

PARISH PERSONNEL MANUAL
FOR THE STAFF OF
PARISH GROUPING 229

OCTOBER 2019

Parish Grouping 229

St. Agnes, Christ the Light of the World, Holy Trinity, St. Joseph, Resurrection, St. Rita, St Maximillian Kolbe and St. Therese

October, 2019

Dear Members of Parish Staff,

We are making available to you for detailed review the POLICY AND PROCEDURE MANUAL FOR THE STAFF OF PARISH GROUPING 229. ***Due to the length of the document, we are providing you with an electronic copy.*** An electronic copy of the manual will also be available on the parish website; www.steelvaleycatholic.com . These policies will take effect immediately. This Manual supersedes and replaces any and all prior manuals, as well as any and all human resources policies and/or procedures that are inconsistent with the policies and/or procedures in this Manual. Please pay particular attention to section 3.9 C which provides clear direction on the use of social media.

At all times, it is important to remember that as employees of the Parish you are participating in the mission of Christ and His Church. Your service is highly valued, and in the spirit of good stewardship, that service is expected to meet certain standards as expressed in these policies. Employees of Parish grouping 229 are employed at will and nothing in the Manual creates or is intended to create a contract of employment. The Parish grouping may amend or change these policies and/or procedures at its discretion.

The purpose of the Manual is to assist you in knowing your rights, responsibilities and benefits as a parish employee. Ordinarily, these policies direct the day-to-day operations of parish administration. There are occasions, however, when my canonical responsibilities or authority may supersede a policy. In addition, policies which affect you as an employee of this local church, such as the Catholic Identity and Mission Statement, will also govern our conduct.

Thank you for the commitment you have made to the Parish by your service on the Pastoral Staff. By working together, we can further the mission of Christ in our world and enhance the Church Alive! I am grateful for your service.

God bless,

Fr. Dan Sweeney

**RECEIPT FOR
PARISH PERSONNEL MANUAL
FOR THE STAFF
OF PARISH GROUPING 229**

PLEASE PRINT

Employee Name: _____
Last First Middle Initial

Job Title: _____ **Program:** _____

Verification Statement

- I verify that I have read and/or have been sufficiently instructed so that I understand the policies and procedures as set out in the **PARISH PERSONNEL MANUAL FOR THE STAFF OF PARISH GROUPING 229**
- I understand that my employment is at will and that nothing in this Manual creates or is intended to create a contract of employment.
- I agree to abide by these policies and procedures.
- I also understand that the Priest/Administrator may, in accordance with the law, amend, modify, augment, delete, revoke, rescind, revise, interpret, or implement (“change”) any and all policies, procedures, practices and statements in this Manual at any time, for any reason, with or without notice, and that any such change is effective at the time of its promulgation.
- I further understand that this Manual supersedes and replaces any and all prior handbooks as well as any and all human resources policies and/or procedures that are inconsistent with the policies and/or procedures in this manual.

Employee Signature

Date

PLEASE RETURN SIGNED AND DATED FORM TO THE PRIEST/ADMINISTRATOR

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1.0 EMPLOYMENT POLICIES

1.1 Statement of Equal Employment Opportunity. The Parish (sometimes referred to in this Manual as “Employer”) is committed to assuring equal opportunity without regard to race, color, religion, sex, age, disability, national origin, or other status protected by law except where such classification is a *bona fide* occupational qualification or a matter of church law or discipline. (*See Chapter 6* generally and **6.6** particularly). By the very nature of many parish teaching and ministerial positions, being Catholic may be a necessary requirement for employment.

Any questions concerning any aspect of this policy should be directed to the Priest/Administrator or to his designee.

Employees will not be retaliated against for filing complaints concerning a violation of this policy or for cooperating in an investigation concerning a matter covered by this policy. (See also Chapter 6 generally and 6.6 particularly.)

1.2 Code of Pastoral Conduct/Catholic Identity and Mission Statement and Employee Compliance with Safe Environment. The Code of Pastoral Conduct, The Catholic Identity and Mission Statement and the policy regarding Safe Environments for Children applies to all applicable employees. Each employee must comply in all aspects with the Diocesan Safe Environments for Children Policy:

A. The following criminal background checks must be completed, received and reviewed **prior to** commencing service:

- FBI Criminal History Report (fingerprinting);
 - EXCEPTION: Minor employees (ages 14 – 17) and a parent/guardian can instead sign a Disclosure Statement Application for Minor Employees.
- Pennsylvania State Police Criminal Report; and
- Pennsylvania Department of Human Services Report (Child Abuse);

B. The following requirements must be completed by all applicable employees:

- Agreement to comply with the Code of Pastoral Conduct
- Agreement to comply with the Catholic Identity and Mission Statement;
- Agreement to comply with the reporting requirements of the Child Protective Services Law of Pennsylvania;

- Completion of “Protecting God’s Children Program” within ninety (90) days of commencement of service; and
 - Registration in the Diocesan Database;
- C. Those employees identified under the Diocesan Safe Environments for Children Policy as “Mandated Reporters” must complete online Mandated and Permissive Reporter Training within ninety (90) days of commencement of service.

Violation of this policy may result in disciplinary action up to and including termination of employment. *See* Safe Environments for Children Policy.

1.3 Ethics and Conflicts of Interest; Employee Conduct in Accord with the Church’s Teachings.

- A. **Ethics and Conflicts of Interest.** Each employee of the Parish, regardless of classification or status, is held to the highest ethical standards and accountability. The Parish expects all employees to avoid conflicts of interest by not allowing outside obligations, financial interests or other activities to interfere with their obligations and commitments to their work. Employees have the responsibility to report **in writing** any personal, family or business relationships that may conflict with their Parish duties. *See Appendix 1.3.*

1.3.A.1 The following reflects the Conflict of Interest Policy of the Parish:

1. While it is not possible to list every circumstance that may give rise to a conflict of interest, the following are considered to be conflicts of interest and are to be used as a guide to other types of activity which may create conflicts or raise questions as to the personal integrity and ethical conduct of employees:
 - a. The use of Parish premises for the purpose of engaging in any other business.
 - b. An employee who serves as director, officer, employee, or consultant of any outside concern which does business with the Parish, except with the written approval of the Priest/Administrator .
 - c. Disclosure to unauthorized persons or use by an employee for the employee’s personal benefit or advantage of Parish information, data, or records of a confidential nature.
 - d. An employee or his or her relative who owns a substantial interest in, or participates directly or

indirectly in the profits of, any outside concern which does business with the Parish.

- e. Acceptance by an employee or by his or her relative of gifts of more than nominal value, loans, cash in any amount, excessive entertainment, or travel, payments, services, or other substantial or unusual favors from any person or concern that does or is seeking to do business with the Parish.
 - f. Potential conflicts relevant to the person or persons representing facts in connection with requests for funds from the Parish by a parish or a not-for-profit entity.
2. All requests for interpretation of, or consideration for, an exception to this policy must be in writing and shall be forwarded to the Priest/Administrator for approval.
 3. Violation of this policy may result in disciplinary action, up to and including termination of employment and possibly further legal action.

1.3.A.2 All employees must sign the Employee Ethics, Conflict of Interest Disclosure and Conduct Statement set forth in Appendix 1.3.

- B. **Employee Conduct/Catholic Identity and Mission Statement.** All employees acknowledge and accept the religious nature and mission of the Parish and agree that an employee may be dismissed for public immorality, public scandal, or rejection of the teachings, doctrines or laws of the Roman Catholic Church. All employees are to conduct themselves at all times in accordance with Catholic moral teachings and the rules and regulations of the Parish and to avoid any embarrassment or scandal to the Parish.

All Employees are subject to what is known as the Catholic Identity and Mission Statement. The Catholic Identity and Mission Statement provides that an employee may be dismissed without prior notice when the employee who engages in any conduct in or out of the workplace which, in the judgment of the Priest/Administrator, constitutes serious public immorality, sacrilege, lewd conduct, endangerment of health or safety, abusive conduct, public scandal or rejection of, or the holding up to doubt or question the official teaching, doctrine or laws of the Catholic Church.

- C. **Confidentiality.** In the course of the providing of services on behalf of the Diocese of Pittsburgh, employees may have access to information (verbal, written or electronic) which is confidential, proprietary, and not generally known to the public. All such

information provided to employees, or as to which employees obtain knowledge during the providing of services, must be received and treated in a manner which ensures its privacy and safety. Employees shall not disclose any confidential information to any person, including any co-worker, who does not have a legitimate need to know.

Confidential information includes but is not limited to the following: business and financial records, information and plans; information and records related to operations and affairs; records, information and plans of a parish or parishioners; school information and plans; personnel records and information; technical information; spiritual and sacramental information; information and records related to clergy and religious; information received by the Diocese in confidence; and all other information concerning the Diocese, its agents or representatives, which is not publicly known.

All confidential information provided by Diocese to employees or to which employees obtain in the course of providing of services to the Diocese is and will remain the property of the Diocese. Employees shall treat all such information as confidential and proprietary, and shall not disclose such information to any other person or entity. Upon the earlier of (a) the request of the Diocese or (b) cessation of services, employees must immediately deliver to the Diocese any and all confidential information in their possession or control, including any materials in any form containing any confidential information.

Failure to follow this policy may lead to disciplinary action including termination of employment, as determined by the Diocese. (See Chapter 5.0 Termination or Cessation of Employment).

See Appendix 1.7A “Confidentiality Statement to Sign.” Each employee is to execute this statement upon hire, and periodically as determined by the Employer thereby agreeing to the assertions contained in it.

1.4 Employment at Will. Parish Staff (also referred to as “Parish employees”) are employed at will, which means that they or the Priest/Administrator may terminate employment at any time, for any reason, with or without notice and nothing in this Manual creates or is intended to create a contract of employment. No one but the Priest/Administrator may alter the at-will nature of employment.

1.5 The Manual and its Policies and Procedures. The policies and procedures in this Manual apply to the Parish Staff (also referred to as “Parish employees”), *i.e.*, those who work for the Parish, working as:

- Lay Ecclesial Ministers;
- Those providing other technical or professional resources; and
- Clerical, secretarial, maintenance and auxiliary support.

This Manual does not apply to clergy assigned by the Bishop to this parish.

1.6 Classification/Status of Employee. An employee’s employment classification determines what pay policies and benefits are applicable. The federal Fair Labor Standards Act, (the “Act”) sets standards for an employee’s classification. “Exempt” employees are those salaried employees holding executive, administrative, or professional positions within the meaning of the Act. “Non-Exempt” employees are paid based on hours worked and are eligible for overtime pay (at one and one-half times base) for all hours worked in excess of 40 in a work week. ***See also Chapter Four.***

Unless otherwise agreed to in writing and nevertheless in compliance with applicable law, the following applies:

- A. A “**Full time**” employee is regularly scheduled to work 40 hours per week in any one calendar year.
- B. A “**Regular Part-time**” employee is regularly scheduled to work less than the number of hours in paragraph A., but at least 20 hours per week and at least 1,000 hours per calendar year.
- C. A “**Part-time**” employee is one whose job is not continuous and/or who works less than 1,000 hours per calendar year.
- D. A “**Provisional Employee**” is one whose work, for the first six months of employment in a particular position, will be observed to determine whether the employee is suitably placed and/or has shown sufficient progress to meet the requirements of the position or otherwise to comply with the policies of the workplace. If it is determined that said employee has not met these standards, said employee’s employment may be terminated. During the provisional period, the employee is entitled, if appropriate, to accrued paid time off and to use such accrued time. Successful completion of the provisional employment period does not alter the at-will nature of employment. Provisional employees are entitled to applicable benefits depending upon their status above.

1.7 Hiring Practices. The Priest/Administrator has the responsibility for the hiring of all Parish personnel. The Priest/Administrator may, however, designate another person to train said personnel. *See Sample Application in Appendix 1.7.*

A. **Job Openings; Application Process; Interview; Post-Selection and Current employees**

1. The Priest/Administrator will formulate the appropriate job description and then shall determine which means of recruitment are best for a given position. Methods may include, but are not limited to, newspaper advertising, the bulletin, job posting, Parish website, Diocesan website, and bulletin board notices.
2. When used, a notification of vacancy may contain the following information: Position Title; Description of Job; whether job is a full-time or a part-time position; Pay, or Range of Pay; Skills Required for the Position; Deadline for Submission of Application; and where the application should be sent.
3. **The Application Process:** Except as otherwise provided for in writing, applicants for all positions are to follow a standard application process which includes:
 - a) Completion of an application form;
 - b) Pre-employment interview;
 - c) Assessment of applicant's experience and possession of requisite skills and certifications;
 - d) Compliance with the Safe Environment protocol;
 - e) Reference checks;
 - f) Objective work-related testing, where applicable; and
 - g) Completion of forms and training required by the Diocese if the position is a Lay Ecclesial Minister.
4. At no time will a person be employed by the Parish or be permitted to serve as a volunteer for the Parish until all aspects of the Safe Environment protocol are completed and approved. Where a person fails to comply with all aspects of the protocol, including the approval aspect, that person, if already serving as an employee or volunteer, can have his or her employment or volunteer work terminated.
5. When a candidate is hired, the Priest/Administrator is to notify the candidate in writing, stating the position title, salary, name of supervisor and starting date and other relevant terms and conditions of employment.

6. If the candidate accepts employment with the Parish, the Priest/Administrator is to place the information in the employee's human resources file along with the candidate's application form and reference information.
7. When the new employee reports to work, he/she will be given the necessary forms to complete and given an explanation of employee benefits as they apply to his/her type of employment. New employees will also be given a complete job description and a copy of this Manual.

B. Employment Testing

1. Supervisors may utilize employment testing or demonstrations with prior Priest/Administrator approval.
2. Such testing/demonstrations should only be conducted under the following conditions:
 - a. Establishing and maintaining professional standards to assist supervisors in identifying, selecting, and administering procedures essential for selecting employees.
 - b. Monitoring the use of all applicant and employee testing.
 - c. Complying with all Diocesan requirements applicable to the position.
 - d. Assuring compliance with laws dealing with privacy and with equal employment opportunity laws, including laws protecting the disabled.
 - e. Assuring that employment tests have been properly validated and reviewed under the standards established by the U.S. Equal Employment Opportunity Commission.

C. Medical Evaluations

1. As a prerequisite to finalization of the employment process, prospective employees may be required to pass a physical examination or medical evaluation in order to assure that they are able to perform their job-related tasks and, in certain circumstances, do not pose a health or safety risk to themselves or others.
2. At the outset of the interview process, candidates for employment in positions involving physical labor are to be informed that as a condition for employment they will be required to undergo and pass a physical examination or medical evaluation to assure that they can perform the required job-related tasks.

3. Once the interview is completed, the candidate has been selected, and after an offer is made, the Priest/Administrator is then to assure that the requirements of Paragraph 1 are met and may instruct the prospective employee to report for an examination to a physician or medical facility of the Parish's choice and at the Parish's expense. The prospective employee will be required to sign a written release of the results of this examination to the Parish.
4. The Parish will treat the information contained in a medical report or evaluation as confidential. All medical records will be kept in a locked file cabinet separate from personnel files. Access to medical records will be limited to those who have a legitimate business need to access such information in accordance with applicable laws.
5. If a medical evaluation is required for employees employed for a particular position (see number 1 above), a medical evaluation for such employees may be conducted at least one time every three years.
6. In all of the above, the Priest/Administrator is responsible for assuring compliance with relevant employment laws dealing with privacy, medical records and disabilities.

