employees of Tokyo University of Foreign Studies (Regulation No. 54 of 2004; hereinafter, the "Salary Regulations") shall be as specified in these Detailed Regulations, unless otherwise provided.

Article 2

- 1 The "commutation or commuting" as stated in Article 17 of the Salary Regulations and these Detailed Regulations shall mean traveling back and forth between the residence of an employee and his/her place of work for work.
- 2 The commuting distance in the case where it is assumed that employees commute by foot as stated in Article 17 of the Salary Regulations and the distance of use of an automobile, etc. as specified in the same article and these Detailed Regulations shall be based on the length of the shortest route available in general.

Article 3 Notification

In the event any employee newly comes to satisfy the requirements as an employee in Article 17, paragraph 1 of the Salary Regulations, such employee shall promptly notify the President of the actual circumstances of his/her commuting through the commutation notification determined by the University. The same shall apply if any of the employees in the same paragraph comes under any one of the following items:

- (1) In the event the employee is transferred to another place of work; or
- (2) In the event the residence, commuting route, or means of commutation is changed, or the amount of fare, etc. to be borne for commuting is changed.

Article 4 Conformation and determination

- 1 Upon receipt of a notification under the preceding article from any employee, the President shall check the facts pertaining to such notification by such means as requesting the employee to present his/her commuter pass (including those equivalent thereto) (hereinafter, "Commuter Pass"), and if such employee satisfies the requirements as an employee set forth in paragraph 1 of Article 17 of the Salary Regulations, the President shall determine or revise the amount of commuting allowance to be paid to such employee.
- 2 Upon deciding or revising the amount of the commuting allowance pursuant to the provisions of the preceding paragraph, the President shall enter the matters related to such decision or revision in the commuting allowance approval form.

Article 5 Special provisions for the scope of payment

The employees who have difficulty in such commuting as defined in the table in Article 17, paragraph 1 of the Salary Regulations shall be the employees who have extreme difficulty in walking due to their disability to the degree as prescribed in Appended Table 1 of the Ordinance for Enforcement of the Industrial Accident Compensation Insurance Act (Ordinance of the Ministry of Labour, No. 22 of 1955) and who are deemed by the President to have extreme difficulty in commuting without utilizing transportation facilities, etc. or using an automobile, etc.

Article 6 Standards for calculating the amount of commuting allowance for ordinary transportation facilities, etc.

The amount of commuting allowance for ordinary transportation facilities, etc. (i.e., transportation facilities, etc. other than Shinkansen railways, etc.; hereinafter the same shall apply) shall be calculated based on the ordinary route and means of commuting that is deemed to be the most economical and reasonable in light of the circumstances such as fares, time, and distance.

Article 7 The route or means of commuting in the preceding article shall not be the different routes for outward and return trips nor different means of commuting for these trips.

Article 8 Transport equipment

The other transport equipment stated in (2) of the table of Article 17, paragraph 1 of the Salary Regulations that is approved by the President shall be as listed in the following items, except for those belonging to the University:

- (1) Motor-assisted bicycles and other motor-assisted transportation equipment; and
- (2) Bicycles.

Article 9 Standards for use of Shinkansen railways, etc.

The standards to be specified separately as stated in Article 17, paragraph 2 of the Salary Regulations shall be reduction in the commuting time by thirty (30) minutes or more through the use of Shinkansen railways, etc. or improvement of commuting conditions as obtained through such use which is deemed by the President to be equivalent to such reduction.

Article 10 Standards for calculating the amount of commuting allowance for Shinkansen railways, etc.

- 1 The amount of commuting allowance for Shinkansen railways, etc. shall be calculated based on the route and means of commutation in the case of using Shinkansen railways, etc. as deemed to be the most economical and reasonable in light of the circumstances such as fares, time, and distance.
- 2 The provisions of Article 7 shall apply mutatis mutandis to the calculation of the amount of commuting allowance for Shinkansen railways, etc.

