

**PERSONNEL POLICY GUIDELINES
AND PROCEDURES MANUAL**

**DIOCESE OF TUCSON
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**SECTION 1
INTRODUCTION**

SECTION 1.1: PURPOSE

The purpose of these personnel policy guidelines and procedures is to provide important information so that management can help employees better understand what is expected of them and what they can expect as employees. These personnel guidelines are designed to aid the Diocese of Tucson and any Affiliated Church Organizations in the Diocese of Tucson which may adopt these guidelines in whole or in part in managing and utilizing personnel more effectively to accomplish their missions. The Diocese of Tucson and any Affiliated Church Organization that may adopt these guidelines, either in whole or in part, will hereafter be referred to collectively as the "Employer." Reference hereafter to the Affiliated Church Organizations that have adopted these guidelines will be referred to as "Affiliated Organization" or "Affiliated Organizations."

SECTION 1.2: AUTHORITY AND DISTRIBUTION OF POLICY GUIDELINES AND PROCEDURES MANUAL

The Employer is the final authority on the establishment, application and interpretation of the personnel policy guidelines and procedures. For the Diocese of Tucson, the Bishop of Tucson has delegated certain responsibilities for the establishment, application and interpretation of personnel policy guidelines and procedures to the Diocese of Tucson Department of Human Resources (DOTHR). The DOTHR will share its interpretations and analyses of these guidelines and procedures with the Affiliated Organizations that have adopted these guidelines, either in whole or in part.

The DOTHR is responsible for the contents, updating, and distribution of this manual. Manuals will be distributed to all who have people management responsibility, and to individuals in those Affiliated Organizations who have responsibility for the development, implementation, interpretation and communication of policies and procedures. This manual, adopted in 2006 and revised in 2011, supersedes any prior manual, handbook, or unwritten policy guidelines promulgated by the Diocese of Tucson. Any questions concerning any of the information presented in this manual should be directed to the DOTHR.

This manual will be maintained on the Diocese of Tucson website, www.diocesetucson.org. We ask your cooperation in keeping the manual up-to-date when changes are made in the future. Copies of any previous manuals should be returned to the DOTHR or to the Affiliated Organization's chief executive officer.

SECTION 1.3: APPLICABILITY OF PERSONNEL POLICY GUIDELINES

Separate policies and procedures may apply to the employment of:

- Women Religious and Men who perform services under contracts with the Diocese of Tucson and Affiliated Organizations and their religious orders.

- Priests who perform religious functions and ministry for or on behalf of the Diocese of Tucson and Affiliated Organizations.

SECTION 1.4: POLICY GUIDELINE CHANGES

The DOTHHR will bring changes in established personnel policy guidelines and procedures approved by the Bishop of Tucson to the attention of all managers working for the Diocese of Tucson and those Affiliated Organizations that have adopted these guidelines, who in turn are expected to inform all employees of the changes. The Affiliated Organizations that have adopted these guidelines shall determine for themselves, through action of the Affiliated Organizations' Boards of Directors, whether to adopt or reject the changes which may from time to time hereafter be approved and implemented in the Diocese of Tucson.

**SECTION 2
NON-DISCRIMINATION AND HARASSMENT**

SECTION 2.1: EQUAL EMPLOYMENT OPPORTUNITY

POLICY GUIDELINE

The Employer strives to be an equal employment opportunity employer. Notwithstanding the foregoing, as a Roman Catholic Religious Affiliated Organization the Employer reserves the right to give preference in certain employment areas to individuals who are practicing Roman Catholics and who are in full communion with the Roman Catholic Church.

PROCEDURES

- Primary responsibility for ensuring compliance with these policy guidelines and procedures rests with management at each workplace.
- Management and others may address questions, concerns, or requests for additional information to the DOTHHR or to the Affiliated Organization's chief executive officer.
- The Employer will investigate, or cause to be investigated, all complaints. At the option of the Employer, the investigator may be someone who is independent of the Employer.
- An eligible employee may invoke the Conflict Resolution and Grievance Procedure to register informal and formal complaints as provided in Section 4.
- An employee or applicant may raise concerns or complaints without fear of retaliation.
- Notices required by the Equal Employment Opportunity Commission will be displayed on workplace bulletin boards.

SECTION 2.2: REASONABLE ACCOMMODATION

POLICY GUIDELINE

In compliance with the Americans with Disabilities Act (ADA), reasonable accommodation will be made for the known physical or mental limitations of qualified applicants or employees with a disability to enable them to perform essential job duties unless such accommodation would impose an undue hardship in the operation of the workplace or entail an exorbitant expense. Persons should not be employed in jobs in which they pose a direct threat to self or others. This policy guideline will apply to Employers that have the requisite number of employees as prescribed by federal law (42.U.C.S.A. 12111.)

PROCEDURES

- The Diocese Human Resources Director serves as ADA Coordinator for the Diocese of Tucson and is responsible for overseeing compliance with the ADA. The Director shall also serve as ADA Coordinator for those Affiliated Organizations that have adopted these guidelines, unless such Affiliated Organizations have opted to utilize the services of another as Coordinator.
- It is the responsibility of the qualified applicant or employee requiring an accommodation to make the need known.

- On receipt of an accommodation request, the Employer's ADA Coordinator should be consulted by the department manager to whom the accommodation request was directed.
- The ADA Coordinator or designee and the employee's immediate manager or applicant's hiring authority will meet with the employee or applicant to discuss and identify the precise limitations resulting from the disability and the potential accommodation that might be made to help overcome those limitations.
- Reasonable accommodation may include, but is not limited to
 - Restructure or modification of the job;
 - Reassignment of a disabled employee to a vacant position without having to compete with other candidates for the position;
 - Establishment of modified work schedules;
 - Acquisition of modified equipment or devices;
 - Equipment, aids, or services provided by the disabled individual.
- The Employer through the ADA Coordinator will inform the employee or applicant of its determination on the accommodation request.
- Accommodation requests and related information will be treated as confidential by the Employer and its ADA Coordinator.
- All documentation pertaining to actions taken by the Employer under these procedures will be maintained in a separate confidential health file.
- With the exception of the ADA Coordinator, the health file will not be available or otherwise made known to persons not specifically authorized by the Employer.
 - The employee's management will be informed of any medical condition of an employee that may require emergency treatment.
 - All other information will be kept strictly confidential.

SECTION 2.3: HARASSMENT/SEXUAL HARASSMENT

POLICY GUIDELINE

The Employer is committed to maintain work environments where all persons are treated with dignity and mutual respect in accord with Christian principles and the social teachings of the Church. An employee who commits an act of harassment, whether directed toward a person of the opposite or same sex, based on race, color, sex, religion, national origin, age of 40 or older, disability, or any other protected activity or class under the discrimination laws is subject to corrective action up to and including termination of employment.

TYPES OF HARASSMENT – Harassment includes, but is not limited to:

- Verbal: Comments and racial, ethnic "jokes" that are offensive to the recipient; threats to personal safety, employment, wages, or other working conditions; requests to engage in illegal, immoral, or unethical conduct.
- Visual: Display of offensive materials such as derogatory, demeaning, or inflammatory posters, cartoons, written words, drawings, or gestures.
- Physical: Unwanted physical contact or advances, assault, deliberate impeding or blocking of movement, or any intimidating interference with normal work or physical movement.

- Sexual: Unwelcome sexual advances, requests for sexual favors, display of sexually offensive materials, and other physical, verbal, or visual conduct of a sexual nature constitutes sexual harassment when
 - submission to such conduct is made either implicitly or explicitly a term or condition of the individual's employment, continued employment, promotion, pay, or conditions of employment;
 - Such conduct has the purpose or effect of either unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive employment environment.
 - Any behavior which otherwise adversely affects an individual's employment.

PROCEDURES

INDIVIDUAL: If an employee thinks a person in the workplace is harassing him/her, the individual should:

- Whenever reasonable to do so, tell the person that the behavior is unwelcome and offensive and to stop.
- If the behavior does not stop or if the offended party cannot approach the person, the behavior should be reported to the appropriate management level, either to the employee's own immediate manager or supervisor or to the next higher level of management if reporting to the immediate supervisor is not a reasonable step.
- The offended party can also directly report the offensive behavior to the DOTHR if contact with either the person or appropriate supervisor is determined by the offended party to not be reasonable or acceptable. For those Affiliated Organizations that have adopted these guidelines, the offended party can also directly report the offensive behavior to the chief executive officer of the organization.
- Initially, an oral report of the incident (s) is acceptable; however, a written report will be required for use in any subsequent investigation process.
- Cooperate during the investigation which includes honest and full disclosure of information requested by the investigator.
- Maintain strict confidentiality to ensure the integrity of the investigation.
- If there is alleged reprisal or retaliation, contact the DOTHR, or in the case of an Affiliated Organization, its chief executive officer.

MANAGEMENT

- The supervisor or manager who receives a complaint of unlawful harassment/sexual harassment should request that the individual submit the complaint in writing if not already done so. If the individual declines, the recipient of the complaint should document the complaint in writing.
- The supervisor or manager taking the complaint should advise the complainant of the steps that will be followed in the investigation procedure.
- If the immediate manager or supervisor receives the complaint, he/she should provide the next level of management with the documented complaint within three (3) working days of receipt of the complaint.

- The next level manager should contact and forward the document to the DOTHR, for the Diocese of Tucson, or to the Organization CEO of those Affiliated Organizations that have adopted these guidelines within three (3) working days of notification.
- Reports of harassment or sexual harassment will be investigated confidentially, sensitively and expeditiously by the DOTHR, or designee, for the Diocese of Tucson, or by the chief executive officer, or designee, of those Affiliated Organizations that have adopted these guidelines.
- No employee will be unlawfully retaliated against for reporting harassment/sexual harassment, assisting in making a complaint, or cooperating in an investigation.
- Management has the responsibility to communicate the policy guidelines and procedures for harassment or sexual harassment to all employees and should be held accountable for ensuring compliance with these policy guidelines and procedures in their area of responsibility.

INVESTIGATION PROCEDURES

- The DOTHR, or the chief executive officer of an Affiliated Organization that has adopted these guidelines, should, within five (5) working days after receipt of the documented complaint, appoint an investigator.
- The DOTHR, or the Affiliated Organization's chief executive officer, should set a reasonable limit, normally five to ten (5-10) working days, based upon the case and the investigator's schedule, for the investigator to conduct an investigation and render a report.
- The investigation will include interviews with the offended party and any witnesses named by that party. Any documents supporting the report will be gathered as part of the case file.
- The investigator will meet with the alleged harasser/sexual harasser to discuss the findings. The individual should be given an opportunity to reply to each allegation. The investigator should document the findings and discussion and provide the Affiliated Organization's chief executive officer or DOTHR Director with a comprehensive report and supporting documentation.
- If the DOTHR is the one who has received the investigations report, the DOTHR Director will send the Employer a follow-up report outlining the allegations, investigation findings, and recommended actions.
- After receiving concurrence from the Employer, the DOTHR Director will meet with the offended party to discuss the outcome of the investigation and the recommendations. In the case of Affiliated Organizations, after the Chief Executive Officer has reviewed the investigations report, the Chief Executive Officer will meet with the offended party to discuss the outcomes, the investigation and the recommendations he or she is considering to resolve the matter.
- Prompt and appropriate corrective action should be taken if the allegations are substantiated. The severity of the action will depend on the type and degree of harassment/sexual harassment, the harasser's level of responsibility, and any other relevant circumstances surrounding the harassment. Corrective action up to and including termination can be taken against the offending party.
- If the offended party is not satisfied with the results of the investigation, he/she can invoke the procedure to appeal the decision as provided in Section 4.
- Any employee who knowingly makes false charges, who refuses to cooperate in an investigation, who participates in any form of unlawful retaliation, or who knowingly breaches the confidentiality of an investigation will be subject to corrective action up to and including termination as provided in Section 4.

- The Diocese of Tucson has adopted a zero tolerance harassment policy for employees of any Affiliated Organization within the Diocese of Tucson. Any violations of the policy guidelines will be subject to corrective action up to and including termination as provided in Section 4.

SECTION 2.4: SEXUAL MISCONDUCT WITH MINORS AND ADULTS

POLICY GUIDELINE

The Diocese of Tucson and its Affiliated Organizations will not tolerate sexual misconduct. The Diocese of Tucson and Affiliated Organizations, in accordance with the teachings of the Catholic Church, expect all employees to live moral lives, respecting in all ways the sanctity of every human being in general and the gift of sexuality in particular. Sexual misconduct abuses the power and authority of the pastoral or educational role of those who work for the people of God and serve them. Sexual misconduct is contrary to Christian moral and the moral strictures of many other religious belief systems and societal standards, and often violates civil law.

Sexual misconduct includes a broad range of acts and behaviors that is defined in Section IV of the Diocese of Tucson “Guidelines for the Prevention of and Response to Sexual Misconduct”. Sexual misconduct by an employee violates human dignity, accepted professional standards of conduct, the moral teachings of the Roman Catholic Church, and policy guidelines. To protect children, adolescents, and adults against sexual misconduct, the Diocese of Tucson promulgated the “Guidelines for the Prevention of and Response to Sexual Misconduct and the Summary Statement” and the “Diocese of Tucson Code of Conduct” both of which must be read and adhered to by all employees of the Diocese of Tucson and Affiliated Organizations that have adopted these guidelines.

Any violation of this policy guidelines will be subject to corrective action up to and including termination as provided in Section 4.

**SECTION 3
EMPLOYMENT PRACTICES**

SECTION 3.1: EMPLOYMENT AT WILL

POLICY GUIDELINE

Employment with the Diocese of Tucson and Affiliated Organizations is voluntary. All employees are free to resign at will at any time with or without cause. Similarly, the Diocese of Tucson and Affiliated Organizations may terminate the employment relationship at any time with or without notice or cause as long as there is no violation of applicable federal or state law.

The policies in this manual are not intended to create a contract. The policies should not be construed to constitute contractual obligations of any kind or a contract of employment between an Employer and any employee. The provisions of the manual have been developed at the discretion of management and, except for the policy of employment at will, may be amended or cancelled at any time and at the sole discretion of the Bishop of the Diocese of Tucson, and for Affiliated Organizations through the Affiliated Organization's Board of Directors.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Bishop of the Diocese of Tucson, or without the express written approval of the chief executive officer and Board of Directors of any Affiliated Organization that has adopted these guidelines.

PROCEDURES

- The employment-at-will doctrine should be communicated to non-contractual employees at the employment events of hiring, rehiring, promotion, transfer, reassignment, and termination by means of the Memorandum of Employment or similar correspondence documenting the change in employee status. (Appendix A-5, A-6, A-7, A-8)
- Copies of the signed documents should be kept in the employee's personnel file.

SECTION 3.2: IMMIGRATION REFORM AND CONTROL ACT / LEGAL ARIZONA WORKERS ACT

POLICY GUIDELINE

It is the policy of the Diocese of Tucson and Affiliated Organizations to fully comply with the regulations of the Immigration Reform and Control Act of 1986 and the Legal Arizona Workers Act of 2008. The Employer will hire only those who have the legal right or authorization under Federal law to work in the United States. The Legal Arizona Workers Act requires employers in Arizona to verify the employment authorization using the Federal E-Verify system.

PROCEDURES

In order to comply with the law, the following should be adhered to by the Employer:

- Have new employees fill out Section 1 of the I-9 form (Exhibit 21) on the first day of employment.
- Verify documents establishing employees' identity and eligibility to work.
- Fully complete Section 2 of Form I-9. If an employee is hired for less than three (3) days, Form I-9 must be completed before the end of the employee's first working day.
- Read, fill in the appropriate information, and sign the certification section.
- Submit a copy of the completed I-9 with copies of the supporting documents to DOTHR for E-Verify Processing within 3 business days of the date of hire.
- Retain the form for at least seven (7) years. If the person is employed for more than seven (7) years, the form must be retained until one (1) year after the person leaves employment.
- Present the form for inspection to an Authorized Immigration or Department of Labor officer upon request. At least three (3) working day's advance notice will be given.

SECTION 3.3: EMPLOYMENT RECRUITMENT AND SELECTION

POLICY GUIDELINE

The Diocese of Tucson and Affiliated Organizations strive in their recruitment and selection processes to hire the best-qualified personnel available. Primary consideration is given to maintaining the highest standards of performance and conduct. A total assessment of each candidate's qualifications should be performed during the selection process for all open positions. The selection of a candidate should not be made on the basis of one single attribute or qualifying factor.

The DOTHR is responsible for the establishment of guidelines and procedures for the recruitment and selection process with the objective of assisting the Employer in hiring the best-qualified personnel available. Only the responsible hiring authority may make final hiring decisions. Hiring authorities are defined as follows: Pastoral Center, The Bishop of Tucson; Parishes, Pastor; Schools, Principal and pastor or chairman of Board of Directors, Other Affiliated Organizations, Department Director or Executive Director. The hiring authority has the option to delegate hiring authority to another responsible manager within the affiliated organization.