1.8 Relevant Dates. The "Hire Date" is the employee's first day on the job with the Parish, unless otherwise specified at the time the employee accepts the Parish's offer of employment. The "Eligibility Date" is the date upon which the employee becomes eligible to receive or participate in applicable benefits.

1.9 Employment of Relatives. The employment of relatives of current employees or a Priest/Administrator appointed to the Parish is not prohibited as long as the person exercising supervision is not supervising a member of his/her family, *e.g.*, spouse, sibling, child, aunt, uncle, cousin or in-law in similar familial relationship. If a person, after the effective date of this Manual, is to supervise a member of his or her family, the supervisor is to obtain the prior written approval of the Priest/Administrator to continue such supervision. If a person is, as of the effective date of this Manual, supervising a member of his or her family, the supervisor is nevertheless to obtain the written approval, as soon as reasonably possibly, of the Priest/Administrator to continue such supervision.

1.10 Verification of Employment Eligibility and Identity; Verification of References. Parish compliance with federal immigration law requires verification of citizenship or a non-citizen's eligibility to work in the United States. The applicant for employment is to demonstrate employability **no later than the first day of the job.**

The following applies with regard to verification of employment eligibility:

- A. The Priest/Administrator is to verify a person's identity and citizenship or authorization to work in the United States by examining appropriate documents at the time of hire and no later than three business days following the date of hire. The determination of whether an individual is eligible to work legally in the United States shall be based solely upon the presentation of documentation designated by the U.S. Department of Homeland Security, Department of Citizenship and Immigration Services and not upon an individual's appearance or language or oral representations.
- B. The documentation presented by the applicant must conform to the requirements of Federal Form I-9.
- C. Any applicant who fails to produce the required documentation cannot be employed.
- D. After examining the documents presented by the new employee, the Priest/Administrator or his designee must record the requested information on Federal Form I-9, and sign that form. The hiring supervisor shall also ensure that the applicant completes and signs the appropriate section of Federal Form I-9.
- E. All applications for individuals who have been offered employment but have not presented the required documents, and consequently have not been employed, are to be forwarded to the Priest/Administrator. It should be noted at the bottom of the Federal Form I-9 that the requested documentation was not presented.
- F. All completed federal Form I-9 forms are to be maintained by the Priest/Administrator in a fashion separate and apart from the individual personnel files.

1.11 Substance Abuse Policy. All employees are to comply with the following Parish Substance Abuse Policy.

- A. An employee or volunteer improperly or illegally using, possessing or reporting for work under the influence of drugs or alcohol poses serious safety and health risks to himself/herself and to others on the job. The possession, use, or sale of an illegal drug also violates the law.
- B. The Parish has a vital interest in maintaining safe, healthful and efficient working conditions for its employees and volunteers. Accordingly, the Priest/Administrator and the Parish expect all employees and volunteers to present themselves to the Parish premises fit for duty.
- C. The following is the **Parish Policy** regarding substance abuse:

1. Any employee or volunteer taking legally prescribed or over-the-counter medication is responsible for being aware of any potential effect or impairment such drugs may have on his/her reactions, judgments, or ability to perform his/her duties. If the medication may negatively affect or impair the employee's ability to perform his/her job properly or in a safe and/or efficient manner, the person is responsible for requesting a reasonable accommodation from his/her supervisor or from the Priest/Administrator before working while using the medication. Any employee requesting such reasonable accommodation may be required to present medical substantiation of the need for such accommodation. ***See Chapter 4.10, Disability and Reasonable Accommodation.*** Reasonable accommodations are not required for volunteers.
2. Furthermore, the Parish strongly encourages employees and volunteers to voluntarily seek help with substance abuse problems (including, but not limited to, misuse of alcohol, illegal drugs, prescription and over-the-counter drugs) ***before*** they face performance issues or disciplinary action.
3. Any employee or volunteer who believes that he or she has an alcohol or drug problem should contact the Priest/Administrator for help on a confidential basis.
4. This policy applies to all Parish employees and volunteers at all times including while working on Parish business, traveling on Parish business, representing the Parish at any function, operating Parish vehicles, while on or around Parish property, and during all hours that the Parish premises are open.

D. It is a violation of this policy to:

1. Use or possess alcohol or any substances prohibited by law except those under a legal prescription ("Prohibited Substances") while performing duties for the Parish, including but not limited to while working at a Parish location, or while traveling on Parish business, or while using a Parish vehicle, except the appropriate use of alcohol at social events, such as the parish festival or fund raising dinners and in a social context, is not prohibited by this policy; however, reasonableness in use is expected.
2. Report for duty or remain on duty:
 - a. While using, being under the influence of, or being impaired by alcohol as verifiable by a Blood Alcohol Concentration (BAC) of .08 percent or greater; or
 - b. After having used Prohibited Substances.

3. Misuse or engage in the illegal or unauthorized use, distribution or possession of prescription and over-the-counter drugs.
 4. Refuse to submit to an alcohol or drug test.
 5. Attempt to or actually tamper with, dilute, adulterate or substitute a specimen in any alcohol or drug test.
- E. Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. One who takes prescribed or over-the-counter medication will be responsible for conferring with his or her treating physician and pharmacist about whether the medication may interfere with his/her ability to perform his/her tasks safely, productively and efficiently. If the use of a medication could compromise the safety of the employee, volunteer or others, or if it could negatively impact the person's performance, it is the person's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave time, request change of duty, notify supervisor, request reasonable accommodation, etc.) to avoid performance problems and unsafe, unproductive, and inefficient practices.
- F. Each employee or volunteer is required to participate in reasonable suspicion alcohol and drug testing, at the request of the Priest/Administrator, and based on observation of an individual's behavior or performance, or based upon specific, objective facts where the rational inference to be drawn under the circumstances is that the person may be using, under the influence of, or impaired by alcohol or drugs. All testing will be performed by a testing facility selected by the Parish. Testing for the presence of alcohol may be conducted by breath analysis; testing for the presence of the metabolites of the Prohibited Substances will be conducted by urine analysis. All alcohol and drug testing information will be maintained in separate, confidential records. All information received by the Parish through this program is confidential. Access to this information is limited to those who have a legitimate need to know as determined by relevant laws and policies.

1.12 Whistleblower Policy. All employees are to comply with the following Parish Whistleblower policy.

This Whistleblower Policy ("Policy") of the Parish: (1) encourages staff and volunteers to come forward with credible information on illegal practices or serious violations of the Parish's adopted policies; (2) specifies that the Parish will protect such persons from retaliation; and (3) identifies where such information can be reported.

- A. **Encouragement of Reporting.** The Parish encourages complaints,

reports and/or inquiries about illegal practices or serious violations of the Parish's policies, including illegal or improper conduct by the Parish itself, by its leadership, or by others on the Parish's behalf. Appropriate subjects to raise under this Policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies.

Subjects covered under the Parish's existing complaint mechanisms should be addressed under those existing mechanisms, such as raising matters of alleged discrimination or harassment via the Parish's human resources channels, unless those channels are themselves implicated in the wrongdoing. This Policy is not intended to provide a means of appeal from outcomes reached by such other mechanisms.

- B. **Protection from Retaliation.** The Parish prohibits retaliation by or on behalf of the Parish against staff or volunteers for making good faith complaints, reports and/or inquiries under this Policy or for participating in a review or investigation under this Policy. This protection extends to those whose allegations are made in good faith but prove to ultimately be mistaken. The Parish reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this Policy.
- C. **Where to Report; Investigation.** Complaints, reports and/or inquiries may be made under this Policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the basis for such complaint, report and/or inquiry.

They should be directed to the Priest/Administrator provided, however, that if the Priest/Administrator or another cleric are implicated in the complaint, report or inquiry, then such complaint, report or inquiry should be directed to the Vicar for Clergy, Catholic Diocese of Pittsburgh.

The Parish will conduct a prompt, discreet, and objective review or investigation of such complaint, report and/or inquiry. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Staff or volunteers must recognize that the Parish may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously. Therefore, the Parish encourages staff and volunteers to make non-anonymous complaints to the extent practicable.

2.0 **WORKING CONDITIONS**

- 2.1 **Normal Schedule of Office Hours; Absences; Overtime.** The office hours will be determined by the pastor / administrator and may vary based on office location. The hours may also vary according to the needs of the

Parish, *e.g.*, some employees may work on Saturdays and Sundays. Exempt employees should follow the time schedule best suited to accomplishing the duties of the position.

When the supervisor of a non-exempt employee determines that a need exists to schedule a full-time non-exempt employee for work hours in addition to the employee's standard work hours, the Priest/Administrator is to approve such overtime in writing before the employee works such additional hours, except in an emergency. In the event of an emergency when the employee works overtime without prior written approval, the supervisor is to seek ratification in writing of such overtime. Employees who work overtime without first obtaining the required approval must be paid for the overtime; however, the employee or the supervisor who fails to comply with these overtime policies may be disciplined.

2.2 Snow or Other Inclement Weather. In case of snow or other inclement weather, individual employees (exempt and non-exempt) may decide whether they should leave early or whether they should come to work. If an employee does not come to work or leaves work early, the employee is to use, in whole or in part, a vacation day or hours, or a personal day or hours, for the period missed. If the civil authorities declare an emergency that prohibits the public from being on the streets, and the employee would be required to travel these streets, or if work for the staff of the Parish is officially cancelled, this time will be provided to employees without the need to use vacation or personal day time.

2.3 Lunch Periods and Work Breaks. Employees are entitled to 45 minutes of uninterrupted time per workday for lunch (or a meal period) and a break of not more than 10 minutes in the first one-half of the day and 10 minutes in the second half of the day. These employees should schedule their meal periods and breaks in consultation with the supervisor to insure adequate coverage of the office. The meal period of employees is to be used in the typical work hours and employees are not to perform work during their meal period. The meal period and breaks cannot be skipped as a basis for arriving late or leaving work early. Violation of this policy may result in disciplinary action.

2.4 Dress Code; Work Environment; Smoke-Free Facility.

A. **Dress Code.** Employees are representatives of the Parish; attire of employees during work hours and work-related activities is to be appropriate to the duties of the position, the safety of the employee and others, and the probability of public contact. Employees are to use good judgment about appropriate clothing, personal hygiene and appearance.

B. **Work Environment.** Offices and workspaces are to be maintained in a professional manner.

- C. **Smoke-Free Facility.** All offices of the Parish are smoke-free facilities, including e-cigarettes and vaping products, in accordance with the law. Smokers may go outside to smoke during break periods but must refrain from smoking at or in the immediate vicinity of the entrances to the building.

Violations of these policies may result in disciplinary action.

3.0 EMPLOYEE'S JOB AND PERFORMANCE

- 3.1 **Job Description.** All job descriptions are to include the following information: title of position; exempt or non-exempt status; assigned organizational unit; position qualifications (*e.g.*, job experience, skills, education, physical and mental requirements); essential functions of the job, both physically and mentally; and major duties and responsibilities.

Supervisors and their employees are jointly to review job descriptions, preferably on an annual basis or as circumstances may dictate, and to revise the descriptions as necessary. They are to initial and date as evidence of the review. Copies of job descriptions shall be maintained in personnel files. The Priest/Administrator shall monitor compliance.

- 3.2 **Employee's Performance.** A Priest/Administrator or his designated supervisor, in consultation with the employee, should set expectations, provide feedback on meeting those expectations, and evaluate behavior in light of those expectations as part of the performance management process.

3.3 Absences During Work Hours.

- A. **Tardiness; Absenteeism; Extended Lunch Period; Early Departure** In the event that an employee will be tardy or absent or must take an extended lunch break or leave early, he or she must inform, as soon as practical, either the immediate supervisor and/or the Priest/Administrator or his designee. In case of absence, the employee must call (and leave a message with) his or her supervisor before work hours begin, except in an emergency. For other than emergency situations, notification of tardiness should occur before the scheduled starting time, and notification of anticipated extended lunch periods or early departures should be given at least two days in advance. The supervisor retains the right to request verification of the reason for all instances.

- B. **Personal Appointments or Medical Appointments.** As a general rule, employees should not interrupt regularly scheduled office hours with personal appointments or medical appointments. When an appointment must be scheduled during office hours, the

employee should consult with the supervisor for approval of the time arrangements.

- C. **Adjustments for Missed Hours or Days.** Unless otherwise agreed to by the Priest/Administrator, a personal, sick and/or vacation day, or a proration thereof, or, if no such days are available, an adjustment in pay can be used in cases under A or B above. Also, excessive tardiness, absenteeism, extended breaks or early quits may result in disciplinary action, up to and including termination of employment.
- D. **Medical or Disability Related Matter.** If an employee is/will be tardy, absent, required to take an extended lunch break, depart early, or to attend a medical appointment during regularly-scheduled work hours, as a reasonable accommodation for a disability, the employee should comply with the procedures of the Parish for requesting medical leave or a reasonable accommodation, if he or she has a disability, and/or the procedure under the Family and Medical Leave Act (FMLA), if the FMLA is applicable. *See Chapter 4.10* and related *Appendix*.

3.4 Employee's Outside Employment. Outside employment that in any way conflicts with employment with the Parish or otherwise affects the efficiency or productivity of the work of the employee or of the Parish will be subject to critical review. The Parish, in some circumstances, may require the employee to terminate the outside employment or, alternatively, may choose to terminate the employee's employment with the Parish. *See also* Conflict of Interest Policy and Employee Disclosure Form, *Chapter 1.3* and *Appendix 1.3*.

3.5 Jury Duty; Court Appearances.

- A. **Jury Duty; Parish Witness.** The Parish recognizes the civic obligation of employees to serve as jurors. The Parish will grant an eligible employee limited paid and extended unpaid time-off for mandatory jury duty or court appearances as a witness when the employee must serve or is required to appear as a result of a court order or subpoena. A copy of the court order or subpoena must be supplied to the employee's supervisor when the employee requests the time off for jury duty.
 - 1. Regular full-time or regular part-time employees called to jury duty will continue to receive regular salary for a maximum of fifteen (15) workdays. The Priest/Administrator may permit, upon the employee's written request, an extension of the said maximum days if the Priest/Administrator concludes that the employee's continued absence does not create an economic burden for,

or unreasonably interfere with the efficient operation of, the Parish. Fees received by employees for performing jury duty will be in addition to their normal salary. If jury duty terminates on any day at noon or earlier, employees are expected to return to work for the remainder of the day.

2. Non-regular employees will be permitted to take the time off to attend jury duty but will not be eligible for pay.
3. An employee who is subpoenaed in connection with his or her work as an employee of the Parish will be paid regular base pay for time away from work to comply with the subpoena.

B. **Employee's Court Appearances as a Party or Non-Parish Witness.** Employees will not be granted paid time-off for court appearances where the employee is a party to, or a witness in, any civil or criminal litigation that does not involve the Parish. However, the employee may make arrangements for time off without pay or may use accrued vacation or personal days for such appearances.

