March 28, 2020

Dear Brothers and Sisters:

I am pleased to publish the 9th edition of *Called to Work in Harmony*, Personnel Policies for Lay and Religious Employees of the Diocese of Richmond.

The policy manual is available on the Employee Extranet and on the centralized payroll system. All employees are required to access *Called to Work in Harmony* and electronically sign the Employee Acknowledgement. By signing the Acknowledgement, you agree that you have access to and will read the policy manual.

These policies describe our expectations and current practice, to include reference to the Diocese of Richmond Code of Ethical Conduct, which states that employees of the Diocese must adhere to the highest ethical and legal standards consistent with Catholic Church teaching. It is important that you understand what is expected of an employee of the Catholic Diocese of Richmond.

We are also committed to ensuring that a harmonious and productive work environment exists for all employees. A key component of this commitment is maintaining *Called to Work in Harmony*.

Whether you are employed in the Pastoral Center, Catholic School or Parish, please accept my gratitude for your ministry and dedicated efforts.

With prayerful best wishes, I am

Sincerely in Christ,

Most Reverend Barry C. Knestout
Bishop of Richmond
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I. INTRODUCTION

The Catholic Diocese of Richmond, established by Pope Pius VII on July 11, 1820, is among the eight oldest Catholic dioceses in the nation. Carved from America’s first diocese, Baltimore, the Diocese of Richmond originally encompassed the entire state of Virginia, including what is now West Virginia. In the nearly two centuries that have passed, the geographical boundaries and cultural makeup of the Diocese have changed. The present territory of the Diocese covers some 33,000 square miles of southern Virginia and includes over 140 parishes and 24 schools.

When the Personnel Policies for the Diocese of Richmond were first published in 1982, they arose from a clear mandate of the 1980 Unite for Justice Assembly of the Diocese. The Office of Personnel was established in 1984, and in January 1999, the title changed to the Office of Human Resources. This 9th Edition of the Personnel Policies for Lay and Religious Employees, now entitled Called to Work in Harmony, reaffirms the Diocese’s commitment to fair and consistent personnel practices.

Additions to the 9th Edition include the Diocese of Richmond Code of Ethical Conduct and Digital Communications and Media Policy. There are, of course, numerous items edited in order to make the Personnel Policies a more accurate reflection of current employment practices in the Diocese, but these are editorial changes rather than changes of substance.

These policies address the working conditions of all those lay and religious employees whose livelihood comes from the parishes, schools, and Pastoral Center of the Diocese; for example, bookkeepers, lay ministers, administrative assistants, principals, technicians, faculty, janitors and administrators.

Through these policies, the Diocese of Richmond continues to promote the Church’s affirmation of the dignity of labor and the Church’s challenge to employers, and to itself, to provide decent working conditions and fair compensation.

Through these policies employers of the Diocese have the authority to direct the work of their staff, and the employees of the Diocese have the assurance of fair and just treatment. These policies structure and organize the work environment sufficiently to allow employers and employees the freedom to accomplish their work, in service, to the mission of the Church.

These policies supersede all previous personnel policies and procedures whether published by the parishes, schools or the Diocese of Richmond. These policies cannot anticipate or address all personnel situations. Each employing location should design policies and procedures which are consistent with the letter and spirit of these policies, and which are internally consistent in their application to all the employees at diocesan locations.

The Diocese reserves the exclusive right to interpret and apply these policies and procedures, and to revise or terminate them without prior notice when it deems necessary; consequently, the most current edition of Called to Work in Harmony is posted on the centralized payroll system and the Employee Extranet. Additionally, the Diocese may issue other policies and procedures as may be necessary from time to time. Nothing in this Handbook creates an employment contract or alters the basic at will nature of employment with the Diocese.

All employees are required to read these Policies. Each employee will be required to electronically sign affirming that he or she has access to Called to Work in Harmony, has been given the opportunity to ask, and have answered, questions concerning the policies, and each agrees to abide by the policies as a condition of employment.
Diocesan Mission

We, the Christian faithful of the Catholic Diocese of Richmond, led by our Bishop and in union with the universal Church, are listeners, learners, teachers and Disciples of Christ. We embrace our diversity and its expression in faith. We share a vision of a diocese where love grows, life triumphs and justice and peace prevail. We participate in God’s work to renew our Church and the world, through Word, Worship, Community and Service.

The Pastoral Center in Richmond, Virginia is the central location for diocesan administration offices. The Diocesan website address is http://www.richmonddiocese.org

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Office of Human Resources’ Mission

The mission of the Office of Human Resources is to support the goals and challenges of the Catholic Diocese of Richmond by providing services which promote a productive work environment that is characterized by fair treatment of a diverse staff, open communications, personal accountability, trust and mutual respect. We will seek and provide optimal solutions to workplace issues that support Roman Catholic Church teaching.

May 2006
II. DEFINITIONS

A. Full-time Employees: Employees who are regularly scheduled to work 30 to 40 hours per week. (Includes 10-month employees working full-time).

B. Regular Part-time Employees: Employees who are regularly scheduled to work 20 or more hours per week and less than 30 hours per week. (Includes 10-month employees working regular, part-time).

C. Limited Part-time Employees: Employees who are regularly scheduled to work less than 20 hours per week. (Includes 10-month employees working limited, part-time).

D. Temporary Employees: Employees who are hired to perform a designated function for a definite period of time, not to exceed four months (120 days).

E. Nonexempt and Exempt Employees: All employees of the Diocese are either nonexempt or exempt.

1. Nonexempt: Nonexempt means not exempt from and therefore subject to the FLSA (Fair Labor Standards Act) and its overtime and timekeeping requirements. Nonexempt positions generally include those performing routine, often repetitive work such as teachers’ aides, administrative assistants, bookkeepers, cooks, building and grounds maintenance, security and custodial work. FLSA mandates that nonexempt employees be paid overtime at the rate of 1.5 times the hourly wage for every hour over 40 worked in a work week. A work week is a period of 168 hours during seven consecutive 24 hour periods. The diocesan work week is Monday 12 am – Sunday 11:59 am. Nonexempt employees must be paid in dollars for their overtime and cannot receive compensatory time instead (compensatory time is allowed only when adjusting the schedule within the same work week). Overtime pay is calculated on actual time worked. Time paid for but not actually worked (vacation, sick leave, holidays, other paid leave) is excluded from overtime calculations. Hours worked between full-time [e.g., 35+ hours] and 40 hours should be compensated at the regular pay rate. As a practical, administrative matter, overtime work must be approved in advance by the supervisor to ensure its need and fulfillment of proper legal requirements. Each location must establish procedures to consistently document the timekeeping requirements of FLSA.