Workplaces should first consider reassignment or promotion of current employees to fill an open position. Referrals from employees are encouraged; however, all such referrals will be given the same consideration as any other applicants. It is recommended that the Diocese of Tucson Employment Process be adhered to. (Appendix A)

PROCEDURES

Screening and Selection:

- Employee recruitment and selection guidelines are outlined in the Diocese of Tucson Employment Process, Screening and Selection Procedures. (Appendix A)

- Potential new employees must be screened by way of a fingerprint and a criminal history and a background check. Procedures are included in the Diocese of Tucson Criminal History Check Procedure. (Appendix B)
- Any offer of employment is contingent upon the truthfulness and accuracy of information provided by the candidate during the application and interview process. An employment offer will be revoked if any falsification or omission of material facts is discovered. If such falsification or omission is discovered after a candidate has been hired, the individual will be subject to immediate discharge as provided in Section 4.
- The Employer is advised to consult with the Diocese Director of Human Resources before offering employment to youths under eighteen (18) years of age to ensure compliance with federal and state law.

New Hires:

- Prior to the new employee's arrival, the manager should have completed the first section of the New Hire Checklist. This Checklist should be used throughout the hiring process and probationary period. (Exhibit 1)
- The new employee should report to his/her manager on the first day of work for orientation. New employee orientation should include:
 - Information about the philosophy, mission, and priorities of the Employer, as well as its governance and organizational structure.
 - A complete explanation of employment benefits, payroll forms, safety and health requirements, and other applicable employment information, including completion of all legal documents required to initiate a paycheck and appropriate employee benefits.
 - A detailed discussion of all information contained in the signed Memorandum of Employment or Teacher Contract.
 - A review of the Code of Conduct and the Guidelines for the Prevention of and Response to Sexual Misconduct: Summary Statement.
 - A review of the Employee Handbook. The employee will be required to submit a signed form indicating that the Employee Handbook was received, read, and understood. (Exhibit 2)
- The manager will establish a personnel record that will contain all relevant and signed documents relative to the individual and employment.

Reinstatement/ Rehire of Former Employees

- Before beginning the process of reinstatement/rehire of a former employee, the Employer is encouraged to consult with the DOTHR for a review of the position description for the job opening and the former employee's employment record, if available.
- Former employees reinstated/rehired within ninety (90) days following their termination date are not considered new hires for benefit eligibility and length of service purposes.
- Former employees reinstated/rehired on or beyond the ninety-first (91) day following their termination date are considered a new hire. For these employees, the workplace should follow all new hire procedures outlined above. Beyond the ninety-first (91) day, prior service will not be counted for length or service purposes.

Transfers/Promotion

- Employees who have completed the probationary period of the current position and whose performance rating is “good” or above, may be eligible to apply for another position within the same organization.
- An employee does not need approval of the Employer to apply for an open position. The employee is, however, expected to communicate his or her plans to the immediate supervisor as soon as possible after the application. The employee will not be subject to reprisal or restraint in any form if applying for any open position.
- Transfers between one Affiliated Organization and another is not permitted due to the separate corporation status of each organization. Employees are required to resign from their current employer and then be employed by the receiving organization.
- Upon hiring for the new position, the employee will be subject to a new probationary period in the new position.
- Within an organization, an employer, due to the needs of the organization, may require that an employee transfer to another position or department within the organization. Both the employer and the employee may exercise the employment-at-will doctrine should the employee refuse the transfer.

SECTION 3.4: EMPLOYMENT OF RELATIVES

POLICY GUIDELINE

Management should strive to hire the best qualified applicant for a vacant position. Occasionally, the best qualified candidate may be a relative of an active employee. In order to avoid circumstances in which the possibility of favoritism, conflicts of interest, or impairment of efficient operations may occur, relatives will be prohibited from working in a manager/subordinate relationship and under certain circumstances may be prohibited from working in the same workplace.

For purposes of this policy guideline, relatives are defined as individuals related to each other by blood (regardless of the degree of consanguinity) or marriage.

PROCEDURES

- As part of the initial employment process, a careful review of applicants is required to ensure that a new employee is not placed in a direct or indirect reporting relationship with a relative as defined by these policy guidelines. Applicants who withhold this information, and who are subsequently employed will be subject to immediate termination as provided in Section 4.
- If during the course of employment the marriage, transfer, promotion, or other circumstances of a current employee creates a situation in conflict with this general policy guideline, management will attempt to remedy the problem by transferring one of the employees. If management decides a transfer is not feasible, management will take such action as best meets business needs, including termination as provided in Section 4.
- Before termination, management will follow the procedures outlined in Section 10.1.

- The employment of relatives in a direct reporting relationship prior to July 1, 2006 were “grandfathered” into this policy guideline so that employees could remain in their current position. However, all related employees who are hired or employees who become relatives after July 1, 2006 must abide by this policy guideline.

SECTION 3.5: PERSONNEL RECORDS

POLICY GUIDELINE

A personnel file must be maintained for each employee. All personnel files must be kept strictly confidential and maintained in locked files in the Employer’s central office location and made available only to authorized persons. Personnel files remain the permanent property of the Employer.

PROCEDURES

- The personnel file should contain documentation listed in Exhibit 1, as well as performance management documentation, records of training, salary increases, etc.
- Separate file folders should be maintained for:
 - Medical and industrial records; i.e., results of physical examinations, reasonable accommodation information, and all other health-related information.
 - I-9 forms.
 - Safe Environment documentation including criminal history and background checks.
- Each active employee may review his/her personnel file under the supervision of management. Arrangements for review must be made at the workplace or other location where the review is to take place, allowing at least two (2) weekdays between the request and the appointment. No document may be taken from the file, although active employees or former employees who have left within the prior 365 days may receive a copy of their personnel file documents. Management will supply copies within ten (10) days of the request. (Exhibit 3)
- If a subpoena is served on the Employer demanding that the Employer produce contents of a personnel file, in the Diocese of Tucson, and Affiliated Organizations, the DOTHR should be consulted immediately for assistance. After review by legal counsel, copies of requested documents in the file are to be provided in response to valid subpoenas.
- Managers may only review performance appraisals and current corrective action documentation of their currently assigned employees.
- During the employment process for a specific open position, the hiring authority may review the original employment application as well as the position description, performance appraisals, salary information, and current corrective action documentation.
- It is the responsibility of each employee to give management written notice of any changes in personal status (e.g., change in address, change in number of dependents, etc.).
- After separation, the former employee’s file is to be kept in a separate secure location for seven (7) years, after which the file may be destroyed.
- All requests for information regarding past or present employees will be handled by a manager specifically designated as the workplace contact.
- Information provided about former employees is limited to hire date, termination date (if applicable), and position held. Any information such as salary or prior performance information can be provided only with the express written consent of the former employee.

- Letters of recommendation on an Employer's letterhead are discouraged to prevent misunderstandings and incorrect releases of information.

SECTION 3.6: EMPLOYEE CENSUS

POLICY GUIDELINE

To enable the Employer to accurately and properly administer benefits and to respond to legal requirements related to employment matters, in the Diocese of Tucson the DOTH, or in Affiliated Organizations the Chief Executive Officer, will conduct an ongoing Employee Census via the Employee Status Change Form. Information derived from this form will be the basis for billing of benefits, pension, and other personnel-related requirements.

PROCEDURES

- As employee status changes occur at a workplace, the responsible manager or personnel representative must complete and submit the form as indicated to the DOTH. (Exhibit 19)

SECTION 3.7: WORK AT HOME

POLICY GUIDELINE

Because of concerns for employee safety and other aspects of an employee's employment worker's compensation, overtime pay, hours worked, and other considerations, work at home by both exempt and non-exempt employees is not allowed except with the express authorization of management.

SECTION 4 PERFORMANCE MANAGEMENT

SECTION 4.1: JOB EVALUATION

POLICY GUIDELINE

To better accomplish its mission and to strive for consistency in the treatment of employees, the Employer should develop a written job description for every position. The Diocesan Director of Human Resources shall collaborate with any Affiliated Church Organization that seeks help or guidance in this regard.

PROCEDURES

- The Employer should maintain a written description of the duties and responsibilities for each current position (e.g., see DOTHHR website, Sample Job Description).
- The job description should relate only to the required duties of the position and never to the qualifications of the current or prospective incumbent and should not be tailored to any individual.
- Job Descriptions include:
 - Job Title, Fair Labor Standards Act (FLSA) Status, Pay Grade if applicable, and Department/Location.
 - Primary Function, including the identification of the position title to whom the position reports.
 - Essential duties and responsibilities
 - Physical/Mental requirements, required activities.
 - Basic qualifications.
 - Education and experience.
 - Other skills and abilities.
- All employees should be given a copy of the description at the time of hire, rehire, and transfer/promotion. This document should become a part of the employee's personnel file. It is impossible for job descriptions to cover every task or responsibility assigned; therefore, they do not limit the manager's right to assign additional duties as needed, as indicated in the Job Description under "Essential Duties and Responsibilities".
- Job descriptions should be reviewed with the employee during interim reviews and the annual Performance Evaluation.
- All job classifications should follow a specific salary range with an established minimum and maximum. The range should be broad enough to allow incentives for improved performance, job proficiency, and exceptional individual effort. Job classifications and salary ranges are subject to review and amendment as needed by the Employer. Upon the Employer's request, the Diocese Director of Human Resources will collaborate with the Employer to help in the review and modification of the descriptions to meet the needs of the Employer.
- The Diocese of Tucson has made the Diocese Director of Human Resources, available to all Affiliated Church Organizations to review all job description and job description modifications

to ensure that they are appropriate and reflect current position requirements and salary ranges, if applicable.

- An employee's work performance, ability to get along with co-workers, willingness to cooperate, ability to lead, attendance and punctuality, appearance, and personal initiative are all considerations measured for salary increase, or promotion purposes.

SECTION 4.2: PROBATIONARY PERIOD

POLICY GUIDELINE

The Probationary Period is an opportunity for the employee to become acquainted with the position and its responsibilities and to demonstrate the ability to meet the requirements of the job. For the Diocese of Tucson and all Affiliated Church Organizations, it is strongly recommended that all new employees and those rehired, transferred or promoted are required to complete a Probationary Period of at least ninety (90) calendar days. Commencement of the Probationary Period is not a guarantee of employment for the duration of the Probationary Period. Completion of the Probationary Period is also not a guarantee of continued employment.

PROCEDURES

- The Probationary Period for Lay Employees should be ninety (90) calendar days and for DOT directors should be 180 days.
- Within the first thirty (30) days of employment, the manager should develop and present to the employee a Performance Plan as outlined in the Employee Performance Evaluation Process in Appendix C.
- The Probationary Period and its length should be communicated to the employee in the Memorandum of Employment or other correspondence indicating a change in status such as promotion or transfer. Appendix A
- Extension of the Probationary Period and its length, not to exceed ninety (90) calendar days, is at the discretion of the manager and should be communicated in writing to the employee at least five (5) days prior to the end date of probation. An extension may be made when an employee, through illness or other circumstances beyond his or her control, has not been able to demonstrate the ability to meet the requirements of the job or when an adequate evaluation of the employee's job performance was not possible during the ninety (90) days.
- During the Probationary Period, managers should implement the Performance Management and Performance Evaluation procedures as described in Section 4.
- Upon completion of the Probationary Period, if the employee is able to satisfactorily perform all elements of the job as evidenced by a satisfactory Performance Evaluation, the employee will be taken off probationary status and placed on regular status.

SECTION 4.3: PERFORMANCE EVALUATION

POLICY GUIDELINE

The Performance Evaluation is part of the on-going process of performance management that presumes on-going communication between the employee and the manager and the conducting of interim reviews regarding job performance. The evaluation process includes the immediate manager's assessment, employee input, and, where applicable, takes into consideration feedback from the employee's peers and those served by the work of the employee. The Performance Evaluation provides the basis for an employee's compensation and other employment decisions such as promotion, layoffs, etc.

With the exception of the chairperson of the governing board of separately incorporated entities only managers can conduct Performance Evaluations.

PROCEDURES (See Appendix C).

- Managers and employees should work together to generate a job-related criteria-based written Performance Plan. Job related criteria include the written job description and mutually agreed upon standards of performance or goals to be accomplished (Performance Plan) during the performance evaluation period. (Appendix C)
- The manager should meet with all newly hired, rehired, transferred, and promoted employees within thirty (30) days of employment or change in status to generate the written Performance Plan.
- All regular employees should receive, at a minimum, one (1) performance interim review and one (1) performance evaluation, both based on the written Performance Plan, during each twelve (12) month period. The interim performance review should be scheduled at the six (6) month mark; the formal Personnel Performance Appraisal should be the employee's annual evaluation and should be scheduled at the end of the 12-month period. (Appendix C)
- Performance plans should be reviewed and, when necessary, revised during the performance evaluation period as changes in job responsibilities occur.
- Special informal reviews can be scheduled at any time. Informal reviews may be verbal reviews.
- After an employee receives a satisfactory Personnel Performance Appraisal, documentation concerning the employee's performance during the evaluation period which is used as a reference for the evaluation is to be discarded. Any letters of commendation or other similar documents may be made a part of the employee's permanent file.

EVALUATION PROCESS

- The manager should complete the Personnel Performance Appraisal and provide the employee with a copy in advance of the meeting with the employee. (Appendix C)
- The manager should address areas in which the employee has either met or failed to meet the expectations as stated in the performance plan. Recommended procedures for unsatisfactory performance are outlined in this Section 4.
- The employee should sign the Performance Evaluation after the discussion. This signature acknowledges receipt and that he/she understands the contents of the discussion. It does not necessarily imply agreement. The signed evaluation form should become part of the employee's personnel file, with a copy of the signed evaluation provided to the employee.

- The employee should include written comments regarding any disputed performance evaluation issues. When the employee disagrees with any part of the evaluation, the evaluator's manager (Reviewing Manager) should review the evaluation process; make a determination regarding his/her opinion and make written comments on the report form. The evaluating manager should then review the comments directly with the manager or the employee as applicable.
- If the employee still disagrees with the evaluation, he/she can initiate the Conflict Resolution and Grievance Procedure as outlined in Section 4.

SECTION 4.4: PROGRESSIVE CORRECTIVE ACTION

POLICY GUIDELINE

Progressive Corrective Action is a process designed to identify and correct the conduct and/or performance of an employee who does not meet the standards set forth by the Personnel Policies and Procedures and/or the employee's Performance Plan.

Corrective action may include but is not limited to counseling, written corrective action, suspension, and/or termination of employment. The implementation of Progressive Corrective Action does not alter the employment at will relationship that exists between the Employer and employees.

PROCEDURES: CONDUCT/BEHAVIORAL PROBLEMS

Informal Counseling

- The immediate supervisor should meet with the employee to discuss the specific changes that are required, clearly stating that the unsatisfactory conduct or behavior must stop immediately. The supervisor should clearly state that the consequences of future occurrences can include disciplinary action up to and including termination.

Formal, Written Corrective Action

- If the problem continues, the immediate supervisor should document in writing the employee's unsatisfactory conduct. (Exhibit 5)
- The immediate supervisor should schedule a meeting with the employee to discuss the contents of the written document and should give a copy to the employee, with the original placed in the employee's personnel file.
- If the employee disagrees with the corrective action he/she may appeal as outlined in this Section 4.

Suspension from Work

- The supervisor may choose to suspend without pay the employee who refuses to make the necessary corrective changes. When the employee's status is unclear, suspension with pay is advisable until the employee's status is determined.
- Administrative Leave Notice Memo (Exhibit 6) should be completed, summarizing the exact reasons for suspension and the approximate length of the suspension period.

Termination of Employment

- For involuntary separations, the supervisor should follow the procedures as outlined in Section 10.
- Termination can occur with or without progressive corrective action. The following list, which is not all-inclusive, may warrant immediate termination.
 - Continued Unsatisfactory Job Performance.
 - Possession of a weapon on any workplace property or at any employer-related activity or function.
 - Vandalism of any workplace property or theft of any kind.
 - Use or possession of alcohol/illegal substances, or being under the influence of alcohol/illegal substances while on the job or at the workplace or at any employer-related activity or function.
 - Falsification or omission of records or information.
 - Harassment of any type; threatening or causing bodily harm, or other coercive and/or intimidating actions.
 - Willful and repeated acts of insubordinate behavior towards management. This includes demeaning or disparaging remarks towards management and refusal to follow management direction.
 - Sexual misconduct or other behavior resulting in discredit to the organization.
 - The espousing publicly of positions contrary to the teachings of the Church.

