



# Roman Catholic Diocese of Lexington, KY

## Employee Handbook

REVISED: January 19, 2017

## **MESSAGE TO READERS:**

The Employee Handbook and the policies contained herein are applicable to all Diocesan employees (e.g., all those employed under the Federal Employer Identification Number (FEIN) for the Diocese). There may be some difference for contractual employees such as school teachers and principals and those differences should be noted within the policy.

*It should also be noted that Priests are not employees of the Diocese. Their relationship with the Diocese is NOT subject to this Employee Handbook. For guidance, policies and procedures regarding Priests please refer to the Presbyteral Council policy documents.*

The purpose of this Handbook is to establish consistency and appropriate documentation protecting our employer and employee relationships. A number of the policies and procedures conclude with a Diocesan Secretary review; this Secretary review is intended to provide the Diocesan review for consistency and triage for legal review as necessary for specific situations. This review is not intended to thwart or circumvent the general and appropriate relationship with Pastoral leadership and supervisory responsibilities.

The Employee Handbook will be posted on the diocesan website with updating announced in the News Notes as necessary. Individual hardcopies of the Handbook will not be distributed. This approach will help sustain the integrity and currency of the document for all employees.

Reference to “The Diocese” refers to the Secretariat Leadership Group Curia.

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## **Section 1 - Our Identity**

### **Roman Catholic Diocese of Lexington**

The Roman Catholics of Eastern and Central Kentucky are a diverse pilgrim people, growing in number and filled with hope. They are energized by the Word, the Sacraments, and the Spirit. God calls them to gather together as Eucharistic faith communities to worship and to celebrate, to teach, to reconcile and to liberate. As servants who recognize their own gifts as well as the gifts of others, they share Jesus, their Catholic faith and their resources. In response to their baptismal call and their identity as a mission Diocese, they reach out to all, especially to those who are poor in the eyes of the world and to the unchurched. They strive to respect the land, to live in harmony with all people, and to bring about the reign of God.

### **Diocesan Employment**

The staff of the Roman Catholic Diocese of Lexington is called to extend God's love, as revealed in Jesus Christ, to all people, but primarily to those in Central and Eastern Kentucky. As a Diocesan employee they may be called to serve at a parish, school, or other Diocesan entity. All employees must strive to enhance the quality of life of those they serve by working collaboratively, by treating each with dignity and respect, and by assisting each to reach full potential by offering leadership, service, and resources. Urged by the Gospel we are to make our priority the poor and all who are in need.

### **Catholic Identity**

Diocesan employees must strive to honor our Catholic identity. To begin, this means acting in accordance with the Diocesan Code of Conduct and the teachings of the Roman Catholic Church. \*\* Ultimately, however, Catholic identity goes beyond this simple rule. The Church believes that Catholic identity and the Catholic mission are inseparable. The Catholic mission was laid down by Jesus Christ: "Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything that I have commanded you." (Matt. 28: 19-20) Everything the Church does, everything it owns, and every job it creates is all for the purpose of carrying out this mission. To honor Catholic identity is to help in this mission.

*\*\* For a full exposition of the Catholic faith and its tenets, employees should refer to the Catechism of the Catholic Church available at <http://usccb.org/beliefs-and-teachings/what-we-believe/catechism/catechism-of-the-catholic-church/>.*

The non-Catholic does this by upholding all the tenets of the Roman Catholic Church that he or she can in good conscience. If the non-Catholic's conscience does not allow him or her to do so, he or she must not contradict, teach against, or make light of those tenets. Such actions constitute malpractice and a violation of the trust that the Diocese places in its employees. Consequently, non-Catholics are encouraged to learn more about the teachings of the Roman Catholic Church.

The responsibilities of a Catholic employee are much greater. Catholics are already charged to devote themselves to the Church's mission by their baptismal call. Catholics are called to be light for the world. They are called to be Christ for others. This call takes on added significance, however, because the world judges the Church by the actions of its members, causing the

Catholic employee to become part of the Church's public face. For these reasons the Catholic employee should come to embody Catholic identity and mission in his or her own person. The Catholic employee's Catholic identity should go beyond what he or she does, and become who he or she is.

## **Employment Philosophy**

The Diocese will seek employees to work in an atmosphere based on Catholic, Christian beliefs. Among the factors considered in employing an individual, selection will be based on education, experience, personal qualities, and specific qualifications for the position.

### ***Catholic Social Teaching***

The truths of the Church are outlined in the Creed and explained in the Catholic Church's teachings. \*\* The seven (7) Catholic Social Principles are applications of the Gospel and Doctrine to the issues of Social Justice. Employment with the Roman Catholic Diocese is contingent on an employee's acceptance that by his/her word and example they will not teach anything that is contrary to beliefs held by the Roman Catholic Church.

*\*\* For a full exposition of the Catholic faith and its tenets, employees should refer to the Catechism of the Catholic Church available at <http://usccb.org/beliefs-and-teachings/what-we-believe/catechism/catechism-of-the-catholic-church/>.*

- 1. Life and Dignity of the Human Person.** All People are sacred, made in the image and likeness of God. People do not lose dignity because of disability, poverty, age, addiction, homelessness, lack of success, or race. This principle emphasizes people over things, being over having.
- 2. Call to Family, Community, and Participation.** The human person is both sacred and social. We realize our dignity and rights in relationship with others, in community. "We are one body; when one suffers, we all suffer." We are called to respect all of God's gifts of creation, to be good stewards of the earth and each other.
- 3. Rights and Responsibilities.** People have a fundamental right to life, food, shelter, health care, education and employment. All people have a right to participate in decisions that affect their lives. Corresponding to these rights are duties and responsibilities to respect the rights of others in the wider society and to work for the common good.
- 4. Preferential Option for the Poor and Vulnerable.** The moral test of a society is how it treats its most vulnerable members. The poor have the most urgent moral claim on the conscience of the nation. We are called to look at public policy decisions in terms of how they affect the poor.
- 5. Dignity of Work and the Rights of Workers.** If the dignity of work is to be protected, then the basic rights of workers must be respected; the right to productive work, decent and fair wages, safe working conditions, to organize, to private property, and to economic initiative. The economy exists to serve people, not the other way around.
- 6. Solidarity.** We are our brothers' and sisters' keepers, wherever they live. Learning to practice the virtues of solidarity means learning that "loving our neighbor" has global dimensions in this interdependent world in which we live. We are called to work globally for justice.

7. **Care for God's Creation.** We show our respect for the Creator by our stewardship of creation. Care for the earth is a requirement of faith. We are called to protect people and the planet, living our faith in relationship with all of God's creation. This environmental challenge has fundamental moral and ethical dimensions that cannot be ignored.

### ***Additional Employment Documents***

The purpose of this employee handbook is to summarize policies and procedures related to employment practices for employees who include laity, vowed religious and deacons. Employment by the Roman Catholic Diocese of Lexington is contingent on an employee's ability to accept and comply with current and future versions of other documents which are critical to our ability to serve. In addition to this handbook employees will be held accountable for knowledge and compliance with other policies and procedures of the Diocese of Lexington such as the following:

- Catholic Diocese of Lexington Code of Conduct
- Charter for the Protection of Children and Young People
- Kentucky Revised Statutes Pertaining to Sexual Abuse
- OSHA issues related to the safe performance of your job

If you have not been given a copy of the Diocesan policies related to the above topics you should contact your supervisor or the Secretary for Pastoral Life.

Priests (vowed religious and diocesan) who minister in the Catholic Diocese of Lexington are not employees of the Diocese. All priests are obligated by canonical and diocesan norms and are not included under these employee policies. Matters of policies, procedures, and guidelines are distributed by the Diocesan Presbyteral Council and the Bishop.

## **Employment Support**

This handbook refers to various persons employed by the Diocese who can support employees in the execution of his/her jobs and/or is employed by the Diocese to investigate misconduct.

These persons include:

- Secretary for Pastoral Life
- Secretary for Stewardship
- Secretary for Catholic Schools
- Victim Assistance Coordinator

To contact any of these people call or write them at the Catholic Center

Catholic Diocese of Lexington  
1310 West Main Street  
Lexington, KY 40508-2048  
(859) 253-1993

## **Section 2 - Employment Policies**

### **Employment Relationship**

This Employee Handbook is not a contract. The Diocese can, on its own, change or discontinue any policy in this manual or other writing, without having to consult anyone and without anyone's agreement.

Every employee of the Diocese is an employee "at-will". This means that you or the Diocese can terminate employment at any time, with or without notice and with or without cause. This is true no matter what may be stated elsewhere in this manual or in any other writing given to you by Diocese.

Except for Teachers and Administrators who utilize an Employment Contract executed by the Secretary for Catholic Schools, no one other than the Bishop or the Chief Financial Officer can enter into an agreement with you that is contrary to this statement of employment relationship and, if any contrary agreement is made, it must be in writing and signed both by you and the Bishop, the Chief Financial Officer or the Secretary for Catholic Schools.

This is the Diocesan Employee Handbook. All prior employment documents not in conformity with this handbook such as: employee agreements, handbooks, policies, and procedures are void unless they are signed by you and the Bishop, the Chief Financial Officer, or the Secretary for Catholic Schools.

The Diocese maintains other Human Resources Guides which have further information regarding the items discussed in this Employee Handbook. Please see your supervisor or the Secretary for Pastoral Life for additional information.

### **Background Checks**

#### **Background Investigations**

The Diocese as an organization that provides services to the vulnerable has an obligation to protect the people they serve. It is our policy to conduct background investigations on all new employees. Depending on your position, the following checks may be completed:

- Education Verification
- Employment Verification
- Criminal Records Search
- Social Security Trace
- Credit History

### **Communication**

#### ***Open Door Policy***

As an employer we practice Dignity of Work and the Rights of Workers. It is important that employees know that they have the ability to speak to his/her supervisor about job related concerns without fear of retribution or retaliation.

Generally, issues can be resolved at this level. However, in the event that the matter cannot be resolved to the satisfaction of the employee and supervisor, either party may informally bring the matter to the attention of the Pastor, Pastoral Director or Principal for further discussion and clarification. And after that, employees can contact the Secretary for Pastoral Life or Secretary

for Catholic Schools at the address or phone number listed in above in the Employment Support section. A more formal Conflict Resolution policy is outlined later in this handbook.