3.6 Disciplinary Process. Discipline is to be governed by the policy and procedures found in the following Parish Disciplinary Policy.

For purposes of the following, an "infraction" is a violation of a Parish policy. If a need for disciplinary action arises, it will be addressed as soon as reasonably possible at or about the time of the employee's infraction in accordance with the following procedures.

A. **"Oral warning."** When an infraction occurs, the employee's supervisor will immediately discuss the problem with the employee and indicate necessary corrective action. The supervisor is to explain to the employee the problem and/or the deficiency and the necessary course of corrective action. A reasonable timetable for such corrective action will be established, depending on the circumstances. Written documentation of the oral "warning" and the corrective action and timetable is to be made and retained by the supervisor. When an infraction occurs and the employee's performance or behavioral deficiencies are such that his or her supervisor considers an oral warning to be inappropriate, then the supervisor may issue a written warning or more severe disciplinary action, as the Parish determines to be appropriate, in conformity with the procedures set out below.

B. **"Written warning."** If an employee's performance or behavior fails to improve within the time frame for corrective action in the oral warning, or if the problem/deficiency is of such a nature that an oral warning is not appropriate, the employee's immediate supervisor shall document the failure to improve and/or the problem/deficiency and is to issue a "written warning".

- C. **“Reprimand.”** If the infraction is a matter serious enough to warrant a reprimand, then steps 1 and 2 may be skipped and the immediate supervisor shall issue a reprimand. The employee’s immediate supervisor shall document in writing the circumstances surrounding the reprimand, including the problem, the corrective action and the timetable for such action, the failures of the employee, and any other relevant circumstances.
- D. **“Termination recommendation.”** A supervisor may recommend termination in any of the following circumstances: where an employee’s performance or behavior substantially fails to improve within the time frame for corrective action in the oral warning; where the employee’s performance or behavior fails to improve within the time frame for corrective action in the written warning or reprimand; or where an employee’s performance or behavior is of such a nature that an oral or written warning or a reprimand is not appropriate. The written termination recommendation is to be acted upon by the Pastor/Administrator. Only the Pastor/Administrator or his specifically authorized designee, may terminate a parish employee.
- E. **“Immediate Termination.”** Immediate termination may also be an appropriate remedy depending upon the severity of the infraction. *See paragraph H or G, below.*
- F. Documentation provided for under paragraphs A, B, C and D is to be forwarded to the Priest/Administrator and maintained as part of the employee’s personnel file unless otherwise provided for herein.
- G. The Parish expects competent and professional performance and behavior and reserves the right to terminate employees immediately for severe instances of misconduct or incompetence in the performance of their duties. While the Parish will generally follow a progressive disciplinary procedure, there are certain situations or circumstances that may create cause for immediate termination. While it is impossible to include every example of behavior that would result in immediate termination, these may include, but are not limited to:
1. Insubordination or intimidation or a refusal or significant inability to work cooperatively with the supervisor and/or the staff;
 2. Severe or repeated misconduct;
 3. Reporting for work in a condition unfit for duty, such as reporting to work while using, possessing or under the influence of alcohol or prohibited substances;
 4. Theft, misappropriation or improper handling of property or funds belonging to the Parish, employees, or clients;
 5. A violation of Parish policies dealing with honesty, trustworthiness (*e.g.* accepting gifts or bribes for services

rendered, altering, removing or destroying records, failure to respect confidentiality of records and information, falsification of records or reports, etc.);

6. Certain conduct in violation of the policies against workplace harassment or discrimination;
 7. Certain conduct in or out of the workplace which, in the judgment of the Employer, constitutes serious or public immorality, sacrilege, lewd conduct, endangerment of health or safety, abusive conduct, public scandal or rejection of, or the holding up to doubt or question of the official teaching, doctrine or laws of the Catholic Church. In such a case, the employee may be dismissed by the Employer, without prior notice. Nevertheless, when the conduct concerns a possible violation of the Catholic Identity and Mission Statement (**see Chapter 1.3B.**), the procedural guidelines for the implementation of the Catholic Identity and Mission Statement will be used in order that all possible approaches at resolving the issue in conformity with the teaching of the Church will be discussed before possible employment is terminated.
 8. Failure to comply with the Safe Environment Protocol, even if already employed or serving as a volunteer.
- H. If a termination recommendation is made to the Priest/Administrator or if it is determined that a violation under paragraph 8 has occurred, then the Priest/Administrator is to decide and implement appropriate action which may be:
1. Immediate termination;
 2. Termination after a limited period of time;
 3. Temporary suspension while remedial action is taken;
 4. Probationary employment while remedial action is taken; or
 5. Continued employment while remedial action is taken.
- I. The employee may, in certain circumstances, seek review in the Diocesan Office for Administrative Procedures and Due Process.

3.7 Soliciting Donations.

- A. **No Direct Solicitation.** Solicitation of employees during working hours or in working areas is prohibited. Employees may not directly or forcibly solicit fellow employees for contributions for any purpose including, but not limited to, charitable purposes. Violation of this policy may result in disciplinary action. Also, any exception to the solicitation policy must be approved by the Priest/Administrator and, in such case, employees are to be informed that participation is entirely voluntary.

- B. **No Use of Lists of Employee Names and Addresses.** Except as otherwise permitted by the Priest/Administrator, lists of employees' names and addresses may not be made available to employees or outside organizations or individuals for any purpose including, but not limited to, charitable solicitation. Violation of this policy may result in disciplinary action.

3.8 Political Activity/Solicitation. Political activities and solicitations are prohibited during working hours, in working areas or on Parish premises. Nothing of a political nature, including buttons, materials, and the like, shall be present in the workplace. Violation of this policy may result in disciplinary action. "Political activities and solicitations" are defined as activities or solicitations in support of partisan federal, state or local political issues, candidates for political office, or political parties and includes employees who are or may be candidates for political office.

3.9 Employee's Use of Communication and Information Systems

- A. **Use of the Telephone.** Personal telephone calls are to be kept to a minimum and of a short duration. This applies whether the telephone is provided by the Parish or by the employee. Excessive personal calls may result in disciplinary action.
- B. **Use of Phone While Driving.** Any employee who must drive while on Parish business may not use text or e-mail devices or use a cell phone while driving unless the phone is equipped with a hands-free device. In any event, the employee must follow all applicable traffic laws and refrain from using such devices while driving where prohibited by law. If it is absolutely essential to use such devices, the car should be parked in a safe location while the driver is using the device.
- C. **Employee's Use of Communications, Information and Internet Systems, and Social Media.** The purpose of this Policy is to provide guidelines to all regarding the use of the Parish's computer network equipment and Internet access capabilities. All employees and volunteers of the Parish shall abide by this Policy. Any questions or comments regarding this Policy should be directed to the Priest/Administrator.

PART A: EMPLOYEE'S USE OF COMMUNICATIONS, INFORMATION AND INTERNET SYSTEMS

- 1. **The Parish's Network and Internet-Related Systems.** The Parish's network and Internet-related systems (including but not limited to desktop and portable computer equipment, including smartphones, tablets, and other similar electronic

devices; hard drives; printers; peripherals; software and operating systems; and network and/or Internet-related accounts providing electronic mail ("e-mail"), World Wide Web ("www") browsing, newsgroup access, and/or file-transfer capabilities) are the exclusive property of the Parish. The Parish's network and Internet-related systems are to be used for business purposes in serving the best interests of the Parish in the course of normal business operations. Subject to the restrictions herein and with limited exceptions, the Parish intends to provide all employees and volunteers with the access they need to perform their tasks on the Parish's internal network, to Internet e-mail address, and Internet access.

2. To promote the efficient use of and to avoid misuse of the Parish's internal network and Internet-related systems, a copy of this Policy will be distributed to all employees and volunteers who are required to familiarize themselves with the contents of this Policy. The Parish's network administrators are responsible for protecting the Parish and its network and Internet-related systems from abuses of this Policy. Pursuant to this duty, the network administrators may take reasonable and appropriate action to protect the Parish and/or the integrity and security of the Parish's network and Internet-related systems. Failure to comply with this Policy may result in the termination of employment or other disciplinary action.
3. **Privacy of Communications and Personal Information.** Employee and volunteer communications and personal information created or stored on the Parish's systems are not private. **Employees and volunteers should be aware that all information created or stored on the Parish's network and Internet-related systems, including e-mail, is the property of the Parish, and usually can be recovered even though deleted by the employee.**
4. **Personal Use.** Personal use of the Parish's network and Internet-related systems in compliance with this Policy is authorized within reasonable limits only as long as such use does not in any manner interfere with or conflict with employees' business duties or the mission or work of the Parish. Employees are responsible for exercising good judgment regarding the reasonableness of personal use. The Parish cannot and does not guarantee the confidentiality of any personal information stored on the network and, therefore, personal information that is intended to remain confidential should not be created or stored on the Parish's

network. This Personal Use policy applies to use of Parish-provided equipment on the work site and off-work site, and to personally-provided equipment when used on the work site, such as personal computers, cell phones and the like, whether such use is internet use, phone calling, texting, and the like.

5. **Monitoring.** The Parish reserves the right to monitor all network and Internet-related system use for any reasonable purpose, and particularly to ensure proper working order, to assure appropriate use by employees and volunteers, and to maintain the security and integrity of the Parish's information. The Parish may retrieve the contents of any communication or file stored on the Parish's systems. The Parish may access employee files, including archived material of present and former employees or volunteers, without the employee's or volunteer's consent, for any purpose related to maintaining the security or integrity of the network, or protecting the rights of the Parish, or other employees or volunteers, or for any other reasonable purpose.
6. **Intellectual Property Concerns.** All employees and volunteers should be aware that any information, software, or graphics available on the Parish's systems as well as on remote sites accessible via the Internet or otherwise may be protected by copyright and other intellectual property laws, regardless of whether a copyright or other notice appears on the work. Licensing agreements may control redistribution of intellectual property from the Parish's network and Internet-related systems or from remote sites. Duplication or transmission of such material may not be undertaken without express authorization from the Parish's network administrators.
7. **System Integrity Concerns, Security and Proprietary Information.** No software of any type may be downloaded onto or otherwise installed on the Parish's network or Internet-related systems without express authorization from the Parish's network administrators. Employees and volunteers are required to scan all authorized, employee-installed software applications for viruses using authorized procedures and software. Employees and volunteers must never open, execute, or run software programs or any other files attached to unsolicited e-mail communications.
8. The information stored on the Parish's network and Internet-related systems is highly confidential. Employees and

volunteers are required to take all necessary steps to prevent unauthorized access to information stored on the Parish's network and Internet-related systems. Employees and volunteers are expected to:

- a. Keep their passwords secure and unknown to all other persons and refrain from sharing network or Internet accounts. Authorized persons are responsible for the security of their passwords and accounts. Authorized employees should take steps to prevent unauthorized access to their accounts by logging off or locking their work-stations when their computer will be unattended.
- b. Use reasonable caution when sending confidential material over the Internet.

9. **Restrictions and Prohibitions on Use and Access.** All network and Internet-related activity, including e-mail communications and Internet access, should be conducted in a responsible and professional manner reflecting the Parish's religious nature and its commitment to honest, ethical and non-discriminatory practices. In furtherance of these goals the following restrictions and prohibitions apply. Employees and volunteers:

- a. Shall not access a computer account that belongs to another, must use only their own logon ID and password, are responsible for all activity on their logon ID, and must report any known or suspected compromise of their logon ID or password to the network administrators.
- b. Shall not engage in unauthorized attempts to circumvent data security schemes, identify or exploit security vulnerabilities, or decrypt secure data.
- c. Shall not attempt to monitor, read, copy, change, delete or tamper with another employee's or volunteer's electronic communications, files or software without the express authorization of the other employee, except those authorized Parish network administrators acting within the scope of their duties.
- d. Shall not knowingly or recklessly run or install (or cause or allow another to run or install) a program such as a "worm" or "virus" intended to damage or place an excessive load on any computer system or network.
- e. Shall not forge the source of electronic communications, altering system data used to identify

- the source of messages or otherwise obscuring the origination of communications.
- f. Shall not engage in any use that violates federal, state, or local laws or regulations.
 - g. Shall not knowingly or recklessly interfere with the normal operation of computers, peripherals or networks, or connect unauthorized devices or equipment to the Parish's network or computer equipment.
 - h. Shall not deliberately waste or excessively use for non-work-related purposes computer or network resources, including bandwidth, disk space and printer paper, or run or install games or other unauthorized software on the Parish's computers.
 - i. Shall not use the Parish's network or Internet-related systems to gain unauthorized or illegal access to any other computer system, or access, transmit, store, display, or request obscene, pornographic, erotic, racist, sexist or other offensive material (including messages, images, video, or sound), including but not limited to use that violates the Parish's Workplace Harassment Policy.
 - j. Shall not make any statements about the Parish and/or its actual or alleged position on any issues, individuals or entities which are made in public or quasi-public forums such as newsgroups, bulletin boards or chat areas are prohibited, except for statements authorized by the Priest/Administrator or his designee.
 - k. Shall not make any statements in personal e-mail or other non-business communications which may be attributed to the Parish. It is suggested that all personal and/or non-business communications originating from the Parish's network or Internet-related systems is to contain a statement reflecting that the information in the email or communication does not express the opinion or position of the Parish, and cannot be attributed to or made binding upon the Parish.
 - l. Shall not visit www sites and use the Internet in a way that may reflect poorly upon the Parish.
 - m. Shall not provide demographic, financial or other information regarding the Parish and/or the Parish's employees or volunteers in response to any on-line surveys or questionnaires, unless authorized to do so.
 - n. Shall not use the Parish's network and Internet-related system to contractually bind the Parish in any manner, unless authorized to do so.

- o. Shall not make available to the public the Parish's web pages and links, unless approved by and developed in cooperation with the network administrators prior to activation.
- 10. **Disclaimer.** The Parish will not be responsible for any misuse of the Parish's network or Internet-related systems. All liabilities, costs, expenses, obligations, *etc.*, of any type whatsoever which are imposed on or incurred by employees as a result of their use of the Parish's network or Internet-related systems in a manner which violates this Policy are the sole responsibility of the employee or the volunteer.

PART B: EMPLOYEE'S USE OF SOCIAL MEDIA

Except as reasonably related to the work of the employee or otherwise permitted by the employee's supervisor, and except for "reasonable personal use," employees are not permitted to create, maintain, amend, view, access, download, contribute to or store any form of Social Media on any Parish- supplied equipment or devices, whether at work or not. "Reasonable personal use" means that an employee's use of the Parish's network and internet-related systems or of the employee's personal devices at work, respecting Social Media, is permitted within reasonable limits only as long as: such use does not in any manner interfere with or conflict with the employee's job duties or the mission or work of the Parish; and, the employee is responsible for exercising good judgment regarding the reasonableness of personal use.

Social Media includes, but is not limited to, social networking like Facebook, Instagram, Snapchat etc.; Twitter; blogs; forums; chat rooms; discussion boards; and video and photo sharing websites like YouTube.

Employees who use Social Media on their personal time away from work are prohibited from posting any material or information that:

- a. Violates the privacy rights of another employee or a volunteer of the Parish.
- b. Intentionally or inadvertently discloses any confidential information of the Parish, its employees, volunteers and/or its user.
- c. Comments on the future unreported plans or prospects of the Parish or any religiously affiliated entity.
- d. Criticizes or disparages employees of the Parish or the work of the Parish and any religiously affiliated entity.