2. Exempt: Exempt means exempt from the FLSA, so exempt employees are not compensated for overtime and do not need to satisfy timekeeping requirements. Federal regulations impose two tests to determine if an employee can be paid as exempt, a salary test and a duties test. Employees earning less than the minimum salary threshold (test) must be compensated as nonexempt, no matter what their duties and how many hours they work. With a few exceptions, employees who meet the salary test must also meet one of the duties tests in order for their compensation to be considered exempt from timekeeping and overtime pay requirements. For current FLSA regulations regarding the salary and duties tests, please reference the Employee Extranet. Exempt staff should expect occasional extra hours and irregular schedules without additional compensation.

Note: As of current FLSA regulations, licensed and certified teachers in elementary and secondary schools are exempt from the FLSA regardless of pay earned; however, please
contact the Office of Human Resources if the licensed/certified teacher is also employed in another position as this may impact FLSA status.

F. Lay Employees: Employees who are not priests, and who are not members of religious communities.

G. Religious Employees: Men and women who are members of religious communities in the Catholic Church and who work full or part-time positions at an employing location of the Diocese of Richmond (the terms and conditions are provided by agreement with their communities).

H. Seminarians: Men who are actively enrolled in Seminary and studying for the Priesthood.

I. Priests of the Diocese of Richmond: The personnel policies for priests of the Diocese of Richmond are contained in separate documents available through the Office of the Vicar for Clergy.

J. Employers: Those individuals whom the Bishop of Richmond designates to manage the ministries and services of the Diocese in its various organizations and institutions.

K. Supervisors: Usually an employer or a person designated by an employer to supervise employees (hiring and termination are reserved to the employer).

L. Independent Contractors: Individuals who are contracted to perform specific and specialized services for the Diocese. Independent contractors normally use equipment not belonging to the employing site and are paid by invoice at completion of the project, or service, by the terms of a contract for services. Independent contractors are not employees of the Diocese and are not covered by the Personnel Policies of the Diocese. For more detailed information, please reference the Internal Revenue Service’s Economic Realities Test. This document can be found on the diocesan Employee Extranet. A W-9 Form must be completed and on file prior to the commencement of services. A 1099 will be issued at the end of the calendar year for services rendered per IRS guidelines.

Per IRS and Department of Labor regulations, musicians performing on a regular basis are employees and are paid an hourly rate, not a per Mass rate. Regularly performing is 3 or more times (weekends) annually.

*Interns may have unique arrangements; please refer to the appointment letter for details as to employment status.

### III. EMPLOYERS IN THE DIOCESE

A. The Bishop of the Diocese of Richmond designates individuals to manage the ministries and services of the Diocese in its various organizations and institutions.

1. Pastors in parishes are the employers of:
   a. Exempt and nonexempt parish staff
   b. Principals of parish schools
2. Catholic school principals, and day care center directors/coordinators, are the employers of faculty and staff. Pre-school directors may fall under the direction of the Parish.

3. The Superintendent of Catholic Schools is the employer of principals of regional schools and supervisor of all other principals.

4. Office Directors in the Pastoral Center are employers of nonexempt staff within their offices and are supervisors of exempt and nonexempt staff in central and regional offices.

5. The Bishop is the employer of exempt staff in the Pastoral Center.

B. Priests who serve on school faculties or in positions where they are not the employer, are appointed by the Bishop of Richmond and are supervised by the local employer/assigned supervisor.

IV. IMPLEMENTATION AND CHANGES

A. Employers are responsible for the implementation of these policies.

B. The Bishop of Richmond directs the Office of Human Resources of the Diocese to monitor and support the implementation of these policies. The Bishop also directs other members of his staff to assist employers in the implementation of these policies as follows:

<table>
<thead>
<tr>
<th>EMPLOYEES</th>
<th>RESPONSIBLE STAFF</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. All personnel in schools and school operated day cares</td>
<td>Office of Catholic Schools</td>
</tr>
<tr>
<td>2. Religious Education Ministers</td>
<td>Office of Christian Formation</td>
</tr>
<tr>
<td>3. Campus, Young Adult Ministers and Youth Ministers</td>
<td>Office for Evangelization</td>
</tr>
<tr>
<td>4. Business Managers/Bookkeepers</td>
<td>Offices of Human Resources and Finance</td>
</tr>
<tr>
<td>5. All other positions</td>
<td>Office of Human Resources for assignment to the appropriate office</td>
</tr>
</tbody>
</table>

Office directors, and other diocesan staff, may review job descriptions of positions in the parishes and schools.

C. Any employee who has a question or concern about these policies, their implementation or application, should first seek clarification from their supervisor or employer. Remaining questions or concerns may then be addressed to the Office of Human Resources or to the appropriate personnel listed above.
D. The Bishop of Richmond approves and promulgates these policies and may change them whenever he deems necessary and appropriate.

V. EMPLOYMENT

Other related resources and information are available on the Employee Extranet. The Employee Extranet is an internal communication system that can be accessed by all employees. Please contact your supervisor for access information.

A. ESTABLISHING POSITIONS

1. When a parish, school or Pastoral Center establishes an employment position, it represents a major commitment of resources in support of the mission of the Church and in response to the needs of Church and communities.

2. Employers establish positions, change them, or eliminate them usually in consultation with their respective councils (Pastoral and Finance), commissions, boards, the Office of Human Resources, and/or other advisory groups.