PROCEDURES: UNSATISFACTORY JOB PERFORMANCE

Informal Counseling

- The immediate supervisor should meet with the employee to discuss the nature of the problem and the specific changes that may be required for the employee to meet the minimum performance expectations/requirements of the position.
- The immediate supervisor should clearly state that job performance improvement, as described in the specific changes required, must be immediate and sustained and that failure to do so can result in disciplinary action up to and including termination.

Performance Improvement Plan

If the problem continues, the immediate supervisor should:

- Complete a formal Performance Evaluation that will become part of the employee's personnel file. The immediate supervisor should also generate a comprehensive Performance Improvement Plan, detailing specific improvements and deadlines required. (Appendix C)
- Document and explain the areas where improvement is needed; that improvement must be immediate and sustained; and state clearly the consequences of not improving.
- Keep the employee on the Performance Improvement Plan for a predetermined amount of time, normally not to exceed 90 days.
- Meet with the employee periodically during the Improvement Plan period to discuss the employee's progress. If the improvement expectations are not being met, termination can occur at any time during the Improvement Plan period.

SECTION 4.5: CONFLICT RESOLUTION AND GRIEVANCE PROCEDURE

POLICY GUIDELINE

An open and frank atmosphere is encouraged in which employees who disagree with established rules of conduct, policies or practices, working conditions, or other work related issues can express their concern through the Conflict Resolution and Grievance procedure. No one will be retaliated against for filing a good faith complaint under this policy guideline.

ELIGIBILITY

All regular employees who have successfully completed their Probationary Period are covered under this policy guideline.

PROCEDURES

- Employees should present their concerns to their immediate supervisor within five (5) working days of the date of the incident that gave rise to the complaint. The supervisor should review the complaint and, within a reasonable time, inform the employee of any action to be taken, keeping a written account of all meeting dates, discussions, and explanations.
- If the employee is dissatisfied with the response given by the immediate supervisor or if the supervisor does not provide a response, the employee may appeal to the next level of management.
 - The employee should submit a written complaint to the next-level manager that includes a statement of the problem, the date when the incident occurred, a summary of the supervisor's response if any, and a suggested resolution.
 - The next-level manager should meet with the employee to discuss the complaint, perform such investigation as he/she deems appropriate, and should provide the employee with a decision within a reasonable time following the meeting. The decision should be communicated to employee's immediate supervisor.
- If the employee is dissatisfied with the decision of the next-level manager, the employee may appeal the decision in writing to the Diocese of Tucson Human Resources Department for review by the Bishop who will determine if further investigation is warranted. The Bishop may take action to resolve the complaint based on the information he received, or on the investigation results; or the Bishop may ask that the entire matter be reviewed by the Diocese of Tucson Standing Grievance Panel so that it may render an unbiased recommendation based on the facts of the case. The employee should include supporting documentation with any grievance letter.

SECTION 4.6 STANDING GRIEVANCE PANEL

POLICY GUIDELINE

The purpose of the Standing Grievance Panel is to review the employee's complaint, review the facts of the case, and make recommendations to the Bishop of the Diocese of Tucson to enable him to make an unbiased, final, and binding decision on the outcome of the case.

The Diocese of Tucson Standing Grievance Panel consists of individuals who are independent of the employee's workplace personnel matters so as to be able to render an unbiased decision based on the facts of the case. The Standing Grievance Panel will operate in accordance with a set of standard procedures for the conduct and operation of the panel. The employer as well as the employee will be expected to ensure that all factual details are provided to the Standing Grievance Panel so as to enable the Panel make an informed decision and communicate recommended actions to the Bishop.

Prior to rendering a final decision, the facts of the case and the proposed recommendations of the Panel must undergo a review by diocesan legal counsel to ensure compliance with current law. The Bishop will be the final arbiter on any proposed action.

**SECTION 5
COMPENSATION**

SECTION 5.1: EMPLOYEE DEFINITION

An employee is defined as any person who receives direct compensation from the Diocese of Tucson or Affiliated Church Organization for any service performed for which the Employer has the legal right to manage or control both the method and result.

SECTION 5.2: EMPLOYEE STATUS DESIGNATIONS

POLICY GUIDELINE

Employees are classified into various groups by defining their status. All provisions of the Federal Labor Standards Act (FLSA) apply are to be complied with.

Employee Categories	Description
Regular	Employees who have satisfactorily completed the probation period in a position that is expected to continue.
Regular Full-time	Employees who work 30 or more hours per week and who maintain continuous regular employment status.
Regular Part-time with benefits	Employees who work 20 – 29 hours per week and who maintain continuous regular employee status.
Regular Part-time without benefits	Employees who work less than 20 hours per week.
On Call	Employees hired on an “as needed” basis. They do not have a set work schedule or number of hours per week, nor do they necessarily work every week.
Temporary	Employees who have been hired for a defined period of time not to exceed one year.
Contract Principals and Teachers	Lay principals and teachers are the only employees whose employment is personally contractual. Contracts for principals and teachers are for one year only at the discretion of the pastor or principal. New contracts are to be offered in accord with School Policies and Procedures.

Exempt and Non-exempt Status: Each employee is classified as either exempt or non-exempt in accord with the provisions of the Fair Labor Standards Act (FLSA).

- **Exempt Employees:** All those employees who are exempt from the minimum wage, overtime compensation, and the recording of hours provisions of the FLSA (Wage-Hour Law). An employee is classified as exempt based on the U.S. Department of Labor's (DOL) definition of an exempt executive, administrative, professional, computer professional, or outside sales employee. Exempt employees are paid on a salary basis and, in general, must be paid their full salary for any week during which they perform work. Their pay may be reduced in specific circumstances. Exempt employees are not eligible for overtime pay.
 - For clarification on the specific circumstances under which an exempt employee's pay may be reduced, the DOTHHR is a resource made available to all Affiliated Church Organizations.
 - The Department of Labor has established a set of tests to determine if an employee is to be classified as exempt. For clarification on individual employee exempt vs. non-exempt status, the DOTHHR is a resource made available to all Affiliated Church Organizations.
- **Non-exempt Employees:** All those employees who are not exempt from minimum wage, overtime compensation, and recording of hours provisions of the Fair Labor Standards Act (Wage-Hour Law). Non-exempt employees will be paid only for actual hours worked. By law, non-exempt employees are eligible for overtime pay for hours worked over forty (40) hours in a workweek.

Employees should be informed of their exempt or non-exempt status at the time of hire. Changes in job duties or assignments can result in change of status. In all instances in which there are questions about status designation, the Employer should consider consulting with the DOTHHR before taking action.

Employment Contracts and Agreements: Any document intended to serve as a contract or that may have the effect of a contract should be reviewed by the DOTHHR and the Diocese of Tucson Attorney. Only contract documents and formats approved by the Diocese of Tucson and Affiliated Church Organizations should be used to enter into a contract with an employee.

Employment Categories with Limited or No Management Oversight:

- **Outside Consultants/Independent Contractors** – Management oversight is limited in scope based on the terms of the individual contract. These are individuals who are self-employed and who are generally available to contract with other entities.
- **Contracted Temporary Employees:** Individuals employed by outside agencies, not the workplace; management oversight rests with the contracting agency.

SECTION 5.3: CONDITIONS AND HOURS OF WORK

The following definitions are important payroll and bookkeeping information used in the calculation of employee compensation:

DEFINITIONS:

- Standard Work Week – Begins at 12:00 a.m. Sunday and ends at 11:59 p.m. Saturday night.
- Hours Worked – Defined as all the time an employee must be on duty or on the Employer’s premises or at any other prescribed place of work. Included is any additional time the employee is required or permitted to work. Hours worked also include work-related travel time for non-exempt employees whether it is on a work day or on a day on which the employee regularly does not work.
- Work Day – The regular business hours during which workplaces are normally open. The Employer will set the regular work day hours as determined by management-identified workplace needs.
- Meal Breaks – An unpaid meal break of at least thirty (30) minutes or more during the workday will be provided during the employee’s assigned working hours if the employee works a minimum of six (6) hours a day. An employee cannot choose to work during an unpaid meal break in order to be paid for it, to have a shorter workday, or to “make up” time that may have been missed.
- Rest Periods – Short rest periods may be taken for necessity and as allowed or scheduled by the Employer. The employee’s supervisor may schedule rest periods.

SECTION 5.4: FLEXTIME

POLICY GUIDELINE

All employees are expected to be at work during the regular work hours set by the Employer unless management grants approval for a flexible work schedule (flextime). Flextime is a completely voluntary alternative work schedule that allows an employee to vary the time that he/she arrives at work and departs from work. Under Flextime, time of arrival and departure should not differ from the standard operating hours by more than two (2) hours. All flextime arrangements must be approved in advance by management and conform to the provisions of the Fair Labor Standards Act (FLSA) and State labor laws for employees covered by those provisions.

PROCEDURES

- An employee should first discuss possible flextime arrangements with the immediate supervisor and then submit a written request explaining the reason for the request.
- Each employee’s flextime work schedule may be approved by the immediate manager or supervisor based on:
 - staffing needs;
 - the employee’s job responsibilities;
 - schedules requested by other employees;
 - the employee’s work record;
 - the employee’s ability to temporarily or permanently return to a standard work schedule when needed.
- Employees who participate in the flextime program will work their same number of normally scheduled hours per week.

- Employees whose presence is critical during standard work hours and employees with identified performance deficiencies may not be eligible to participate in the flextime program.
- Management may suspend or cancel a flextime arrangement at any time.
- Exempt employees must depart from any flextime schedule to meet workplace requirements.
- Non-exempt employees may be asked to work overtime regardless of the flextime schedule.

SECTION 5.5: PAY AND DEDUCTIONS

POLICY GUIDELINE

As responsible Employers, the Diocese of Tucson and Affiliated Church Organizations are required to utilize the DOT automated payroll system to comply with all state, federal and local wage regulations. Every effort is made to compensate employees for hours worked in a fair and equitable manner. Deductions from pay are made to meet legal requirements and to provide for voluntary deductions authorized by the employee. Work schedules, hours, and pay for employees under eighteen (18) years of age must meet all the requirements of the law.

PROCEDURES

- Pay Period – Employees are paid every other Friday (bi-weekly) for a pay period covering two (2) standard workweeks.
- If a payday falls on a weekend or holiday, pay should be received on the last workday prior to the weekend or holiday.
- No advance payment of wages should be made.
- An employee may choose to have pay directly deposited in a bank. (Exhibit 7)
- Deductions from gross pay – using the automated payroll system are itemized on the paycheck stub. Any questions regarding the computation should be directed to the payroll department at the work location.
 - Statutory Wage Deductions:
 - Federal and Arizona State Income Tax
 - Federal Social Security Tax (FICA)
 - Voluntary Deductions – Deductions may be made from an employee’s paycheck with the employee’s permission and include such items as:
 - Dependent Health Coverage and Dental and Vision Coverage
 - Annual Catholic Appeal Contributions
 - 403 (b) Tax Deferred Retirement Program
 - Catholic Tuition Support Organization of the Diocese of Tucson (CTSO)

Employees can change Statutory Wage Deductions at any time. Health benefits can only be changed during the open enrollment period from May 1 – June 30, with the change effective July 1, unless there is a qualifying event as defined by benefit policies. Examples of some qualifying events include, but are not limited to, the following:

- Change in legal marital status – marriage, divorce, legal separation, annulment

- Change in number of dependents – birth, death, adoption, placement for adoption, award of legal guardianship, attainment of majority
- Change in employment status of the employee’s spouse or employee’s dependent that affects eligibility under their plan– switching from part-time to full-time or from full-time to part-time, termination or commencement of employment
- Dependent satisfies or ceases to satisfy eligibility requirement – marriage of a dependent or change in student status
- Coordination of spouse’s open enrollment period if spouse is employed elsewhere
- Court ordered financial responsibility for a child’s health benefits
- Change in public aid recipient status or Medicare status

SECTION 5.6: TIME KEEPING

POLICY GUIDELINE

Records of all hours worked by non-exempt employees must be kept and monitored through time cards to meet Fair Labor Standard Act (FLSA) mandatory wage and hour records requirements and to ascertain certain benefit eligibilities. No other method of monitoring hours worked or keeping records of hours worked is allowed.

While the FLSA does not mandate time records for employees who are exempt from its provisions, exempt employees should fill out a time card to help insure accurate administration of various paid time-off benefits and for audit purposes. Exempt employees are to be paid their salary regardless of the actual number of hours worked each week.

PROCEDURES

- All time cards for exempt and non-exempt employees should be submitted at the end of the payroll period. (Exhibit 8)
- Non-exempt employees:
 - Must accurately record all regular and overtime hours worked each workday and total hours worked each workweek. Non-exempt employees also should record paid holidays, paid holy days, and hours used for approved leaves of absence (with or without pay), including paid vacation and paid sick leave.
 - The employee’s supervisor should review the time card for accuracy prior to submission to the payroll processor. Any modification or change on the time card in the number of hours worked must be initialed or signed by both the supervisor and employee. A note on the time card or on an attachment should provide an explanation for the change.
 - Either the employee or the supervisor should submit the time card signed by both the employee and the supervisor.
- Exempt employees
 - Employees should record paid holidays, paid holy days, and hours used for approved leaves of absence (with or without pay), including paid vacation and sick leave. Recording can be done on a time sheet or other employer approved document.
 - Pay for exempt employees can only be deducted on a full day basis per FLSA standards.

- Management should monitor and keep records of all exempt employees' use of paid vacation and sick leave.

SECTION 5.7: OVERTIME

POLICY GUIDELINE

Non-exempt employees are required to be available to work overtime as required by the demands of the job and as determined by management. However, non-exempt employees are expected to organize their work so that it can be completed within the regular work schedule; overtime is discouraged. When overtime work is approved; only employees who are classified as non-exempt are entitled to overtime pay. As required by law, overtime pay is based on actual hours worked. Any authorized absence will not be considered hours worked when performing overtime calculations.

There is no provision for compensatory time off in lieu of overtime pay in the private sector including the church. Compensatory time is not allowable.

PROCEDURES

- Management should implement a local overtime policy, regarding the authorization of overtime. Where necessary, overtime should be authorized in writing. Overtime is defined as any hours worked by a non-exempt employee in excess of forty (40) hours in a week.
 - Overtime Example: An employee performs work-related duties for two (2) hours at an evening meeting during the week he/she works a regular forty (40) hour work week. In this case, the employee would be due two (2) hours of overtime, whether or not that time was formally authorized.
- An employee can not “volunteer” or waive overtime pay for work related duties.
- An employee should be given as much notice as possible by the Employer (at least one (1) day’s notice is advised), when required to work overtime.
- Non-exempt employees must indicate on their time card, all hours worked.
- Any overtime of non-exempt employees who work in excess of forty (40) hours in a given week must be paid at the rate of one and one half (1.5) times the employee’s regular hourly rate of pay.
- Overtime pay must be included in the employee’s paycheck in the pay period in which it is earned.
- In place of overtime pay, with the employer’s written authorization, the immediate supervisor may adjust the work schedule of a non-exempt employee who works more than eight (8) hours in one workday so that the number of hours for that workweek totals forty (40) or less.
 - Example: An employee who normally works eight (8) hours per day, five days per week works ten (10) hours on Monday to finish up on a project. He/she talks to the supervisor on Tuesday and they agree that because he/she worked an extra two (2) hours on Monday he/she can leave two (2) hours early on Friday, bringing the total hours worked for that workweek to a normal forty (40) hours.
- In order to avoid situations in which an employee’s compensation may drop below minimum, wages should not be “averaged” for non-exempt employees and paid on an equal amount basis throughout the year. Non-exempt employees must be paid for actual hours worked.

SECTION 5.8: PAY DURING VACATION

POLICY GUIDELINE

Employees should make necessary arrangements in advance of their vacation for the disbursement (direct deposit) of any paychecks during the period of vacation. Time cards covering a vacation period should be completed and submitted following the procedures outlined in Section 5.6.

SECTION 5.9: TRAVEL AND OTHER BUSINESS EXPENSE PAY

POLICY GUIDELINE

Employees should be reimbursed for all travel related reasonable and actual expenses in connection with legitimate and authorized business. Employees are expected to exercise prudent business judgment in relation to all expenses covered by this policy guideline. Obtaining the lowest reasonable cost should prevail over personal preferences in the selection of means and class of travel, specific carriers or lodging.

PROCEDURES

Required Approval:

- All expenses should be budgeted. Expense reimbursement requests should be paid only with the signed approval of management.
- Expenses not previously budgeted should only be approved, in the case of the Diocese of Tucson, with concurrence of the Chief Financial Officer or by the individual or board providing final budget approval in Affiliated Organizations.

Expense Reporting:

- Expenses should be reported on the Travel Expense Report form. (Exhibits 9, 10)
- Only reasonable and actual expenses should be reimbursable. Estimated expenses should be prohibited, as should the substitution of expenses.
- All expenses should be listed separately and fully described, including the business purpose.
- Documentation should be provided for any expenditure of \$5 or more.
- Claims for reimbursement should be presented on a timely basis.