### ***Methods of Communication***

The Diocese utilizes various methods to communicate with you and the people we serve. Employees are responsible for reviewing communications. Contact your supervisor for more information and/or access to any of these methods of communication.

- The Catholic Diocese of Lexington web site at <http://www.cdlex.org/>
- Paper or Electronic *News Notes*
- The *Crossroads*
- Direct or open correspondence

### **Confidentiality**

Employees of this Diocese may have access to information about the people they serve or coworkers that is confidential. Confidential information learned in the capacity as an employee of the Diocese should be held in confidential trust and released to authorized persons only. Confidential information includes, but is not limited: to personal information such as age, ethnicity, gender, health, financial, income, educational and grading information.

A violation of confidential health information to which an employee may have access to may also be a violation of the Federal HIPAA laws and can bring significant consequences.

### ***Equal Employment Opportunity***

The Diocese shall not unlawfully discriminate against an employee or applicant because of race, color, sex, age, national origin, disability or any other applicable protected trait. Anti-discrimination law permits religious convictions to be considered in certain hiring or promotion decisions. Questions or concerns should be addressed to the Secretary for Pastoral Life.

### **Non Discrimination and Harassment**

The Diocese prohibits all forms of illegal discrimination and harassment, including but not limited to sexual harassment, which is contrary to state and federal law. The Diocese is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits illegal discriminatory practices, including harassment. Therefore, the Diocese expects that all relationships among its employees will be business-like and free of bias, prejudice, and harassment.

### ***Retaliation Is Prohibited***

This Diocese encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of the Diocese to investigate such reports. Retaliation against any individual who, in good faith, reports discrimination or harassment, or participates in an investigation of such reports, is prohibited.

### ***Definitions of Harassment***

#### **Sexual Harassment**

1. Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined, by the Equal Employment

Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment
  - Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual
  - Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment
2. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to:
- Unwanted sexual advances or requests for sexual favors
  - Sexual jokes and innuendo
  - Verbal abuse of a sexual nature
  - Commentary about an individual's body, sexual prowess, or sexual deficiencies
  - Leering, whistling, or touching
  - Insulting or obscene comments or gestures
  - Display in the workplace of sexually suggestive objects or pictures
  - Other physical, verbal, or visual conduct of a sexual nature

### **Harassment/Intimidation**

- 1) Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, sexual orientation, national origin, age, disability, marital status, citizenship, or any other characteristic protected by law or harassment of his/her relatives, friends, or employees, and that:
- Has the purpose or effect of creating an intimidating, hostile or offensive work environment
  - Has the purpose or effect of unreasonably interfering with an individual's work performance
  - Otherwise adversely affects an individual's employment opportunities
- 2) Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on Diocesan premises or circulated in the workplace.

### **Sexual Exploitation**

- 1) Sexual exploitation means sexual interaction between a Diocesan employee and an adult who is receiving care from that person.

- 2) Sexual exploitation occurs in a relationship in which sexual behavior is prohibited because a person holds in trust the intimate, wounded, vulnerable, or undeveloped areas of another's life.
- 3) Details related to our position related to sexual exploitation can be found in *The Catholic Diocese of Lexington Code of Conduct* and the appendixes that make up the entire document. Employment with the Diocese is contingent upon your receipt of those documents, your signed acknowledgement that you are aware of the practical application of the documents and your compliance with not only the specific requirements but also the intent of those documents. If you are uncertain about *The Catholic Diocese of Lexington Code of Conduct* you should contact your supervisor or the Secretary for Pastoral Life.

### **Sexual Abuse**

- 1) Sexual abuse means sexual contact between a minor and a cleric, an employee, or a regular volunteer of the Diocese.
- 2) Details related to our position with regards to sexual abuse can be found in *The Catholic Diocese of Lexington Code of Conduct* and the appendixes that make up the entire document. Employment with the Diocese is contingent upon your receipt of those documents, your signed acknowledgement that you are aware of the practical application of the documents and your compliance with not only the specific requirements but also the intent of those documents. If you are uncertain about the above referenced Decree you should contact your supervisor or the Victims Assistance Coordinator (859-253-1993 ext 214) or the Secretary for Pastoral Life (859-253-1993 ext 220).
- 3) In addition to reporting incidents of Sexual Abuse to the Victims Assistance Coordinator or Secretary for Pastoral Life incidents may also require reporting to local law enforcement or the Cabinet for Human Resources – Department for Social Services local office or their toll free Hotline (800) 752-6200.

### **Individuals and Conduct Covered**

These policies apply to all applicants, employees, and regular volunteers whether related to conduct engaged in by fellow employees or someone not directly connected to this Diocese, e.g., an outside vendor, consultant, or customer.

Conduct prohibited by these policies is unacceptable in the workplace on Diocesan parish or school property and in any work-related setting outside the workplace, including business trips, business meetings, and business-related social events.

### **Reporting an Incident of Harassment, Discrimination, or Retaliation**

This Diocese requires reporting of all perceived incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. We encourage individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem.

Individuals who believe they have been the victims of conduct prohibited by this policy or who believe they have witnessed such conduct and who do not wish to discuss the issue with the offender, must follow the Conflict Resolution Procedure outlined below or may contact the Secretary for Pastoral Life at the address or phone number listed above. Reporting an incident of harassment, discrimination, or retaliation need not be in writing. It can be in person or via

telephone. Employees who have any questions regarding the application of this policy can call the Employment Support phone number, listed above in Section 1, and if necessary reverse the phone charges.

We encourage the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective methods of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigative process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination, or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling, and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination.

If a party to a complaint does not agree with its resolution, such party may appeal to the Secretary for Pastoral Life and then to the Bishop at the phone or address listed in the Employment Support Section above. False and malicious complaints of harassment, discrimination, or retaliation, as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. Federal, state, and local law, and the policies of the Diocese, prohibits disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges, and prerequisites of employment. The prohibitions against harassment, discrimination, and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

## **Substance Abuse Policy**

It is the policy of the Diocese to be committed to providing a safe work environment and to foster the well-being and health of employees. That commitment is jeopardized when any employee illegally uses narcotics or controlled substances and/or unauthorized alcohol on the job; comes to work under the influence of narcotics or controlled substances and/or alcohol; or possesses, distributes, or sells narcotics or controlled substances and/or alcohol in the workplace. This policy does not prohibit the legal serving or consumption of alcoholic beverages at approved and sponsored events.

It is a violation of Diocesan policy for any employee to possess, use, sell, offer to sell, purchase, or distribute any narcotics, controlled substances, drug paraphernalia, or alcohol while in the workplace, on Diocesan premises (including the parking lot), or while conducting Diocesan business outside of the premises of the Diocese.

It is a violation of Diocesan policy for any employee to report to work or perform his or her duties after having ingested narcotics or controlled substances or while under the influence of alcohol or any substance that impairs an employee's ability to properly and safely perform his/her job functions.

It is a violation of Diocesan policy for any employee to report to work or perform his/her duties while taking prescribed drugs or over-the-counter medications that adversely affect the employee's ability to effectively perform his/her job functions. Employees currently taking a medication prescribed by his/her physician must carry it in the container labeled by a licensed pharmacist. The taking of any prescribed medication or over-the-counter medication that causes drowsiness or may affect job safety and performance must be made known to your supervisor to determine whether you may continue working while taking the medication.

Violations of this policy are subject to disciplinary action up to, and including, termination.

The Diocese reserves the right to request that any employee submit to testing when, based on observed behavior or indications that there is reason to believe there is the presence of drug and/or alcohol use.

### ***Positive Results or Refusal to Test***

Employees who have positive results of these tests or who refuse to submit to these tests will be afforded the opportunity to utilize the services of a consulting service; and where the Diocese has knowledge of a drug or alcohol problem, monitoring will be required. Every effort will be made to ensure confidentiality of the problem insofar as it does not impede good management practices.

1. Assistance provided may be in the form of counseling, therapy or immersion in a drug treatment program.
2. An employee who refuses participation in rehabilitation or withdraws from rehabilitation programs will be subject to the company's disciplinary action process.

3. Referral to consulting services may not be segregated from disciplinary action.

Rehabilitative efforts will require periodic management assessments regarding an employee's progress.

### ***Work Related Subject to Drug Test***

Employees who have a work-related injury that results in medical treatment must submit to a post-incident drug screen.

## **Section 3 - Employment Practices**

### **Advancement/Opening**

In support of our people-first philosophy, open positions are filled, whenever possible, by qualified candidates from within the existing workforce.

### **Attendance**

It is the policy of this Diocese that employees shall be required to report for and work his/her assigned hours and responsibilities. Due to the nature of our organization, employees may not work traditional days of the week or specific hours. Work attendance is vital and employees are expected to understand and work his/her assigned hours and complete his/her responsibilities.

It is the responsibility of the employee to notify his/her supervisor or his/her designee when illness or other circumstances prevent the employee from reporting to work. Leaving messages with other people is not acceptable and will be counted as an unexcused absence. Employees are required to make the call to his/her supervisor personally. Phone calls from someone other than the employee will not be considered proper notification unless there are extreme circumstances.

An employee should provide his/her supervisor or his/her designee with at least two (2) hours advance notice of his/her inability to report for his/her assigned hours and responsibilities and when he/she expects to return to duty.

Employees are responsible for recording absences utilizing paperless time and attendance and supervisors are responsible for making sure accurate records are reported to payroll. All calls from employees must be documented by noting date and time of call, reason for absence, and expected return date.

### **Absence**

The Diocese uses a "No Fault Attendance Policy" for monitoring absenteeism. Except for a Leave of Absence, outlined in the Leave of Absence section in this handbook, absences are considered unexcused regardless of the reason. An absence is defined as any time an employee does not work scheduled hours and responsibilities. If the employee works more than half of his/her hours and responsibilities it is considered a Tardy.