B. HIRING EMPLOYEES

1. Job Descriptions: It is the policy of the Diocese that the employer should have a job description for all positions. Employers are to provide employees with a realistic workload that aligns with the employee’s scheduled hours. The job description provides the employing location and employee with:
   a. Purpose for the position and how it responds to the needs of the location or community
   b. Description of the responsibilities and tasks including essential functions
   c. Examples of the work to be done
   d. FLSA Status: exempt or nonexempt status of position
   e. Qualifications necessary in an applicant
   f. Working conditions / work schedule (hours, days, expected office time, etc.)
   g. Physical demands
   h. Benefits for the position
   i. Date created/updated
   j. Acknowledgement signature of employer and employee

2. Vacancy Posting and Current Staff: Employers may consider the qualifications of current employees when vacancies exist. Current staff should be notified of vacancies and may apply for the position(s). Interested candidates should submit a diocesan application to the designated individual prior to the closing date. The Office of Human Resources is available to post parish/school vacant positions on the diocesan website, www.richmonddiocese.org, and assist with recruiting best practices.
3. **Application:** Applicants for vacancies shall complete a standard diocesan application form. Employers may add to the diocesan application form questions appropriate to the position vacancy and to the employing location. Please review the Equal Opportunity Policy for reference if questions are added. Current employees applying for new positions should submit an updated application.

4. **References:** Before offering a position to a candidate for employment, the employer:
   a. Should obtain a satisfactory reference from the previous employer, to include current and past diocesan employers.
   b. Should obtain satisfactory references from former employers and others who have worked with the candidate.

5. **Rehiring Former Employees (Rehires):** The Diocese permits the re-employment of a qualified individual when needs dictate and the former employee was previously laid off and possessed a satisfactory work performance record, or the former employee voluntarily resigned with proper notice and possessed a satisfactory work performance record. The rehired employee completes all new hire paperwork in the centralized payroll system, including all tax forms, background screenings, etc., are required.

Prior Form I-9s are to be recertified if the rehire is hired within 6 months of separation; however, if documents are expired, a new Form I-9 must be completed. Form I-9 completion must occur within three business days of the first day of work or the employee cannot continue to work.

6. **Employment of Minors:** Generally, the Diocese requires that individuals be 18 years of age or older as a condition of employment. On occasion, with the support of the Office of Human Resources, the Diocese may hire individuals who are between 14 and 18 years of age. As dictated by the Virginia Department of Labor, individuals under the age of fourteen are not permitted to work.

In the state of Virginia, there are no employment restrictions, including hours of work, for individuals 16 years of age or older. Individuals between the ages of 14 and 15, however, are subject to certain employment requirements and restrictions that must be adhered to, as follows:

   a. **Child Employment Certificates:**
      In Virginia, individuals between the ages of 14 and 15 must obtain an employment certificate (work permit) from a public or private high school in order to work. Individuals between the ages of 14 and 15 may not work:
      
      - during school hours unless they are enrolled in a school work-training program.
      - more than forty hours in any one week when school is not in session.
      - more than eighteen hours in any one week when school is in session.
      - more than eight hours in any one day when school is not in session.
      - more than three hours in any one day when school is in session.
      - before 7 a.m. or after 7 p.m., except that from June 1 through Labor Day, the teenager may work until 9 p.m.
      - more than five hours of continuous work without a 30-minute rest or meal period.
Note: According to 16 VAC 15-40-10, "school hours" means those periods when the school attended by the minor is in regular session, and does not include hours before and after school, Saturdays and Sundays, holidays, or school vacations, including summer vacations. If the minor does not attend school, "school hours" shall mean the school hours of the school district in which the minor is currently living.

7. **Employment at Multiple Diocesan Locations:** An employee, exempt or nonexempt, who is employed at one diocesan location, should first receive the approval of his or her supervisor/employer before applying for simultaneous employment at a second diocesan location. Generally, working at multiple diocesan locations is discouraged since key decisions must be made regarding a variety of topics, including appropriate exemption status, overtime eligibility and calculation, benefit eligibility, etc. Under no circumstances should a nonexempt employee be hired for work that regularly requires more than a combined total of 40 hours per week at two or more locations.

8. **Appointment:** When first hired, employees of the Diocese receive an appointment letter and job description. Employment continues until the position is changed, eliminated, or until the individual’s employment is terminated. Appointment letters are only issued at the time of hire or when an employee is offered a significant change in position. Appointment letters for teachers address the number of work-days in a school year and the bi-weekly payment of salary over 12 months. Ten-month non-faculty school employees receive a letter stating the return to work date for the new school year.

9. **Safe Environment Regulations:**

   a. **Background Screening Employees:** In accordance with the *Charter for the Protection of Children and Young People*, “ARTICLE 13. The diocesan/eparchial bishop is to evaluate the background of all incardinated priests and deacons. When a priest or deacon, not incardinated in the diocese/eparchy, is to engage in ministry in the diocese/eparchy, regardless of the length of time, the evaluation of his background may be satisfied through a written attestation of suitability for ministry supplied by his proper ordinary/major superior to the diocese/eparchy. Dioceses/eparchies are to evaluate the background of all their respective diocesan/eparchial and parish/school or other paid personnel and volunteers whose duties include contact with minors. Specifically, they are to utilize the resources of law enforcement and other community agencies. Each diocese/eparchy is to determine the application/renewal of background checks according to local practice. In addition, they are to employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination (see USCCB, Program of Priestly Formation [Fifth Edition], 2006, no. 39 and the National Directory for the Formation, Ministry and Life of Permanent Deacons in the United States, n.178 j)”

   Lay and religious diocesan employees should be screened on or before the first day of employment, and every five (5) years thereafter. To obtain the required screening processes, please refer to the Diocesan Safe Environment Regulations and the Employee Extranet. All screening forms to be completed and processed (with the exception of fingerprint cards) as well as instructions are available on the Employee Extranet. Employment is contingent upon these screenings being satisfactorily completed.

   b. **Safe Environment Program:** In accordance with the *Charter for the Protection of Children and Young People*, “ARTICLE 12. Dioceses/eparchies are to maintain “safe environment” programs which the diocesan/eparchial bishop deems to be in accord with Catholic moral principles. They are to be conducted cooperatively with parents, civil authorities, educators, and community organizations to provide education and training for minors, parents, ministers, employees, volunteers, and others about ways to sustain and foster a safe environment for minors. Dioceses/eparchies are to make clear to clergy
and all members of the community the standards of conduct for clergy and other persons with regard to their contact with minors.”

The Diocese, through its Office of Human Resources, has established a Safe Environment Educational Program which details ways by which Church entities may create and maintain a safe environment for children/vulnerable adults. All employees are required to complete safe environment training within one (1) month of their hire date and are required to complete follow ups (bulletins) each month thereafter.