SECTION 5.10: SEPARATION PAY

POLICY GUIDELINE

An employee who voluntarily resigns or retires should be paid all wages and accrued vacation due no later than the scheduled payday for the pay period during which the resignation or retirement was effective. An employee who is involuntarily separated or laid off should be paid all wages due and

accrued vacation on the last day of duty if possible, but in no case later than three (3) working days after the last day of duty. Employees may request that their last paycheck be mailed. Sick leave is not payable upon separation and does not carry over from one employer to another.

**SECTION 6
BENEFITS**

SECTION 6.1: BENEFIT ELIGIBILITY AND ENROLLMENT

POLICY GUIDELINE

In order to attract and retain highly qualified employees, a number of employee benefits are provided. Eligibility depends on the minimum number of hours for which an employee is paid each week and length of continuous employment. Eligibility for benefits and/or enrollment in any benefit does not guarantee continued employment.

BENEFIT	MIN. # OF HRS PER WORKWEEK	EFFECTIVE DATE LENGTH OF EMPLOYMENT
Holidays	20	Date of Hire (DOH)
Holy Days	20	DOH
Vacation	20	90 days
Sick Leave	20	90 days
Medical Insurance	30	90 days
Dental Insurance	30	90 days
Vision Plan	30	90 days
Employee Benefit Premium (IRS Section 125)	30	90 days
Life/AD&D Insurance	30	90 days
Long-Term Disability Insurance	30	Two years
Employee Assistance Program	30	Included with medical
COBRA	30	
403 (b) Employee Contribution	20	DOH
403 (b) Match 25%, Max. \$1,000	20	Two years
<i>Diocese of Tucson 403(b) Retirement Plan – Employer Discretionary Contribution.</i>	20	<i>Two Years; enrollment dependent on DOH; DOH must be on or after 01/01/2007. Vested: Two years.</i>
Lay Employee Pension Plan	20	Two years; enrollment dependent on DOH; DOH must be prior to 01/01/2007. Vested: five years.

PROCEDURES

- Employees are to be enrolled in and are to receive benefits at the time of eligibility in accord with the policies and procedures for each benefit except as noted elsewhere in this manual or mandated by law or contract.
- The Employer is responsible for payment of premium costs incurred if it fails to properly enroll an employee when eligible for benefits. When this failure occurs, enrollment becomes retroactive to the effective day of enrollment mandated by the benefit’s policy guidelines and procedures.
- The DOTHHR will provide assistance and guidance to Employers in the administration of benefits.

SECTION 6.2: PAID HOLIDAYS

POLICY GUIDELINE

The following are recognized as paid holidays: New Year's Eve; New Year's Day; Martin Luther King, Jr. Day; Good Friday; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Friday after Thanksgiving; Christmas Eve; and Christmas Day.

When a designated holiday falls on Sunday, it should be observed on the following Monday. When a holiday falls on Saturday, it should be observed on the preceding Friday.

ELIGIBILITY

- All employees who work an average of twenty (20) hours or more per week are eligible for holiday pay.
- There is no minimum length of time of continuous employment required for eligibility.

WORK ON A HOLIDAY

- Non-exempt employees who work forty (40) or more hours per week and who are required to work on a holiday are paid one and one half (1.5) times their regular rate for all hours worked on that day.
 - Example: A non-exempt employee works forty (40) hours per week and is paid \$12 per hour. If this employee were required to work on a holiday, the employee would be paid \$18 per hour for each hour worked.
- Exempt employees required to work on a holiday or for whom a holiday falls on a weekday day off may be compensated with a day off of the employee's choice, at the option of the Employer.
- Non-exempt employees who work twenty (20) to thirty-nine (39) hours per week receive holiday pay proportionate to their full time equivalence. Employees who work less than twenty (20) hours per week are not eligible for holiday pay.
- Work on a designated holiday should not be allowed except with prior management approval.

PROCEDURES

- Non-exempt regular employees who work on paid holidays should indicate on their time card the number of hours worked under "Regular."
- Exempt employees who work on paid holidays should indicate on their time card the number of hours worked and submit a copy of their time card to their supervisor.
- If a holiday falls on a weekday on a non-exempt employee's day off, the employee will not be compensated.
- An employee who is on paid vacation or on paid sick leave when a holiday occurs will be paid for the holiday and not be charged accrued vacation or paid sick leave hours on the holiday.

SECTION 6.3: PAID HOLY DAYS

POLICY GUIDELINE

The following three (3) paid holy days are observed: Assumption of the Blessed Virgin Mary, August 15; All Saints Day, November 1; and the Immaculate Conception, December 8. Certain Affiliated Organizations cannot observe all three (3) holy days due to operational or mission requirements. In such situations, the holy day will be considered an optional day off to be taken at the employee's choosing with the approval of management. [Holy Day pay is not applicable if it falls on a non-scheduled workday or if the Holy Day is abrogated.](#)

ELIGIBILITY

- Employees who work an average of twenty (20) hours or more per week are eligible for holy day pay.
- There is no minimum length of time of continuous employment required for eligibility.

WORK ON A HOLY DAY

- Employees who work twenty (20) hours or more per week who are required to work on a paid holy day should be allowed a day off of their choosing at the convenience of the workplace and with the approval of management.
- Non-exempt part-time employees who work twenty (20) to thirty-nine (39) hours per week receive holy day pay proportionate to their full time equivalence.
- Non-exempt employees may not choose to work on a holy day, except with prior management approval.

PROCEDURES

- Regular non-exempt employees required to work on paid holy days are to indicate on their time card the number of hours worked on the holy day.
- The workplace is to indicate on the time card that the employee is to be compensated with a day off of the employee's choice within the fiscal year in which the holy day falls.

SECTION 6.4: PAID VACATIONS (EXEMPT AND NONEXEMPT)

POLICY GUIDELINE

Paid vacation is provided in recognition of eligible employees' length of continuous service. Paid vacation is paid time off that an employee can accrue and use with proper notice to management.

PROCEDURES

Eligibility Requirements:

- Paid vacation will be authorized for employees who work twenty (20) or more hours per week. The length of vacation time will vary depending on length of service. (Exception: Catholic school teachers are not eligible for Paid Vacation.)
- Employees accrue (earn) Paid Vacation hours based on the number of weekly standard hours and computation formula. The accrual is based upon a forty (40) hour workweek.
- Employees who work less than forty (40) hours, but in no event fewer than twenty (20) hours, earn vacation in proportion to the weekly standard hours in the computation of accrued vacation; e.g., an employee on a standard work week of twenty (20) hours will earn one-half of the allowance that an employee on a standard work week of forty (40) hours earns.
- Employees may begin to use paid vacation hours after completion of ninety (90) calendar days of employment.
- Employees should be paid all unused accrued vacation at the time of separation of employment. Even if the employee is being rehired by another Affiliated Church Organization within the Diocese of Tucson.

Computation Formula for Vacation Hours Accrued Each Work Week:

Divide the number of hours the employee is paid each by week by forty (40). Multiply that result by the Accrual Rate for the Employees Time of Service (see formula below). That result is the number of Paid Vacation hours the employee accrues for that week.

Months of Service Formula begins at the date of hire.

Months of Service	Weekly Accrual Rate	Annual Accrual Limit	Maximum Carry Forward Limit
0 – 60	1.54	10 days	20 days
61 – 180	2.31	15 days	30 days
181 +	3.08	20 days	40 days

Vacation Scheduling:

- Employees should fill out the Vacation Request Form (Exhibit 12) to request Paid Vacation from their supervisor. Employees should give their workplace at least two (2) weeks notice when they plan to take Paid Vacation. Vacation time should be granted based on the needs of the workplace.
- Because of their unique mission and schedules, affiliated parishes and schools can require non-contract employees to schedule vacation during the months the schools or religious education programs are not in full operation. Parishes and schools can give consideration, in light of workplace needs, to requests for vacation during other times.
- If a paid holiday or holy day falls during an employee’s scheduled vacation period, that day should not be charged against the employee’s accrual of Paid Vacation hours.

- Employees are authorized to accumulate vacation time from the previous year. Any amount not used will be carried forward to the next anniversary year. The maximum amount authorized to be carried forward will be equal to two (2) times the annual accrual limit.
- Employees will not accrue vacation while on leave without pay.
- Employees should be notified of their vacation balance on each paycheck stub.
- Vacation must be taken in the increments agreed to by management. Because of the potential impact to work requirements or others, the taking of a pre-planned series of days off is not permitted. An example of this is when an individual requests to take a series of one-half days, or a series of Fridays or Mondays.
- The donation of vacation from one employee to another is not permitted.
- The solicitation of donation of vacation from one employee to another is not to be permitted.

SECTION 6.5: PAID SICK LEAVE

POLICY GUIDELINE

All employees who work twenty (20) or more hours per week and who have completed ninety (90) days of continual service will be granted annual paid sick leave.

Granting of Sick Time:

- Eligible employees will be granted thirteen (13) days sick leave per year based upon a forty (40) hour workweek at a rate of two (2) hours per week.
- The granting of sick leave begins as of the initial date of employment, but should not be used until after 90 calendar days of employment.
- The advancing of yet-to-be granted sick leave hours should not be permitted.
- Overtime hours are not counted in the computation of sick time.
- Employees are not granted sick leave during leaves of absence without pay.
- The donation of sick leave is not permitted.
- Accumulated sick leave should not be paid upon termination of employment.
- Accumulated sick leave does not carry over from one employer to another.
- Sick leave time cannot be used in lieu of vacation or to supplement vacation.
- Sick leave may only be used for the illness of the employee.

PROCEDURES

- Sick leave should not be used during the first ninety (90) calendar days of employment, except for an industrial injury.
- In the event of an industrial injury, the employee must use sick leave during the first seven (7) calendar days he/she is scheduled to work.
- An employee cannot use sick leave while receiving Workers' Compensation.
- Employees cannot use sick leave on scheduled days off.
- An employee absent three (3) or more consecutive work days due to personal illness or injury may be required by the manager to furnish a physician's statement to substantiate a claim for sick time, as well as to assure that the employee can safely return to work. If the employee

does not provide the requested physician's statement, the manager may regard the absence as leave without pay.

- Unused sick days will be carried over into the next employment year up to a limit of 720 hours. Employees are authorized to use up to ninety (90) calendar days of leave for short-term disability. If the employee has saved the 720 hours, then the employee could be paid until long-term disability benefits begin, assuming the employee is eligible.

SECTION 6.6: HEALTH INSURANCE BENEFIT

POLICY GUIDELINE

Group Medical, Group Dental, and Group Vision plans are available at the Diocese of Tucson and Affiliated Organizations, which have agreed to participate in these plans for eligible employees and dependents. The health plans are administered by the Diocese of Tucson.

PROCEDURES

Open Enrollment:

- The Open Enrollment period is from May 1 through June 30 of each year.
- This is the only time of the year that an employee can add, change, waive or cancel health benefits, unless a "qualifying event" occurs. "Qualifying events" include:
 - Change in legal marital status – marriage, divorce, legal separation, annulment
 - Change in number of dependents – birth, death, adoption, placement for adoption, award of legal guardianship, attainment of majority
 - Change in employment status of the employee's spouse or employee's dependent that affects eligibility under their plan– switching from part-time to full-time or from full-time to part-time, termination or commencement of employment
 - Dependent satisfies or ceases to satisfy eligibility requirement – marriage of a dependent or change in student status
 - Coordination of spouse's open enrollment period if the spouse is employed elsewhere
 - Court ordered financial responsibility for a child's health benefits
 - Change in public aid recipient status or Medicare status
- Enrollment must be for twelve (12) months.

Group Medical Insurance

- Medical coverage is offered to employees who work thirty (30) or more hours per week.
- Enrollment in the plan will be on the first day of the month following the ninety (90) days from the date of hire. Employees who are rehired within ninety (90) calendar days of their termination date are eligible and effective the first of the month following their date of hire.
- Contract teachers are eligible and effective the first of the month following (30) calendar days from the date of hire.

- An employee whose hours are permanently increased to thirty (30) or more per week and who has completed ninety (90) calendar days of employment from the date of hire is eligible the first day of the month following the increase in hours.
- Dependent coverage must take place at the time of the employee's eligibility period unless a "qualifying event" occurs.
- Employees may only make changes to their election during the Open Enrollment Period or due to a "qualifying event".
- The Employer pays 100% of the medical insurance premium for the employee. The employee will pay 100% of the monthly premiums for medical dependent coverage, if elected, through payroll deduction.
- If an eligible employee does not desire to participate, he/she must waive coverage to acknowledge that the benefit was offered and for the refusal to be valid on an annual basis.
- The provision of Group Medical Insurance is not a guarantee of continued payment by the workplace.

Group Dental Insurance & Vision Plan

- Both Dental and Vision coverage is offered to employees who work thirty (30) or more hours per week.
- Enrollment in both plans, administered by separate insurance carriers, will be on the first day of the month following the ninety (90) days of service. Employees who are rehired within ninety (90) calendar days of their termination date will be eligible and effective the first of the month following their date of hire. Contract teachers are eligible and effective the first of the month following thirty (30) calendar days from the date of hire.
- An employee whose hours are permanently increased to thirty (30) or more per week and who has completed at least ninety (90) calendar days of employment from the date of hire is also eligible for both Dental Insurance and the Vision Plan. The effective date of coverage is the first of the month following the increase in hours.
- Dependent coverage must take place at the time of the employee's eligibility period unless a "qualifying event" occurs.
- Employees may make changes to their election only during the Open Enrollment Period or due to a "qualifying event".
- The employee pays for the coverage and for dependent coverage, if elected, through payroll deduction.
- If an employee does not desire to participate, the employee must waive coverage to acknowledge that the benefit was offered.

SECTION 6.7: EMPLOYEE BENEFIT PREMIUM ONLY PLAN (IRS Section 125)

POLICY GUIDELINE

The Employer provides this benefit to all employees eligible for Medical, Dental, and Vision coverage. It enables the employee who pays for dependent medical, dental and vision coverage to pay these monthly premiums with pre-tax dollars through payroll deduction. The employee can elect not to participate.

SECTION 6.8: HIPAA

POLICY GUIDELINE

All current and retired employees enrolled in the Diocese of Tucson employee group health plans are entitled to receive a Notice of the Privacy Policies and Procedures adopted by the Diocese of Tucson in compliance with Title 2 of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the federal regulation adopted to implement HIPAA provided by the DOTH. The employee will receive all required notifications from the Diocese of Tucson insurance carrier upon enrollment.

SECTION 6.9: COBRA CONTINUATION HEALTH COVERAGE

POLICY GUIDELINE

Consolidated Omnibus Budget Reconciliation Act (COBRA) provides certain former employees, retirees, former spouses, and dependent children temporary continuation of health coverage at group rates. To be eligible for COBRA coverage, the employee must have been enrolled in the employer's health plan when employed and the health plan must continue to be in effect for active employees. COBRA continuation coverage is available upon the occurrence of a qualifying event that would, except for the COBRA continuation coverage, cause an individual to lose his or her health care coverage. The law generally covers health plans maintained by private-sector employers with 20 or more employees, employee organizations, or state or local governments.

PROCEDURES

It is important that COBRA is offered to an employee upon the occurrence of a qualifying event. The employee should receive a COBRA packet from the Third Party Administrator. Employers must notify DOTH of a qualifying event by completing and submitting an Employee Status Change Form. The qualifying COBRA events are:

Qualifying Events for Employees:

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in the number of hours of employment

Qualifying Events for Spouses:

- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee
- Covered employee's becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Qualifying Events for Dependent Children:

- Loss of dependent child status under the plan rules
- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee
- Covered employee's becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

SECTION 6.10: EMPLOYEE ASSISTANCE PROGRAM (EAP)

POLICY GUIDELINE

Through the EAP, meaningful assistance for employees with problems ranging from medical and family matters to personal legal, financial, and emotional issues that may affect job performance can be provided. The basic purpose of this program is to offer employees assistance in such a way as to restore individual productivity and to enable employees to lead meaningful lives. In so doing, valued employees will be retained.

PROCEDURES

- Only employees enrolled in the Group Medical Insurance Plan may participate in the EAP, Care 24 Line.
- For employees not enrolled in the Group Medical Insurance Plan, the Employer may recommend that the employee contact Catholic Community Services of Southern Arizona to inquire about resources.
- Supervisors are responsible for communicating the availability of this program to their eligible employees. Participation by employees is on a voluntary basis.
- No employee will have his or her job security jeopardized solely because of his or her need for diagnosis, treatment, or help.
- Employees may ask for employee assistance by directly calling the number provided by the insurance provider.
- Any individual receiving knowledge of a request for employee assistance will keep the matter in the strictest confidence and discuss it only with persons whose help and/or understanding is needed.
- Absences needed for drug or alcohol treatment may qualify for FMLA leave for eligible employees.