Article 11 The employees designated by the President as deemed necessary for considering the balance as stated in Article 17, paragraph 2 of the Salary Regulations shall be as set forth below:

- (1) Among those who become employees to whom the salary schedule is applicable through personnel exchange, etc., those which the actual commuting circumstances from their residence immediately before the application of the salary schedule are changed (e.g., requiring longer hours of commuting time than the commuting time before the application in case of commuting by the ordinary route and means of commutation) as a result of working at a place of work located in a different area from the place of work immediately before such application and whose commuting distance is sixty (60) kilometers or more or

commuting time is ninety (90) minutes or more if such employees are to commute without using Shinkansen railways, etc. or who are approved by the President as having difficulty in commuting in light of transport circumstances;

- (2) Employees, among those falling under the preceding item, who move to a residence that do not require any change in the route for using Shinkansen railways, etc. for commuting and whose commuting distance is sixty (60) kilometers or more or commuting time is ninety (90) minutes or more if such employees are to commute without using Shinkansen railways, etc. from the residence after such moving or who are approved by the President as having difficulty in commuting in light of transport circumstances;
- (3) Employee whose allowance for transfer not accompanied by family is no longer paid as a result of his/her moving to the residence of the spouse (or his/her child until the first March 31 after the child's 18th birthday, if the employee has no spouse), who uses Shinkansen railways, etc. for commuting from such residence, the use of which is deemed to contribute considerably to the improvement of commuting conditions in light of the standards set forth in Article 9, and bears extra charges, etc. for such use on a regular basis;
- (4) Any other employees designated by the President as deemed necessary for considering the balance with the employees to whom the commuting allowance under Article 17, paragraph 2 of the Salary Regulations is paid.

Article 12 Date of payment, etc. of commuting allowance

- 1 The commuting allowance shall be paid on the date of salary payment set forth in Article 3 of the Salary Regulations (hereinafter, "Payday") in the first month of the payment unit period. However, in the event such allowance cannot be paid on the Payday for reasons such as not being able to confirm the fact in the notification under Article 3 by the Payday, payment may be made after the Payday.
- 2 To an employee who retires prior to the Payday of the commuting allowance for the payment unit period, etc., such commuting allowance shall be paid upon retirement.

Article 13 Commencement and ending of payment

- 1 In the event employees newly satisfy the requirements as employees set forth in Article 17, paragraphs 1 and 2 of the Salary Regulations, the payment of commuting allowance shall commence from the month following the month in which the day when the employee satisfied the requirements falls (or, if such day is the first day of a month, the month in which such day falls). In the event any employee to whom commuting allowance is paid is separated from employment or passes away, the payment of commuting allowance shall end as of the date of his/her separation from employment or death, and as for an employee to whom commuting allowance is paid but who results in failing to satisfy the requirements as an employee in the said paragraphs, the payment of commuting allowance shall end as of the month in which the date of occurrence of such failure falls (or, if such days are the first day of a month, the month prior to the month in which such days falls). However, with regard to the commencement of the payment of commuting allowance, if a notification under Article 3 is submitted later than fifteen (15) days from the date of occurrence of the fact in relation to the notification, the payment shall commence from the month following the month in which the date of receipt of the notification falls (or, if such day is the first day of a month, the month in which such day falls).
- 2 In the event that a fact that the amount of commuting allowance should be changed occurs to an employee who is receiving the allowance, the payment amount shall be revised from the month following the month in which the date of occurrence of such fact falls (or, if such day is the first day of a month, the month in which such

day falls). The provisions of the proviso of the preceding paragraph shall apply mutatis mutandis to any revision of the payment amount when the amount of commuting allowance is revised by increasing such amount.