- e. Uses or displays logos, graphics, or trademarks of the Parish or any religiously affiliated entity.
- f. Displays false or misleading information about the Parish, any religiously affiliated entity, employee, volunteer or user.
- g. Displays any information that violates any policy of the Parish.
- h. Displays any content that purports to represent the position, viewpoint, statements, opinions, or conclusions of the Parish or any religiously affiliated entity, or employee.
- i. Violates any law, such as laws that prohibit defamation, harassment, discrimination and retaliation.

Employees and volunteers are prohibited from using the Parish's name to endorse or promote any product, commercial enterprise, opinion, cause or political candidate.

If your post or entry identifies or mentions the Parish, you must also identify yourself by your real name and state in a prominent way that any entries or posts express your personal view and are not written by or on behalf of the Parish and do not represent the views of the Parish.

This policy applies to all Social Media, without regard to whether it is accessible by the public or requires a password.

Employees and volunteers are personally responsible and legally liable for anything written, posted or presented on-line. The Parish can discipline for commentary, content, or images that are defamatory, proprietary, harassing, libelous, violate any Parish policy, or that can create a hostile work environment. Employees and volunteers can also be held personally liable and be sued by Parish employees, volunteers, and any individual or Parish if the statements, contents or images are deemed to be defamatory, obscene, harassing, discriminating, retaliatory, violate privacy rights, create a hostile work environment, or include confidential or copyrighted information. The Parish is not responsible for protecting any employee from the consequences of any information posted by an employee or volunteer.

The Parish reserves the right to monitor any public postings on social media sites.

A violation of this policy may result in disciplinary action, up to and including discharge.

4.0 EMPLOYEE WAGES, REIMBURSEMENTS, BENEFITS AND LEAVES

4.1 Wage and Salary Policy and Procedures

- A. **Compensation Policy.** All Parish positions are classified according to job category. Based on this category, each paid position in the Parish will be assigned a salary range reflecting a minimum, midpoint, and maximum salary. Increases within the salary range may occur as a function of one or more of the following considerations: performance excellence, market conditions, and available Parish resources.
- B. **Pay Matters:**
1. **Pay Day.** Wages are paid twice a month, for a total of twenty-four (24) pay periods in any one calendar year.
 2. **Automatic Pay Deposit.** Pay will be automatically deposited to an employee's bank account. The employee must comply with appropriate procedures to elect direct pay.
 3. **Pay Advance.** As a general rule, it is Parish policy to decline all requests for early paychecks or pay advances for personal reasons.
- C. **Employee Payroll Deductions.**
1. **Form W-4.** Every employee must fill out and sign a Federal Withholding Allowance Certificate (IRS Form W-4) on or before the first day on the job. Employees are expected to comply with the instructions on the W-4 and to complete the W-4 in accordance with federal regulations. The employee may fill out a new W-4 at any time when his or her circumstances change. Questions regarding the propriety of claimed deductions should be referred to the IRS.
 2. **Mandatory Deductions.** The following mandatory deductions will be made from every employee's gross wages: federal income tax; social security tax; and applicable state, and local taxes for certain localities.
 3. **W-2 Form.** Each employee will receive an annual Wage and Tax Statement (IRS Form W-2) for the preceding year on or before January 31. Where an employee believes that his or her deductions are incorrect for any pay period, or on the W-2, the employee should check immediately with the person in the Parish responsible for this subject.
 4. **Optional Deductions.** Optional and voluntary deductions and contributions (e.g., certain medical insurance, retirement and supplemental life) are deducted twice a month. Options may vary from year to year. Please review options during open enrollment.

4.2 Minimum Wage and Overtime. As stated in Chapter 1.6 supra, the Parish complies with the Fair Labor Standards Act (FLSA), which establishes minimum wage and overtime pay provisions for non-exempt employees.

A. Policies for Non-Exempt Personnel.

1. **Regular Rate of Pay.** “Hourly” personnel are paid at an hourly rate for “hours worked.” “Non-exempt” salaried personnel are paid a salary divided by the number of hours or days actually worked.
2. **Hours Worked for Purposes of Overtime:** Time when an employee is present at the designated work site for the purpose of performing Parish business. Time off attributable to bereavement leave, sick days, personal days or any other time which is not actually worked shall not be considered when computing the number of “hours worked” for overtime purposes.
3. **Work Week:** 12:01 a.m. Monday to 12:00 midnight Sunday.
4. **Time Records for Non-Exempt Employees.** Employees are required to fill out accurate time sheets that are to be submitted to the supervisor within 2 days following the end of each 2-week work period. Falsification of time records may result in disciplinary action, up to and including termination of employment.
5. **Overtime.**
 - a. **Overtime Rate.** Non-exempt employees are entitled to overtime for all hours worked over 40 hours in a work week. The FLSA overtime rate is one-and-one-half of an employee’s “regular rate” for all hours worked in excess of 40 hours during any work week.
 - b. **Supervisor Approvals.** Overtime hours are to be approved in writing by the Priest/Administrator , his designee, or the employee’s immediate supervisor prior to the time they are worked by a non-exempt employee.
 - c. **Employee Record Keeping and Submission.** If a non-exempt employee actually works in excess of forty (40) hours per week, the employee is to report all hours worked (including the overtime hours) by submitting the appropriate time records within 2 work days of the day on which overtime work occurred to the appropriate person in the Parish. An employee will be compensated for all hours worked, including overtime hours whether or not approved in advance. Depending on the circumstances, an

employee who works overtime without prior written approval may be subject to disciplinary action.

- d. **Supervisor's Duty to Monitor.** The supervisor of the non-exempt employee is to monitor effectively the hours of the employee to assure that only approved overtime hours are worked. An employee's offer to gratuitously "give" time to the organization is not permitted by the FLSA; if overtime hours are worked, they are to be paid.
- e. **Overtime Based On Work Weeks.** Overtime hours are determined on a work-week basis. When an employee who regularly works 40 hours a week offers to make up time for hours not worked, the supervisor has to authorize the make-up time and is usually to direct that the make-up time be worked in the same work week as the time taken off to avoid the requirement of an overtime payment in a subsequent week.

B. **No Overtime Pay for Exempt Employees.** Exempt employees are generally not eligible for overtime pay unless mandated by law.

4.3 Reimbursement for Job-Related Expenses. Employees will be reimbursed for reasonable expenses incurred in the performance of job-related duties. Local transportation to and from meetings, parking and toll fees will be reimbursed or not reimbursed according to applicable Parish policies.

Commuting to and from an employee's home to his/her assigned office location is not reimbursable. When an employee uses his/her own vehicle for work-related travel, over and above the daily commute from home to his/her assigned office location, such travel shall be reimbursed at the stated rate announced periodically according to IRS rates.

If an employee is required to travel from home directly to a third location on parish business and then to work, the parish will reimburse the employee for the difference between the mileage the employee normally drives to work and the total miles driven on business.

Falsification of expense reports or records will result in disciplinary action, up to and including termination of employment.

With prior approval of the supervisor, the reasonable costs of attending meetings, conferences, or other official business also will be reimbursed upon submission of proper documentation supporting such expenses.

- 4.4 Employee Benefits.** Employees who meet the eligibility and qualification requirements, and otherwise comply with applicable procedures, are entitled to certain benefits under Parish benefit plans per below.

Eligibility and qualification for any of the below-stated benefits are governed by the applicable benefit program and procedures within the Catholic Benefits Trust. The Catholic Benefits Trust includes all parishes, schools and cemeteries and related organizations operating within the boundaries of the Roman Catholic Diocese of Pittsburgh.

All benefit programs are administered by the Insurance/Employee Benefits Office of the Diocese of Pittsburgh in conjunction with the Parish.

A. All Employees other than Priests receive:

1. **Social Security and Medicare.** All employees other than priests receive matching contributions to the Social Security and Medicare funds as required by federal law.
2. **Unemployment Compensation.** Enrollment in the Pennsylvania State Unemployment Compensation Program is provided to all employees other than priests. A deduction will be made from every employee's earnings for coverage at the rate established by the Pennsylvania Unemployment Compensation Act.
3. **Death Benefits.** If an employee dies while on the active payroll, his or her next of kin or estate will receive the employee's pay, which will be computed to the end of the pay period in which death occurred. All earned but unused vacation time in the calendar year of the death will be included in this payment. Life insurance, if the employee was eligible (see below), will be paid to the beneficiary of record or the deceased employee's estate based on provisions of the Group Life Insurance Program.

B. Priests and Employees receive:

1. **Workers' Compensation Coverage.** Priests, religious and employees are protected under the provisions of the Pennsylvania Workers' Compensation Act relative to injuries sustained during the course and scope of employment.

C. The following benefit programs are provided for all Employees other than Priests and religious who work at least 1,000 hours per year (typically at least 20 hours per week for the entire year):

1. **Group Life Insurance Program.** Enrollment in the Group Life Insurance Program is provided at no charge to the above defined eligible employees after ninety (90) days of employment.
2. **Group Long-Term Disability Program.** Enrollment in the Group Long-Term Disability Program is provided at no charge to the above defined eligible employees beginning on the first day of the month following ninety (90) days of employment.
3. **Retirement Program.** Enrollment in the Diocese of Pittsburgh 403(b) defined contribution retirement program is provided to the above defined eligible employees. Parish contributions, both matching and automatic, will be provided after one year of employment.
4. **Optional Benefits:**
 - a. **Optional Employee Supplemental Benefits.** Various benefit programs to supplement the benefit provided by the Parish are available for purchase by employees at their option and expense. The Parish provides payroll deduction for the purchase of these optional benefits. Some benefits may be deducted before taxes as provided by federal and state law. Benefit availability will vary from time to time based on market conditions.
 - b. **Birth/Adoption of a Child.** Parish shall provide six (6) weeks for paid maternity leave. Seven (7) weeks shall be given if a mother has a caesarian section. Two (2) weeks are provided for paid paternity leave or for the adoption of a child. Such leave is limited within the first three months after the birth or adoption of a child.

D. Medical, Dental and Vision benefit programs:

*****The Affordable Care Act (ACA) requires all employers to provide health insurance to employees working an average of 30 hours or more per week for the entire year.*****

1. **Group Health Insurance Coverage.** Group health insurance coverage is provided for the employee only provided that the employee works an average of 30 hours per week. Plan availability and employee contributions will be based upon the applicable program in effect and the coverage level provided by the Parish.
2. **Group Dental Insurance Coverage.** Group dental insurance coverage is available for employee coverage for all employees

working an average of 30 hours per week. Plan availability and employee contributions will be based upon the applicable program in effect and the coverage level provided, if any, by the Parish.

3. **Group Vision Insurance Coverage.** Group vision insurance coverage is available for employee coverage for all employees working an average of 30 hours per week. Plan availability and Employee contributions will be based upon the applicable program in effect and the coverage level provided, if any, by the Parish.

NOTE: Benefits booklets for many of the above programs are available from the Insurance/Employee Benefits Office of the Diocese of Pittsburgh. Questions can be addressed by calling the Benefits Office at 412-456-3045 or emailing to: benefits@diopitt.org.

- 4.5 **Holy Days and Holidays.** Except when the employee's duties require work on the following days, these days will be observed as paid holy days and holidays for all Regular Full-time employees and Regular Part-time employees when the employee's workday falls on the holy day or holiday and days off without pay for non-regular (Part-time or Provisional) employees.

The holy days and holidays for the Parish are:

- New Year's Day, January 1
- Holy Thursday
- Good Friday
- Easter Monday
- Memorial Day (last Monday in May)
- Independence Day, July 4
- Labor Day
- All Saints Day, November 1*
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve
- Christmas Day
- New Year's Eve

When July 4 falls on Saturday, it will be observed on the Friday before the holiday. When January 1, July 4 or December 25 falls on a Sunday, it will be observed on the following Monday.

The days starred are paid holy days or holidays off when they fall on a Monday through a Friday but not a Saturday or a Sunday. When January 1 and December 25 fall on a Saturday, there is not a separate day observed

as a paid holy day as December 31 and December 24 will have fallen on a Friday and will, therefore, be a paid day off.

4.6 Military Leave; Return to Work. For those employees entering long-term or temporary duty with the National Guard or armed services, *see*, if applicable, **Chapter 4.11** and **Appendix 4.11**.

The Parish will grant a military leave of absence to employees who are absent from work because they are serving in the active military service or other military capacity in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Pennsylvania Military Leave of Absence Act (“the Pennsylvania law”).

You are requested to give your supervisor advance notice of upcoming military service, unless military necessity prevents advanced notice or it is otherwise impossible or unreasonable.

Military leave will be unpaid, but you may request payment of earned but unused vacation time and/or personal days.

Continuation of health insurance benefits is available as required by USERRA and the Pennsylvania law and based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which you are otherwise eligible. To the extent health benefits are not governed and/or preempted by ERISA, your health insurance and/or other benefits will be provided at your regular employee rate for your first thirty (30) days of military duty. Following the first thirty (30) days, we will provide you the option to continue health care coverage, at your expense, at the same cost as we previously paid to provide you coverage. The health care continuation coverage may be for a period of up to 24 months beginning on the date of your absence for military service.

The Parish will comply with the requirements of Federal and State laws with respect to military leave.

Fringe benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during a military leave and will resume when you return to active employment.

USERRA places a 5-year limit (with some exceptions) on the cumulative length of time a person may voluntarily serve in the military and remain eligible for reemployment rights. Employees who are on military leave for up to 30 days must return to work on the first regularly scheduled work period after service ends, plus eight hours (allowing for reasonable travel time). Employees who are on military leave from 31 to 180 days must apply for reinstatement no later than 14 days after completion of your service. Employees who are on military leave for 181 days or more must submit their application for reinstatement no later than 90 days after completion

of your service. Longer periods of time will be granted if necessary due to reasons that are not the fault of the individual. Failure to adhere to the above reinstatement application deadlines may subject you to disciplinary action up to and including termination of your employment.

When you return from military leave (depending on the length of military service in accordance with USERRA and the Pennsylvania law), upon proper request for reinstatement in accordance with applicable law, you will be placed either in the position you would have attained if you had remained continuously employed or in a comparable position, unless a change in our circumstances makes it impossible, unreasonable, and/or would cause an undue hardship.

For the purpose of determining benefits that are based on length of service or seniority, you will be treated as if you had been continuously employed. If you are eligible to participate in a defined contribution plan, you have the option of either:

- (1) Continuing to pay into the fund during your period of military leave, as if you had remained actively employed while on leave. The employer will make contributions on the same basis as used to compute the employee contributions. Time periods for making payments will be mutually agreed upon, but no less frequent than semi-annually.
- (2) Discontinuing payment into the fund during your period of military leave. The employer will also discontinue making contributions during this period.

If you choose option (2), above, and upon return to employment, desire to receive the benefits of option (1), you may do so upon complying with the following requirements:

- (1) Within six months after returning to employment, you must give written notice to the plan of your desire to receive option (1)'s benefits.
- (2) You must pay into the fund in an amount equal to the total payments that you would have made had you exercised option (1). Payment can be spread out of a mutually agreed-upon time not to exceed a period longer than the military leave of absence.
- (3) Then, the employer will pay into the fund an amount equal to the total payments it would have made under option (1) and has the same time period as the employee to make the payment.