SECTION 6.11: RETIREMENT

POLICY GUIDELINE

The Diocese of Tucson and Affiliated Organizations that have adopted and enrolled in the Diocesan plan provide eligible employees with a defined benefit plan, the Lay Employees' Pension Plan, a voluntary, tax-deferred retirement program, the 403(b), that allows eligible employees to reduce gross

taxable income and to save for retirement. *Employees hired on or after January 1, 2007 are eligible for enrollment in the Diocese of Tucson 403(b) Retirement Plan.*

PROCEDURES

Lay Employees Pension Plan:

- The Employer pays 100% of the plan for eligible employees.
- Enrollment was automatic on the July 1 coincident with or immediately following the date on which the employee completed two (2) years of continuous service working twenty (20) hours or more per week.
- There is a five (5) year vesting period.
- There is no future guarantee of continued full payment by the Employer.
- The employee must have been hired prior to January 1, 2007.

Pension Plan Payout:

- The earliest that an employee may choose to retire and receive Pension Benefits is age 55 with at least five (5) years of vested service. A participant working past 65 may take a late retirement benefit. The late retirement benefit is calculated in the same manner as a normal retirement at the time of actual retirement.
- When an employee is planning to retire, he/she should notify the Employer in writing no later than sixty (60) days prior to retiring to ensure that benefits will begin at the desired time.
- The employee should be directed to the DOTHR Benefits Administrator for assistance in receiving pension benefits.

Tax-Sheltered 403(b):

- Enrollment in the 403 (b) plan is available on an employee's date of hire.
- Participation is voluntary through payroll deduction.
- Employee must work 20 hours or more per week.

403 (b) Match:

- The Employer will match 25% of employee contributions up to \$1,000 per calendar year after the employee has completed two (2) years of service.
- Employees are 100% vested at all times.

403(b) Diocese of Tucson Retirement Plan,-Employer Discretionary Contribution:

- The employer contributes a set percentage for eligible employees.
- Enrollment is automatic on January 1 or July 1, following the date on which the employee completed two (2) years of continuous service working twenty (20) hours or more per week.
- The employee must have been hired on or after January 1, 2007.

403 (b) Plan Distribution:

- To get information regarding a distribution (payout), employees need to contact the Plan Administrator. Employees should contact the DOTHR for the telephone number and contact information.

SECTION 6.12: LONG-TERM DISABILITY INSURANCE

POLICY GUIDELINE

The Employer, through Group Policy guidelines, provides Long Term Disability (LTD) insurance for all eligible employees who (work thirty (30) or more hours per week). The Employer pays 100% of coverage. LTD insurance cannot be waived by the employee or the Employer. No dependent coverage is available.

PROCEDURES

- Employees working thirty (30) hours or more per week are eligible and are enrolled on the 1st of the month following two (2) years of continued employment from their date of hire.
- Enrollment takes place automatically.

SECTION 6.13: LIFE/ACCIDENTAL DEATH AND DISMEMBERMENT (AD&D) INSURANCE

POLICY GUIDELINE

The Employer, through Group Policy guidelines, provides Life/AD&D insurance for all eligible employees (work thirty (30) or more hours per week). The Employer pays 100% of coverage. Life/AD&D insurance cannot be waived by the employee or the Employer. No dependent coverage is available.

PROCEDURES

- For employees who work thirty (30) hours or more per week, coverage begins on the first day of the month following ninety (90) calendar days of continuous employment.
- The effective date of coverage for employees whose hours have been formally increased to thirty (30) or more per week and who have completed at least ninety (90) calendar days of employment is the first day of the month following the increase in hours.

**SECTION 7
AUTHORIZED LEAVES OF ABSENCE**

LEAVE OF ABSENCE	MINIMUM # OF HRS PER WORKWEEK	EFFECTIVE DATE LENGTH OF EMPLOYMENT
Family & Medical Leave (FMLA) Unpaid	1,250 hours during the twelve (12) month period immediately preceding the commencement of leave.	Twelve (12) months
Temporary Disability Leave (TDL) Unpaid	20 or more	End of Probationary Period
Long-Term Disability, Insurance Paid	30 or more	Two (2) years
New Child Leave - Paid	20 or more	End of Probationary Period
Bereavement Leave – Paid	No minimum	DOH
Military Leave – Unpaid	No minimum	DOH
Educational Leave - Unpaid	30 or more	One (1) year
Jury/Witness Duty – Paid	No minimum	DOH
Voting – Either Paid or Unpaid	No minimum	DOH
Court Appearances & Legal Matters Unpaid	No minimum (work related)	DOH
Personal Leave—Unpaid	No minimum	End of Probationary Period at option of employer
Emergency Leave—Either paid or unpaid	20 or more	End of Probationary Period at option of the employer

SECTION 7.1: FAMILY AND MEDICAL LEAVE

POLICY GUIDELINE

Employees are covered by the federal Family and Medical Leave Act (FMLA) of 1993 with amendments to the FMLA by the National Defense Authorization Act for 2008 (NDAA). The following information is general in nature. Official regulations of the FMLA shall prevail in all instances.

Under the provisions of the FMLA, eligible employees are entitled to take unpaid leave for the following reasons:

A. Parental Leave: Birth of an employee's child; the placement of a child with the employee for adoption or foster care.

B. Medical Leave: The need to care for an employee's spouse, child, or parent who has a serious health condition; or the employee's own serious health condition that makes the employee unable to perform the essential functions of his or her position.

C. Any "qualifying exigency" arising out of the fact that an employee's spouse, parent, son or daughter is on active duty or has been called to active duty in the Armed Forces in support of a contingency operation.

"Spouse" is the husband or wife as defined or recognized by the State of Arizona for the purposes of marriage.

"Child" is defined as the biological child, legally adopted child, foster child (FMLA provides for specific State involvement), step-child, legal ward, or a child of a person standing *in loco parentis*. The child must be under the age of eighteen (18) years or age eighteen (18) or older and incapable of self-care because of a mental or physical disability.

"Parent" is defined as the biological mother or father, or individual who stands or stood *in loco parentis* when the employee was a child. This term does not include parents "in law." Persons who are *in loco parentis* include those with day-to-day responsibilities to care for and financially support a child or, in the case of an employee, a person who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.

"Serious Health Condition" means an illness, injury, impairment or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider.

"Covered Servicemember" means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

"Covered Military Member" means the employee's spouse, son, daughter or parent on active duty or call to active duty status.

"Active duty or call to active duty" means duty under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation as either a member of the reserve components, or a retired member of the Armed Forces or Reserve.

"Serious Injury or Illness," in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

"Qualifying Exigency" means one or more of the following circumstances:

- Short-notice deployment – to address any issues that may arise due to the fact that Covered Military Member received notice of the deployment seven (7) or less calendar days prior to the date of deployment;
- Military events and related activities – to attend any official ceremony, program, or event sponsored by the military that is related to the Covered Military Member’s active duty; or to attend family support or assistance programs and informational briefings sponsored by the military;
- Child care and school activities – to arrange for alternative childcare; to provide childcare on an urgent or immediate basis; to enroll or transfer a child to a new school; and to attend meetings with school staff that are made necessary by the Covered Military Member’s active duty or call to active duty;
- Financial and legal arrangements – to make or update financial or legal arrangements related the Covered Military Member’s absence while on active duty; and to act as the Covered Military Member’s representative with regard to obtaining, arranging or appealing military benefits;
- Counseling – to attend counseling sessions related to the Covered Military Member’s deployment or active duty status;
- Rest and recuperation – to spend up to five (5) days with a Covered Military Member who is on short-term, temporary rest and recuperation leave;
- Post-deployment activities – to attend ceremonies and reintegration briefings for a period of 90 days following the termination of the Covered Military Member’s active duty status; and to address issues arising from the death of a Covered Military Member ; and/or
- Other activities that the Company and employee agree qualify as an exigency.

FMLA may be requested for a period of up to twelve (12) work weeks (84 calendar days) during a twelve (12) month period as designated. A “rolling” twelve (12) month period is the designated twelve (12) month period, measured backward from the date of the most recent request for a covered leave of absence. This means that each time an employee requests a leave under the provisions of the policy guidelines, the available time for a leave of absence will be the balance of the total twelve (12) weeks that has not been used during the twelve (12) month period immediately preceding the commencement of leave.

If medically necessary for a serious health condition of the employee of his/her spouse, child, or parent, twelve (12) weeks of unpaid leave may be taken on an intermittent or reduced leave schedule. If requested on this basis, however, the Employer may require the employee to transfer temporarily to an alternate position that better accommodates recurring periods of absence, or a part-time schedule, provided that the position has equivalent pay and benefits (on a per hour) basis.

If the FMLA leave is for the employee’s own serious health condition, the FMLA leave is considered to be concurrent with the Temporary Disability Leave Benefit whether or not Temporary Disability Leave has been requested. This means that the employee would have up to six (6) additional calendar days of leave under the Temporary Disability Leave Benefit if unable to return to work at the end of the FMLA leave. Therefore, the maximum amount of leave allowed for a person’s serious health condition would be ninety (90) calendar days in a twelve (12) month period.

FMLA may also be requested for a period of up to 26-weeks of unpaid leave during a single 12-month period to care for a parent, son, daughter, spouse or next of kin who is a Covered Servicemember, regardless of whether the employee has taken leave for another FMLA qualifying reason in the past 12-months.

Any leave taken under one or more of these circumstances will be counted against the employee's total entitlement to FMLA leave for that Leave Year.

Eligibility:

To be eligible for leave, an employee must have been employed for at least twelve (12) months before requesting the leave and have worked for at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of leave.

Notice Requirements:

An employee must provide written notice of the intent to take or for the need to take FMLA covered leave. When the need is foreseeable, the request must be submitted at least thirty (30) days prior to the desired beginning of the leave of absence. (Exhibit 25) If the need is not foreseeable, the employee must provide at least oral notification to his/her supervisor and should submit a written notice as soon as practicable after giving oral notice.

Employees are required to provide sufficient information to the employer with the anticipated timing and duration of the leave. Sufficient information may include the following: that the employee is unable to perform his or her job functions; that the employee's family member is unable to perform his or her daily activities; that the employee or his or her family member must be hospitalized or undergo continuing treatment; or the circumstances supporting the need for military family leave.

Employees are required to give additional notice as soon as practicable whenever there is a change in the dates of scheduled leave.

Certification of the Need for Leave:

In addition to providing notice for the need for leave, any employee who needs to have an FMLA leave to care for the employee's own serious health condition, or the serious health condition of a covered family member, must be supported by a medical certification completed by the health care provider for the employee or the covered family member. A qualifying exigency leave or a leave to care for a Covered Servicemember with a serious injury or illness must also be supported by a certification. The employer will provide the proper certification to the employee for his or her respective leave within five (5) business days of the employee's request for leave. The employee must return a complete and sufficient copy of the appropriate certification to the employer within 15 calendar days of receiving the certification, unless it is not practicable. If the employee returns an incomplete or insufficient certification, then the employer shall advise the employee in writing what additional information is necessary to make the certification complete and sufficient. In order to cure the deficiency, the employee must then return a complete and sufficient certification to the employer

within seven (7) calendar days. If the employee fails to cure a deficiency in a certification, or fails to return a certification, within the prescribed time period, the employer may deny the taking of leave.

Note: The Employer reserves the right to a second or third medical certification. The Employer may deny requests for a Family and Medical Leave where such a denial would be appropriate and authorized under the federal law and any applicable state law. The Employer further reserves the right to require re-certification of the continuance of a serious health condition at thirty (30) day intervals, or when the leave is scheduled to expire, but no less than every 6 months.

An employer representative (other than the employee's direct supervisor) may contact the employee's health care provider to clarify or authenticate the medical certification submitted for leave for the employee's own serious health condition or the serious health condition of a family member.

Pay During Leave:

Consistent with the law, employees on approved FMLA leave of absence will be required to use in order and concurrently, Paid Sick Leave and accrued Paid Vacation with leave taken for FMLA purposes. Workdays for which there is no Paid Sick Leave or Paid Vacation will be unpaid. An employee on FMLA leave without pay will not be granted sick and vacation time during the leave of absence.

Intermittent or Reduced Scheduled Leave:

FMLA leave may be taken intermittently or on a reduced work schedule basis. If FMLA leave is taken intermittently or on a reduced schedule basis, then the employee may be required to transfer temporarily to an available alternative position with an equivalent pay rate and benefits, including a part-time position, to better accommodate recurring periods of leave due to foreseeable medical treatment.

Every employee is obligated to make a reasonable effort to schedule medical treatment so as not to unduly interrupt business operations. Any employee who needs an intermittent or reduced schedule leave shall submit a request for such leave. The employee shall also, within the time limits set forth, furnish proper medical certification, regarding the need for such intermittent or reduced schedule leave. Prior to the commencement of any intermittent or reduced schedule leave, the employee requesting intermittent or reduced scheduled leave must advise the employer of the reasons why the intermittent/reduced scheduled leave is necessary and of the schedule for treatment, if applicable. The employee and the Employer shall attempt to work out a schedule for such leave that meets the employee's needs without disrupting business operations.

Return to Work:

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee may be required to submit a fitness for duty certification from the employee's health care provider stating, with respect to the condition for which the leave was taken that the employee is able to perform the essential functions of his or her job before the employee can return to work. If the Employer has a "reasonable safety concern," it may also require periodic fitness-for-duty

certifications prior to the employee's return from intermittent FMLA leave, up to once every 30 days. A "reasonable safety concern" means a reasonable belief of significant risk of harm to the individual employee or others.

An employee returning as scheduled from an approved FMLA leave will be reinstated to his/her job or a position equivalent in pay, benefits, and terms and conditions of employment. All the requirements of the Temporary Disability Benefit will apply regarding return to work after FMLA leave. FMLA does not constitute a break in service.

Employees may not use Family Medical Leave time to work elsewhere, attend school, or engage in other activities inconsistent with the purpose of the leave. Any employee who abuses Family Medical Leave will be subject to discipline up to an including termination as provided in Section 4.

An employee will be considered to have voluntarily resigned in the following instances:

- Failure to return to work upon expiration of an approved FMLA.
- Failure to contact the Employer prior to expiration of FMLA to make arrangements regarding further leave, provide the required certifications, recertifications or failure to furnish a fitness-for-duty certification
- Refusal to accept the offered position (same position or "equivalent position") upon return from FMLA.

Health Insurance:

If the employee on FMLA was enrolled in an employer-sponsored insurance plan on the day the FMLA began, insurance premiums for that employee will be covered on the same basis and at the same level of coverage in effect at the beginning of the leave. An employee who wishes to continue dependent insurance coverage must pay, the amount each month during the period of absence, sufficient to cover his/her share of the premium. Insurance may be canceled if premiums are not paid within the grace period permitted. The exact amount and due date will be provided by the DOTHR. If an employee does not return to work at the end of an approved FMLA leave, he/she may be required to repay the amount of the insurance premiums paid.

PROCEDURES

- In all instances when an employee communicates intent or need to take FMLA leave or when an employee communicates circumstances that would be covered under the FMLA, if the employee works for the Diocese, the employee's supervisor should immediately contact the DOTHR. If the employee works for an Organization that has adopted these guidelines, the employee's supervisor should immediately contact the Organization's chief executive officer. The DOTHR shall consult with such chief executive officer if such officer desires.
- After consultation with the DOTHR, the Employer should advise the employee of the possible availability of FMLA or the Temporary Disability Leave Benefit.
- The Employer should communicate a response in writing to the employee's request for FMLA leave under the direction and guidance of the DOTHR.

SECTION 7.2: TEMPORARY DISABILITY LEAVE

POLICY GUIDELINE

Temporary Disability Leave (TDL) is offered to all eligible employees who work twenty (20) or more hours per week. To be eligible, an employee must have satisfactorily completed his/her Probationary Period before the beginning leave date. Employees are authorized to use up to ninety (90) calendar days of unpaid leave of absence for the employee's own short-term disability. TDL allows an eligible employee to fulfill the ninety (90) calendar day eligibility period for Long Term Disability.