10. New-Hire Forms: All new-hire documents are held electronically in the centralized payroll system. Sample appointment letters are on the Employee Extranet.

11. Hiring Family/ Household Members: No lay or religious employee shall be under the direct supervision of a member of his or her immediate family or someone living in his or her household. No lay supervisor shall hire a member of his or her immediate family or someone who lives in his or her household. Immediate family is defined as spouse, child, parents, guardians, grandparents, grandchildren, siblings, and relatives-in-law.

12. New Employee Orientation: New Employee Orientation consists of completing the New Hire Checklist and completing the online New Hire Orientation Videos. Upon completion, the completed check-list should be uploaded to the centralized payroll system.

13. Personnel Files:

a. Effective August 20, 2018, all new hire personnel documents and personnel updates are uploaded and housed electronically in the payroll system of record. Prior to the August 20, 2018, hard copy files are maintained. Every employee must have a file either electronically, or hard copy, or both.

b. A second, hard-copy performance management file is maintained and a third, hard-copy, medical file is created based on need to file personal medical documentation. A complete listing of Personnel File Administration can be found on the Employee Extranet.

c. Personnel files are the property of the employer. With appropriate notice, current and former employees may inspect the information contained in their personnel files. Employees should be given access to their files only in the presence of the employer or a person designated by the employer. Employees are not permitted to remove, photograph or copy any item in their personnel file. No personnel files should be removed from the employing location.

d. Personnel files are confidential. Internal access to an employee’s file should be limited to the employer/supervisor who is considering the employee for a promotion, transfer, disciplinary action, or other personnel action, and to diocesan officials who have a legitimate, verifiable need to know specific information about the employee.

e. Employees should see, acknowledge and be given the opportunity to respond in writing to performance issue documentation (e.g., appraisals, disciplinary memos, letters of complaint or commendation, etc.).

f. Completion of the EEO-1 Form is voluntary and will not affect employment with the Diocese. The form is used for EEO-1 reporting purposes only. Effective August 20, 2018, all EEO-1 Forms are voluntarily completed and maintained in the centralized payroll system. Prior to August 20, 2018, forms are maintained in hard copy format in one folder and terminated forms in another folder at the respective employing location. The forms can only be accessed by the location Human Resource representative.
g. **Form I-9 (Employment Eligibility Verifications)** are completed and maintained in the centralized payroll system effective August 20, 2018. Form I-9s completed prior to August 20, 2018, are kept in a separate confidential file at the respective location. Per federal guidelines, the employee must complete Section 1 of Form I-9 in its entirety on or before the first day of work. A review of the employee’s original document(s) and completion of Section 2 of Form I-9 must take place within three business days of the first day of work or the employee cannot continue to work.

h. Payroll and leave documents are maintained in the centralized payroll system. W-4/VA-4 forms are maintained electronically in the centralized payroll system.

i. It is the policy of the Diocese that employees will update their personal data directly in the centralized payroll system, such as benefit enrollments, mailing address, telephone numbers, direct deposits, tax withholdings, dependents, emergency contacts, beneficiary forms, etc.

j. Former employee hard copy files may be moved to secure archives.

C. **REPORTING OF NEW HIRES**

On behalf of all parishes and schools, the Office of Human Resources is required to report all new hires and re-hires across the Diocese through the payroll system to a state directory within 20 days of the hire date for the purpose of expediting child support issues. The reporting center is the Virginia New Hire Reporting Center.

D. **OPPORTUNITIES – JOB POSTINGS**

Job opportunities are usually listed on the diocesan website, www.richmonddiocese.org, under Human Resources. Interested candidates should submit a diocesan application to the designated individual prior to the closing date.

E. **RECORDS RETENTION**

A records retention document can be obtained on the Employee Extranet.

VI. **EQUAL OPPORTUNITY POLICY**

Equal opportunity to all persons for employment, service, and participation, is based on individual merit and competence, and on the needs and moral teachings of the Church. It is the policy of the Diocese of Richmond, not to discriminate against any person on the basis of race, color, sex, age, national origin, disability or genetic information. Specifically, race, color, sex, age, national origin, disability or genetic information shall not be a factor in the selection of individuals for recruitment, employment, promotion or demotion, increase or decrease in rates of pay or other forms of compensation and benefits, the selection of training or separation, discipline, termination or other aspects of employment.

Religious institutions, including religious educational institutions, are granted religious exemptions permitting employment preferences on religious basis. This exemption applies to positions that pertain to carrying on the religious activities. Religion pertains to a position in those circumstances that involve religious activities, such as teaching in a Catholic school where religious activities are a position requirement. Certain positions also may require an individual to be a Catholic in good
standing (i.e., able to and does participate in the sacramental life of the Church), such as a Coordinator of Religious Education or a teacher of religion. The ultimate determination of whether an individual is a Catholic in good standing or otherwise eligible for a position pertaining to religion shall be made by the Bishop or his designee.

Sexual harassment and other kinds of harassment or discrimination based on race, sex, age, national origin, disability or genetic information, is strictly prohibited and will not be tolerated. Any incidents of harassment or discrimination by co-workers or supervisors will result in immediate disciplinary action, up to and including termination of employment.

Sexual harassment includes any requests for sexual acts or unwelcome sexual advances, as well as unwarranted touching, or remarks, or other conduct of a sexual-based nature when: (i) submission to such conduct is made a term or condition of employment, (ii) submission to or rejection of such conduct is used as a basis for employment decisions affecting the employee, or (iii) such conduct substantially interferes with the employee’s work by creating an intimidating or hostile work environment.

Likewise, discriminatory or harassing conduct on the basis of other listed criteria having a similar effect is included under the prohibitions of this policy. This includes conduct that degrades or shows hostility for a person or group because of any of these criteria.

The Diocese also prohibits retaliation, including but not limited to making any threatening communication by verbal, written and/or electronic means, against any individual who reports and/or provides any information concerning unlawful discrimination, harassment and/or other violations of diocesan policies, rules and standards of conduct. Any employee found engaging in retaliation will be subject to disciplinary action, up to and including termination of employment.

Employees who believe they have been harassed, discriminated against or retaliated against should report the offensive conduct immediately. Also, employees who witness harassment or discrimination against others should report it immediately. Reports are to be submitted to the supervisor or the appropriate Church authority such as the pastor, principal, Human Resources Officer, Vicar for Clergy or the Vicar General.