If you have questions about military leave, please contact the Priest/Administrator for more information.

4.7 Vacation Leave.

DEFINITIONS

Regular Full-time Employee: A regular full-time employee is regularly scheduled to work at least forty (40) hours per week per calendar year.

Regular Part-Time Employee: A regular part time employee is regularly scheduled to work less than forty (40) hours but at least twenty (20) hours per week and at least 1,000 hours per calendar year.

Vacation Cycle: January 1 through December 31, *i.e.*, the calendar year.

One week is five (5) workdays or forty (40) hours per week.

PROCEDURE

- A. Vacation benefits are based on the Regular Full-time and Regular Part-time Employees' anniversary date that occurs in the current calendar year. *See Chapter 1.8.* To be eligible to take vacation, such employee must be in active pay status.
- B. In the case of a terminating (voluntary, and, in some cases, involuntary) Employee, such employee will be paid for vacation earned but not taken and will be charged-back for vacation taken but not earned. If any such employee is advanced vacation time, before taking the advanced vacation time he or she will be required to sign an authorization for payroll deduction to permit the charge-back of vacation taken but not earned in the event that an employee terminates employment before earning the additional vacation time.
- C. Regular Part-time Employees are entitled to a vacation benefit subject to a proration in accordance with actual hours worked during the prior calendar year.
- D. Regular Full-time and Regular Part-time Employees are encouraged to use vacation time and will not be paid for unused vacation in any one calendar year. With the approval of his or her immediate supervisor, such employee may carry up to five (5) vacation days over into the next calendar year. Any unused vacation time in excess of five (5) days will be lost if not used by the end of the year.
- E. Employees who are not Regular Full-time Employees, or Regular Part-time Employees, are not eligible to earn paid vacation time. Any employee who is not entitled to paid vacation may request, in writing, prior permission from his or her supervisor to take up to two (2) weeks of unpaid vacation time. The grant of such permission is contingent

upon, and in accordance with, the needs of the Parish and is to be also given in writing.

- F. Vacation entitlement is administered by the Priest/Administrator or his designee.
- G. In recognition of employees affected by constrictions in relation to the *On Mission* process, such employees' anniversary date shall reflect the anniversary of hire from their original/outgoing parish.
- H. The schedule for paid vacation entitlement for Regular Full-time and Regular Part-time Employees is prorated as follows:

<i>Anniversary Date (in Calendar Year)</i>	<i>Paid Vacation Entitlement (as of January 1 of Calendar Year) Employee</i>
<i>Prior to 1st Anniversary</i>	<i>6.67 hours for each month</i>
<i>1st through 5th</i>	<i>10 workdays</i>
<i>6th through 10th</i>	<i>15 workdays</i>
<i>11th through 20th</i>	<i>20 workdays</i>
<i>21st or more</i>	<i>25 workdays</i>

- I. Vacation time may be split by weeks, days, or half days as long as notice of the intention request to take vacation is given in advance to and approved by the employee's immediate supervisor.

4.8 Personal Leaves of Absence; Return to Work. Regular full-time and regular part-time employees may apply for an unpaid Personal Leave of Absence under the conditions detailed in this policy. Non-regular employees are not eligible for Personal Leaves of Absence. Generally, an employee seeking an unpaid personal leave of absence must make a written request to the Priest/Administrator for a leave without pay and otherwise be eligible for such leave.

- A. A personal leave of absence will not be considered until an employee has worked for at least one (1) year for the Parish, except as approved by the Priest/Administrator .
- B. Requests for a personal leave of absence should be in writing and presented to the employee's supervisor for approval as soon as possible in the circumstances.

- C. The Priest/Administrator is to review the request. If he or his designee gives written approval of the personal leave, the supervisor will be notified of the decision.
- D. The request must be for a compelling personal reason acceptable to and approved in writing by the employee's supervisor.
- E. If the "compelling personal reason" qualifies as FMLA Leave or a request for a reasonable accommodation due to disability, then the request for personal leave is to be treated as a request for FMLA Leave or reasonable accommodation due to disability. *See* Chapters 4.11 and Appendix 4.11, FMLA Leave, and relevant provisions and procedures dealing with disability.

Each case will be evaluated on its own merit considering but not limited to the following:

1. the reason for request;
 2. the amount of time requested off;
 3. the employee's length of service and past record;
 4. the needs of the Parish or Vicariate.
- F. Normally personal leaves are granted for periods no longer than thirty (30) calendar days. If the request is for a longer period of time, specific reasons are to be given to support such request.
 - G. Paid benefits (if applicable) will be continued during the personal leave of absence. If applicable, the employee is to continue paying his or her co-pays for certain benefits in a timely fashion or risk losing the particular benefits.
 - H. An employee returning from a personal leave of absence will be credited with all prior accrued time for purposes of seniority, sick and personal days and vacation entitlement.
 - J. Personal leaves of absence will be limited to one per calendar year. In special circumstances and with the written approval of the Priest/Administrator, additional leaves may be permitted.
 - K. An employee is to return from personal leave on the designated day. Failure to do so and to notify his or her supervisor or the supervisor of the supervisor after three (3) days of not returning from the personal leave of absence may result in termination due to abandonment of employment.

4.9 Sick Leave; Return to Work. *See also Chapter 4.10 Disability and Reasonable Accommodation.* If the FMLA applies to the Parish, then *see Chapter 4.11 and Appendix 4.11.*

- A. Each regular full-time employee is eligible to earn paid sick leave of one day for each completed monthly work period. Regular part-time employees are entitled to paid sick leave in a prorated (relevant to hours worked) amount each month. Regular full-time or regular part-time “provisional” employees are eligible to earn paid sick leave on the same basis as non-provisional regular full-time or regular part-time employees earn. All other employees are not eligible to earn paid sick leave.

Each regular full-time employee who has completed at least a full year of employment as of December 31 is eligible for a total of twelve days of sick leave as of January 1 of the following year. Three (3) of the twelve (12) sick days may be consider “**personal**” days to be used for personal reasons unrelated to the reasons specified below for sick leave.

- B. Sick leave may be utilized by an employee in the event of:
 - 1. illness, injury, or exposure to contagious disease endangering others;
 - 2. illness or injury in his or her immediate family, which necessitates his or her absence from work;
 - 3. necessary doctor and dentist appointments, which cannot be scheduled during non-work hours; or,
 - 4. any other similar absence that is approved by the employee’s supervisor.
- C. **As specified in the Parish FMLA policy, all available paid sick leave (including the three days available for personal days) must be used before FMLA leave is used, to the extent that FMLA leave is being used for the employee’s sick leave related matters. See Chapter 4.11, FMLA Policy.**
- D. Any employee taking sick leave (whether full or partial days) or personal days is required to report off and complete an absence report as follows:
 - 1. Where an entire day or the morning is to be taken, the employee must notify his or her supervisor or the supervisor’s supervisor before the start of the day and, in any event and absent unforeseen circumstances, no later than two (2) hours after the start of the day of the taking of the leave, and each day thereafter, unless other procedures are agreed to apply regarding notice. If the supervisor or supervisor’s supervisor is unavailable, the employee may leave a voice mail message but must call back again during the same business day and speak directly to the supervisor or the supervisor’s supervisor.
 - 2. Where a partial day is to be taken in the afternoon, the notification is to occur, absent unforeseen circumstances, before the start of the

- day.
3. The employee is to complete for each absence of one-half day or longer an absence report that is to be submitted to the Priest/Administrator. The absence report is due for each day taken as sick or personal days unless other, more specific procedures apply. The absence report is to be submitted to the Priest/Administrator as soon as possible and at least within a week of the absence. Unexcused absences of less than one-half day duration must be addressed by the Supervisor(s).
 4. Failure to speak directly with the employee's supervisor or the supervisor's supervisor after three (3) days of continuous absence may result in termination due to abandonment of employment.
 5. An employee on leave is to regularly communicate with his or her supervisor concerning his or her anticipated return to work date.
 6. In addition to completion of the absence report, the employee is to maintain a timely, accurate and complete attendance record of time taken as sick or personal days in accordance with the applicable policies and procedures.
- E. The employee may be required to provide medical substantiation of any time and for sick leave. Such medical substantiation is required when the employee is absent for three or more consecutive working days. If the time off is also FMLA leave, the employee must also follow the appropriate FMLA policy and procedures. **See** Chapter 4.11.
- If the time off is necessary as a reasonable accommodation of a disability, the employee must also follow the appropriate procedures relating to Disability and Reasonable Accommodation. **See** Chapter 4.10 Disability and Reasonable Accommodation Policy.
- F. Both the employee and the applicable supervisor are responsible for submitting to the Priest/Administrator an accurate, timely and complete attendance record of time taken annually in accordance with the applicable procedures. The record is to be maintained as part of the Human Resources file of the employee.
- G. Work-related injuries and illnesses that result in an employee's absence are handled in accord with Pennsylvania Workers' Compensation Laws. Absences due to work-related injuries and illnesses may also be covered under FMLA or Disability/Reasonable Accommodation policies. **See** Chapters 4.10 and 4.11.

Any employee who has been absent from work for over fourteen (14) consecutive calendar days due to illness or injury must obtain a doctor's release to return to work. To the extent that the employee will need a reasonable accommodation to perform the essential functions of his or her job, the employee should follow the procedures specified in the Disability and Reasonable Accommodation Policy. **See** Chapter 4.10,

Disability and Reasonable Accommodation.

- H. Sick leave may be accumulated year to year, subject to a cap, for use in an extended illness, injury or to cover any time off due to disability, including time off when the employee is disabled due to pregnancy or childbirth. Sick leave is capped at a maximum of one hundred (100) workdays, which is twenty (20) work weeks.
- I. A current employee who has already accumulated the maximum allowable accumulated sick leave of one hundred (100) workdays may keep those days accumulated beyond the maximum allowable number of accumulate sick-leave workdays as a “grandfathered amount” as follows:
 - 1. The employee cannot accumulate more sick leave workdays until the grandfathered amount reduces to below one hundred (100) workdays of sick leave; and,
 - 2. When the number of available sick leave workdays falls at or beneath the maximum of one hundred (100) workdays, then the employee can begin again to accumulate sick leave workdays, but in no event can the accumulation then exceed a total maximum of one hundred (100) workdays of sick leave.
 - 3. In recognition of employees affected by constrictions in relation to the *On Mission* process, such employees shall be entitled to carryover any documented accumulated sick leave from their original/outgoing parish.
- J. Unused sick leave time can only be used during active employment. An employee loses any unused sick leave time if that sick leave time is not used by the date that an employee terminates employment for any reason.

4.10 Disability and Reasonable Accommodation. ADA applies to private employers with 15 or more employees. The Parish, however, will gratuitously grant this benefit to its employees, regardless of the number of its employees. Where an employee is a qualified individual with a disability and would like to request a reasonable accommodation to allow the employee to perform the essential functions of the job (including, but not limited to, a modified schedule or leave), the employee is to submit the request, in writing, to the employee’s supervisor or to the Priest/Administrator. An interactive process with the employee and/or his or her treating medical professional(s) is to occur to determine if there is a suitable reasonable accommodation available that will not impose an undue hardship on the Parish. The employee may be required to provide medical substantiation of the need and type of the reasonable accommodation sought. The employee may also be required to sign a medical release to allow the Parish to obtain medical information from his or her medical provider and/or to have an independent medical

examination, concerning any disability and reasonable accommodation sought.

4.11 Leave Taken Under the Family and Medical Leave Act (FMLA)

FMLA applies to private employers with 50 or more employees working within 75 miles of the employee's worksite. The Parish, however, will gratuitously grant this benefit to its employees, regardless of the number of its employees, consistent with *Appendix 4.11*.

4.12 Bereavement Leave.

Unless otherwise permitted in writing by the supervisor of the employee, regular full-time and regular part-time employees are entitled to receive up to five (5) days' paid leave due to a death in the immediate family, after proper notice to the employee's supervisor of the death.

Unless otherwise permitted in writing by the supervisor of the employee, regular full-time and regular part-time employees are entitled to receive up to one ____ (recommend 1) paid leave due to a death in the extended family, after proper notice to the employee's supervisor of the death.

Non-regular employees will be permitted to take a corresponding amount of time off without pay.

In certain circumstances, it is understood that colleagues of an employee who has experienced a significant death may be permitted to pay their respects during work hours. Such time is to offer much needed support to the employee-coworker at the time of the employee-coworker's loss.

"Immediate family" for purposes of this Section includes spouses, children, parents or guardians, grandparents, siblings, grandchildren and in-laws in a similar familial relationship. "Extended family" for purposes of this Section includes aunts, uncles, cousins, and close friends.

Employees taking bereavement leave may be required to provide substantiation of the reason for the leave.

4.13 Work-Related Injuries or Illnesses; Workers' Compensation.

Employees must report work-related injuries and illnesses immediately to the responsible person at the Parish. If the FMLA applies, then *see Chapter 4.11* and *Appendix 4.11*.

A. Any work-related injury or illness must be reported immediately to the Priest/Administrator, either by the injured party or their immediate supervisor. An accident report must be completed.

B. If an employee is off due to a work-related injury or illness for longer than seven (7) calendar days, then the employee is eligible for Workers' Compensation wage loss benefits. The employee's salary will be

discontinued immediately after the employee has been off for seven (7) calendar days and has begun receiving Workers' Compensation wage loss benefits.

- C. An employee with a work-related injury or illness that is covered by Workers' Compensation is entitled to the payment of related reasonable surgical and medical services rendered by a physician or other health care provider. Medicine, supplies, hospital treatment and services, orthopedic appliances, and prostheses are also covered for as long as they are needed.

An employee's regular health care benefits will continue to be paid by the Parish for the first ninety (90) calendar days. After ninety (90) calendar days, the employee, if previously enrolled, may continue to participate in the group health insurance program, at their own expense, for a maximum of 24 months. The employee must notify the Insurance/Employee Benefits Office of his or her intention to continue on the group plan prior to the end of the elimination period. The monthly premium cost must be received by the Insurance/Employee Benefits Office no later than the first working day of the month. If payment is not received, the Insurance/Employee Benefits Office has the right to cancel the group health insurance immediately

- D. Because the Parish recognizes the dedication of employees, an automatic extension of benefits will be provided as follows:

Years of Service	Benefit Extension Period (Beyond 0 days)
0-6 years	No Automatic Extension
7-12 years	3-Month Automatic Extension
13-18 years	9-Month Automatic Extension
19-24 years	15-Month Automatic Extension
25 or more year's	21-Month Automatic Extension

Provided, however, all benefit extensions will end upon conclusion/settlement of any Workers' Compensation indemnity claim. Employees remain responsible for any contribution to health care coverage during this extension period.

After ninety (90) calendar days, the employee will be classified as inactive. While classified as inactive, he or she will not be entitled to accrue sick and personal days, vacation days, or count years of service toward their vested pension.