### **No Call-No Show**

Unless an employee can demonstrate to the satisfaction of his/her supervisor that they were physically unable to contact the Diocese, employees who fail to report for scheduled work and fail to notify his/her supervisor of his/her absence, may be considered to have voluntarily resigned without notice.

## **Tardiness**

Being tardy is considered not being prepared to begin working your job at the scheduled start time, leaving your job prior to the end of the ending time, or not working at least one half your scheduled day.

## **Excessive Unexcused Absenteeism/Tardiness**

Practicing a fair and consistent attendance policy is difficult, particularly when employees have different circumstances that may require them to be away from work. However to be fair to all employees a guide has been implemented to determine excessive absenteeism and/or tardiness. Keep in mind the Leaves of Absence as outlined later in this handbook are not subject to the attendance policy. During the application of this section of the attendance policy, different occurrence values are applied to different types of incidents based on the table below.

<i>Incident Type</i>	<i>Occurrence Value</i>
Absence	1
Tardiness	1/4

Occurrences are tracked and monitored during any rolling 365 day period and excessive absenteeism/tardiness performance is addressed when occurrences equal the values outlined below.

Verbal Reminder about the policy – third absence and/or 3 occurrences

Written Reminder about the policy – sixth absence and/or 6 occurrences

Written Reminder about the policy – tenth absence and/or 10 occurrences

Termination – fifteenth absence and/or 15 occurrences

Attendance for assigned work is critical to our collective ability to provide services. This guide is intended to provide employees opportunities to take care of unexpected situations. This guide does not void or invalidate employment at will. When in his/her discretion supervisors believe that an employee has shown disregard for the intent of this guide by demonstrating a pattern of absence the supervisor considers abusive, then employment can be terminated. Such patterns considered abusive may include but are not limited to patterns of absence on Mondays or Fridays and/or surrounding holiday weekends. Supervisors are required to seek review and approval by contacting the Secretary for Pastoral Life before taking an action that may result in termination.

## **Conflict Resolution**

Every reasonable effort should be made among employees themselves, or including the employee and his/her immediate supervisor, to resolve any complaint or conflict. If the employee's complaint was not satisfactorily resolved, the following formal procedure must be followed. Should the employee feel uncomfortable submitting a complaint to either his/her immediate supervisor or if the supervisor is the subject of the complaint, the employee should proceed to next level above the subject of the complaint.

### ***Step One***

The employee can present his/her complaint in writing to his/her supervisor for formal consideration. The supervisor shall hold a conference with the employee within ten (10) business days after receiving the written complaint, conduct any necessary investigations, and render a decision within five (5) business days after the conclusion of the conference. If the employee does not agree with the decision, the employee shall proceed to Step Two within five (5) business days of the decision received in Step One.

### ***Step Two***

The employee may present his/her complaint in writing to his/her Pastor, Pastoral Director, or School Principal within five (5) days after receiving the decision in Step One. (Diocesan Catholic Center Staff should go direct to step three.)

The Pastor, Pastoral Director, or School Principal will review the complaint and conduct any additional investigation for an analysis and discussion and meet with the employee within five (5) business days of receiving the complaint.

The Pastor, Pastoral Director, or School Principal will make every reasonable effort to resolve the employee's complaint. A written response will be provided to the employee within ten (10) business days of his/her discussion.

If the employee does not agree with the decision, the employee shall proceed to Step Three within five (5) business days of the decision received in Step Two.

### ***Step Three***

If an employee's complaint was not satisfactorily resolved at Step Two, the complaint must be submitted in writing to the Secretary for Pastoral Life or, if a school employee, to the Secretary for Catholic Schools within five (5) working days after receiving the decision in Step Two. The Secretary for Pastoral Life or Secretary for Catholic Schools can be reached at the Employment Support address or phone number listed in Section 1.

The Secretary for Pastoral Life or Secretary for Catholic Schools will review all the facts and meet with the employee via telephone conference or, where warranted, on site within ten (10) working days of receiving the complaint.

The Secretary for Pastoral Life or Secretary for Catholic Schools will issue a final written response to the employee and his/her Pastor, Pastoral Director or School Principal within ten (10) days of the conference.

If the employee does not agree with the decision, the employee shall proceed to Step Four within five (5) days of the decision received in Step Three.

### ***Step Four***

If an employee's complaint was not satisfactorily resolved in Step Three, the complaint must be submitted in writing to the Bishop within five (5) working days of receiving the decision in Step Three. The Bishop can be reached at the Employment Support address or phone number listed in Section 1.

The Bishop or his designee will review all the facts and meet with the employee via telephone conference or, where warranted, on site within ten (10) working days of receiving the complaint.

The Bishop or his designee will issue a final written response to the employee, the Secretary for Pastoral Life or Secretary for Catholic Schools and the employee's Pastor, Pastoral Director, or School Principal within ten (10) days of the conference.

If an employee disagrees with the resolution in step four, the employee must pursue the Alternative Dispute Resolution process outlined below.

## **Alternative Dispute Resolution**

In most cases, it is our policy to propose or agree to mediation of an employment dispute. Mediation may not be appropriate, for example, in cases in which the Diocese has determined that it needs a judicial determination to enforce its rights or to protect itself against unfair competition or misappropriation of intellectual or other property, or breach of restrictive covenants.

The success of mediation depends on the qualifications and skill of the mediator and on the confidence both parties have in that individual. The mediator will be selected by agreement of both parties. If they do not agree, both will rank order a list of candidates. The candidate with the best combined score will be the mediator.

Normally, the mediator's charges are divided equally between the parties. However, in appropriate cases the Diocese may agree to bear more than one-half of the costs.

To maximize the chances that the mediation will be successful, both the employee and the Secretary for Pastoral Life or the Bishop's designee must agree to participate in person at each mediation session, unless excused by the mediator. Each party, at his/her own expense, may also be represented by an attorney or other person of his or her choice. Each party should voluntarily provide information needed for the mediator to evaluate the claim.

The procedure requires parties to suspend litigation activities while the mediation is ongoing and may be subject to reasonable time limits. Under the procedure, each party is free to withdraw from the mediation after the first session.

Contact the Secretary for Pastoral Life to arrange the alternative dispute resolution process.

## **Employment Categories**

Due to scheduling, compensation, and job requirements, employees are classified by category. Employees are classified as contract employee, full-time (exempt or non-exempt), part-time, seasonal or on-call employee, temporary or regular volunteer. Employees can direct questions regarding his/her classification by speaking to his/her supervisor, payroll coordinator, or the Secretary for Pastoral Life.

### ***Contract Employees***

Contract employees are hired for a specific job under specific arrangements outlined in the employment contract. The Diocese hires Teachers and School Principals on a contract basis. Valid contracts are to be executed by the employee and the Secretary for Catholic Schools.

### ***Full-Time Employees***

An employee who works thirty-seven and a half (37½) or more hours per week will be considered full-time, and will be eligible for all benefits provided by our Diocese after the designated waiting period.

### ***Regular Part-Time***

A regular part time employee is an employee who regularly works between 80 and 145 hours per month. On average this is between 20 and 37 hours per week. Regular part time employees are eligible to participate in some benefits after the designated waiting period as outlined in Section 4 the Benefits Section below.

### ***Part-Time Employees***

A part time employee is regularly scheduled to work less than twenty (20) hours per week. Part time employees may not participate in any benefits except as outlined in Section 4 the Benefits Holiday section below.

### ***Seasonal, On-Call Employees***

A Seasonal, On-Call employee is employed on an “as needed” basis. Seasonal, On-Call employees do not have a set schedule. Seasonal, On-Call employees do not participate in any benefit plans offered by the Diocese.

Seasonal, On-Call employees must work at least eight hours every 30 days to remain active on the payroll system.

### ***Temporary Employees***

Under certain circumstances it may be necessary to hire temporary personnel on a contract basis for a specified period of time for a specified project. Temporary workers are not employees of the Diocese, and as such are not party to the terms and conditions of employment stated herein. They are paid strictly for time worked and are not entitled to any other benefits of employment. Unless covered by a written contract, temporary employment can be terminated at any time for any reason.

### ***Regular Volunteer***

A regular volunteer is one who provides volunteer support to any operation related to the Diocese which may include Parish, School, and social services functions conducted on Diocesan parish or school property or in conjunction with a Diocesan activity. A regular volunteer must be registered as a volunteer at the Parish, School or organization where the volunteer provides services. Although no specific amount of volunteer time is set forth to determine when a volunteer is considered a regular volunteer, management and supervisors should consider the frequency or activity to determine the classification as a regular volunteer. Volunteers who provide services to minors or vulnerable persons will be considered regular regular volunteers and must be registered or they may not provide services on behalf of the Diocese.

### ***Changing Categories***

Changing classifications can have significant impact on an employee’s eligibility for benefits and scheduling. Employees are encouraged to contemplate the effect the change will have on his/her employment. Requests for change of status are subject to the approval of the employee’s supervisor and the Pastor, Pastoral Director, Principal and/ or appropriate Diocesan Secretary.

### ***Changing from Full-Time to Regular Part-Time (revised March 2013)***

When status changes from full-time to part-time accumulated sick time reverts to zero and accumulated PTO accrual is paid out.

Only full-time employees changing to regular part-time will be eligible for benefit options.

## **Changing from Part-Time to Full-Time**

Any employee requesting a transfer from part-time to full-time status must apply in writing and abide by the “Orientation Period” policy as outlined in a separate section of this manual. Benefits for full-time employees begin after 90 days in the full-time status.

## **Employment Dates** (revised March 2013)

The Diocese maintains four important dates regarding employment

- Diocesan Employee Orientation is held twice a month. Coincides with or precedes date of hire.
- **Date of Hire** – This is the original date an employee began working at the Diocese.
- **Full Time or Seniority Date** – Many times this is the date of hire if you were hired as a full-time employee. However, if you were hired as part time and changed to full time and/or rehired to full-time, the Full-Time/Seniority Date is the most recent date you became full time. See the section below for more information regarding Seniority/Full-Time Service.
- **Termination Date** – This is the last date of employment at the Diocese and is generally the last day worked.