All incidents of harassment or discrimination should also be reported to the Office of Human Resources, and, in the case of school employees, also to the Superintendent of Catholic Schools. It is the responsibility of the Office of Human Resources or Superintendent to ensure a prompt response to allegations of sexual harassment. If the diocesan Human Resources Officer is the subject of the complaint, then employees may direct their complaint to the Human Resources Director, who will in such instances have a direct report to the Bishop of Richmond.

Please also reference the Employee Extranet for the Diocese of Richmond Code of Ethical Conduct which includes companion harassment policies.

VII. DISABILITIES

The Diocese of Richmond is concerned with ensuring the effectiveness of services and programs, as well as the security and dignity of those employed to provide those services and programs.
If you are a person with a disability and need a reasonable accommodation to perform the essential functions of a job, the Diocese invites you to discuss the necessary accommodation with your employer. It is the policy of the Diocese to accommodate, given reasonable time and cost, those employees having disabilities, provided these employees can then perform the essential functions of the job. All employees are required to comply with safety standards. Individuals who pose a significant risk to the health and safety of other individuals in the workplace, which risk cannot be eliminated by reasonable accommodation, cannot be employed.

VIII. EMPLOYEE CONDUCT

Employees must adhere to the highest ethical and legal standards, consistent with Catholic teaching and the policies of the Catholic Diocese of Richmond. It is the responsibility of every employee to be honest and forthright in all individual and organizational business practices and to comply with all laws and regulations that govern diocesan actions. Employees are to be courteous and respectful of others and conduct oneself in a moral and ethical manner consistent with commonly accepted norms of the Catholic Church.

The Catholic Diocese of Richmond has established policies to ensure that a harmonious environment exists for all employees within the Pastoral Center, parishes and schools. Compliance with these policies is expected.

Employees should understand that violations of these policies may not only subject them to disciplinary action by the Diocese but may expose them to civil and/or criminal action. The Diocese will cooperate with the inquiries of any legitimate law enforcement authority relating to the use of the Internet or other diocesan electronic communications resources.

Employees may, in appropriate cases, receive counseling or other notification of unacceptable conduct or performance; however, disciplinary action, up to and including termination of employment, may result due to any violation of the conduct policies.

If there is a question regarding conduct, please contact your supervisor or the Office of Human Resources.

A. DIOCESAN CODE OF ETHICAL CONDUCT

Please reference the centralized payroll system or the Employee Extranet for the Diocese of Richmond Code of Ethical Conduct. This policy is also located on the EthicsPoint website listed below.

B. ETHICSPOINT HOTLINE

A hotline is available for employees to report concerns of suspected unethical behavior or misconduct, such as theft, fraud, vandalism or discrimination, within the Diocese of Richmond. The hotline is handled by an independent, third-party reporting system, EthicsPoint, to ensure accountability and transparency with reporting procedures. Reports can be made online or by phone. Employees wishing to report can do so anonymously. The toll-free number is 844-739-3210. To submit a report online, please visit the diocesan website, www.richmonddiocese.org and select “EthicsPoint”.
C. **DIOCESAN PROPERTY**

The use of the word(s) Diocese or diocesan throughout this policy covers all employing locations of the Catholic Diocese of Richmond. These policies apply to employees, contractors, volunteers and others granted access to diocesan property.

An employee is expected to exercise due care in the use of diocesan property and to use such property only for authorized purposes. Borrowing of diocesan property without prior approval is prohibited. Loss, damage or theft of diocesan property must be reported at once to your supervisor. Negligence in the care and use of or unauthorized removal of diocesan property shall be cause for disciplinary action, up to and including termination of employment.

Except as part of an employee’s approved performance of his or her duties, an employee may never remove or allow another person to remove diocesan property from the premises of the employing location without prior approval from the employer.

Diocesan property issued to an employee must be returned upon termination of employment, or as otherwise requested by the employer.

All diocesan handbooks, manuals, personnel records, financial reports and data, and other similar business-related information in any form are diocesan property. This list is an example and is not all-inclusive. If an employee is uncertain about whether something is diocesan property, the employee should ask his or her supervisor. No publication or copy of any of the contents of diocesan property is allowed without prior approval from the Diocese.

This Handbook is the exclusive property of the Diocese. Neither this Handbook nor any part of it may be copied or otherwise reproduced for use outside of work with the Diocese without the prior written permission of the Diocese.

D. **USE OF OFFICE EQUIPMENT**

Diocesan office equipment, including, but not limited to, telephones/assigned cell phones, voicemail, fax machines, computers, email, copiers, and postage, are provided for conducting diocesan business. Personal use of diocesan office equipment should not interfere with the conduct or productivity of diocesan business. While not strictly prohibited, personal use of such equipment should be limited. Personal telephone calls and email and voicemail messages should be limited to truly necessary instances. Good judgment must be used in limiting such calls and messages in length and frequency. All use of diocesan equipment also must comply with all other applicable diocesan policies. Use of the diocesan’s internet connections, computer resources and other electronic communications resources, in particular, also is governed in more detail by other policies. Excessive or improper personal use of equipment is grounds for disciplinary action, up to and including termination of employment.

Employees should have no expectation of privacy in any use or the content of the use of diocesan equipment. The Diocese will monitor the use of its equipment.

E. **ACCESS AND USE OF INFORMATION AND COMMUNICATIONS RESOURCES**

This policy sets out requirements and expectations regarding the use of the diocesan internet, computer and other electronic communications resources. For the purposes of this policy, references to the Internet should be understood to apply to the use of both the diocesan connection to the Internet and internal email. References to electronic communications include information that is transmitted or stored via computer, email, instant messenger, facsimile, voicemail, telefax, or other similar devices provided by the Diocese.
An employee’s conduct while using diocesan resources continues to be governed by the Diocese’s other existing policies.

Although the Diocese’s connection to the Internet and the availability of other means of electronic communications offer many benefits, both the Diocese and individual employees can be at risk if diocesan resources are used inappropriately or in a way that breaches security, confidentiality, proprietary rights or other legal rights. The following general guidelines have been established for using these resources. Any improper use of the Internet or other electronic communications resources is not acceptable and will be subject to disciplinary action, up to and including termination of employment or legal action.