5.0 TERMINATION OR CESSATION OF EMPLOYMENT

- 5.1 Disciplinary Action/Termination of Employment.** An employee may be disciplined or dismissed for unsatisfactory work performance, excessive

absenteeism or tardiness, violation of Parish policies or other types of inappropriate behavior. It is impossible to list all types of conduct that may lead to disciplinary action or termination of employment. The Priest/Administrator reserves the right to issue the level of disciplinary action deemed appropriate under the circumstances.

In some situations, immediate dismissal may be appropriate, with or without prior warning. In other cases, dismissal may occur after the employee has failed to comply with the recommendations set out in a warning. The warning generally will be in writing and will contain suggested performance or behavioral changes or adjustments. In appropriate cases, the employee will be given an opportunity to improve performance or conduct. In such case, the warning statement is to be signed by both employee and the immediate supervisor and a copy is to be placed in the employee's personnel file.

A. **Dismissal.** Under appropriate circumstances, at the sole discretion of the Priest/Administrator, an employee may be subject to immediate termination from employment. Although it is impossible to provide an exhaustive list of the types of conduct that will lead to immediate termination from employment, the reasons for immediate dismissal include, but are not limited to, one or more of the following:

1. Insubordination, intimidation of others, a refusal, or significant inability, to work cooperatively with the supervisor and/or the staff;
2. Severe or repeated misconduct;
3. Reporting for work in a condition unfit for duty, such as reporting to work while using, possessing or under the influence of alcohol or drugs;
4. Theft, misappropriation or improper handling of property or funds belonging to the Parish, employees, parishioners, or users of the Parish premises;
5. A violation of Parish policies dealing with honesty or trustworthiness (*e.g.* accepting gifts or bribes for services rendered; altering, removing or destroying records; failure to respect confidentiality of records and information; falsification of records or reports; etc.);
6. Certain conduct in violation of the policies against workplace harassment or discrimination;
7. If the employee engages in any conduct in or out of the workplace which, in the judgment of the Employer, constitutes serious or public immorality, sacrilege, lewd conduct, endangerment of health or safety, abusive conduct, public scandal or rejection of, or the holding up to doubt or question of the official teaching, doctrine or laws of the Catholic Church, the employee may be dismissed by the Employer, without prior notice. (*See Chapter 1.3*).

B. Non-Disciplinary Termination From Employment. Notice of involuntary termination of employment for other than disciplinary reasons generally will be given to the affected employee at least ten (10) working days before his or her employment will cease. If reorganization or reduction in staff becomes necessary, criteria for retention and dismissal will be based upon an employee's performance, ability, qualifications, and service record.

5.2 Unemployment Compensation; Severance Pay

A. Unemployment Compensation. The Parish participates in the Pennsylvania Unemployment Compensation Program.

B. Severance Pay. Severance pay will be paid to an employee whose services were involuntarily terminated for non-disciplinary reasons. Severance pay is not a death benefit or payable when someone is terminated as a result of inability to return to work due to disability.

1. Employees eligible for severance will receive the following severance pay:
 - a. Employees shall receive one week's pay per year of service for up to three (3) months. Every employee is guaranteed a minimum of one month's severance.
 - b. Any benefit programs in which the employee is currently enrolled will continue until the end of the month of his final severance check.
2. The Parish participates in the Pennsylvania Unemployment Compensation Program.

5.3 Resignation. Employees are requested to give their supervisor the professional courtesy of at least two weeks of advance notice in writing of the intent to terminate.

5.4 Retirement. The Parish does not have a mandatory retirement age. When the Parish participates in the Retirement Plan of the Diocese of Pittsburgh, employees are to refer to the current formal written materials for said plan. The formal plan documents govern eligibility and other terms and conditions of the plan. Further information may be obtained from the Priest/Administrator.

5.5 Exit Interview. An employee leaving the employ of the Parish may be interviewed by the Priest/Administrator. If the interview occurs, the interview will take place before the last day of employment. The employee may decline to be interviewed by the Priest/Administrator; however, the employee may request an exit interview with the Regional Vicar.

6.0 ADMINISTRATION

- 6.1 Administration of the Policies.** The Priest/Administrator or his designee is responsible for interpretation of the policies. All decisions by the Priest/Administrator as to the interpretation of the policies contained in this Manual are, to the extent permitted by law, final and binding on the employees affected.
- 6.2 Human Resources Records.** Human resource records will be maintained for the employees in a confidential manner. Employees (or their designated representatives) may review, but not copy, personnel records upon request to the Priest/Administrator. Employee medical records, if any, are to be kept in a separate, locked file with limited access and are not to be viewed by supervisors unless the supervisor is considering an employee's appropriate request for a reasonable accommodation.
- 6.3 Reference Checks.** Requests for information about employees will be handled with discretion by the Priest/Administrator. Generally, only the name, employment dates and position title will be provided. If factual information must be released in order to secure a loan or proceed with a business transaction, the employee must first send a written authorization to the Priest/Administrator.
- 6.4 Information About Employment Record Sought by Third Parties.** An exception to the policy in Chapter 6.3 exists with regard to the record of a terminated employee discharged for activity resulting in a criminal conviction or because of inappropriate conduct that has not yet resulted in a conviction, such as workplace harassment, violence or assault, theft, etc. An employee's prior written authorization is not necessary when the request is a written request for information from authorized persons representing federal or state agencies and said request is required by law.
- 6.5 Additional Supplementary Policies; Exemptions.** Recommendations for revisions to this Manual are to be submitted in writing to the Priest/Administrator. The Priest/Administrator may, in accordance with the law, amend, modify, augment, delete, revoke, rescind, revise, interpret, or implement any and all policies, procedures, practices and statements in this Manual at any time, for any reason, with or without notice, to the extent permitted by law. Requests for additional policies and applications for exemption from these policies will be reviewed by the Priest/Administrator and a member of the Parish Finance Council. If the Priest/Administrator grants permission or an exemption, the permission or exemption applies only to that office or employee and is subject to review as conditions change.
- 6.6 Statement of Equal Employment Opportunity; Policy against Discrimination and Harassment; Procedures for Complaint.** (*See Chapter 1.1 also*)

Equal Employment Opportunity Statement. The Parish is committed to assuring equal opportunity in the areas of recruitment, employment, training, development, transfer, promotion and other terms and conditions of employment without regard to race, color, religion, sex, age, disability, national origin, or other status protected by law except where such classification, as well as ordination, is a *bona fide* occupational qualification or a matter of church law or discipline.

Policy Against Discrimination and Harassment; Procedure. The Parish is opposed to any form of unlawful discrimination or harassment in the workplace. Specifically forbidden is unlawful discrimination or harassment based on race, color, religion, gender, national origin, age, disability or any other legally protected status. Not only are discrimination and harassment offensive to the individual, they are offensive to the values of the Gospel and the Church's teachings on the dignity of the human person. Employees have a right to work in an atmosphere free of discrimination and harassment.

Definition of Harassment. For purposes of definition, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, disability or other protected status, or because that person has complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination or harassment investigation or lawsuit. Harassment includes conduct that has the purpose or effect of creating an intimidating, hostile or offensive work environment; has the purpose or effect of unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities.

Harassment can take the form of slurs, graffiti, offensive or derogatory comments, bullying, or other verbal or physical conduct. Although the law does not prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal if it is so frequent or severe that it creates a hostile or offensive work environment or if it results in an adverse employment decision (such as the victim being fired or demoted).

The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the Parish, such as a parishioner, visitor or vendor.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment occurs when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Allegations and Response. Allegations of discrimination and harassment will be dealt with immediately. The Parish will conduct a prompt and thorough investigation of the allegations that will include interviews of relevant parties including the person alleging that he or she was harassed/discriminated against, the accused harasser/party, and relevant witnesses. Confidentiality will be made to the extent possible consistent with the Parish's duty to conduct a thorough investigation. The Parish will take prompt and effective action to end harassment and discrimination. When verified, the offending party (or parties) will be disciplined appropriately. Violation of this policy will result in disciplinary action.

Retaliation. No employee may be retaliated against for having complained of discrimination or harassment, for having filed a formal complaint internally or externally of discrimination or harassment, or for having participated in an investigation or legal proceeding concerning discrimination or harassment. Violation of this policy will result in disciplinary action.

Procedure for Complaint. If an employee believes that he/she has been a victim of discrimination or harassment, the employee is not required to use an existing, if any, dispute resolution process and is to use the following procedure.

1. The employee should immediately contact his or her immediate supervisor. The supervisor is to then consult with the Priest/Administrator. It is not necessary to identify the reason for the meeting at this point. If the employee would feel uncomfortable in discussing the situation alone, the employee may bring another person to this meeting. The Priest/Administrator will, in these circumstances, appoint a designee to address the concern regardless of whether the concern involves the Priest/Administrator. If the employee makes an allegation of discrimination or harassment against his or her supervisor and the supervisor is the designee, then the Priest/Administrator will appoint another person as his

designee. In any event, the designee is to thereafter to follow the procedure set out in this chapter and to report his or her findings and conclusions and the Priest/Administrator, who is to then make the appropriate decision. If the Priest/Administrator is the subject of the concern, then the designee is to report to the Regional Vicar and/or Vicar for Clergy of the Diocese of Pittsburgh.

2. The Priest/Administrator's designee (hereafter "Pastor's Designee") will listen to the employee's allegation and will explain the Parish's policy on discrimination or harassment as well as the employee's rights and protection in such matters. The Priest/Administrator's Designee will ask the employee to state in writing the allegation of discrimination or harassment including the specific event(s), those involved, and any witnesses.
3. The Priest/Administrator's Designee will immediately and thoroughly investigate the allegation of discrimination or harassment in order to verify the allegation and obtain information from witnesses. The Priest/Administrator's Designee will maintain as much confidentiality as possible and will not discuss the situation with anyone who does not have a need to know.
4. If the allegation is substantiated, the offender will be counseled and disciplined.
5. If the allegation cannot be substantiated, the party or parties against whom the allegation has been made will be counseled that, while no charge is being made, if such actions should occur, they will not be tolerated.
6. When it is appropriate and agreeable with both sides, the Priest/Administrator's Designee will bring the parties together to assist the parties in understanding and setting limits for interaction between them.
7. Under no circumstances will retaliation be permitted against anyone who has brought an allegation of discrimination or harassment.

6.7 Theft of Personal Property. Employees who bring significant or valuable personal items to the job site do so at their own risk. The Parish is not responsible or liable for the loss or theft of any such property. If an employee suffers the loss of personal property from a Parish office site, the theft must be reported immediately to the supervisor and to the appropriate civil authorities. The Parish may have some limited theft insurance coverage available for documented losses.

6.8 Communication with the Media. Any employee communicating with the media as a representative of the Parish about controversial matters, matters of official policy of the Parish, or teachings of the Church may do so only if authorized to do so by the Pastor. Responses to the media should be

in accord with the official policy of the Parish and the Diocese, and with the teachings of the Roman Catholic Church. Violation of this policy may result in disciplinary action.

6.9 Records and Retention. The Parish has a policy to ensure that necessary records and documents of the Parish are adequately protected and maintained to ensure that records no longer needed by the Parish are discarded at the proper time. Employees are to comply with this policy. This policy aids employees in understanding their obligations in retaining records, which include: electronic documents (e-mail, Web files, text files, PDF documents, word processing documents, spreadsheets, databases, database data, backup tapes and other formatted files).

6.10 Security (Keys, Access Cards or Fobs). The buildings where the Parish staff work are (or may be) equipped with a security system that requires keys, an access card or fob or ID badge (“access cards”) for use. Employees will be issued access cards as appropriate to their needs. Lost or stolen access cards are to be reported to the Priest/Administrator or his designee and the employee is responsible for the costs of replacing the card. Upon termination of employment, access cards are to be returned the final day of employment. Employees are not to lend their access cards to others. Violation of this policy may result in disciplinary action.

6.11 Workplace Violence/Weapons in the Workplace. The Parish is committed to providing a safe and secure work environment. That commitment is jeopardized when any employee is threatened, intimidated or physically assaulted in the course of his or her employment. Therefore, the Parish has a violence-free workplace policy that prohibits: any form of workplace violence, whether toward an employee, toward another person or toward property; threats toward and intimidation of employees and other persons; and possession of weapons on Parish property and in Parish vehicles.

This policy prohibits workplace violence, threats and intimidation in any form, including:

- Physical violence (e.g., hitting, kicking, shoving, striking with fists or an object);
- Direct threats or intimidation (e.g., explicit statements, whether written or oral, such as “I’m going to kill you”);
- Conditional threats or intimidation (e.g., written or oral threats suggesting that the perpetrator will “get even” with the victim if they don’t yield to the perpetrator’s demand, such as “If you report me to the supervisor, you’ll pay!”);
- Veiled threats or intimidation (e.g., body language or written or verbal statements which suggest that the perpetrator is hostile toward or intends harm to the victim; surveillance of, stalking or following an individual; profane or abusive language, aggressive

- horseplay; excessive blaming of others; unprovoked unreasonable conflict with or anger toward co-workers);
- Deliberate destruction or desecration of property (e.g., deliberately causing damage to Parish or individual property, graffiti, etc.);
- Possession of a weapon, firearm, ammunition, explosive or incendiary device of any type on Parish property, including in Parish vehicles, or at any Parish-sponsored event (except in a private residence or in the case of a police officer or approved security personnel); or
- Planning to or attempting to violate this policy in any manner, whether or not the act is actually carried out.

While this policy includes these definitions of prohibited conduct, it is impossible to address every possible form of conduct that is prohibited by this policy. The Parish, therefore, reserves the right to take appropriate action which may or may not be specifically addressed by this policy, including issuing appropriate discipline against the perpetrator.

A. Weapons. The possession, transfer or use of weapons is prohibited while on Parish property or premises, including, without limitation, while in Parish-owned vehicles. The exception is law-enforcement personnel or approved security personnel as well as those secured in a private residence, in the scope of their employment.

Weapons prohibited by this policy include without limitation: firearms (including concealed handguns), firearm replicas, ammunition look-alikes (dummies or duds), explosives, night sticks, spring loaded knives, and other objects designated to intimidate or injure people.

B. Corrective/Disciplinary Action. An employee who violates this policy will be subject to corrective or disciplinary action, including immediate termination of employment.

C. Reporting Violations. Every employee has a responsibility to immediately report any incident of factual, attempted, threatened or planned workplace violence, threat or intimidation to either the Priest/Administrator or to his designee. If the situation is volatile, the duty to report is subject to the safety of the employee. An employee/victim or an employee witness should not attempt to confront or to resolve the situation with the alleged perpetrator and should not discuss the incident with any individual or employee other than the response team assigned to investigate and address the incident, and, where appropriate, with law enforcement authorities. To the extent practical, the potential victim of the plan or attempt is to be notified so that the potential victim can take appropriate precautions. Depending on the circumstances, the Parish may report any violation of this policy to law enforcement authorities, and may pursue criminal charges against the alleged perpetrator.

Employees are to behave in an appropriate manner in compliance with this policy to ensure their own safety and security, as well as the safety and security of other employees and persons visiting our work sites. A Parish employee who violates this policy will be subject to disciplinary action and any other individual who violates this policy will be removed from the Parish property and may be prohibited from future entry to the Parish property or premises.