PROCEDURES:

- The Employer should seek immediate assistance and guidance from the DOTHR when an employee gives notice of an absence that would qualify the employee for TDL. The DOTHR shall render assistance and guidance, if requested.
- An employee giving notice of the need to be absent from work for personal medical reasons for more than three (3) work days or for the inability to work for more than three (3) work days should be informed by the Employer of TDL and FMLA benefits.
- If the employee meets the requirements for leave under FMLA, the FMLA leave is considered to be concurrent with the TDL whether or not FMLA leave has been requested.
- An employee requesting TDL must provide the supervisor with a doctor's written statement that certifies the medical reason for the inability to work and the estimated period of time off before TDL can be granted.
- If the doctor certifies light work and if an accommodation in this regard can be made, the employee will be retained in a working status. If the employee cannot be retained in a working status, the employee will be placed on TDL.
- Upon eligibility for TDL, the Employer should send to the employee by certified mail, the Leave of Absence Application. A copy should be retained in the employee's medical file and a copy sent to the DOTHR. (Exhibit 13)
- An employee on approved TDL will be required to first use any Paid Sick Leave and Paid Vacation available. When Paid Sick Leave and/or Paid Vacation is exhausted the leave will be unpaid.
- An employee on TDL without pay will not be granted sick leave and accrue vacation leave.
- Before returning to work, the employee must provide the Employer with a doctor's release. This release should include information on any limitations on the employee's ability to fulfill the essential duties and responsibilities of the position.
- In the event of any limitations, the Employer, with counsel from the DOTHR, will determine if a reasonable accommodation can be made under the requirements of the Americans with Disabilities Act.
- If a doctor certifies an employee is able to return to work prior to the completion of ninety (90) calendar days and the employee declines to return, the employee can be terminated as provided in Section 10.1 (Unexcused Absence).
- An employee returning as scheduled from an approved TDL will be reinstated to his/her job or a position equivalent in pay, benefits, and terms and conditions of employment.
- An employee who is unable to return to work after ninety (90) calendar days will not be guaranteed a job when the employee is able to work.

- If after ninety (90) calendar days the employee is unable to perform the essential functions of the job, the Employer should seek immediate assistance and guidance from the DOTHR.

SECTION 7.3: LONG-TERM DISABILITY LEAVE

POLICY GUIDELINE

Employees who work thirty (30) hours or more per week, have been employed for at least two (2) years, and who are unable to perform the essential functions of their job beyond ninety (90) days may be eligible for the Long Term Disability benefit. Enrollment for an eligible employee takes place on the 1st of the month following two (2) years of service.

PROCEDURES

- The Employer will seek immediate assistance and guidance from the DOTHR Benefits Administrator in all instances where Long Term Disability becomes a consideration for an employee.

SECTION 7.4: NEW CHILD LEAVE

POLICY GUIDELINE

Care for new children is an important responsibility for parents. In support of this responsibility, five (5) consecutive workdays with pay may be granted to an eligible mother or father employee, when a child is born, legally adopted, or placed in foster care. To be eligible, an employee must have satisfactorily completed his/her Probationary Period before the beginning leave date.

New Child Leave is considered to run concurrent with FMLA or TDL, whether or not FMLA or TDL leave has been requested. Any time spent on New Child Leave counts as part of an employee's FMLA or Temporary Disability Leave.

PROCEDURES

- As soon as an employee knows there will be a need for New Child Leave, the employee should contact the supervisor for an explanation of New Child Leave. For all New Child Leave requests, the employee's eligibility for FMLA or Temporary Disability Leave is to be ascertained.
- The Employer should generate a written response to any employee determined eligible for FMLA leave under this policy guideline.
- A pregnant employee is required to furnish her supervisor with a doctor's written statement stating when she must stop working and when she can return to work.
- If the pregnant employee works up to the birth of her baby, five (5) days of New Child Leave should be granted immediately upon the birth, after which paid sick leave will be used. Accrued vacation will be expended after the paid sick leave, and, finally, leave without pay under the FMLA, if applicable, will be granted for the remainder of the leave period.

- If the pregnant employee must stop working prior to the birth of her baby, sick leave is used until the week following the baby's birth, when (5) five days New Child Paid Leave is granted. Any remaining sick leave is to be used, followed by accrued vacation, and if applicable, leave without pay under FMLA, which runs concurrent with sick and vacation leave.
- A male employee, upon the birth of his child, may use five (5) days of New Child Leave, after which accrued vacation will be used and if applicable leave without pay under FMLA which runs concurrent with vacation leave.
- The employee requiring leave for adoption or foster care is required to provide his/her manager with related supporting documentation. The beginning date of leave is based on the documentation provided and management approval. Five (5) days of New Child Leave would be granted upon placement date followed by accrued vacation and, if applicable, leave without pay under FLMA, which runs concurrent with vacation leave.
- Both parents, if employed by the same Organization, are eligible to take FMLA; however, they are entitled to a combined leave time of up to twelve (12) weeks, not twelve (12) weeks each.

SECTION 7.5: BEREAVEMENT LEAVE

POLICY GUIDELINE

Bereavement leave is granted to eligible employees when a death occurs in an employee's immediate family.

The immediate family includes only the employee's spouse, children, parents, brother or sister, or parents-in-law, siblings, grandparents, or other close family members residing in the employee's household. Management, at its discretion, may grant a maximum of five (5) consecutive working days with pay per event.

PROCEDURES

- When possible, an employee is expected to request the need for Bereavement Leave.
- Upon approval by the employee's supervisor, a maximum of five (5) consecutive working days with pay may be granted per event. Such absence should not be charged to either sick leave or vacation leave.
- The Employer should document the need for Bereavement Leave and its subsequent use.

SECTION 7.6: EMERGENCY LEAVE

POLICY GUIDELINE

Emergency leave is granted to eligible employees when an unforeseen emergency occurs in an employee's immediate family. To be eligible, an employee must work twenty (20) or more hours per week and have satisfactorily completed his/her Probationary Period before the beginning leave date.

The immediate family includes only the employee's spouse, children, parents, brother or sister, or parents-in-law, siblings, grandparents, or other close family members residing in the employee's

household. Management, at its discretion, may grant a maximum of five (5) consecutive working days with pay per event.

If the employee is to provide care for an immediate family member who is dying, FMLA may become a consideration. If an employee takes Paid Vacation to be with or attend to a member of the immediate family who is dying and that member should die, Bereavement leave may be applied to the employee's absence.

PROCEDURES

- When possible, an employee is expected to request the need for Emergency Leave.
- Upon approval by the employee's supervisor, a maximum of five (5) consecutive working days with pay may be granted per event. Such absence should not be charged to either sick leave or vacation leave.
- The Employer should document the need for Emergency Leave and its subsequent use.

SECTION 7.7: MILITARY LEAVE

POLICY GUIDELINE

All the provisions of the Uniformed Services Employment and Re-Employment Act (USERRA) will be adhered to and abided by, and military leave will be granted to all eligible full-time and part-time employees. Employees are eligible on their date of hire with no required minimum number of hours of work per workweek.

An employee who is summoned by the government for duty, participates in training, or must undergo an examination for fitness will be granted unpaid Military Leave. This leave may last from a few hours to a maximum of five (5) years, unless extended in accordance with federal law. Individuals will not be fired, refused to be hired, disciplined, or otherwise be discriminated against because they are in the service or if they want to serve.

PROCEDURES

ACTIVE MILITARY SERVICE:

- An employee who is called to active military service is required to give his/her supervisor advance notice unless military necessity prevents such notice. The employee must supply the Employer with a copy of his/her written orders to report for duty. Leaves of absence in these cases will be limited to a maximum of five (5) years unless extended in accordance with federal law.
- The non-exempt employee will not receive pay or employer-paid benefits during the time he/she is on active duty.
- The exempt employee will not receive pay or employer-paid benefits for any workweek in which he/she is on active duty and unable to perform any work.
- An employee may use any available accrued paid vacation time for unpaid leave.

- Continuation of health insurance benefits is available as required by the Uniformed Services Employment and Reemployment Rights Act (USERRA) based on length of the leave and is subject to the terms, conditions, and limitations of the applicable plans for which the employee is eligible.
- Benefits such as vacation and sick leave will be suspended during the leave and will resume upon the employee's return to active employment
- An employee who is discharged from the service following active military service must meet the following requirements to qualify for reinstatement rights:
 - Must have been employed in a position other than temporary before being inducted.
 - Must have left his/her job to enter military service.
 - Must receive a certificate of satisfactory completion of military service.
 - Must apply for reemployment within ninety (90) days of discharge unless such period is extended by law or mutual agreement between the Employer and the employee.
 - Must be able to perform the duties, with or without accommodation, of the job being offered.
- An employee who meets the reinstatement requirements will be reinstated in his/her former job or a job of similar or higher position without loss of seniority, commensurate with his/her ability, experience and seniority rights.
- Employees must apply for reinstatement within ninety (90) days of discharge from the military. Employees who fail to report for work within the prescribed time after completion of military service will be considered to have voluntarily terminated their employment.

TEMPORARY MILITARY SERVICE:

- An employee is expected to give the supervisor at least two (2) weeks advance notice of the requirement to report for temporary military service.
- The employee must schedule the temporary military service in the same manner as vacation.
- Upon management approval, temporary military leave, not to exceed two (2) weeks annually, will be granted.
- During the leave period, seniority will continue to accrue. Sick and vacation leave will not accrue during the leave of absence.
- Exempt employees who are absent from work for temporary military leave will have their pay reduced by the amount of payment they receive in the form of military pay. Upon return, the exempt employee should submit his/her military pay voucher to the workplace payroll authority. Pay will not be reduced by the number of hours or days exempt employees are absent from work unless they perform no work for an entire workweek.
- The employee will maintain the right to his/her particular job upon return to work from duty.

SECTION 7.8: EDUCATIONAL LEAVE

POLICY GUIDELINE

Educational Leave may be granted for continuing education related to the employee's position or the mission of the Employer. Educational Leave is unpaid and is granted at the convenience and need of the Employer. Employees must be employed thirty (30) or more hours per week for at least one (1) year prior to being granted leave and be within two (2) years of completing their undergraduate or

master's degree. Employees on Educational Leave will not accumulate sick and vacation hours during the leave of absence.

PROCEDURES

- An employee must submit a written request to his/her supervisor.
- Each request will be considered on an individual basis, taking into consideration the needs of the Employer.
- In order to qualify for an educational leave, the employee must have been rated satisfactory in his or her last appraisal.
- Related to the granting of Educational Leave, the Employer is encouraged to consult with the DOTHR to review employment matters such as benefits.
- There is no guarantee that the employee will be reinstated into the same position upon return from Educational Leave.

SECTION 7.9: JURY/WITNESS DUTY

POLICY GUIDELINE

Employees are encouraged to fulfill their duty as citizens to their community. An employee summoned for jury duty will be excused from work for the period of time served. Service includes required reporting for jury duty when summoned, whether or not the employee is selected.

PROCEDURES

- The employee is required to notify the supervisor as soon as the summons is received. The summons must be presented to document the necessity of the absence.
- Absence for jury duty will be recorded on the employee's time card. The employee must present evidence of income derived from jury duty. The workplace can pay the nonexempt employee either the difference between regular straight-time pay and any jury pay received for the work time spent on jury duty, or the employee can sign over the check received for jury pay to the workplace and receive his/her regular straight-time pay.
- No premium hourly rate will be allowed during such absences, nor will an employee's jury pay be augmented to an amount beyond his/her regular daily pay.
- Exempt employees who are absent from work for jury duty will have their pay reduced by the amount of payment they receive in the form of jury fees.

SECTION 7.10: VOTING

POLICY GUIDELINE

Eligible employees are encouraged to vote in federal, state and local elections. Eligibility begins for all employees on their date of hire. There is no required minimum number of hours per workweek that employees must work to be eligible. As prescribed by law, employers will allow employees to take time off if there are less than three (3) consecutive hours between the opening of the polls and the

beginning of their shift or less than three (3) consecutive hours between the ending of their shift and the closing of the polls.

PROCEDURES

- An employee should be permitted to take time off from work without loss of pay to vote if he/she cannot vote outside of office hours as prescribed by law. However, the supervisor may specify the period that the employee can be absent, either at the beginning of the work day when the polls open or at the end of the work day before the polls close.
 - Example of Paid Time Off for voting: An employee works from 8:00 a.m. to 4:30 p.m. and the poll hours are from 6:00 a.m. to 7:00 p.m. The employee cannot demand to have the first hour of his/her shift off. Instead, the supervisor can allow the employee to leave at 4:00 p.m., requiring payment for one half (1/2) hour of paid time off. This gives the employee the legally required three (3) hours of poll time at the end of the day.
 - Example of Non-Paid Time Off: An employee who works from 9 a.m. – 5 p.m. would not require any paid time off because the employee has three (3) hours before the beginning of his/her shift to vote.
- To be considered for a paid absence, an employee must notify his/her supervisor at least one (1) day in advance of the election date.

SECTION 7.11: COURT APPEARANCES AND LEGAL MATTERS

POLICY GUIDELINE

If an employee must appear in court or attend to legal matters not related to work, the employee may be given time off without pay or may use vacation hours. The workplace may be flexible in the scheduling of the employee's workday or workweek for the reasonable accommodation of needs related to legal matters. Time spent on court appearances and attendance at legal proceedings related to work are paid hours. An employee will not be retaliated against for taking leave.

PROCEDURES

- The employee will inform the Employer of the need to appear in court or to attend to legal matters at least one (1) day in advance of the leave.
- Documentation to verify the leave must be provided to the Employer no later than the next working day after court appearance.
- Exempt employees who are absent from work for attendance as a witness at a trial will have their pay reduced by the amount of payment they receive in the form of witness fees. Their pay will not be reduced by the number of hours or days they are absent from work unless they perform no work in an entire workweek.

SECTION 7.12: PERSONAL LEAVE

POLICY GUIDELINE

Personal Leave covers any circumstances not specifically covered by the other types of leave for time off from work. Personal Leave is unpaid and may be granted at the discretion of the Employer for a maximum of thirty (30) calendar days.

PROCEDURES

The Employer is advised to consult the DOTHF for advice and counsel in all instances in which Personal Leave is a consideration.

SECTION 7.13: ELECTIVE LEAVE

POLICY GUIDELINE

Employees are encouraged to exercise their privilege as a citizen to run for political office. It is expected, however, that if they exercise this privilege it be conducted strictly on the individuals' own time.

PROCEDURES

1. The activities of an employee running for political office must not negatively impact the employee's ability to do the job assigned.
2. Due to potential tax exemption issues, employees are prohibited from having or displaying political materials (bumper stickers, position papers, posters, etc.) in their possession on diocesan or Affiliated Organization property.
3. Failure to adhere to this guideline could result in corrective action up to and including termination as described in Section 4.

SECTION 8 STANDARDS OF CONDUCT

SECTION 8.1: WORK SITE COURTESY

POLICY GUIDELINE

The Diocese of Tucson and Affiliated Organizations are committed to the highest standards of moral, ethical, and professional conduct by those who serve and minister. All employees are expected to act in a professional, dignified, and Christian manner. Courtesy, consideration, respect, and cooperation are essential for effective program operations, quality care, and service. Employees are asked to recognize supportively the worth and dignity of every person with whom they come in contact. Unacceptable conduct or behavior, as described in Section 4 can result in corrective action up to and including termination.

SECTION 8.2: PERSONAL APPEARANCE

POLICY GUIDELINE

Employees come in contact with many facets of the Church community and general public. For this reason, employees are expected to dress in a manner appropriate to their working environment and to the type of work performed. Employees are required to be neat, clean, well groomed, and dressed in a manner appropriate for their respective positions. Clothing will not be revealing or in any way detract from the working environment.

The Employer is responsible for establishing a reasonable dress code appropriate to the job. The norm for acceptability in attire in most office environments is “business casual” attire, which usually does not include jeans, athletic attire (sweatshirts, sweat pants, gym shoes), T-shirts, shorts, cut-offs, tank tops, flip flops, etc.

PROCEDURES

- The supervisor will advise an employee when a uniform or specific type of clothing is required.
- If an employee’s attire is brought into question, the supervisor will make a determination on appropriateness and take corrective action.
- An employee may be asked to leave the workplace until properly dressed or groomed. Under such circumstances, the time away from work will not be compensated.
- Employees may not wear buttons or display materials in the workplace endorsing a political candidate or issues or advocating for any issues contrary to the teachings of the Catholic Church.

SECTION 8.3: ATTENDANCE, PUNCTUALITY, AND DEPENDABILITY

POLICY GUIDELINE

It is important to remember that excessive absenteeism, tardiness, and/or leaving early causes other employees within the workplace to have to bear the burden of filling in for the absent employee. To enhance the productivity of fellow employees as well as to fulfill the needs of the public we serve, any employee who will be absent from work, who will be significantly late in arriving, or who must leave early is required to notify his/her supervisor. Failure to provide such notice by the employee or an excessive numbers of absences, late arrivals, or early departures could result in deduction of pay and/or other corrective action up to and including termination as provided in Section 4. Continued absence without notice or explanation for three (3) working days will be considered a voluntary resignation by the employee.