## **Seniority/Full-Time Service**

An employee’s seniority date begins on the first day of full-time employment. This means that if an employee is hired as a temporary, part-time, or seasonal/on-call employee, they will not receive credit towards seniority during the period of time they are designated as temporary, part-time, or seasonal/on-call. Many benefit programs, such as PTO time and health insurance, are based upon your full-time service date. This date is the date that an employee entered into a full-time status of employment. The seniority/full-time date may be used to establish preference in vacation, scheduling hours and responsibilities or for any other legitimate reason within the Parish, School or institution. Employees will lose his/her seniority if they resign, retire, revert to a temporary, part-time, or seasonal/on-call status, or are discharged.

As stated in the Reemployment Eligibility and Resignation sections of this handbook, if an employee returns to full-time work within 60 days, his/her seniority date may be reinstated.

## **Orientation Period** (revised March 2013)

Orientation period begins on the date of hire and will continue for a period of ninety (90) days, unless extended by the supervisor.

This is an essential period of adjustment for newly hired employees. The orientation period will provide employees the opportunity to understand his/her jobs and work environment, while affording the supervisor an opportunity to observe first-hand how quickly employees progress regarding work procedures and routines, how well they work with fellow employees, and how effective they are in fulfilling his/her job descriptions. Employees, who have a question about what is expected of them or the correct procedures to follow, should always ask his/her supervisor.

Please understand that completion of the orientation period does not guarantee continued employment for any specified period of time. In addition, the Diocese and the employee both have the right to terminate employment with or without cause at any time regardless of the completion of the orientation period.

## **Employment of Relatives**

The Diocese makes every effort to select qualified individuals for each job opening. All relatives and friends recommended by employees must meet the same employment requirements as other persons applying for the same positions.

In no circumstance should an employee be placed in a position where they will have direct supervision of a relative.

## **Employee Counseling**

It is the policy of this Diocese that any employee who violates our Diocesan policies, procedures, and/or work rules may be subject to an Employee Counseling which may include disciplinary action. Note: Counseling steps described below should not be construed as the creating of a contract, expressed or implied, or that such steps will be followed at all times. Employment is at-will and termination can be made at any time and for any reason.

It is not the intent of this system of counseling to punish employees, but to make clear what behavior is acceptable or not and what steps need to be taken to correct deficient performance.

- Employees are expected to observe "common sense" rules of good conduct and job safety. It is each employee's responsibility to report violations of personnel policies, safety regulations, operational policies and procedures, abuse, etc., to his/her supervisor.
- The Diocese may or may not use progressive disciplinary action. Management will base the decision to use progressive disciplinary action on an assessment of the offense.
- In cases involving serious misconduct, abuse, safety violations, law violations, etc., the employee will be suspended until an investigation report has been made and reviewed by the Pastor, Pastoral Director, Principal or Secretary. An investigation will be made of the charges within five (5) working days of such suspension. The employee will be notified of the findings of the investigative report.
  - Should the investigation reveal unwarranted charges, the employee will be reinstated to his/her former position.
  - Should the investigation reveal misconduct, the employee may be terminated retroactive to the date of suspension.
- Should an employee feel he/she has been unfairly disciplined, he/she should file a complaint through the established Conflict Resolution procedure in this handbook and then through the Alternative Dispute Resolution section of this handbook.

## **Health Screening Program**

In certain jobs it is important that employees maintain good health to ensure that they are able to perform the duties of his/her jobs without compromising the health of those they serve. In these situations, the Diocese entities must comply with federal, state, and locally mandated health regulations and maintain records for employees where applicable.

## **Personnel Files and Confidential Records** (revised March 2013)

### ***Appendix I: Employee Files – What Goes In, What Stay Out, Who Has Access***

Official Personnel Files and Confidential Records are retained at The Catholic Center by the Secretariat for Stewardship. Employees are expected to keep these records accurate and up-to-date by notifying, Risk Management at khoward@cdlex.org, of any changes in your personal information.

An employee's personnel file may contain the following documents, which may be inspected and reviewed upon written request to the Secretary for Stewardship or the Secretary for Catholic Schools: employment application, resume, job description, evidence of qualification/licensure/registration, personnel action documents, training and orientation records, attendance records, recognition materials, evaluation forms, disciplinary action documents, investigation outcomes, and payroll records. **(Copies of these items may only be obtained by written request to the Secretariat for Stewardship at a charge of \$.25 per page.)**

It is the policy of the Diocese to respect individual privacy and to maintain in confidence all information and records pertaining to its employees. No private information or personal data about an employee will be shared within the Diocese without the employee's consent, except with those employees maintaining the data or members of management having a legitimate business need to be aware of it.

In general, no personal information about an employee will be provided to persons outside the Diocese without the prior consent of the employee, usually in writing, or an alternatively appropriate legal process. The Diocese may provide, without the employee's consent, information limited to whether or not a particular person works/worked for the Diocese, dates of employment, and position(s) held.

It is the Diocesan policy to cooperate with federal, state, or local agencies performing investigative functions. Personal information will be provided to governmental investigators without prior consent of the employee only where they are entitled by law to such information.

The Diocese is required by law to maintain certain medical, health, and other confidential records for each employee, some of which must be maintained separate from the employee's personnel file. These records will be maintained in a Confidential File.

An employee's confidential file may contain the following documents, which may be inspected and reviewed by the employee: medical examination forms; test results (TB tests, X-rays, test for controlled substances, etc.); immunization records; reports of communicable disease; medical information concerning leaves of absence; records concerning exposure incidents to bloodborne pathogens; criminal background screenings; garnishment records; and other pertinent medical or confidential information deemed appropriate or necessary. The extent of documents contained in the file will depend on the employees' job and the requirements set forth by applicable law. For example food service workers will be required to provide health screenings.

Other documents which may be maintained in the employee's confidential file but may not be inspected or reviewed by the employee are employment reference checks and letters of recommendation.

## ***Changes in Personnel Information***

In order for the Diocese to maintain up-to-date personnel records, the employee should notify Risk Management at khoward@cdlex.org:

- Name
- Address
- Telephone number
- Marital status
- Dependents
- Beneficiary
- Emergency information
- Other information as necessary or appropriate.

Changes in the above information must be submitted within ten (10) days of such changes taking effect.

It is the responsibility of the employee to report any change in his/her status to assure that appropriate federal and state records can be kept current. Inquiries regarding HR Online should be directed to your supervisor.

## **Reemployment Eligibility**

The decision to rehire an employee is always at the sole discretion of the Diocese. Documented deficiencies or failure to give proper notice of resignation may result in conditional rehire status, which requires the Secretary for Pastoral Life or the Secretary for Catholic Schools to review and consider the circumstances before extending an offer of reemployment. If rehired, an employee's continuous service date will begin with the most recent hire date. However, if an employee returns to work within 60 days of the date that he/she left employment, and he/she completed the requested resignation notice, they shall retain his/her original date of hire and seniority benefits.

## **Resignation** (revised March 2013))

This Diocese requests that all employees (contract provisions for teachers and school administrators apply) who desire to leave our employment turn in the appropriate notice. The Diocese reserves the right to waive the notice requirement.

Employees who desire to leave our employment are asked to provide advance notice of his/her last day of employment as follows:

- Secretary, Pastoral Director – Request 90 day notice but require 30 day notice
- Directors – 30 day notice
- All other employees – 2 week notice

Employees who resign voluntarily will ordinarily receive his/her final paycheck on the regularly scheduled payday, unless otherwise provided for by state or federal requirements.

## **Standards of Conduct**

Most employees go through his/her entire career using common sense and good judgment, thus avoiding even the slightest blemish on his/her work record. Unfortunately, sometimes employee behavior warrants a formal discussion about the behavior and the effect that behavior has on the common good of the Diocese, Parish, School, fellow employees, and our ability to operate. Most

employees want to do the right thing and thus will learn from past behaviors, correct inappropriate behavior, and never have a second behavior problem.

The Diocese cannot operate without certain guidelines and rules that are mutually beneficial to Diocesan operations, the people we serve and to our employees. A progressive conference system has been established to create an atmosphere where inappropriate behavior can be formally addressed and a plan of action can be established to prevent future concerns, thus preventing possible termination of employment.

Below is a list of behaviors (infractions) that are prohibited. An employee conference may occur by committing one or more of the infractions. This list is not intended to be all-inclusive, and the absence of action on the first occurrence does not mean action will not be taken on any future occurrence. Our intent is to provide a general guideline; the Diocese reserves the right to identify other rules as necessary.

### ***General Infractions***

The following infractions are considered inappropriate behavior and will generally lead to an employee conference. Multiple infractions may lead to a written warning, suspension, or termination of employment. Depending on the seriousness or intent of the behavior, employment may be terminated on the first occurrence.

- Tardiness without proper notification and/or without proper cause
- Absence without properly informing your supervisor
- Unauthorized absence from the work area
- Starting work before or after scheduled time without the permission of your supervisor
- Horseplay, running, throwing things, or fighting on the premises at any time
- Smoking in non-designated smoking areas and/or at inappropriate times
- Violation of security regulations
- Posting, removing, or altering of notices, signs, or bulletin boards or other posting area without the permission of the Pastor, Pastoral Director, Principal or Secretary.
- Unauthorized soliciting or collecting contributions for any purpose during working time
- Unauthorized distribution of literature, written or printed material of any description in working areas
- Absence(s) from mandatory training
- Littering or failure to deposit rubbish in proper receptacles; contributing to disorderly or unsanitary conditions

### ***Serious Infractions***

Generally, the following infractions are considered serious and may lead to immediate suspension or discharge.