6.12 Conflict Resolution. Where an employee claims that an employment condition is unjust, or that a provision of the policies and procedures set out herein has been improperly, unjustly, or inequitably applied, the employee is encouraged to try to resolve conflict situations in a way that both respect for the individual and a fair and honest resolution occur. This can be accomplished pursuant to a Parish policy for reconciliation, or in accord with the policies and procedures applicable to conflicts arising under the Code of Pastoral Conduct, the Catholic Identity and Mission Statement or the employee Manual.

The Office of Administrative Procedures (formerly the Office of Due Process) was established in 1969 in the Diocese of Pittsburgh. The scope of responsibility is to evaluate disputes and grievances both in substance and in proceeding on all matters which relate to the Diocese, its constitutive parts and the parish. This Office is intended to be the final place of resolution for disputes between a person or persons and Church administrators.

Included in coverage of the responsibility of the Office, the processes of conciliation, mediation and arbitration shall be offered:

- a) to reconcile disputants or mediate disputes between individual members of the Diocese or groups within the Diocese, which concern an ecclesiastical matter;
- b) to reconcile disputants or mediate disputes between a person and an demonstrative body of the Diocese, its parishes or institutions when it is contended that an act of decision, including administrative sanctions and disciplinary actions, has violated Church law, formal policy or natural equity.

The Administrator of the Office is appointed by the Diocesan bishop for a term of five (5) years. The Administrator shall have a degree in canon law and/or civil law. The duty of the Administrator is:

- a) To accept all written complaints made to the Office and acknowledge in writing their receipt to the complainant and inform the respondent of said complaint unless, for the gravest reason, the Administrator shall deem otherwise.

- b) To process the complaints through the various procedures of the office.
- c) To maintain such records which are deemed proper and desirable.
- d) To receive each complaint and to either dismiss said complaint, with written notice to the complainant setting forth the reason therefore if it raises a matter which is not within the jurisdiction of these procedure, or if it is patently frivolous, trivial, or without merit, or repetitious.
- e) To assume full responsibility for the proper operation of the Office in accord with these procedures.

An informal process for conciliation shall be initiated upon the filing of a complaint.

6.13 Policy Regarding the Genetic Information Non-Genetic Discrimination Act (GINA)

The Diocese of Pittsburgh complies, to the extent applicable, with GINA.

Title II of GINA: prohibits the use of genetic information in employment decision-making; restricts acquisition of genetic information; requires confidentiality for genetic information; and restricts disclosure of genetic information. GINA also makes it unlawful for an employer to discriminate against an individual on the basis of genetic information in regard to hiring, discharge, compensation, terms, conditions, or privileges of employment. Additionally, GINA makes it unlawful to limit, segregate, or classify employees because of genetic information.

Employers are prohibited from discriminating against an individual on the basis of his/her genetic information. Employers are also prohibited from harassing or retaliating against an individual for: opposing any act or practice made unlawful by GINA Title II; or making a charge, testifying, assisting, or participating in an investigation, proceeding, or hearing under GINA Title II.

Genetic information means information about: an individual's genetic tests; genetic tests of family members; the manifestation of a disease or disorder in family members (family medical history – all conditions – not limited to inheritable conditions); request for or receipt of genetic services by an individual or family member, such as genetic test, counseling or education; and genetic information of a fetus carried by an individual or family member or of an embryo legally held by the individual or family member using an assisted reproductive technology.

The phrase "genetic information" does not include information about an individual's or family member's race, sex, ethnicity or age and also does not include facts concerning whether an individual currently has a disease or

disorder, such as breast cancer, even if it is genetically linked.

Any employee who inadvertently obtains genetic information of another employee must notify the Director of the Department of Human Resources immediately. Failure to do so could result in immediate termination.

7.0 VOLUNTEERS

7.1 Volunteers Are Not Employees of the Parish. While volunteers are a critical part of parish life, and give of their time, talent and treasure in a multitude of different ways, they are not employees of the Parish. Nevertheless, the Parish and her volunteers have a relationship that is a function of honesty, integrity, trust and competence. Thus, it is important for both the Parish and the volunteers to understand the policy aspects of this relationship.

7.2 Policy Regarding Volunteers. It is the policy of the Parish that all volunteers:

A. Comply with the Safe Environment Policy.

1. Each volunteer must complete the following prior to commencement of service:

- ✓ Pennsylvania State Police Criminal Report
- ✓ Pennsylvania Department of Human Services Report (Child Abuse)
- ✓ FBI Criminal History Report (fingerprints) – Exception: A volunteer may be excluded from FBI Criminal History Report (fingerprinting) if he / she has been a Pennsylvania resident continuously for the previous 10 years, has not been convicted of a disqualifying offense and signs a Volunteer Disclosure Statement Application to that effect
- ✓ Agreement to comply with the Code of Pastoral Conduct

2. Each volunteer must also complete the following:

- ✓ Comply with the Code of Pastoral Conduct. (Chapter 1.2)
- ✓ Agreement to comply with Pennsylvania’s Child Protective Services Law
- ✓ Completion of “Protecting God’s Children Program” within ninety (90) days of commencing service
- ✓ Registration with the Diocesan Database
- ✓ Those volunteers identified under the Diocesan Safe Environments Policy as “mandated reporters” must complete online Mandated and Permissive Reporter

Training within ninety (90) days of commencing service

3. Comply with all of the rules and regulations applicable to employees such as:
 - ✓ Ethics and Conflict of Interest Policy (Chapter 1.3)
 - ✓ Comply with the Substance Abuse Policy (***See Chapter 1.11***)
 - ✓ Solicitation Policy (Chapter 3.7)
 - ✓ Political Activity/Solicitations (Chapter 3.8)
 - ✓ Communications, Internet and Social Media Policy (Chapter 3.9)
 - ✓ Policy Against Discrimination and Harassment (Chapters 1.1 and 6.6)
 - ✓ Policy Regarding Communications with the Media (Chapter 6.8)
 - ✓ Policy Regarding Security/Access Cards (Chapter 6.10)
 - ✓ Policy Regarding Workplace Violence and Weapons (Chapter 6.11)

- B. Recognize that they are volunteers and not employees and, therefore, they are not covered under any Parish or Parish-related benefit plans, including workers' compensation, unemployment, social security, health and life insurance, pension and long-term disability plans.

- C. Recognize that they are responsible for injuries incurred while volunteering for Parish work. While it may be that the Parish or Diocesan liability insurance provides some coverage for volunteers if the volunteer is sued for unintentional negligence while engaging in the volunteer activity, some aspects of potential liability are not covered. Not covered would be the volunteer's own injuries and, also, the volunteers' intentional acts.

Appendix 1.3

Employee Ethics, Conflict of Interest Disclosure and Conduct Statement to Sign

1. I assure that I will adhere to the ethical principles of the Church and to the laws of government, and will demonstrate the highest level of integrity, honesty and conduct and will not misuse my power and authority.
2. I assure that, as a responsible individual, and as defined in Chapter 1.3, and this Appendix 1.3, I do not now have a conflict of interest. While it is not possible to list every circumstance which may give rise to a conflict of interest, I understand that the following are considered to be conflicts of interest and are to be used as a guide to other types of activity which may create conflicts or raise questions as to the personal integrity and ethical conduct of employees:
 - a) The use of Parish premises for the purpose of engaging in any other business.
 - b) An employee or volunteer who serves as director, officer, employee, or consultant of any outside concern that does business with the Parish, except with the written approval of the Priest/Administrator.
 - c) Disclosure to unauthorized persons or use by an employee or volunteer for that person's personal benefit or advantage of Parish information, data, or records of a confidential nature.
 - d) An employee or a volunteer, or his or her relative, who owns a substantial interest in, or participates directly or indirectly in the profits of, any outside concern which does business with the Parish.
 - e) Acceptance by an employee or volunteer, or by his or her relative, of gifts of more than nominal value, loans, cash in any amount, excessive entertainment, or travel, payments, services, or other substantial or unusual favors from any person or concern that does or is seeking to do business with the Parish.
3. I understand and agree that I am expected to conduct myself at all times in accordance with Catholic moral principles and the rules and regulations of the Parish and to avoid any embarrassment or scandal to the Parish. If I engage in any conduct in or out of the workplace which, in the judgment of the Priest/Administrator, constitutes serious public immorality, sacrilege, lewd conduct, endangerment of health or safety, abusive conduct public scandal or rejection of, or the holding up to doubt or question the official teaching, doctrine or laws of the Catholic Church, I understand and agree that I may be dismissed by the Priest/Administrator, without prior notice. I understand and agree that these requirements and possible sanctions are sometimes generally referred to as "the Catholic Identity and Mission Statement".
4. I further understand and agree that when information of a possible violation of the Catholic Identity and Mission Statement occurs, the procedural guidelines for the implementation of the Catholic Identity and Mission Statement will be enacted in

order that all possible approaches at resolving the issue in conformity with the teachings of the Church are discussed before possible termination.

5. In addition, I understand that while different language may be used by the Parish elsewhere in contracts with the Parish to define or explain the principles articulated above, nothing is to be implied by any such difference in language. I understand and agree that the Parish has adhered, and continues to adhere to, the principles underlying the Catholic Identity and Mission Statement regardless of the particular language used in written documentation.
6. I understand and agree that a request for interpretations of, or consideration for, an exception to this policy must be submitted in writing to the Priest/Administrator for approval. I understand that I cannot act with regard to the conflict of interest until such time as the Priest/Administrator grants an approval in writing.
7. I understand and agree that an unapproved conflict of interest will be subject to serious disciplinary measures, including termination and possibly further legal action.
8. I understand and agree that I am to, and will, annually execute this "Employee/Volunteer Ethics, Conflict of Interest and Conduct Disclosure Statement to Sign."

I hereby acknowledge that I have read and understand and agree to the above, that no such conflict of interest now exists and that, in the event one should arise, I will disclose the same and give notice in writing in a timely fashion to the Priest/Administrator .

DATE

EMPLOYEE / VOLUNTEER

(Identify Status by circling the appropriate status)

Appendix 1.7

COMMENT TO USERS: Sample Application for Employment that may be adjusted for the individual purposes of the Parish.

APPLICATION FOR EMPLOYMENT (Please Print or Type)

NAME _____ DATE _____
Last First Middle

ADDRESS _____
Street City State Zip

TELEPHONE _____

DATE AVAILABLE _____

POSITION APPLIED FOR: _____ Salary Desired: \$ _____

If hired, can you provide the requisite evidence of authorization to work in the U.S.?

____ (Yes/No)

EDUCATION: (completed diploma; Degree; Date)

High School _____

College _____

Graduate/Technical _____

Other _____

EMPLOYMENT RECORD:

1. Name of Company _____ Position Held _____

Address _____ From _____ To _____

Reason for Leaving _____

2. Name of Company _____ Position Held _____

Address _____ From _____ To _____

Reason for Leaving _____

3. Name of Company _____ Position Held _____

Address _____ From _____ To _____

Reason for Leaving _____

4. Name of Company _____ Position Held _____

Address _____ From _____ To _____

Reason for Leaving _____

5. Name of Company _____ Position Held _____

Address _____ From _____ To _____

Reason for Leaving _____

May we contact your present employer? ____ (Yes/No)

Have you previously been employed by another parish, Catholic school, the Diocese or any of its institutions? ____ (Yes/No)

OTHER RELEVANT INFORMATION:

How were you referred to this parish or parish school? _____

Do you have any relatives who are employed by this parish or its school? ___
(Yes/No)

If yes, please specify: _____

Is there any information we would need about your name or use of another name for us to be able to check your work record? _____ (Yes/No)

If yes, please specify: _____

Have you ever been convicted of a criminal offense? _____ (Yes/No)

If yes, please specify: _____

Have you complied with the Safe Environment Protocol within the past 5 years? ___ (Yes/No). If so, when and where? (Please explain in this space)

Please list any additional information that relates to your ability to perform the job for which you have applied, such as license, certification, training, professional member-ships, etc.: _____

REFERENCES (2 Employers + 1 Personal)

NAME; ADDRESS; PHONE NUMBER; RELATIONSHIP

1. _____
2. _____
3. _____

APPLICANT'S STATEMENT

I understand that the Parish-Employer follows an "employment at will" policy. That means that I or the Parish-Employer may terminate my employment at any time, and for any reason, consistent with applicable state or federal law. The only way that this policy can be changed is where specifically permitted in a writing signed by an authorized person of the Parish-Employer. I also understand that this application is not a contract of employment.

I understand that federal law prohibits the employment of unauthorized aliens. I understand that I must submit proof of employment authorization and identity in a timely manner and that I will be denied employment if I fail to do so.

I understand that I am to comply with the Safe Environment protocol before I can be employed (or serve as a volunteer) with the Parish.

I understand that I am to comply with the Catholic Identity and Mission Statement if I am employed by the Parish in a ministerial capacity.

I understand that the Parish-Employer may thoroughly investigate my employment and personal history and verify all information provided on this application, on related papers, and in interviews.

I authorize all individuals, schools, and firms named in this application, except my current employer if so noted, to provide any information requested about me, and I release them and the potential Parish-Employer from all liability for damage in providing this information.

I certify that all statements herein are true and understand that any falsification or willful omission shall be sufficient cause for dismissal or refusal of employment.

Applicant's Signature:

Today's Date:

Appendix 4.11
Leave Taken Under the Family and Medical Leave Act (FMLA)

- A. Family Leave.** Certain benefits are provided to employees by the Parish in the event of the birth or adoption of a child. Please see the Priest/Administrator or his designee regarding these benefits and refer to Section 4.11.
- B. Leave Under the Family and Medical Leave Act (FMLA).** The Family and Medical Leave Act (“FMLA”) requires covered employers to provide up to twelve (12) weeks, or twenty-six (26) weeks, of unpaid, job-protected leave to “eligible” employees for certain family and medical reasons.
1. **Eligibility.** To be eligible for FMLA Leave, an employee must have been employed by the Parish for at least twelve (12) months and must have worked at least 1,250 hours during the 12-month period preceding the beginning of the leave. The Parish uses the “rolling method,” which means that it will measure the 12-month period backward from the date the employee’s second FMLA Leave is scheduled to begin.
 2. **Reasons for taking leave.** Employees are eligible for FMLA Leave for the following reasons:
 - For the birth of an employee’s child;
 - For the placement of a child for adoption or foster care with an employee;
 - To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition;
 - For a serious health condition that makes the employee unable to perform the functions of the employee’s job; or
 - For a “qualifying exigency,” as defined below.

With regard to the above, the following explains the phrase “**qualifying exigency**” leave. “Qualifying exigency” leave allows families of active duty members to manage their affairs while they are on active duty or called to active duty status. Family members may use all or part of the regular allotment of 12 weeks of FMLA Leave. A “qualifying exigency” includes: (1) short notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation (up to five days); (7) post-deployment activities; and (8) any additional activities not listed but agreed to by the employer and the employee.

Also, a “**Military caregiver**” leave is provided for under the FMLA. The FMLA provides “military caregiver leave” for eligible employees who are family members or next of kin of covered service members up to 26 weeks of leave in a single 12-month period to care for a service member who has a serious illness or injury that was incurred in the line of duty while on active duty. This type of leave also permits eligible employees to take leave to care for veterans who are undergoing

medical treatment, recuperation or therapy for a serious injury or illness that occurred in the line of duty during the previous five years. The 26 weeks of military caregiver leave is provided for each service member and for each illness or injury incurred.