PROCEDURES

- An employee must notify his/her supervisor not later than one half (1/2) hour past the employee's scheduled starting time if he/she will be absent or significantly late. Not working scheduled overtime is considered an unexcused absence.
- When reporting an absence, an employee is required to give the probable duration of the absence, the reason, and the estimated day or time of return to work. If a prolonged absence is anticipated, the employee will contact his/her supervisor to be counseled on the appropriate leave of absence.
- All absences will be documented on the time card.

SECTION 8.4: CONFIDENTIAL INFORMATION

POLICY GUIDELINE

Employees are to respect the work and dignity of their colleagues and those they serve and should always be inclusive and respectful of the Church's rich cultural diversity. When differences or conflicts arise, appropriate channels should be utilized to resolve differences or share information. Information or communication shared in confidence must be respected and kept confidential at all times. Such practices as breaking confidentiality, gossiping, or disrespectful communications damage the spirit and morale of the workplace. The obvious exceptions to confidentiality are the requirements by law to report child abuse and/or other criminal behavior or potential harm to others.

Employees must always take care to distinguish between statements they make and actions they take as individuals and those made as representatives of an organization. Without proper authorization, or outside the normal execution of their job responsibilities, employees are not to disclose any confidential matters that come to their attention as a result of their employment. Confidential information includes but is not limited to correspondence and contributions, personnel and payroll matters, and relationships between the Church and benefactors.

Disclosure to anyone of confidential information without proper authorization or outside the normal context of one's job may be cause for corrective action up to and including termination as provided in Section 4.

Media inquiries or requests (e.g., newspapers, television, or radio stations) to the Diocese of Tucson and Affiliated Organizations may be referred to the Diocese of Tucson Director of Communications.

SECTION 8.5: SOLICITATIONS AND DISTRIBUTION OF LITERATURE

POLICY GUIDELINE

Active solicitation of funds and distribution of literature by employees during work hours is strongly discouraged. Passive solicitation and distribution of literature such as placement of notices on bulletin boards may be allowed. The Employer should approve all active and passive solicitations and distributions in advance. Under no circumstances will non-employees be permitted to solicit or to distribute literature for any purpose on the Employer's property.

PROCEDURES

- With prior management approval, employees may actively solicit funds and distribute literature before and after work and during lunch hour and break time in areas designated for lunch and breaks; e.g., lounge, kitchen, etc.
- At the discretion of the Employer, fundraising efforts which are Church related in nature and sanctioned by the Diocese of Tucson may occur at appropriate times, including during working hours.
- Supervisors may not solicit subordinate employees for funds or personal loans under any circumstances.
- No solicitation may be made by way of electronic mail or interoffice memorandum.
- Approved bulletin board notices should be removed after one (1) month from the first posting or before. Any non-complying bulletin board notices should be removed.

SECTION 8.6: CONFLICT OF INTEREST, GIFTS, AND STIPENDS

POLICY GUIDELINE

Employees are expected to use good judgment, adhere to high ethical standards and avoid situations that create an actual or perceived conflict of interest. To insure that the transactions in which employees participate are ethical and within the law in letter and in spirit, employees will not accept from anyone with whom the Employer does or is seeking to do business any personal gifts, services, travel or entertainment that may reasonably be perceived by others to affect their judgment or actions in the performance of their duties. Promotional items of nominal retail value may be accepted. No employee may solicit, offer or accept a stipend or payment, other than their regular salary, from any department of the Diocese of Tucson or Affiliated Organization without prior written approval of the employer.

As this policy guideline is not comprehensive, employees are encouraged to seek assistance from their supervisor with any legal or ethical concerns. Employees of the Diocese of Tucson and Affiliated Organizations may contact the DOTHHR to discuss matters that they cannot discuss with their supervisor.

SECTION 8.7: OUTSIDE EMPLOYMENT

POLICY GUIDELINE

To avoid conflicts of interest and to prevent interference with the employee's position responsibilities exempt employees are expected to not engage in outside employment.

SECTION 8.8: PERSONAL USE OF EMPLOYER ASSETS

POLICY GUIDELINE

Employer property and employee working time are for the benefit of the Employer. Therefore, employees are expected to use workplace assets, property, and time for work purposes. Employees who violate this policy guideline are subject to corrective action up to and including termination as provided in Section 4.

PROCEDURES

- The Employer understands that some personal telephone calls are necessary; however, the purpose for calls during business hours should be reasonable and the calls should be kept to a minimum, with the conversation brief.
- All employees are discouraged from receiving personal mail at their work address. This protects the employee's privacy and reduces the time necessary to process mail.
- Employer letterhead, office stationary, office supplies, and photocopiers should be used for workplace business only. The writing of personal letters or e-mail during working hours should not be authorized and is discouraged.
- Employer computers, Internet, e-mail and voice-mail should be used for job-related communications only. These systems are not to be used to send or receive any communication or material that reasonably may be perceived as offensive, disruptive, discriminatory, harassing, or disparaging, or ridiculing of any individual or entity.
- Anything sent, received, or shared on any Employer-owned system is subject to being read, listened to, or copied by anyone.
- An employee who becomes aware of misuse of Employer-owned assets or property should contact his/her supervisor.
- Employee has no right to privacy regarding an employer-assigned computer or other electronic device (see Section 8.12)

SECTION 8.9: VISITORS IN THE WORKPLACE

POLICY GUIDELINE

To provide for the safety and security of employees and to avoid potential distractions and disturbances, only authorized visitors are allowed in the workplace.

PROCEDURES

- Authorized visitors should be escorted to their destination.
- The presence in the workplace of the children, family members, and friends of employees should be brief and infrequent.
- Employees are responsible for the conduct and safety of their visitors.

SECTION 8.10: EMPLOYER-OWNED VEHICLE USAGE

POLICY GUIDELINE

Certain positions allow for the personal assignment of an employer-owned vehicle. As a general rule, personally assigned vehicles are to be driven home by employees for the sole purpose of garaging and safekeeping of the vehicles. Except with prior Employer approval, personal use of Employer-owned vehicles driven home by employees is not allowed.

PROCEDURES

- Only authorized employees should be allowed the use of Employer-owned vehicles.
 - An Employer-owned vehicle should not be kept out overnight without prior authorization from management.
 - An accident should be reported immediately, if possible by the employee to whom the vehicle is signed out, to the employee's supervisor.
 - If the accident involves personal injury to anyone or property damage exceeding \$500, a written report must be made by the driver in accordance with Arizona State Motor Vehicle Department requirements.
 - Law enforcement must be summoned in such a case to file a corroborating report.
 - A copy of any written report concerning the accident will be furnished by the employee driver to the employee's supervisor.
 - Payment of any citations issued to an employee driving or in possession of an employer-owned vehicle is the sole responsibility of the employee.
 - Failure to pay tickets prior to notification of the Employer by law enforcement agencies and any other abuse of this policy may result in corrective action up to and including termination as described in Section 4.

SECTION 8.11: PERSONAL VEHICLES

POLICY GUIDELINE

Employees who use their personal vehicles while transacting Employer business must comply with Arizona State law regarding proof of insurance. If an employee has an accident in his/her personal vehicle while on Employer business, the accident must be reported to the supervisor. Mileage reimbursement provided to employees for use in conducting business is intended to cover gasoline, insurance, and normal wear and tear of the vehicle.

PROCEDURES

- Employers may require that new employees or employees who use their vehicle or employer vehicle undergo a motor vehicle drivers license verification.
- Employers may require that employees submit proof of vehicle insurance if the employee will be driving their vehicle or the employer's vehicle.
- Urge employees to check with their own insurance company to make sure their policies afford them coverage while they are using their vehicles on the Employer's business.

SECTION 8.12: ELECTRONIC COMMUNICATIONS

POLICY GUIDELINE

The Employer makes a variety of information systems available to employees to assist in the performance of their responsibilities. This includes personal computers, hardware, software, internal networks, e-mail, voice mail, texting online and interactive services such as the Internet and the World Wide Web (www), facsimile, other electronic data and communication systems, and any subsequent developments in electronic communication that are used in the workplace. The purpose of this policy is to ensure proper use of the systems by employees and other users. Employees who become aware of the misuse of any electronic communications system should promptly report it to their supervisor.

The Employer owns the computers, network, and information contained on the system. Use of any electronic communication system provided by the workplace constitutes permission to access any such communications, whether password protected or not. Consequently, information on the number of messages sent to and from, the dates and times of messages, and the content of any message or file maintained on any electronic storage device may be monitored by the Employer at any time without prior notice to the employee.

PROCEDURES

- E-mail is intended for business communication. Personal use of e-mail by the employee should be reasonable and prudent. The distribution of chain letters is strongly discouraged.
- E-mail usage for any outside business, activities, outside organizations, political causes, or other non job-related use is prohibited unless authorized in advance by management.

- Communication that employees have with the public or with other employees such as communications through networking sites should be of the highest possible quality. Employees should take measures to ensure that the information contained in e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.
- Any communication through social media must not be contrary to the teachings of the Roman Catholic Church
- Playing computer, video games, texting or participating in any other electronic entertainment activities during working hours is prohibited.
- Every e-mail message or communication must conform to safe environment, harassment, and Code of Conduct policies adopted by the Diocese of Tucson and Affiliated Organizations.
- Sexually explicit images, messages, or cartoons, and any ethnic slurs, racial epithets, or any other material which could be construed to be harassment or disparagement of others based on their race, national origin, gender, age, disability, or religious or political beliefs are prohibited.
- Electronic communication systems vary in degree of privacy available. In particular, e-mail does not provide a high level of confidentiality, integrity, or proof of source. Due to the nature of work within the Church, all employees must be aware of the need for privacy and confidentiality and must exercise discretion in communications. Employees should disclose messages or information only to authorized persons.
- Access to computer systems should be protected by passwords. Although passwords do not create total security, they do increase the security available provided they are kept confidential and are changed frequently.
- Passwords should be memorized rather than written down, and screen savers should be password-protected when possible. Employees are expected to respect password-protected information and to not gain access or attempt to gain access to information so protected. Sharing passwords or using another's password is not acceptable.

SECTION 8.12.1 SOCIAL COMPUTING/NETWORKING

POLICY GUIDELINE

The Diocese of Tucson Code of Conduct and applicable laws provide the foundation for the Diocese's policies and guidelines for electronic Communications including social networking, twitter, instant messaging, e-mail, text messaging and other methods of communication which are evident and a part of our current society. To some, these or a combination thereof are a preferred means of communication. Although the above provide a significant degree of flexibility and ease in communications, they can also be misused and care must be taken to ensure that all information displayed or communicated reflect the values of our Catholic Faith and are in accord with the teachings of the Church. The posting of certain comments and information may have a harmful effect on the Diocese of Tucson, parishes within the diocese, and employees and is prohibited.

PROCEDURES:

- Employees including religious and clergy, unless specifically authorized by the Bishop of Tucson, should not create, post, or otherwise access social networks, blogs, or personal websites during normal working hours. Employees, with the approval of management, can

access websites, blogs, and social networks for legitimate job-related purposes only during the workday.

- Any person identifying himself or herself as an employee of the Diocese or parish on a personal website, blog, social network or other similar media must make it clear that any views expressed are personal views and do not necessarily reflect the views of the diocese or parish.
- Employees are prohibited from disclosing on personal or professional websites or other social media, any information that is confidential or proprietary to the diocese or any of its parishes. This includes commenting on any confidential diocesan or parish financial information or parish development or other plans.
- Employees may not use the Diocese of Tucson seal or parish logo on or reproduce on such social media any diocesan or parish material or logos on personal website, blog, social network site, or other similar media.
- Employees are prohibited from providing a link or otherwise referring to the diocesan or parish website on their personal website social network site or other similar media without the specific authorization of management.
- The posting of obscene, harassing, offensive, derogatory or defamatory comments and images which discredits or causes embarrassment to the Diocese of Tucson or any of its parishes, employees, parishioners, customers, vendors, partners, affiliates, agencies, schools, and others is strictly prohibited on a professional or personal web site, blog, or other similar media.
- The Diocese of Tucson and the parishes reserve the right to monitor professional websites, social networks, or blogs created on workplace computers.
- Failure to adhere to the above requirements may result in disciplinary action as described in the Diocese of Tucson Personnel Policy Guidelines and Procedures including termination as provided in section 4.

SECTION 8.13 SOFTWARE AND HARDWARE

POLICY GUIDELINE

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. To help ensure computer security, stability and licensing compliance, the Employer must pre-approve any new installation of software or hardware, including software that is free and /or downloaded from the Internet or from any social networking site or media.

PROCEDURES

- Employees may not install Employer-purchased software on their home computer without prior management approval and compliance with software licensing agreements.
- Employees are responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

SECTION 8.14 SPAM AND VIRUS PROTECTION

POLICY GUIDELINE

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses. A known risk associated with Internet e-mail is the receipt of unsolicited messages (SPAM) that may contain objectionable material. Employees are expected to take reasonable steps to prevent SPAM. If an employee believes that unsolicited messages have become a problem or if the system administrator determines that an employee's e-mail address is receiving an unreasonable amount of SPAM, the Employer may change the employee's e-mail address.

PROCEDURES

- Only provide an e-mail address to others when necessary.
- When giving out an e-mail address (such as when making an online purchase), opt out of distribution lists whenever possible.
- Never reply to SPAM, even to request removal from the list, unless you know the sender to be a reputable business.
- To prevent exposure to offensive material, refrain from using the "preview pane" to automatically view messages. Before viewing messages, look at the sender and subject line and delete messages that appear to come from an unknown sender without opening them.

SECTION 8.15 USE OF HOME COMPUTER SYSTEMS

POLICY GUIDELINE

Employees who use their home computer systems for Diocesan or other Church affiliated business must take all necessary steps to ensure that such use does not result in disclosure of confidential information to unauthorized parties, including family members. Upon leaving employment, employees must permanently remove all such information from their computer system.

SECTION 8.16 EMPLOYEE ELECTRONIC COMMUNICATIONS RESPONSIBILITIES

POLICY GUIDELINE

In using the systems available, employees have a duty to exercise care in their communications.

- Employees are expected to be truthful, accurate, and professional as with any other written formal business communication on behalf of the Church.
- Church resources should not be wasted. Wasteful conduct includes, but is not limited to, sending unauthorized mass mailings or chain letters and spending excessive amounts of time on the Internet for personal use.
- Access to systems must be password-protected. Passwords must be kept confidential
- Laptops or other computers or related equipment must not be left unsecured at any time.

Any employee who knowingly violates the standards of conduct or guidelines regarding the use of electronic communications will be subject to corrective action up to and including termination as provided in Section 4.

**SECTION 9
EMPLOYEE SAFETY AND HEALTH**

SECTION 9.1: SAFETY AND HEALTH RESPONSIBILITIES

POLICY GUIDELINE

Employee safety and health is a vital concern. In keeping with this concern and to insure a safe and healthy workplace for all employees, compliance with all requirements of state and federal regulations is mandatory. Employees are expected to share in the responsibility for their safety and to advise the supervisor of any unsafe situation or working condition. Each employee is asked to maintain a hazard-free work area and to clean up after himself/herself in such common areas as employee dining areas, lounges, rest rooms, and kitchens. Employee violations of a safety rule of major significance could result in corrective action up to and including termination as provided in Section 4.

SECTION 9.2: WORKERS' COMPENSATION

POLICY GUIDELINE

Employees are eligible for Worker's Compensation Insurance from the day they begin work. In accordance with Arizona Statutes, Worker's Compensation Insurance covers employees who are currently on the active payroll, regardless of the number of hours worked per week.

PROCEDURES

- Employees must report all accidents or illnesses arising from or during the course of employment, regardless of how minor, to their immediate supervisor. In the event that circumstances do not permit immediate reporting, a report must be made within twenty-four (24) hours of the incident.
- The supervisor, when the report of injury or illness is taken, should record relevant information to include but not limited to:
 - A full description of the injury or illness itself.
 - Witnesses and any equipment involved.
 - If a gradual injury or illness, background about the exact timing of onset of the condition, job assignments held while the condition developed, co-workers or managers they might have talked to, any prior similar problems, any similar symptoms away from the workplace, and any doctors they have seen or plan to see.
- The incident should be added to the OSHA log and maintained as required.
- If a work-related injury or illness requires medical attention by a physician or any other medical facility that produces a bill, an Employer's First Report of Injury or Disease form must be completed that same day. The completed form will be sent to the DOT Property and Insurance Services within 24 hours of referral to medical treatment. (Exhibit 14)
- The Employer will notify the Diocese of Tucson Property and Insurance Services Office upon receipt of the doctor's report of employee medical status. This report states whether or not the employee can return to work and any limitations set forth by the physician.

- The Employer will submit a copy of the original claim to the Industrial Commission of Arizona (ICA); a copy of the claim must be forwarded to the Diocese of Tucson Property and Insurance Services Office.
- Employees who decline temporary modified duty in order to return to work from a leave of absence due to a worker's compensation injury or who fail to return to work after being released by an approved physician will be considered to have resigned and will be terminated.
- If an employee is eligible for family and medical leave due to the employee's personal health condition, the employee will have his or her workers' compensation benefits terminated if he or she refuses temporary modified duty for which the employee is qualified.