Use by any employee of any Internet or other electronic communication resources constitutes that employee’s agreement to comply with these guidelines and the employee’s acknowledgement of the Diocese’s rights to monitor, review and disclose the employee’s use and access without further notice from the Diocese or consent of the employee.

1. All employees should understand that they have no right to, or expectation of privacy in their use of the Internet or other diocesan electronic communication resources, including email and voicemail. The Diocese has the right to monitor, review and disclose any employee’s access and use of the Internet or the Diocese’s other electronic communication resources at any time. The Diocese will do so from time to time when it is deemed necessary to ensure proper use of resources and compliance with these policies. All information and other files created, transmitted or stored using diocesan computer networks, clouds or other electronic communication resources are subject to diocesan monitoring, review and disclosure.

2. Employees are individually responsible for the content of all text, audio, or images that they obtain or distribute using the Internet or other diocesan electronic communications resources.

3. Sending or knowingly receiving, viewing, downloading, or displaying material that might reasonably be determined unlawful or inappropriate, including obscene or pornographic materials, are not permitted. The Internet and other diocesan electronic communications resources may not be used to make or disseminate hate mail, threats, personal attacks, defamatory statements or discriminatory remarks; to engage in harassment; to violate any person’s rights of privacy or publicity; or to engage in any similar behaviors. Employees should take particular caution to carefully screen any personal email received from other sources before deciding to forward such messages within or outside the Diocese. Each employee assumes personal responsibility for the content of any material he or she chooses to retain or send, regardless of who originally created that content. Jokes and other material that contain content that might reasonably be viewed by another person as offensive, harassing or discriminatory may not be circulated using diocesan resources.

4. Sexually explicit material may not be displayed, archived, stored, distributed, edited, recorded or knowingly accessed using diocesan resources.

5. Any improper use of the Internet or other diocesan electronic communications resources to infiltrate (e.g., hacking), interfere with, clog or damage the performance, files, data or software components of a computer or computer system, or to attempt any of the foregoing, is prohibited.

6. No email or other electronic communications may be sent that hides the identity of the sender or that represents the sender as anyone other than the actual sender (excludes those instances when a designee of the employer sends an email/hard copy communication on behalf of the supervisor/employer.)

7. No personal communication should be given or made to appear as an official communication of the Diocese.
8. The Internet and other diocesan electronic communication resources may not be used to send, or to forward from another sender, (i) any bulk email or other electronic communications or (ii) any email or other electronic communications unrelated to diocesan business in which the recipient objects to the content or receipt of the communication.

9. No employee may use diocesan computer resources knowingly to download, distribute or use software or other information in violation of any intellectual property or other proprietary rights. Also, the introduction of additional software without consideration of the impact on an employee’s workstation, or the network as a whole, could compromise the integrity of the diocesan system or waste system resources, and could be a violation of law resulting in civil or criminal penalties as well. Therefore, only software with direct business use may be downloaded and it must be properly licensed, registered, scanned for viruses and authorized by the Office of Information Technology or its designee prior to its being downloaded. Downloaded software must be used only in accordance with the terms of its license. In this regard, the Diocese adheres to the following software code of ethics:

Unauthorized duplication of copyrighted computer software violates the law and is contrary to the Diocese’s standards of conduct. The Diocese disapproves of such copying and recognizes the following principles as a basis for preventing its occurrences:

a. The Diocese will neither engage in nor tolerate the making or using of unauthorized software copies under any circumstances.

b. The Diocese will provide legally acquired software to meet the legitimate software needs of its employees in a timely fashion and in sufficient quantities for its computers, as determined at the sole discretion of the Diocese.

c. The Diocese will comply with all license or purchase terms regulating the use of any software it acquires or uses.

d. The Diocese will enforce internal controls to prevent the making or using of unauthorized software copies, including effective measures to verify compliance with these standards and appropriate disciplinary measures for violation of these standards.

10. Employees are prohibited from disclosing confidential information, even if the disclosure is inadvertent.

11. Employees may not use any encryption device or other security protection device on diocesan resources without express written authorization from the Diocese.

12. Employees are required to take all reasonable precautions to ensure the security of any files or information of the Diocese to which they have access or which they are supplied to conduct diocesan business.

13. Employees may not access any file or information of the Diocese without authorization.

Employees should understand that violations of these policies may not only subject them to disciplinary action by the Diocese, but may expose them to civil and/or criminal action. The Diocese will cooperate with the inquiries of any legitimate law enforcement authority relating to the use of the Internet or other diocesan electronic communications resources.

F. SOCIAL NETWORKING GUIDELINES

Please reference the centralized payroll system or the Employee Extranet for the Diocese of Richmond Digital Communications and Media Policy. The Diocese will investigate and respond to all reports of violations of the Digital Communications and Media Policy. Violation of this
social networking policy will result in disciplinary action, up to and including termination of employment or legal action.

G. GUARDING PERSONAL BELONGINGS

The Diocese cannot assume responsibility for the loss or theft of personal property belonging to employees. Employees are, therefore, encouraged to avoid bringing unnecessary, valuable items to the workplace. Where possible, purses and other personal property should be stored in locked desks or file cabinets. Check books, credit card receipts, social security cards/numbers, driver’s licenses, or other items with valuable personal information should not be left unsecured.

H. PERSONAL SAFETY

The Diocese is dedicated to adhering to the Diocese of Richmond Code of Ethical Conduct and to providing a safe work environment.

1. Employees are prohibited from the following:
   a. Verbal threats towards persons or property, the use of vulgar or profane language toward others, disparaging or derogatory comments or slurs, verbal intimidation, exaggerated criticism, and name calling, holding, impeding or blocking the movement of another person;
   b. Display of derogatory or offensive posters, publications or drawings;
   c. Possession of weapons on diocesan property (including parking areas), including, but not limited to: all types of firearms (irrespective of a permit to carry a concealed weapon); switchblade knives or knives with a blade longer than four inches; explosives, including blasting caps; chains and other objects carried for the purpose of injuring or intimidating.

2. Employees who commit any of the above acts may expect disciplinary action, up to and including termination of employment for misconduct. Employers may take all necessary and reasonable measures to ensure compliance with this policy by visitors to diocesan, parish, or school property.