Article 14 Payment unit period for commuting allowance

- 1 The "payment unit period" as used with regard to commuting allowance shall mean the period set forth in each of the following items on a per month basis within a period not exceeding six (6) months as a unit period for the payment of commuting allowance (with regard to commuting allowance for automobiles, etc., one (1) month)).
 - (1) Ordinary transportation facilities, etc. or Shinkansen railways, etc. for which the use of the Commuter Pass is deemed to be the most economical and reasonable: Among the periods of validity of the Commuter Passes issued at such ordinary transportation facilities, etc. or Shinkansen railways, etc., the longest period within the limit of six (6) months respectively. However, in the case where commuting allowance for Shinkansen railways, etc. is paid and the Commuter Pass for ordinary transportation, etc. and the Commuter Pass for Shinkansen railways, etc. are issued as a single pass, the payment unit period for such ordinary transportation facilities, etc. shall be the period equivalent to the payment unit period for Shinkansen railways, etc.
 - (2) Ordinary transportation facilities, etc. or Shinkansen railways, etc. for which the use of the commutation tickets, etc. is deemed to be most economical and reasonable: One (1) month.
- 2 In the event that it is clear on the first day of the first month pertaining to the period set forth in item 1 of the preceding paragraph that there is a change in the amount of fares, etc. to be borne for commuting by reason of retirement, long-term business trip, transfer, etc. or change in working mode prior to the month before the last month of the period set forth in the said item with regard to ordinary transportation facilities, etc. or Shinkansen railways, etc. set forth in the same item 1, the payment unit period may be determined, notwithstanding the provisions of the preceding paragraph, in the same manner as provided in the preceding paragraph with respect to the period until the month in which the expected date of occurrence of such reason falls (or, if such day is the first day of a month, then the previous month of the month in which such day falls).
- 3 The payment unit period shall commence from the month in which the payment of commuting allowance is commenced pursuant to the provisions of paragraph 1 of Article 13 or the month in which the amount of commuting allowance is revised pursuant to the provisions of paragraph 2 of the same article.
- 4 In the event any employee is placed on administrative leave or suspension from duty or take childcare leave or caregiver leave during the middle of a month, if the period of such event extends for two (2) or more months (except for the cases falling under those set forth in the following paragraph), the payment unit period shall commence from the month following the month in which the date of his/her reinstatement or return to work thereafter falls (or, if such day is the first day of a month, then the month in which such day falls).
- 5 In the event it turns out that an employee will not commute on all the days during the period from the first day through the last day of a month due to business trip, leave, absence from work, or any other cause (except for the cases where, without reinstatement, etc., it turns out that an employee will continue not to commute on all the days during such period since the time set forth in the preceding paragraph), the payment unit period shall commence from the month in which the date of such employee's resumption of commute thereafter falls.

Article 15 Cases ineligible for payment

In the event it turns out that any of the employees set forth in paragraphs 1 and 2 of Article 17 of the Salary Regulations will not commute on all the days during the period from the first day through the last day of the first month of the payment unit period, etc. due to business trip, leave, absence from work, or any other cause, the commuting allowance for such payment unit period, etc. may not be provided.

Article 16 Return of payment amount

- 1 In the event it turns out that a person to whom commuting allowance has been paid will not commute on all the days from the first day through the last day of a month due to business trip, leave, absence from work, or any other cause during the payment unit period for which the person is provided with the commuting allowance, such person shall return the amount equivalent to the commuting allowance for such non-commuting period.
- 2 In the event the amount of commuting allowance is changed during the payment unit period due to a change in the commuting route or any other circumstances, the person to whom the commuting allowance has been paid shall return the amount equivalent to the portion of the already paid commuting allowance that covers the remaining period from the month following the day of such change (or, if such day is the first day of a month, the month in which such day falls).
- 3 The amount equivalent to the commuting allowance to be returned under paragraphs 1 and 2 shall be the amount obtained by dividing the payment amount for the payment unit period by the number of months in such payment unit period (any fraction less than one (1) yen shall be rounded off) and multiplying it by the number of the relevant months in each case.

Article 17 Subsequent confirmation

The President shall confirm from time to time whether any employee currently receiving the payment of commuting allowance satisfies the requirements as an employee set forth in paragraph 1 or 2 of Article 17 of the Salary Regulations and whether the amount of commuting allowance is appropriate by requesting such employee to present his/her Commuter Pass, etc. or conducting on-the-spot inspection of actual commuting situations.

Article 18 Miscellaneous provisions

In addition to what is provided for in these Detailed Regulations, the handling of commuting allowance shall be determined by the President from time to time as necessary.

Supplementary provisions

- 1 These Regulations shall be effective as of April 1, 2010.
- 2 The Detailed Regulations Concerning Special Provisions for Payment of Commuting Allowance at Tokyo University of Foreign Studies (Regulation No. 29 of 2007) shall be abolished.