- Knowingly altering the time record of another employee, or having another employee alter your time record, or any unauthorized or misrepresentation of time worked
- Falsification or alteration of any personnel or official Diocesan records or information, including the employment application, whether discovered at the time or later

- Any conduct that is determined by the Diocese to be detrimental to the health, welfare, and safety of the people we serve, visitors, fellow employees, or the Diocese
- Theft or removal of the property of any client, fellow employee, or the Diocese from Diocesan premises without proper authorization
- Threatening, intimidating, coercing, or violating the rights of any individual in any manner
- Refusal to obey directions given by your supervisor or other management personnel
- Divulging confidential information or discussing a confidential matter in an inappropriate manner or place
- Possession of weapons on Diocesan premises at any time
- Physical mistreatment or abusive language to any individual
- Disregard for or repeated violation of safety rules or common safety practices
- Abuse, misuse or the careless or deliberate destruction of property, another employee's property, or Diocesan parish or school property
- Reporting for work under the influence of alcohol, or with any level of narcotic or controlled substance in the employee's system, or when suffering from alcoholic hangover, or being in an otherwise unsafe condition
- Except for legal sale or consumption of alcohol at approved or sponsored events, the use, possession, distribution, or sale of narcotics or controlled substances on Diocesan parish or school property at any time, or possession, distribution, or sale of alcohol on Diocesan parish or school property at any time
- Unauthorized gambling or gaming on Diocesan premises at any time
- Sleeping on the premises without expressed authorization from appropriate supervisor
- Failure to immediately report to your supervisor and/or document any injury or incident that occurs to yourself, another employee, or a visitor
- Non-performance of any verbal and/or written job duties or assignments
- Sexual or any other type of harassment

## **Unemployment Compensation**

Service performed in the employ of a church or convention or association of churches is exempt from the provisions of the Unemployment Compensation Act. (KRS 341.055) The Diocese does not provide unemployment compensation insurance.

## **Section 4 - Benefits Package**

Employees may be eligible to participate in time off benefits or benefits that may be purchased through payroll deduction. The Insurance Office will provide information regarding the insurance plans offered, the cost, and enrollment procedure. Current benefits include the following. The Diocese may contribute differently to the cost of benefits depending on the employment classification.

<b>Current Benefits Available</b>	<b>Employment Classification Eligibility</b>
Health Benefits	Full-Time, Regular Part-Time
Life Insurance and Accidental Death and Dismemberment	Full-Time
Short Term Disability	Full-Time
Other Voluntary Benefits	Full-Time, Regular Part-Time
Holidays	Full Time, Regular Part Time
Paid Time Off (PTO)	Full Time, Regular Part Time
Paid Sick/Personal Days	Full Time
Shared Leave	Full Time
Pension	Full Time, Regular Part-Time

## **Enrollment**

It is the employee's responsibility to assure receipt of proper enrollment forms before his/her benefit effective date. If an employee has not received instructions related to enrollment in benefits which apply to them within 30 days of their date of hire or if they have questions regarding benefits enrollment or qualifying events they should contact the Office of Risk Management Office.

If an employee has not enrolled him/herself or his/her family members in the insurance plans within 30 days of his/her benefit effective date, they will be unable to enroll until the next open enrollment, unless the employee or his/her family has a qualifying event (marital status change, job status change, etc.).

## **Notice of Special Enrollment Rights**

If an employee declines enrollment for himself/herself or his/her dependents (including spouse) because of other health insurance or dental coverage, that employee may be able to later enroll himself/herself and his/her dependents in the plan offered by the Diocese based on a qualifying event. Among the qualifying events: dependent loses eligibility for other coverage, the other employer stops contributing to employee or dependents' other coverage. The Diocesan employee may request enrollment within 31 days of the qualifying event. For detailed information and qualifications for special enrollment, contact the Office of Risk Management at the Catholic Center.

## **Holidays** (revised March 2013)

Except for school employees whose holidays are covered by his/her employment contract, full-time employees receive the following paid holidays. When the holiday falls on a weekend the closest business day is observed.

Regular part time employees receive prorated pay for holidays, i.e. if the regular part time employee is budgeted to be a 50% employee at 20 hours per week then their holiday pay would equal 50% of the day or 4 hours of holiday pay. The employee would be eligible to take the same amount of time off during the applicable holiday workweek replacing it with holiday pay. Employees are not eligible for holiday pay if status is on leave (i.e., personal leave, FMLA).

Part time employees who are unable to work their regularly scheduled work day because it falls on the holiday may have the opportunity to work another day throughout the pay period if it is available to make up the hours and or work.

It is recognized that some parish employees may not be able to observe the specified holidays on the designated day due to liturgical commitments. In those cases employees may reschedule this time off observance with his/her supervisor at a more convenient time.

- New Year's Day,
- Martin Luther King Day
- Presidents' Day
- Holy Thursday
- Good Friday
- Monday after Easter
- Memorial Day,
- 4<sup>th</sup> of July,
- Labor Day,
- Thanksgiving Day,
- Day After Thanksgiving
- Christmas Eve Day
- Christmas Day

The following days are also included as holidays so long as they are officially designated as holydays in the United States. When August 15 and November 1 fall on a Monday, these days are not observed in the United States:

- Solemnity of the Assumption of Mary, August 15
- All Saints Day, November 1
- Solemnity of the Immaculate Conception, December 8

## **Sick Days** (revised March 2016)

Except for Teachers and School Principals whose sick pay is covered by his/her employment contract, sick pay is available for full time employees to take time away from work for his/her illness or injury or to care for an injury or illness of a spouse, child or parent. The non-use of sick pay confers no right to additional remuneration.

Sick Pay is accrued at a rate of one day per month to a maximum of sixty (60) days. Within a given fiscal year, three (3) sick days may be used as personal days with prior approval from the appropriate supervisor.

## **Paid Time Off**

Except for teachers, school principals, and vowed religious whose paid time off is covered by his/her employment contract, it is the policy of this Diocese that, in the interest of health, morale, and efficiency, full time employees take full advantage of the Paid Time Off (PTO) that is available to them.

### **PTO Available**

Full-time or regular part-time (see section Employee Categories) employees are eligible for PTO that may be used during each fiscal year from July 1 through June 30<sup>th</sup>. Employees with a full-

time seniority date prior to July 1, 1998 have 20 PTO days available. Employees with a full-time seniority date on or after July 1, 1998 have the following PTO days available.

Length of Service	Days Available	Monthly Accrual Rate
0-2	10	.83
3	11	.92
4	13	1.08
5	15	1.25
6	16	1.33
7	17	1.42
8	18	1.50
9	19	1.58
10 or more	20	1.67
Or by designation of the Bishop		

PTO days are earned on a monthly basis and credited to the employee's available days accordingly at every month end. The accrual rate is based on the employee's anniversary date.

Automatic accrual in payroll and time attendance programs requires placing each employee in an accrual category as follows:

- Those who received certain benefits prior to July 1, 2008 for 15-19 hours worked per week are grand fathered in separate benefit class and accrue at 50%
- 20-25 hours scheduled/budgeted to work per week accrue at 60%
- 26-29 hours scheduled/budgeted to work per week accrue at 70%
- 30-33 hours scheduled/budgeted to work per week accrue at 80%
- 34-37 hours accrue at 90%
- 37.5 hours or more accrue at 100%

**PTO Prorating (revised March 2013)**

Actual PTO available is based on your normal work schedule. New full-time employees will begin receiving prorated PTO days for use at the end of the first month worked. There is not a beginning balance of days available. If employment begins during a partial month where the number of days remaining in the month is 15 or greater the employee will receive credit for .83 PTO days for the month. Otherwise no credit will be given for the partial month.

Regular Part Time Employees receive prorated PTO based on their budgeted work week, i.e. if the employee is budgeted to work 50% of a workweek or 20 hours per week they would be entitled to 50% of the appropriate PTO as outlined below.

**PTO For Scheduled Time Off**

PTO for scheduled time off such as vacations must be requested, and approved by supervisor, prior to taking the days off. It is advisable that employees obtain PTO approval for time off prior to making plans. PTO may be denied, if the requested time off cannot be worked into the schedule, and is not guaranteed.

Requested time off for vacations should normally be requested in writing in advance and/or prior to the posting of the schedule. PTO days taken with prior approval will not be subject to the attendance policy.

### **PTO For Unscheduled Absences**

PTO cannot be used for the first and second day of an unscheduled absence. PTO taken for unscheduled absences may be subject to the attendance policy.

### **PTO Carry Over**

PTO carry over is based on a fiscal year of July 1 to June 30. A maximum of fifteen (15) PTO days may be carried over to the next fiscal year; remaining PTO is lost and is not carried over to any future fiscal years. During any fiscal year an employee shall have no more PTO than the current period and fifteen (15) carried over days.

### **Other Information (revised January 2012)**

PTO time, when available, must be used in conjunction with Family and Medical Leave, Personal Leave, or Military Leave.

### **PTO Vesting**

Remaining unused PTO will be paid out at termination

## **Leaves of Absence**

The Diocese recognizes the following leaves of absence where the attendance policy does not apply.

### ***Bereavement***

All full-time employees will be granted three (3) days off with pay in the event of a death within the immediate family. Additional time off is approved, but will be deducted from accumulated PTO; bereavement absences will not be applied to no-fault attendance policy point accumulation. For purposes of this policy, immediate family will include spouse, children, parents, brother, sister, step children, adopted children, grandparents, grandchildren, and in-laws such as mother, father, brother, or sister. At the discretion of the Pastor, Pastoral Director, Principal, or Secretary you will be allowed unpaid time off for the death of other relatives.

Pay for funeral leave will be made for actual time lost from work. If the death occurs at a time when work is not scheduled, payment will not be made.

### ***Family & Medical Leave (FMLA)***

This Diocese shall comply with the Family and Medical Leave Act by allowing eligible employees to take up to twelve weeks of unpaid (except to the extent PTO is available), job-protected leave in a twelve-month period for specified family and medical reasons.

### **Eligibility**

To be eligible for an FMLA leave of absence the employee:

- Must have worked for this Diocese for a total of twelve (12) months or more, and
- Have worked at least 1,250 hours over the previous twelve (12) months

### **Entitlement**

An eligible employee may request and receive up to 12 weeks of leave during any 12-month period. This twelve-month period shall commence on the first day of the employee's FMLA leave and shall be a "rolling" twelve-month period. This leave may be taken for any of the following reasons:

- A. The birth and care of a newborn child of the employee;
- B. The placement with the employee a son or daughter for adoption or foster care;
- C. To care for a spouse, child, or parent who has a serious health condition;
- D. A serious health condition that renders the employee incapable of performing the functions of his or her job (including pregnancy or related conditions).