Medical Benefits

- Medical expenses, such as physician's fees, hospital fees, pharmacy costs, and special costs that are incurred as a result of an occupational injury or illness are covered one-hundred percent.

Wage Replacement Benefits

- Wage replacement benefits are paid during the time employees are temporarily disabled from a work-related injury or illness. Employees receive a percentage of their salary, as set by state law, and are paid by the workers' compensation insurer.
- If the injury results in the employee being off work for more than seven (7) but not exceeding fourteen (14) calendar days, Workers' Compensation will pay from the eighth day of time lost. Sick leave and then vacation will normally be used to cover the first seven (7) days. The seven (7) days represent calendar days, not workdays, need not be consecutive, and the time off must be authorized by a physician.
- If the lost days exceed fourteen (14), Workers' Compensation will pay from the first day. The employee may obtain a restoration of that sick leave and vacation time used during the waiting period by reimbursing the workplace from the compensation check(s) received for that period. The employee should contact his/her workplace for arrangements.
- Employees will not be eligible for any additional compensation from the Employer while receiving Worker's Compensation payments.
- Worker's Compensation absences that also qualify as Family and Medical Leaves will be charged concurrently against the employee's annual twelve-week (12) FMLA entitlement. In those circumstances, all FMLA rights and protections apply, but Worker's Compensation procedures apply.
- If the industrial injury results in some permanent injury, damage, or impairment or is an injury which limits the employee's ability to perform the essential function of the job, the insurance company will make an appropriate compensation settlement commensurate with the loss.

SECTION 9.3: SMOKING

POLICY GUIDELINE

To provide a healthier work environment and to be in compliance with state and local ordinances, smoking is not permitted in any workplace. The Employer may designate certain outside areas for

smoking as long as non-smoking employees and others will not normally come into contact with second-hand smoke. In the event of any dispute, the rights of non-smokers will prevail.

SECTION 9.4: DRUG AND ALCOHOL/SUBSTANCE ABUSE

POLICY GUIDELINE

The Diocese of Tucson and Affiliated Organizations are committed to maintaining a safe and healthy work environment which enhances the welfare and security of its employees. A drug and alcohol-free workplace that prohibits the unlawful manufacture, distribution, sale, purchase, possession, impaired influence, or use of a controlled substance during working hours is a mandatory condition for providing a safe environment for employees. “Controlled substance” refers to narcotics or any other mind-altering substances, including any other substance prohibited by law. Any person accepting or continuing employment with the Diocese of Tucson and Affiliated Organizations gives consent to the testing set forth in this policy guideline and procedures.

PROCEDURES

- Alcohol and/or drug dependency is recognized as an illness requiring appropriate intervention and treatment. Employees with such dependencies are encouraged to seek treatment before a problem interferes with job performance either from the Employee Assistance Program (EAP) if eligible, Catholic Community Services programs or other private provider.
- The Employer may require any employee to submit to a drug or alcohol screening when there is reasonable suspicion that the employee is under the influence of alcohol or a controlled substance. Instances of reasonable suspicion include but are not limited to:
 - Behavior, appearance, and/or bodily odor of an employee that causes a supervisor to have reasonable suspicion of intoxication or controlled substance abuse.
 - Following an accident or serious incident about which a supervisor has a reasonable suspicion that the employee’s acts or omissions contributed to the occurrence or severity of the accident or incident.
- The decision to test an employee will be made by management. The Diocese Director of Human Resources may be consulted in these matters.
- Any employee found to be under the influence of alcohol or controlled substances during working hours, whether on the Employer’s premises or on the Employer’s business at another work site, will be subject to corrective action up to and including termination as provided in Section 4.
- If an employee is suspected of the sale or distribution of alcohol, illegal drugs, and/or controlled substances while on the job or on Employer’s property, the Employer should conduct a full investigation. Employees who are found to be in violation of this policy guideline will be subject to corrective action up to and including termination as provided in Section 4.
- The Employer reserves the right to conduct an unannounced search of any of the Employer’s property, including but not limited to desks, cabinets, and vehicles. As a condition of employment, employees are expected to cooperate in the conduct of such searches. Failure to cooperate may result in corrective action up to and including termination as provided in Section 4.

- Any illegal substance found will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

SECTION 9.5: OSHA – HAZARD COMMUNICATION STANDARD

POLICY GUIDELINE

Compliance with the Federal Hazard Communication Standard (better known as the Right to Know Law) as enacted by the Occupational Safety and Health Administration (OSHA), as well as any state/local regulations that may apply, is required for all workplaces with hazardous chemicals on site.

PROCEDURES

All workplaces that have hazardous chemicals on site and, therefore, that must comply with OSHA regulations will:

- Maintain an inventory of all chemicals used in the facility.
- Obtain Material Safety Data Sheets (MSDSs) for all regulated chemicals in the workplace; compile an MSDS Manual. All MSDSs obtained, compiled or prepared are maintained for a period of thirty (30) years.
- Implement a written Hazard Communication Program (HCP).
- Keep the MSDS Manual and HCP in an employee friendly location so that they can be viewed and read at any time.
- Label all containers of regulated chemicals to identify their contents and to alert employees to hazards.
- Provide training to employees about the hazard communication standard and about safety measures for working with hazardous substances. Training will be given during normal working hours, with pay.
- Provide employees with training when they are first hired. Training should be done annually thereafter.
- Keep records of the training to include: A description of the training, dates given, attendance records and the name of the instructor. These records will be maintained for three (3) years after each employee has ceased to be an employee.

SECTION 9.6: AIDS/HIV

POLICY GUIDELINE

Protecting the physical and emotional health and well being of all employees is of prime importance, based on both legal compliance and Church-based values. According to the best medical evidence available, casual office contact with employees who have AIDS/HIV or who have been exposed to the AIDS-related virus will not result in the transmission of AIDS. Therefore, qualified persons who have AIDS/HIV will be employed as long as they are able to perform their job to established standards. Reasonable work accommodation will be provided while also responding to the need for employee safety.

PROCEDURES

- The DOTHHR may be contacted for advice and counsel when an employee reports a diagnosis of AIDS/HIV.

SECTION 9.7: BUILDING SECURITY/EMERGENCY PROCEDURES

POLICY GUIDELINE

Employees are expected to do everything possible to safeguard the workplace. Each employee can help prevent a disaster by observing all building security and emergency notification and evacuation procedures.

PROCEDURES

- Each workplace should have documented building security and emergency procedures in place to address emergencies such as natural or man-made disasters such as fires or bomb threats.
- The establishment of emergency procedures should be coordinated with local fire and police officials.
- Each employee should be advised at the time of hire of all workplace building security and emergency notification and evacuation procedures.
- An employee who fails to follow building security and emergency procedures can be subject to corrective action up to and including termination as provided in Section 4.

**SECTION 10
SEPARATION FROM EMPLOYMENT**

SECTION 10.1: VOLUNTARY AND INVOLUNTARY SEPARATION

POLICY GUIDELINE

A framework is provided for the Employer to address voluntary and involuntary employment separations. Nothing contained in this policy guideline will be construed to constitute a contract of employment, either expressed or implied, or be construed to modify the employment at will relationship that exists between the employer and its employees.

DEFINITIONS

Voluntary separations are those initiated by the employee. Examples include but are not limited to: resignation, retirement, death, total and permanent disability, and an unexcused absence that is unreported for a period of three (3) or more consecutive scheduled workdays without verifiable evidence of a reason to be absent from the workplace.

Involuntary separations are those initiated by the Employer. Examples include but are not limited to: layoff, separation by mutual agreement, separation due to failure to return from approved leave of absence, separation due to exhaustion of approved leave of absence or release for inability to perform essential functions of the job after reasonable efforts have been made to assist the employee in meeting the standards expected by the Employer, discharge for conduct not in the best interest of the Employer, including espousing publicly of positions which are contrary to the teachings of the Roman Catholic Church.

PROCEDURES

Voluntary Separation:

The Employer should forward a copy of all notices of intent to separate from employment to the DOTHR for review for compliance with Personnel Policies and Procedures and Federal and State laws. (Exhibit 15) If the DOTHR determines that it is advisable to seek legal review of the intended termination, the Employer will be advised.

- Resignation
 - Non-exempt employees are expected to give their supervisor at least two (2) weeks written advance notice of their intent to separate from employment. (Exhibit 15)
 - Exempt employees are expected to give their supervisors at least four (4) weeks written notice of intent to separate from employment.
 - If a written notification is not provided, the Employer should acknowledge the employee's resignation by providing the employee with a Confirmation of Separation Memo (certified if mailed) after having received the employee's oral notification. (Exhibit 16)

- Unexcused Absence
 - The Employer should attempt to contact an employee absent without proper prior notice on the first day of the absence. The attempt to make contact should be documented.
 - If unable to reach the employee on the third (3) consecutive day of absence, the Employer should send a certified letter that cites the policy guidelines and informs the employee of his /her voluntary separation. (Exhibit 17)
- Retirement
 - The DOTHR Benefits Administrator will provide an information packet containing documents required to receive pension payments, 403 (b) and other retirement related data.
- A request for Vacation/Sick Leave cannot be used to fulfill the policy requirement that the employee provide written notice of his/her intent to voluntarily separate from employment.
- At the time of separation the employee will
 - Be paid all earned wages due and unused accrued Vacation Leave for which the employee is eligible no later than the scheduled payday for the pay period during which the separation was effective. The employee may request that this last paycheck be mailed.
 - Return the Employee Handbook, keys and any other property that belongs to the Employer.
 - An employee should not be allowed to remain on the payroll and exhaust his/her accrued vacation beyond the effective date of separation.

Involuntary Separation:

- Before notifying the employee of an involuntary separation, a supervisor should review the intent to terminate employment with the DOTHR or the chief executive officer of the Affiliated Organization.
- If a decision is made to proceed with the separation, the supervisor should meet with the employee and clearly explain both the reasons and procedures for the separation. (Exhibit 18)
- At the time of separation the employee will
 - Be paid all earned wages due and unused accrued Vacation Leave will be paid at the date of separation, if possible, but in no case later than three (3) working days after the last day of duty. The employee may request that this last paycheck be mailed.
 - Return the Employee Handbook, keys and any other property that belongs to the Employer.
 - An employee will not be allowed to remain on the payroll and exhaust his/her accrued vacation beyond the effective date of separation.

SECTION 10.2: EXIT INTERVIEW

POLICY GUIDELINE

It is important to obtain feedback from separating employees regarding working conditions, policies, supervision, and other matters related to their employment. Exit interviews provide a way for management to identify problem areas so that improvements can be made.

PROCEDURES

- Whenever an employee separates from employment voluntarily, management or a management delegate should conduct a confidential exit interview. (Exhibit 20)
- At a minimum, the exit interview should cover:
 - A discussion of the satisfactory and/or unsatisfactory experiences on the job and any suggestions the employee may have for improvement.
 - Any compensation or benefit issues that may apply to the employee.

APPENDIX

- Appendix A Screening and Selection Procedures
- Appendix A2 Application Regular Employment
- Appendix A3 Application – Catholic School Employment
- Appendix A4 Application – Ministry and Volunteer Service
- Appendix A5 Memorandum of Employment
- Appendix A6 Memorandum of Employment – Part-Time Employment
- Appendix A7 Memorandum of Employment – Temporary Employee
- Appendix A8 Memorandum of Employment – On-Call Employment
- Appendix A9 Interview Evaluation
- Appendix B Criminal History Check Procedures
- Appendix C Sample Performance Plan
- Appendix C Personnel Performance Appraisal
- Appendix C Performance Improvement Plan

EXHIBITS

Exhibit 1	New Hire Checklist
Exhibit 2	Receipt of Employee Handbook
Exhibit 3	Request to Review Personnel File
Exhibit 4	Conflict Resolution Procedure Form
Exhibit 5	Corrective Action Form
Exhibit 6	Administrative Leave Notice
Exhibit 7	Payroll Authorization Form
Exhibit 8	Time Card
Exhibit 9	Travel Expense Report Form (need to get from John)
Exhibit 10	Mileage Reimbursement Form
Exhibit 11	Travel Policy guidelines
Exhibit 12	Vacation Request Form
Exhibit 13	Leave of Absence Application
Exhibit 14	Employer's Report of Industrial Injury
Exhibit 15	Employee Notice of Voluntary Separation
Exhibit 16	Written Confirmation of Verbal Separation
Exhibit 17	Notice of Voluntary Separation Memo
Exhibit 18	Notice of Involuntary Separation
Exhibit 19	Employee Status Change Form
Exhibit 20	Exit Interview Form
Exhibit 21	I-9 Employment Eligibility Verification Form

GLOSSARY

TERM	DEFINITION
Affiliated Church Organizations (Also known as Affiliated Organizations)	Separate entities serving the Diocese of Tucson such as parishes, schools, agencies and administrative and program offices, that have signed a service agreement with the Diocese of Tucson.
Diocese of Tucson	The Bishop of Tucson’s Administrative Offices, including the Bishop Moreno Pastoral Center and St. Augustine Cathedral.
Employee	Any person who receives direct compensation from the Diocese of Tucson and Affiliated Church Organizations for any service performed for which the Employer has the legal right to manage or control the method and result of the services.
Employer	The organization, to include the Diocese of Tucson and Affiliated Church Organizations, that hires others to perform a service or engage in an activity in exchange for compensation.
Employment at Will	Under Employment at Will, either the employer or the employee may terminate the employment relationship at any time, for any reason or no reason and with or without prior notice.
403B	Section 403(b) of the Federal tax code regulates the Tax Deferred Retirement Program (TDRP). Similar to a 401(k) plan, the TDRP allows eligible employees to save pre-tax dollars for retirement. Deposits to the plan are not subject to Federal and State taxes at the time of deposit, and earnings on these deposits are deferred from taxes until withdrawn. Because taxes are paid on investments during retirement years when income is presumed to be lower, more wealth can be accumulated by saving on a pre-tax rather than an after-tax basis.
Involuntary Separations	Separations that are initiated by the employer.
Management	Any employee whose management activities include but are not limited to: interviewing; selecting and training employees; setting and adjusting rates of pay and hours worked; supervising, directing, and planning the work of employees; appraising employee’s productivity and efficiency for the purpose of recommending promotions or other changes in status; handling employee complaints and grievances;

disciplining employees; providing for the safety and security of employees or property; planning and controlling the budget; and monitoring or implementing legal compliance measures.

Examples include but are not limited to: pastors, principals, or agency and administrative directors/managers/supervisors.

Nominal Retail Value

The value of an object that does not exceed \$25.

On-Call Employee

An employee employed on an intermittent basis to work on special projects or events during peak work periods, to fill in for an absent employee, or for any other Employer-identified operational need. On-call employees are not guaranteed a minimum number of work hours per week, nor do they necessarily work every week.

100% Vested

Employees who are 100% vested can withdraw all of the funds that are set aside for them in their retirement fund.

Other Church Organizations

Separate entities serving the Roman Catholic Church, such as parishes, schools, agencies and administrative and program office, that have **not** signed a service agreement with the Diocese of Tucson.

Overtime

Any hours worked by a non-exempt employee in excess of forty (40) hours per week.

Qualifying Event

A change in an employee's personal life that may impact their eligibility or dependent's eligibility for benefits. As defined in the IRS Irrevocability Rule, employees experiencing a qualifying event can change certain benefits for a specified time period.

Regular Employee

Includes full-time and part-time employees, but excluding part-time on-call employees.

Reasonable Accommodation

Changes or adjustments made in a workplace, program or job that make it possible for an otherwise qualified employee or with a disability to perform the duties or tasks required.

Total Assessment

The use of multiple qualifying factors in the evaluation of all employment candidates to ensure that the process is legally sound and identifies the most qualified candidate for any open position.

Vesting Period

The period of time in which employees accrue non-forfeitable rights to employer contributions that are made to the employee's qualified retirement plan account.

Voluntary Separations

Separations that are initiated by the employee.

Workplace

The business establishment, to include the workplaces of Diocese of Tucson and Affiliated Organizations that have adopted these guidelines where people are employed and the work is done.

CHANGE INDEX

DIOCESE OF TUCSON
07/01/2011

CHANGE: 02,

Personnel Policy Guidelines and Procedures Manual Release 1
.....July 1, 2006

Personnel Policy Guidelines and Procedures Manual Change 02
.....July 1, 2011

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- *Section 5.3: Conditions and Hours of Work (Definitions)*
- *Section 5.5: Pay and Deductions (Procedures)*
- *Section 7.1: Family and Medical Leave (Policy Guideline)*
- *Section 8.12.1: Social Computing/Networking (Policy Guideline)*