3. **Eligible spouses-Employees.** Eligible spouses who are both employed by the Parish are entitled to a combined total of twelve (12) weeks' leave (rather than 12 weeks each) in any 12-month period for the birth or care of the employees' child, for the placement in adoption or foster care of a child and care after placement, or for the care of a relative with a serious health condition.

Eligible spouses who are both employed by the Parish are entitled to a combined total of twenty-six (26) weeks (rather than 26 weeks each) in any 12-month period to care for a service member who is the spouse, child, parent or next of kin of the eligible employee. Eligible spouses who are both employed by the Parish are entitled to a combine total of twenty-six (26) weeks' leave in any 12-month period for a combination of FMLA Leave to care for an injured service member and any other type of FMLA Leave.

4. **Conditions of taking FMLA Leave.** An employee who takes FMLA Leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position may not engage in outside employment while on FMLA Leave. Any employee who fraudulently obtains FMLA Leave is not protected by the FMLA or its job restoration or maintenance of health benefits provisions. In addition, the Parish will take all available appropriate disciplinary action against such employee due to such fraud.

AN EMPLOYEE WHO TAKES FMLA LEAVE IS TO FIRST USE APPLICABLE ACCRUED PAID LEAVE, e.g., SICK LEAVE, PERSONAL DAYS AND VACATION TIME, BEFORE USING UNPAID FMLA LEAVE. THE FMLA LEAVE WILL RUN CONSECUTIVELY TO THE USE OF ALL OF THE APPLICABLE ACCRUED PAID LEAVE.

Employees who are eligible for FMLA Leave may also be eligible for payment during this time under the disability policy in the benefit plan. If eligible for payment under the disability policy, it will run concurrently with an employee's FMLA Leave. However, payment under the Parish disability policy is dependent on the terms and conditions stated in the policy. Please review the plan document and consult with the Priest/Administrator for more details.

5. **Request for FMLA Leave and Certification.**

- a. Employees requesting FMLA Leave must provide the Parish at least thirty (30) days' advance notice before FMLA Leave is to begin if the need for FMLA Leave is foreseeable based on an expected birth, placement for adoption or foster case, or planned medical treatment for a serious health condition of the employee or family member. The request for FMLA Leave should:

- Be in writing;
- Set forth the reason for the requested leave;
- Contain the anticipated duration of the leave; and
- Designate the expected start date of the leave.

If thirty (30) days' advance notice is not practicable, such as because of the lack of knowledge of approximately when leave will begin, a change in circumstances, or a medical emergency, notice must be given as soon as possible and practical, taking into account all of the facts and circumstances in the individual case. This means that employees must use customary call-off procedures for reporting absences unless unusual circumstances prevent doing so.

When the leave is for planned medical treatment, the employee must consult with the Parish and make a reasonable effort to schedule the leave so as not to unduly disrupt the Parish's operations, subject to the approval of the health care provider.

- b. In those cases where an employee has not designated an absence/leave as FMLA Leave and the Parish receives information indicating that the employee's absence/leave may be for FMLA-covered reasons, the Parish reserves the right to designate such absence/leave as FMLA Leave, and to count that time toward the employee's total 12-week, or 26-week, entitlement of FMLA-covered Leave.
- c. In such a circumstance described in b., the Parish may require the employee to have certification completed by a health care provider to confirm that the leave is for an FMLA-covered reason.
 - i. **Required Certification:** The Parish will require certification to support FMLA Leave. The Priest/Administrator will provide each employee who may qualify for FMLA Leave with an appropriate form requesting certification concerning the need for the employee's absence. The employee must return the certification form to the Priest/Administrator within a *reasonable* time period (*normally* fifteen (15) calendar days after the employee receives the Parish's certification form).
 - Failure of an employee to return the certification form on a timely basis in cases of foreseeable leave may delay the taking of FMLA Leave.
 - Failure of an employee to return the certification form on a timely basis in other cases may delay the continuation of FMLA Leave.
 - Failure of an employee to return the certification form at all will result in the loss of all FMLA benefits and protections, because the leave will not be considered an FMLA Leave.
 - Upon return of an incomplete or insufficient certification form, the Priest/Administrator will inform the employee in writing what

additional information is necessary to make the certification complete and sufficient.

The Parish will allow the employee seven additional calendar days to cure any deficiencies. Additional time will be given only if it is not practicable under the particular circumstances despite the employee's good faith efforts. Failure to cure deficiencies in the certification may result in the denial of FMLA Leave. A certification that is not returned is not considered incomplete or insufficient, but constitutes a failure to provide certification.

- ii. **Possible Recertification:** If the minimum duration of the period of incapacity furnished by the health care provider is more than thirty (30) days, no re-certification will *normally* (see exceptions set *forth below*) be required until the minimum initial period of incapacity has passed. Recertification will also not normally be required if leave is on an intermittent or reduced leave schedule basis unless the minimum period specified on the original certification as necessary for such leave and treatment has passed. The Parish reserves the right, however, to request recertification every six months in connection with an absence. The Parish further reserves the rights to request subsequent and/or additional certification of FMLA Leave where:
 - The employee requests an extension of FMLA Leave;
 - Circumstances described by the previous certification have changed significantly;
 - The Parish receives information that casts doubt upon the employee's stated reasons for the absence; or
 - The Parish has reason to question the appropriateness of the leave and/or its duration.
- iii. **New certification in subsequent leave years.** Where the employee's need for FMLA Leave is due to the employee's own serious health condition or the serious health condition of a covered family member and the serious health condition lasts beyond a single leave year, the Parish may require the employee to provide new certification in each subsequent leave year.
- iv. **Certifications for qualified exigency or care for covered service member.** The Parish may require certification for employees taking FMLA Leave because of a qualifying exigency or to care for a covered service member. In such a case, a certification form will be given to the employee, which is different than the form given to employees seeking other types of FMLA Leave.
- v. **"Second" opinion re: certification.** The Parish may require a second medical opinion at its own expense by a health care provider designated by the Parish (but who is not employed on a regular basis by the Parish) if it doubts the validity of a certification. If the first and second opinions differ,

the Parish may require the opinion of a third health care provider. The third health care provider must be approved jointly by The Parish and the employee and must be paid for by the Parish. The opinion of the third health care provider will be final and binding on the Parish and the employee. Pending receipt of the second (or third) medical opinion, the employee is provisionally entitled to FMLA Leave. The employee is not entitled to be paid for the time but will be reimbursed for reasonable out of pocket travel costs spent in acquiring the certifications. The employee may also request a copy of the second (or third) medical opinion. If the certifications do not ultimately establish the employee's entitlement to FMLA Leave, the leave will not be designated as FMLA Leave, and may be treated as paid or unpaid leave by the Parish under its other applicable policies.

vi. **Intermittent or Reduced Schedule Leave.** Leave may be taken on an intermittent or reduced-leave schedule under certain circumstances.

- Intermittent leave is FMLA Leave taken in separate blocks of time due to a single qualifying reason.
- A reduced leave schedule is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. A reduced leave schedule is a change in the employee's schedule for a period of time, normally from full-time to part-time.

d. Eligibility for intermittent or reduced schedule leave will be determined as follows:

i. **Intermittent/Reduced Leave Schedule after the Birth or Placement of a Child for Adoption or Foster Care.** When leave is taken after the birth or placement of a child for adoption or foster care, an employee may take leave on intermittently or on a reduced leave schedule only if the Parish agrees. If, however, a mother has a serious health condition in connection with the birth of her child or if the newborn child has a serious health condition, the Parish agreement is not required, and such leave may be taken as long as proper certification of the necessity of such leave is provided.

ii. **Intermittent/Reduced Leave Schedule for Serious Health Condition.** Leave may be taken intermittently or on a reduced leave schedule when medically necessary for planned and/or unanticipated medical treatment of a related serious health condition under the supervision of a health care provider, or for recovery from treatment or recovery from a serious health condition. In addition, intermittent leave may be taken to provide care or psychological comfort to an immediate family member with a serious health condition. Finally, intermittent leave may be taken because of a qualifying exigency. Examples of such leave include:

- Where treatment for the serious health condition is required periodically, rather than for one continuous period of time, and may include leave periods ranging anywhere from an hour or more to several weeks.
- Where the employee or family member is incapacitated or unable to perform the essential functions of the position because of a chronic or serious health condition even if he or she does not receive treatment by a health care provider.

iii. Protocols for Taking intermittent/Reduced Leave.

- When intermittent or reduced leave schedule is requested, the employee must attempt to work out a schedule with the Parish which meets the employee's needs without unduly disrupting the employer's operations, subject to the approval of the health care provider. Where leave is taken on an intermittent or reduced leave schedule basis, the Parish reserves the right to limit such leaves to the shortest period of time (one hour or less) that the Parish payroll system uses to account for absences or use or leave.
- Where intermittent or reduced schedule leave is requested, the Parish may require the employee to transfer temporarily (during the period the intermittent or reduced schedule leave is required) to an available alternative position that better accommodates recurring absences or to a part-time schedule (provided that the employee is not required to take more leave than is medically necessary by virtue of such transfer). The alternative position will have equivalent pay and

Added statement in cover letter about paying attention to social media policy
Manual requires signing ethics statement
Severance policy is in manual

- benefits but will not necessarily have equivalent duties.
 - Only the amount of leave actually taken may be counted against an employee's FMLA leave entitlement. Where an employee takes FMLA leave for less than a full workweek, the amount of FMLA leave used is determined as a proportion of the employee's actual workweek. The amount of FMLA leave taken is divided by the number of hours the employee would have worked if the employee had not taken leave of any kind (including FMLA leave) to determine the proportion of the FMLA workweek used. For example, an employee who normally works 40 hours a week but works only 30 hours in a week because of FMLA leave would use one-fourth of a week of FMLA leave. The employer may convert the FMLA leave usage into hours so long as it fairly reflects the employee's actual workweek.
 - Time that an employee is not scheduled to report for work may not be counted as FMLA leave. If the employer temporarily stops business activity and employees are not expected to report for work for one or more weeks, the days the employer's business activities have stopped do not count against the worker's FMLA leave.
- e. Delay/Denial of FMLA Leave. The Parish may delay and/or deny FMLA Leave under the following circumstances:
- Where the employee fails to give timely advance notice when the leave for FMLA is foreseeable, the Parish may delay the taking of FMLA Leave until thirty (30) days after the date the employee provides notice to the employer of the need for FMLA Leave;
 - Where an employee fails to provide in a timely manner a requested certification to substantiate the need for FMLA Leave due to a serious health condition, the Parish may delay continuation of FMLA Leave until the employee submits the certification; or
 - Where an employee never provides requested certification to substantiate the need for FMLA Leave due to a serious health condition, the leave is not FMLA Leave.

C. Job Protection, Health Benefits, employee/Parish Rights and Responsibilities while employee is on FMLA Leave and on Return to Work.

1. **Health Benefits.** While on approved FMLA Leave, eligible employees will have health benefits maintained through the Parish's group health plan as if the employee had continued to work instead of taking the leave.

Employees who are granted an approved FMLA Leave must arrange to pay their share of premiums to the Parish in their absence.

- If the leave is paid, the premiums may continue to be paid through payroll deductions. If the leave is unpaid, employees are responsible for making sure the Parish receives premium payments by the normal payroll dates.
 - If the employee chooses not to return to work after an approved FMLA Leave, the Parish may recover the cost of any payments made to maintain the employee's health insurance, unless the failure to return is because of serious health condition or reasons beyond the employee's control.
2. **Reporting to Employer.** Employees on FMLA Leave may be required to periodically report their status, intent and ability to return to work. Employees are requested to notify the Priest/Administrator at least two (2) weeks in advance of their anticipated return to work date so that their availability for work can be included on the applicable work schedule.
3. **Return to Work; Return from FMLA Leave; Use of FMLA Leave.**

- a. Where an employee has taken FMLA Leave for his or her own serious health condition that made the employee unable to perform his or her job, the employee may be required to obtain and produce certification of his or her ability to return to work and undergo a fitness for duty examination that specifically address the employee's ability to perform the essential functions of the specific job.

This requirement will only be imposed where all similarly situated employees in the job classification are required to undergo such examination before returning to work from workers' compensation, disability or FMLA Leave. The fitness for duty certification for return from FMLA Leave will only be sought concerning the particular health condition that caused the employee's need for FMLA Leave. If a reasonable job safety concern exists, the Parish may require a fitness for duty test before an employee returns from intermittent leave.

- b. Upon return from FMLA Leave, the Parish will attempt to restore the employee to his/her original or equivalent position with equivalent pay, benefits, and other employment terms. The employee will have no greater right to reinstatement and to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA Leave period.
- c. The use of FMLA Leave cannot result in the loss of any employment benefit that was earned prior to the time of an employee's leave. However, employees on FMLA Leave will not continue to accrue seniority or benefits during the period that they are not working while on FMLA Leave. With regard to pension or retirement plans, any period of paid or unpaid FMLA Leave will not be treated or counted toward a break in service for purposes of vesting and eligibility to participate.
- d. If at the conclusion of the 12-weeks of FMLA Leave, the employee is unable to return to work, the employee no longer has the protections of the FMLA.

However, in certain situations where the employee's own serious health condition also constitutes a disability within the meaning of the Americans with Disabilities Act (ADA), the employee may request extended leave or other reasonable accommodation in accordance with the ADA. Please contact the Priest/Administrator for details.

- e. **“Key employee” Exception:** Under the FMLA, a “key employee” is defined as a salaried FMLA-eligible employee who is among the highest paid 10% of all the employees employed by the Parish within 75 miles of the employee's worksite. Under the FMLA, the Parish is permitted to deny reinstatement to key employees if it in good faith determines that substantial and grievous economic injury will result if a key employee is reinstated.

A key employee will be given written notice at the time he/she gives notice of the need for FMLA Leave (or at the time the leave commences, if earlier) that he/she qualifies as a key employee. The Parish will also inform the employee of the potential consequences with respect to reinstatement and maintenance of health benefits if the Parish determines that substantial and grievous economic injury to the Parish' operations would result if the employee is reinstated from FMLA Leave.

Once the Parish makes a good faith determination, based upon the facts available, that substantial and grievous economic injury will result if the employee is reinstated at the end of FMLA Leave, the Parish will notify the employee in writing by delivery in person to the employee or by certified mail:

- Of its determination;
- That it cannot deny FMLA Leave;
- That it intends to deny restoration to employment on completion of FMLA Leave;
- The basis of its findings that substantial and grievous economic injury will result; and
- (If FMLA Leave has already commenced) that it will provide the employee a reasonable time to return to work (taking into account the circumstances, such as the length of leave and the urgency of the need for the employee to return.)

If the key employee does not respond to or return to work following the Parish's notice, the key employee may still request reinstatement at the end of the leave period. The Parish will then again determine whether there will be substantial and grievous economic injury from reinstatement, based upon the facts at that time. If it is determined, based upon the facts available, that substantial and grievous economic injury will result if the key employee is reinstated at the end of FMLA Leave, the Parish will notify the employee in writing by delivery in person to the employee or by certified mail of the denial of restoration.