If both parents work for the Diocese, they are allowed 12 weeks between them in total, when the leave is for the birth or placement of a child or to care for a sick parent. If they seek the leave for his/her own illness or to care for an ill child or spouse, each is entitled to 12 weeks.

Leave under subparagraph (A) or (B) shall not be taken by an employee intermittently or on a reduced leave schedule unless the employee and the Secretary for Pastoral Life or the Secretary for Catholic Schools agree otherwise. Leave under subparagraph (C) or (D) may be taken intermittently or on a reduced leave schedule when medically necessary.

If an employee requests intermittent leave, or leave on a reduced leave schedule, under subparagraph (C) or (D), that is foreseeable based on planned medical treatment, the Diocese may require such employee to transfer temporarily to an available alternative position offered by the Diocese for which the employee is qualified and that:

- Has equivalent pay and benefits; and
- Better accommodates recurring periods of leave than the regular employment position of the employee.
- Or unpaid leave may be requested and permitted with approval of supervisor

"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves (1) a period of incapacity or treatment connected with an overnight stay in a hospital, hospice, or residential medical care facility; (2) any period of incapacity requiring absence of more than three calendar days that also involves continuing treatment by (or under the supervision of) a health care provider; (3) any period of incapacity due to pregnancy, or for prenatal care; (4) any period of or treatment for such incapacity due to a chronic serious health condition; (5) a period of incapacity which is permanent or long-term due to a condition for which treatment may be effective, under the continuing supervision of a health care provider; or (6) any period of absence to receive multiple treatments (or recover there from) by or under orders or referral from a health care provider for restorative surgery after an injury or for a condition so serious that, in the absence of medical intervention or treatment, would likely result in a period of incapacity of more than three calendar days.

### **Pay while on FMLA (revised March 2016)**

Employees will be paid for time away from work for an FMLA request in accordance with the following schedule. Time away for items A,B,C, or D outlined above in the Entitlement section

will first be paid from available Sick time and when that is exhausted from available PTO time and when that is exhausted time away will be unpaid.

### **Requesting and Documenting the Leave**

Employees seeking to use a Family and Medical Leave Act Leave of Absence are required to provide 30-day advance notice, when the need is foreseeable and such notice is practicable.

An employee requesting leave must complete the “Family and Medical Leave Request” form and return it to his/her immediate supervisor who will forward it to the Office of Risk Management in the Secretary for Stewardship. Together with the leave request, the employee must submit the “Physician Certification for Family or Medical Leave” describing the nature of the medical condition, anticipated duration of the leave, and starting and ending dates of the leave.

An employee intending to take family or medical leave because of expected birth or placement, or because of a planned medical treatment, must submit a request for leave at least thirty (30) days before the leave is to begin. If leave is to begin within thirty (30) days, an employee must give notice to his/her supervisor who must advise the Secretary for Pastoral Life as soon as the necessity for the leave arises. Copies of adoption papers should be provided if the leave is due to adoption of a child.

If Intermittent Leave is required, the employee is responsible for scheduling absences in a manner which minimizes disruption to work activities.

The employee may have to provide written weekly status up-dates to his or her supervisor, verifying his or her intent to return to work, in writing and provide any necessary or requested medical certifications. An adequate number of forms will be provided upon approval of the Family and Medical Leave Request.

### **Workers Compensation and FMLA**

An employee’s time away from work because of a work-related injury will be counted against the employee’s allotted FMLA time.

### **Benefits While on Leave (revised March 2013)**

While on FMLA, employees will be required to use all of his/her available sick and PTO time. Any FMLA time remaining will be unpaid. No two forms of compensation will be paid simultaneously.

During a period of family and medical leave, the employee will be retained on the health and dental plan under the same conditions that applied before the leave commenced. The employee is required to pay his/her share of any regular payroll-deducted benefits each payday to the Office of Risk Management.

The employee has a 30-day grace period to pay benefit deductions on the appropriate payday.

During a period of family and medical leave, the employee retains length of service credit. Accrual of PTO benefits is suspended during leave.

The Diocese has the right to collect benefit premiums paid on behalf of the employee if the employee does not return to work after taking FMLA, unless the employee is unable to return because of one of the following reasons:

- The continuation, recurrence, or onset of a serious health condition of the employee or the employee’s family member, which would otherwise entitle the employee to FMLA leave;

- Other circumstances beyond the employee’s control, such as unanticipated long-term care of a family member, lay-off, or key employee status invoked; or
- Temporary disability or workers’ compensation leave.

### **Returning to Work After Leave (revised March 2013)**

Following any leave of 12 weeks or less, unless the employee is considered a “key employee”, an employee is entitled to be returned to the same position held when leave commenced, including working condition, pay, benefits, privileges, perquisites and status.

If at the end of twelve weeks the employee is unable to perform the essential functions of the position because of a serious health condition, the employee has no right to restoration to another position under the FMLA and thus may be terminated.

An employee returning early from a leave must provide the Diocese with a 2-day notice. Failure to do so allows the Diocese to hold the employee out for two days. This time is used to make arrangements to move the replacement worker.

In the event an employee fails to return to work on an agreed date or fails to receive written approval for a leave extension, the absence will be viewed as a voluntary resignation.

### ***Personal Medical Leave***

Full-time Employees whose own serious health condition would normally qualify for FMLA but does not qualify for FMLA because they do not meet the length of service requirement may apply for Personal Medical Leave (PML). Employees who want to apply for personal medical leave must comply with all policies as if they were applying for FMLA, except,

- PML approval is at the sole discretion of the Secretary for Pastoral Life with recommendation from the immediate supervisor.
- Upon returning to work after PML the exact position is not guaranteed. The Diocese may offer another position that may be available at the time. If a new position is offered, pay and benefits may be adjusted to match the level of the new position
- PML is only available for a maximum of sixty (60) days. If an employee is not able to return to work at the end of this period, the absence will be viewed as a voluntary resignation.
- Pay for PML will be from the employee’s available sick pay and then available PTO pay and if they are both exhausted then unpaid.

### ***Military Leave***

It is the policy of the Diocese to grant full-time employees military leaves of absence upon request, in accordance with applicable state and federal law.

Any employee who serves in the United States Armed Forces will be granted a military leave of absence. The United States Armed Forces is defined as the Army, Navy, Air Force, Marine Corps, National Guard, Active or Inactive Reserves, or the Coast Guard.

A written request for a military leave of absence must be provided to the immediate supervisor who will forward it to the Secretary for Pastoral Life or the Secretary for Catholic Schools, thirty (30) days before the leave will begin, unless the employee is inducted or required to report for duty in less than 30 days after receiving notice from the Armed Forces. In such case, the

employee shall notify the Secretary for Stewardship or the Secretary for Catholic Schools immediately upon receipt of such notice. The employee shall provide a copy of his/her military orders along with the request.

Any person who is inducted into the Armed Forces or called to duty from the reserves and leaves a permanent position shall, upon his/her completion of military service, be returned to employment, subject to the following conditions:

- The employee has received a certificate attesting that he/she has satisfactorily completed his/her military duty
- The employee is still qualified to perform the duties required of his/her former position
- If service was 30 days or less, the employee reports for duty within eight hours after the employee returns home
- If service was between 31 and 180 days, the employee reapplies within 14 days after completion of service, and the employee's circumstances have not changed so that it would make it impossible to hire the employee or cause an undue hardship on the Diocese should it rehire the employee
- If service was 181 days or more, the employee makes application for reemployment within ninety (90) days after his/her discharge from the Armed Forces, and the employee's circumstances have not changed so that it would make it impossible to hire the employee or cause an undue hardship on the Diocese should it rehire the employee

Any employee who is required to attend summer camp with his/her Reserve Unit will be granted a leave of absence. The employee must inform the Pastor, Pastoral Director, School Principal or Secretary for Pastoral Life of the dates the leave begins and ends.

An employee will not be required to take his/her PTO time during military training. However, should the employee elect to do so, he/she must inform his/her supervisor so that such information can be entered on appropriate time records/schedules. The policies regarding use of PTO prior to an employee's anniversary date shall apply to employees on Military Leave.

Failure of an employee to return to duty as outlined in this policy shall be considered voluntary resignation, and shall be so reflected in the employee's personnel record.

Employees are entitled to elect continued health insurance coverage for himself/herself and covered dependents for up to eighteen months. State law may determine if the Diocese is responsible for payment of any portion of the coverage. The employee may be entitled to continue other benefits in accordance with state law.

### ***Jury Duty***

The Diocese will permit employees to take the necessary time off whenever called for jury duty. Employees must notify his/her supervisor within forty-eight (48) hours of receipt of the jury summons.

Jury duty is not considered an absence whenever the employee presents a court-issued statement of jury service to his/her supervisor. When the employee provides proof of jury duty service, the Diocese will pay up to 15 days. Additional considerations may be made in consultation between the immediate supervisor and after approval by the Secretary for Pastoral Life.

## Section 5 - Pay Practices

### Garnishments

Employees are expected to handle his/her financial obligations in a responsible and timely manner. Writs of garnishments or other court-ordered wage deductions are costly and are to be avoided whenever possible. If a situation arises whereby your wages are attached by a court order, the Diocese is required to withhold a specified amount of your earnings to be paid to the court.

You will be notified of any attachment and of the payroll arrangements which will be made.

### Hours of Work/Overtime (revised March 2013)

Scheduled work hours may vary within each entity of the Diocese. Supervisors will explain working hours and announce any change in working hours in advance.

Overtime may be required as a condition of employment and whenever possible will be announced in advance. Overtime must be approved in advance by the supervisor. Kentucky law requires that covered employers pay nonexempt employees overtime in the amount of 1 ½ times the employee's regular pay rate for hours worked in excess of 40 in a workweek. Kentucky does not require that overtime be paid for hours worked in excess of 8 per day or on weekends or holidays. Kentucky law does require that overtime be paid to employees who work 7 days in any 1 workweek at the rate of time and one-half for the time worked on the 7th day. This provision applies only when the employee is permitted to work more than 40 hours during the workweek. In that case, the employer may credit against the overtime paid for hours worked on the 7th day against the amount owed for regular overtime after 40 hours in a week.