I. DRUG AND ALCOHOL USE (REVISED JULY 1, 2021)

1. Drug and alcohol use, to include marijuana, is highly detrimental to the safety and productivity of employees in the workplace. No employee may be under the influence of any illegal drug, marijuana or alcohol while operating a vehicle or equipment owned or leased by the Diocese/parish/school.

2. The unlawful possession, use, or being under the influence of alcoholic beverages, marijuana, or illegal drugs while on diocesan property, while attending business-related activities, while on duty, or while operating a vehicle or machine leased or owned by the Diocese/parish/school is strictly prohibited and may lead to disciplinary action, up to and including termination of employment.

3. Employees may use physician-prescribed medications, provided that the use of such drugs does not prevent the employee from performing the essential functions of the job or adversely affect the safety of the employee or other individuals in the workplace.

4. The Diocese acknowledges that at certain diocesan/parish/school social functions, alcoholic beverages are served. However, employees are prohibited from any excessive consumption on those occasions. Please note that use of marijuana on property is not allowed.
5. The employer may require an employee to submit to testing for drugs and alcohol when the employer has a reasonable belief that the employee is under the influence of alcohol, marijuana or illegal drugs, or after a work-related accident in which the employee was involved.

J. REPORTING ABUSE AND NEGLECT OF MINORS AND VULNERABLE ADULTS

1. Employees shall immediately report any such knowledge or suspicion of abuse and neglect of minors and vulnerable adults to their employer or the employer’s designee. The employer is responsible for contacting reporting authorities and notifying diocesan officials if the accused is an employee. Failure on the part of an employee to report suspected abuse and neglect of minors or vulnerable adults may constitute misconduct. If an employee has any questions regarding reporting obligations, they should ask the employer.

2. In addition, the Diocesan Safe Environment Regulations adds the following responsibility for reporting allegations of sexual abuse of minors and vulnerable adults:
   a. All clergy, seminarians, or other personnel of the Diocese are obliged to report immediately to the Office of Safe Environment any allegation or suspicion that a priest, deacon, diocesan personnel, or contractor has sexually abused a minor or vulnerable adult, either in the past or currently. No clergy, seminarian, diocesan personnel, or contractor are to interact with the accused before or after reporting a claim to the Office of Safe Environment, unless and until otherwise instructed by the Bishop. Likewise, after making an immediate report to the Office of Safe Environment, no diocesan personnel are to interact with an accuser, unless and until otherwise instructed by the Bishop. Preferably, a claim should be presented to the Office of Safe Environment in writing. Whether given in writing or orally, the report should include: The name, address and telephone number(s) of the reporter.
   b. The name, address and telephone number(s) of the accused.
   c. The name(s), address(es) and telephone number(s) of the alleged victim(s) or survivor(s).
   d. The relevant date(s), time(s) and location(s) of the alleged abuse.
   e. The nature of the alleged abuse and the setting in which it allegedly occurred.
   f. The name(s), address(es) and telephone number(s) of any person(s) with knowledge or information about the alleged abuse.

Department of Social Services, Child Protective Services 24 Hour State Hotline:

<table>
<thead>
<tr>
<th>Virginia:</th>
<th>(800) 552-7096</th>
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</thead>
<tbody>
<tr>
<td>Out of State:</td>
<td>(800) 552-7096</td>
</tr>
<tr>
<td>Hearing Impaired:</td>
<td>(800) 828-1120</td>
</tr>
<tr>
<td>Confidential Victim’s Assistance 24 Hour Reporting Number:</td>
<td>(877) 887-9603</td>
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</table>

Mandated reporters must by Virginia Code make a report within 24 hours. All personnel of the Diocese are mandatory reporters and are obliged to report immediately to the Office of Safe Environment any allegation or suspicion that a priest, deacon, or other diocesan personnel has sexually abused a minor, either in the past or currently.
Employees should reference the *Diocesan Safe Environment Regulations* for additional details. These regulations are available on the Employee Extranet and diocesan website.

**IX. REPORTING INSURANCE CLAIMS**

Property, General Liability, Automobile Liability and Workers’ Compensation claims are handled directly by the Diocese of Richmond’s Office of Risk Management. All incidents, accidents and losses should be reported immediately to your supervisor and the diocesan Office of Risk Management by completing the Accident Report form or by placing a telephone call to (804) 622-5110. These forms should be on file at the parish or school and blank forms may be obtained by calling the Office of Risk Management. Failure to report claims in a timely manner may result in the loss of insurance coverage. The reporting forms are:

<table>
<thead>
<tr>
<th>Category</th>
<th>Form Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property</td>
<td>Parish Report of Property Damage</td>
</tr>
<tr>
<td>General Liability</td>
<td>Catholic Mutual Cares Accident Report</td>
</tr>
<tr>
<td></td>
<td><em>(for students, parishioners, volunteers, etc.)</em></td>
</tr>
<tr>
<td>Automobile Liability</td>
<td>Automobile Loss Notice</td>
</tr>
<tr>
<td>Workers’ Compensation</td>
<td>First Report of Injury</td>
</tr>
</tbody>
</table>

**X. REPORTING OF DATA BREACHES (PII)**

The Diocese recognizes its need to maintain the confidentiality of Personal Identity Information (PII) and understands that such information is unique to each individual. PII covers unique personal identification numbers or data, including social security numbers, taxpayer identification numbers, employer identification numbers, state or foreign drivers’ licenses, date(s) of birth and parish, school or Pastoral Center credit or debit transaction card numbers (including PIN or access numbers) maintained in a location, or approved vendor records.

PII may reside in hard copy or electronic records. Reports of breached data are to be made immediately to the Offices of Human Resources and Risk Management so proper steps can be taken.

Please reference Appendix # for *Medical Information Privacy*.

**XI. SALARY AND BENEFITS**

**A. COMPENSATION PHILOSOPHY**

Purpose: The Catholic Diocese of Richmond has documented a Compensation Philosophy that will help to ensure that diocesan pay and benefit practices are applied consistently and effectively
throughout the diocese. This philosophy will serve as a foundation for total compensation (pay and benefits), and will also serve to communicate to employers and employees where the Diocese places pay and benefits relative to other organizations.

The Catholic Diocese of Richmond has incorporated Canon Law into its Compensation Philosophy.