Per Fair Labor Standards Act (FLSA) the employee and or employer **cannot waive the right to overtime**. Evaluate the job requirements to see if the job can be performed in the time allotted in the budget. If not, change the budget allotment or the job requirements. **An employee cannot volunteer in their regular job capacity.**

A full day is defined as at least six (6) hours to a maximum of eight (8) hours. Full time employment is defined as 37.5 hours or more in the work week. Automatic accrual in the payroll and time attendance programs requires placing each employee in an accrual category as follows:

- Those who receive certain benefits prior to July 1, 2008 for 15-19 hours worked per week are grandfathered in a class and accrue at 50%,
- 20-25 hours worked per week accrue at 60%,
- 26-29 hours accrue at 70%,
- 30-33 hours accrue at 80%,
- 34-37 hours accrue at 90%,
- 37.5 hours or more accrue at 100%

### Meals/Breaks

At minimum non-exempt employees are entitled to an unpaid 30-minute meal break for each 8 hour work day and a paid 10 minute break for each four hour work period. Employees are expected to utilize meal and break periods for smoking. No additional time is appropriated.

## **Paychecks and Deductions** (revised March 2013)

Paychecks are processed semi-monthly in accordance to exempt and non-exempt status.

The Diocese is required to withhold federal, state, city and/or local taxes (where applicable), and Social Security (FICA) taxes from employees' earnings. Other deductions (which will be made with the employee's authorization) may be for insurance contributions and/or other optional programs.

Employees should examine his/her paycheck carefully as soon as they receive it and immediately contact the supervisor with questions or discovered errors.

Any necessary paycheck adjustments due to an error by the Diocese will be made within three business days. Adjustments due to an employee's failure to report time will be made on the following payroll period if approved by your supervisor. An employee requesting any changes in deductions related to taxes will need to complete and submit the appropriate supporting documents.

The Diocese does not cash paychecks.

## **Social Security**

The United States Government operates a system of contributory insurance known as Social Security. As a wage earner, employees are required by law to contribute a set amount of his/her wages to the trust fund from which benefits are paid. As your employer, the Diocese is required to deduct this amount from each paycheck and to match the employee's contribution dollar for dollar, thereby paying one-half of the cost of employee's Social Security Benefits.

## **Time Records**

Accurate time records are essential to ensure full payment for all hours worked. Non-exempt employees must accurately record time on and off the clock at the beginning and end of each workday, beginning and ending meal breaks, and whenever permission is received from the supervisor to leave the premises for personal reasons during work hours. Employees who are substantially interrupted during a meal break should notify his/her supervisor so they can be compensated. Entry of time and accuracy is a critical responsibility of the employee; failure to "clock in" and "clock out" in a timely and accurate manner can result in disciplinary action and/or disruption of pay.

It is each individual employee's responsibility to notify his/her supervisor immediately after having forgotten or misreported time worked. The supervisor must approve any corrections made to time records.

Any employee who alters, in any way, the time records of another employee, or who alters his/her own, will be subject to immediate dismissal.

## **Section 6 - Safety and Security**

### **Safe Work Place Policy**

It is the policy of the Diocese to comply with all applicable federal, state, and local health and safety regulations and to provide a work environment that is free from recognized hazards.

## **Safety**

In any business, safety on the job is very important. Both management and the individual employee are responsible for safety in Diocesan operations. All employees are expected to participate in safety and health matters beyond an expression of self-interest.

Employees are expected to conduct themselves in a safe manner during the performance of his/her assigned work whenever they are on Diocesan parish or school property, or engaged in Diocesan business. Accordingly, compliance with all established rules, regulations, and procedures that ensure safe and healthy working conditions is required of all employees. Failure to comply with safety regulations may result in disciplinary action up to, and including, termination.

Should it become necessary to evacuate the premises for any reason, all employees will be notified by his/her supervisor of how to accomplish the evacuation. Employees must familiarize themselves with the emergency exits nearest each work area and use any designated exits and stairways.

## **Security**

Security regulations, safety regulations, and other rules of conduct are matters of good management and common sense. It is the responsibility of all supervisors to make sure that his/her employees are familiar with and understand these regulations. You may be subject to disciplinary measures if you fail to comply with security regulations.

Security procedures are in effect to protect the people we serve, you, your property, as well as to safeguard the Diocesan parish and school property. Awareness of the importance of security procedures during your daily work activities and compliance with Diocese security policies are important parts of your job. You are urged to immediately report any improper activity to your supervisor. Diocesan parish and school property is the direct responsibility of all employees.

## **Accidents and Injuries**

It is the policy of the Diocese that employees must immediately report all accidents or injuries occurring on the premises regardless of the severity.

All employees are instructed during orientation on details of reporting employee accidents and injuries. All injuries and accidents, regardless of how minor, must be reported to your supervisor immediately.

All accidents and injuries are documented, regardless of how minor, on the appropriate form by you and your supervisor.

If an employee is a witness to such an accident or injury, the employee:

- Must try to render immediate assistance
- Should not leave an accident victim unattended unless it is absolutely necessary in order to summon assistance
- Should not move the victim until he/she has been assessed for possible injury and
- Should report to the supervisor as soon as possible

The supervisor shall:

- Examine all accident victims, provide assistance as appropriate

- Follow Bloodborne Pathogen Exposure Protocol, if necessary
- Arrange transfer of the injured person to the hospital or to the local treatment center whichever is appropriate
- Notify the Diocesan Insurance Coordinator as soon as practicable
- Document the incident as completely as possible, including information from witnesses and all circumstances on the appropriate form

The accident/incident report form should be submitted to the Diocesan Risk Management Office and the Pastor, Pastoral Director or Principal shall keep a file on the incident containing copies of all related documents.

## **Drivers' Policy**

The safety and well being of our employees is of critical importance to the Diocese. Each is obliged to drive responsibly for the protection of other and ourselves. Employees that are required to drive on Diocesan business at any time will be expected to consistently follow the policies below.

- Employees are expected to wear seat belts at all times while in a moving vehicle being used for Diocesan business, whether they are the driver or a passenger.
- Drivers and passengers of Diocesan vehicles will not smoke in vehicles.
- Engaging in other distracting activities including, but not limited to, using cellular/mobile phones, eating, putting on makeup, reading or changing radio stations or music, is also strongly discouraged while driving, even when in slow-moving traffic.
- Use of alcohol, drugs or other substances, including certain over-the-counter cold or allergy medications that in any way impair driving ability, is prohibited.
- All employees are expected to follow all driving laws and safety rules such as adherence to posted speed limits and directional signs, use of turn signals and avoidance of confrontational or offensive behavior while driving.
- Employees should never allow anyone to ride in any part of the vehicle not specifically intended for passenger use and/or any seat that does not include a working seat belt.
- Employees who drive commercial vehicles or who are otherwise subject to separate rules and regulations such as those dictated by state or federal law are also expected to adhere to all policies and regulations associated with the appropriate law or regulation that applies.
- Employees must promptly report any accidents to local law enforcement as well as to the Diocese in accordance with established procedures.
- Employees are also expected to report any moving or parking violations received while driving on Diocesan business and/or in Diocesan vehicles.
- Failure to adhere to these procedures may result in disciplinary action per Diocesan policy.

## **Firearms/Weapons**

Possession or carrying of firearms or weapons on Diocesan parish or school property is prohibited. The possession, use, sale or distribution of firearms or weapons during business or other functions, or knowingly transporting firearms or weapons to the workplace, will result in immediate dismissal and as necessary notification of the proper authorities.

## **Workers' Compensation**

All employees are covered by workers' compensation insurance, which compensates an employee for lost time, medical expenses, and loss of life or dismemberment from an injury arising out of or in the course of work. Employees must report any accident or injury immediately to his/her supervisor and the Diocesan Risk Management Office so that the necessary paperwork may be completed.

### ***Transitional Duty***

Transitional Duty may be offered to an employee on medical leave due to a work-related injury on a case-by-case basis and as available or needed.

## **Section 7 - Other Policies**

### **Business Ethics Policy**

Employees may not accept gifts, tips, or gratuities from a vendor, outside service or contractor that, unduly influences or creates the perception of influence. Employees are never permitted to borrow money or personal items from any client, family member of a client, vendor, or outside provider, unless the vendor is in the business of loaning money, such as a bank.

### ***Conflicts of Interest***

Employees should avoid any situation that involves or may involve a conflict between his/her personal interests and the interests of the Diocese. As in all other facets of his/her duties, employees dealing with customers, suppliers, contractors, or any person doing or seeking to do business with the Diocese are to act in the best interest of the Diocese. All employees shall make prompt and full disclosure in writing to his/her manager of any potential situation that may involve a conflict of interest. Such conflicts include:

1. Ownership by employee or by a member of his/her family of a significant interest in any outside enterprise which does or seeks to do business with the Diocese.
2. Serving as a director, officer, partner, consultant, or in a managerial or technical capacity with an outside enterprise that does or is seeking to do business with the Diocese. (The Bishop can approve exceptions to this provision in writing.)
3. Acting as a broker, finder, go-between, or otherwise for the benefit of a third party in transactions involving or potentially involving the Diocese or its interests.
4. Any other arrangements or circumstances, including family or other personal relationships, which might dissuade the employee from acting in the best interest of the Diocese.
5. Any situation where the employee receives compensation by any other entity for services rendered while also receiving regular pay from the Diocese.

## ***Disclosure***

In any case where a conflict of interest exists or the appearance of a conflict of interest may exist, it shall be the duty of the person covered by this policy to disclose his or her interest. The person must reveal any interest in the organization or entity that may benefit from the person's association with the Diocese, including any such beneficial interest a member of the person's immediate family may have because of the person's association with the Diocese.

Supervisors or managers who perceive the existence of a conflict of interest shall not attempt to resolve the conflict or determine that the external benefits will not adversely affect the Diocese, but shall make a full disclosure of the facts, circumstances, relationships, and transactions to the Secretary for Stewardship, CFO who shall report to the Bishop.

Reports shall be made promptly, and at the discretion of the person receiving the reports, the reports shall be made in writing and signed by the person making the disclosure.

## ***Compliance***

Any violation of this policy will subject the employee to disciplinary action up to and including immediate termination. Any Diocesan employee having knowledge of any violation of the policy shall promptly report such violation to the appropriate level of management.

When questions arise concerning any aspect of this policy, contact the Secretary for Stewardship, CFO.

## **Housekeeping**

Employees are expected to make every effort to keep work areas and Diocesan parish or school property clean and orderly. Willfully damaging or defacing Diocesan parish or school property, or furniture/equipment that is owned or leased will be subject to disciplinary action up to, and including, termination.

## **Mandatory Training/Education Programs (In-Services)**

Mandatory training requirements must be met as a condition of employment.

Ongoing educational programs and in-services will be planned and conducted for the development and improvement of skills of all the Diocese's personnel. Records will be maintained reflecting attendance when appropriate. Failure to meet these requirements may result in disciplinary action up to, and including, termination.

Non-exempt employees will be paid, at his/her base rate of pay, to attend mandatory training/in-service programs.

## **Media Inquiries & Relations**

Occasionally, an employee may receive an inquiry from a representative of a newspaper, television station, radio station, or magazine. No employee may respond on behalf of the Diocese to a media inquiry without written consent from the Secretary for Pastoral Life. Employees contacted by persons from the media must refer that individual to the Director of Communications for a response to the inquiry or requested interview. If the inquiry is received after normal business hours, it should be referred to the Director of Communications at the earliest practical time.

Employees wishing to submit an article/event or respond to media coverage (written, audio, or visual) and identify themselves as Diocesan employees must have advanced approval of his/her

supervisor and a copy of the article, script, or outline must be sent in advance to the Director of Communications. The purpose here is not to stifle individual speech or expression, but to be consistent in the Diocesan position with all media coverage.

## **Office Equipment/Electronic Media**

### **Introduction**

The Diocese recognizes that use of the Internet has many benefits for the Diocese and its employees. The Internet and e-mail make communication more efficient and effective. Employees are encouraged to use the Internet appropriately. Unacceptable usage of the Internet can place the Diocese and others at risk. This policy discusses acceptable usage of the Internet.

### **Guidelines**

The following guidelines establish use of the Internet and e-mail in an appropriate, ethical and professional manner.

1. Diocesan computers and terminals will be password protected. It is critical that all employees protect these passwords to prevent unauthorized access to office equipment and electronic media (e.g., computers, voicemail boxes, etc.). All employees are responsible for the use and storage of material on his/her assigned computer or workstation.
2. Diocesan Internet, e-mail, or voicemail access may not be used for transmitting, retrieving or storing of any communications of a defamatory, discriminatory or harassing nature or materials that are obscene or pornography. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference shall be transmitted. Harassment of any kind is prohibited.
3. Disparaging, abusive, profane, or offensive language; materials that would adversely or negatively reflect upon the Diocese or be contrary to Diocesan best interests; and any illegal activities -- including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access to any computers on the Internet, e-mail, or voicemail box -- are forbidden.
4. Copyrighted materials belonging to entities other than the Diocese may not be transmitted by employees on the Diocesan network.
5. The system may not be used in a way that disrupts its use by others. This includes excessive dial-in usage, sending or receiving many large files and "spamming" (sending e-mail messages to thousands of users.)
6. Avoid downloading viruses; employees must receive approval before downloading software or items on his/her local computer or to the local network.
7. Employees are responsible for the content of all text, audio or images that he/she places or sends over the Diocesan Internet, e-mail, and voicemail systems. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else. The Diocese name is attached to all computer generated messages.
8. E-mail is not guaranteed to be private or confidential. All electronic communications are Diocesan property. Therefore, the Diocese reserves the right to examine, monitor and regulate e-mail messages, directories and files, as well as Internet usage. The Internet is not secure. It is possible for others to read and even alter sent messages.

9. Internal and external e-mail messages are considered business records and may be subject to discovery in the event of litigation.

### **Diocesan Right to Monitor and Consequences**

All Diocesan-supplied technology, including computer systems and Diocesan-related work records, belong to the Diocese and not the employee. The Diocese may routinely monitor usage patterns for its e-mail and Internet communications. Although encouraged to explore the vast resources available on the Internet, employees should use discretion in the sites that are accessed.

Since all the computer systems and software, as well as the e-mail and Internet connection, are Diocesan-owned, all Diocese policies are in effect at all times. Any employee who abuses the privilege of Diocesan facilitated access to e-mail or the Internet, may be denied access to the Internet and, if appropriate, be subject to disciplinary action up to and including termination.

### **Questions Regarding the Use of the Internet or E-mail**

If an employee has questions regarding the appropriate use of the Internet or E-mail, contact the Secretary for Pastoral Life.

## **Personal Appearance and Uniforms**

Maintaining a professional appearance is important because employees represent the values of the Diocese. While matters of wardrobe are subjects of personal taste, all employees should exercise good judgment in the selection of clothing worn during work hours. Clothing should be business attire that is neat and consistent with a professional atmosphere. Adhering to the dress code properly and in its entirety is considered part of job responsibility.

## **Personal Business/Outside Employment**

All employees should conduct personal business during non-working hours. Your supervisor must approve exceptions.

The Diocese considers this job the primary job of full-time employees and employees who are receiving health benefits from the Diocese. Any outside activity must not interfere with an employee's ability to properly perform his/her job duties within the Diocese, including working overtime when necessary. Employees thinking of taking on a second job must notify your supervisor so they may discuss this opportunity to make sure that it will not interfere with the job or pose a conflict of interest.

## **Personal Property**

The Diocese does not assume responsibility for personal property left on our premises. Please leave all valuables and items of a personal nature at home. Every effort should be made to keep personal property in a secure place. Please report any lost property to your supervisor and the office of Risk Management.

## **Smoking Policy**

Smoking is prohibited, except in designated smoking areas, in all Diocesan parish and school facilities. Violation of this policy is a major safety hazard and may result in disciplinary action.



# Appendix

## Employee Files – What Goes In, What Stays Out, Who Has Access

### Recommended Contents

<p><b>Employment</b></p> <ul style="list-style-type: none"><li>▪ Request for application</li><li>▪ Employee's original employment application</li><li>▪ Prescreening application notes</li><li>▪ College recruiting interview report form</li><li>▪ Employment interview report form</li><li>▪ Education verification</li><li>▪ Employment verification</li><li>▪ Other background verification</li><li>▪ Rejection letter</li><li>▪ Employment offer letter</li><li>▪ Employment agency agreement if hired through an agency</li><li>▪ Employee Handbook acknowledgment form showing receipt of Handbook</li><li>▪ Checklist from new employee orientation showing subjects covered</li><li>▪ Veterans/Disabled self-identification form</li><li>▪ Transfer requests</li><li>▪ Relocation offer records</li><li>▪ Relocation report</li><li>▪ Security clearance status</li></ul> <p><b>Payroll</b></p> <ul style="list-style-type: none"><li>▪ W-4 Form</li><li>▪ Weekly time sheets</li><li>▪ Individual attendance record</li><li>▪ Pay advance request record</li><li>▪ Garnishment orders and records</li><li>▪ Authorization for release of private information</li><li>▪ Authorization for all other payroll actions</li></ul> <p><b>Performance Appraisals</b></p> <ul style="list-style-type: none"><li>▪ New employee progress reports</li><li>▪ Performance appraisal forms</li><li>▪ Performance improvement program records</li></ul> <p><b>Employee Relations</b></p> <ul style="list-style-type: none"><li>▪ Report of coaching/counseling session</li><li>▪ Employee Assistance Program consent form</li><li>▪ Commendations</li><li>▪ Employee written warning notice</li></ul>	<p><b>Training and Development</b></p> <ul style="list-style-type: none"><li>▪ Training history records</li><li>▪ Training program applications/requests</li><li>▪ Skills inventory questionnaire</li><li>▪ Training evaluation forms</li><li>▪ In-house training notification letters</li><li>▪ Training expense reimbursement records</li></ul> <p><b>Employee Separations</b></p> <ul style="list-style-type: none"><li>▪ Exit interview form</li><li>▪ Final employee performance appraisal</li><li>▪ Exit interviewer's comment form</li><li>▪ Record of documents given with final paycheck</li></ul> <p><b>Benefits</b></p> <ul style="list-style-type: none"><li>▪ Emergency Contact Form</li><li>▪ Medical/Dental/Vision coverage waiver/ drop form</li><li>▪ Vacation accrual/taken form</li><li>▪ Request for non-medical leave of absence</li><li>▪ Retirement application</li><li>▪ Payroll deduction authorizations</li><li>▪ COBRA notification/election</li><li>▪ Hazardous substance notification and or reports</li><li>▪ Tuition reimbursement application and or payment records</li><li>▪ Employer concession and or discount authorization</li><li>▪ Annual benefits statement acknowledgment</li><li>▪ Safety training/meeting attendance/summary forms</li></ul> <p><b>Wage/Salary Administration</b></p> <ul style="list-style-type: none"><li>▪ Job description form</li><li>▪ Job analysis questionnaire</li><li>▪ Payroll authorization form</li><li>▪ Fair Labor Standards Act exemption test</li><li>▪ Compensation history record</li><li>▪ Compensation recommendations</li><li>▪ Notification of wage and or salary increase/decrease</li></ul>
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# Appendix

## Employee Files – What Goes In, What Stays Out, Who Has Access

### What Should Probably Not Be in a Personnel File

#### Medical Records

- Physician records of examination
- Diagnostic records
- Laboratory test records
- Drug screening records
- Any of the records listed above in the discussion on HIPAA
- Any other medical records with personally identifiable information about individual employees

#### Investigation Records

- Discrimination complaint investigation information
- Legal case data
- Accusations of policy/legal violations

#### Security Clearance Investigation Records

- Background investigation information
- Personal credit history
- Personal criminal conviction history
- Arrest records
- I-9's

Only permit individuals with a business-related reason to see any portion of an employee's personnel file. Be particularly vigilant with regard to medical information and personally identifying information such as Social Security Numbers.