**Compensation Philosophy**

Church Administrators (employers) are to pay employees a just and decent wage so that they may provide appropriately for their needs and those of their family. (Cf. CIC c. 1286, 2°)

All employees of the Diocese of Richmond should receive pay and benefits that are \textit{competitive to similar jobs within non-profit organizations} and that permit us to hire and retain high caliber individuals. To maintain this philosophy, the Diocese is committed to conducting salary and benefit reviews on an annual basis.

**Employee Pay**

1. Parish and school pay schedules for lay employees are published annually by the Office of Human Resources.

2. Religious employees, who are not priests, are covered by the same schedules unless the religious employee or his/her religious community, and the employing location agree to a pay/housing arrangement.

3. Annual pay increases should be based on diocesan schedules. These schedules will be reviewed and adjusted yearly in light of cost of living increases and other factors.

4. Pay periods are bi-weekly (two consecutive workweeks) and the work week runs from Monday at 12:00 AM through Sunday at 11:59 PM. Please contact your business manager/bookkeeper or the Office of Human Resources for a payroll schedule.

**B. Nonexempt and Exempt Staff**

1. Employers expect each employee to perform to his or her ability during the scheduled hours outlined in the employee’s job description. The terms “Nonexempt” and “Exempt” refer to the two basic categories of employees under the Fair Labor Standards Act (FLSA) by which Church employers are bound. For current FLSA regulations, please refer to the Employee Extranet.

2. From time to time, workloads may increase as a result of special circumstances, projects or programs. In such circumstances, employees may be directed to work in excess of those hours for which they are regularly compensated.

   a. Nonexempt staff shall be compensated in accordance with the FLSA and are paid for all hours worked in a workweek, to include overtime pay for those hours worked over 40 in a work week. Time worked includes all time that an employee is required to be physically at work. No overtime shall be worked by a nonexempt employee without authorization by the employer or supervisor, however if overtime is worked without authorization it must be paid. Continued unauthorized use of overtime may lead to disciplinary action. Overtime pay cannot be waived. Time paid for but not actually worked (vacation, sick leave, holidays, other paid leave) is excluded from overtime.
calculations. Compensatory time is allowed only when adjusting the schedule within
the same workweek.

b. **Exempt** staff should expect occasional extra hours and irregular schedules, without
additional compensation.

3. In addition to overtime eligibility, for **nonexempt employees**, the following apply:

   a. **Timekeeping**: All time worked and leave requests are entered and housed in the
centralized payroll system either by a mobile app, laptop/desk-top computer. Each
employee should review their pay check stub each pay period and verify that the reported
hours worked are complete and accurate (and that there is no unrecorded or “off-the-
clock” work). The timecard must accurately reflect all regular and overtime hours
worked, any absences, early or late arrivals, early or late departures and meal breaks.
Exempt employees are not required to document time worked.

   b. **Electronic Communications** should not be used outside of regularly scheduled work
hours unless authorized in advance by the supervisor/employer. This includes all types
of work-related communication. Employees using electronic communications for work-
related correspondence during unauthorized times will be considered time worked;
however, if continued, an employee may be subject to disciplinary actions.

Many employees now have 24/7 remote access to work-related e-mail, voice-mail, text
messages, and telephone calls after normal working hours. Additionally, employees
infrequently may need to return to the work location for work purposes. All work time
should be recorded. Therefore, the following guidelines should be observed:

   • Work outside of a nonexempt employee’s normally scheduled work day,
     including use of a mobile device for work, is considered work time. For
     example, an employee’s normal work day is 8 am – 5 pm, and the employee
     receives and acts on communications received at 6 pm and 8 pm. Taken
     individually, each communication may have been brief in duration, perhaps only
     5 minutes each. But, the work time is still of consequence. The time should be
     recorded and paid. In addition to signing-in and out for regular schedules as
     worked, nonexempt employees are to keep track of, and report, their work
     communications occurring outside of their normally scheduled work
     hours. Time for each communication or other work effort should be captured
     by software/timecard. These entries should be done daily. No off-the-clock
     work is permissible.

   c. **Pay Stub Review**: Employers make every effort to ensure employees are paid correctly
for all hours worked. Occasionally, however, inadvertent mistakes can happen. Please
review your pay stub when you receive it or log into the on-line employee self-service
to make sure it is correct. If you believe your employer has inadvertently paid you
incorrectly, you must advise the employer promptly.

d. **Report Pay Violations, Communicate Concerns, or Obtain More Information**: It is a
violation of policy for any employee to falsify a time record, or to alter another
employee’s time record. It is also a serious violation of policy for any employee or
supervisor to instruct another employee to incorrectly or falsely report hours worked or
alter another employee’s time record to under or over report hours worked. If any
supervisor or employee instructs you to (1) incorrectly or falsely under or over report
your hours worked, (2) alter another employee’s time records to inaccurately or falsely report that employee’s hours worked, or (3) conceal any falsification of time records or to violate this policy, do not do so. Instead, report it to your employer or the Office of Human Resources.

Every report will be fully investigated and corrective action will be taken, up to and including termination of any employee(s) who violates this policy. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

e. Limitations on Volunteering: Employees are free to volunteer for parish, school or Pastoral Center activities without compensation, except that the services that are volunteered by the employee cannot be the same type of service performed by the individual in his or her regular employment. The FLSA does not allow employees to waive their right to pay for hours worked or performed.

f. Regarding waiting time, on-call time, rest and meal periods, sleeping times, lectures, meetings and training programs and travel, the Diocese adheres to the Department of Labor regulations, Fact Sheet #22, Hours Worked under the FLSA. Please reference the Employee Extranet or the Department of Labor website.

C. **SALARY BASIS POLICY (EXEMPT EMPLOYEES)**

The Fair Labor Standards Act (FLSA) provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, outside sales and certain computer positions (please refer to Section II, Definitions). Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work. Exempt employees do not need to be paid for any workweek in which they perform no work.

Generally, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Deductions from salary are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with diocesan leave plans that provide for salary lost due to illness (such as when an exempt employee has exhausted all leave); to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid administrative leave (disciplinary suspensions) of one or more full days imposed in good faith for workplace conduct rule infractions. Also, an employer is not required to pay the full salary in the initial or terminal week of employment, or for penalties imposed in good faith for infractions of safety rules of major significance. In these circumstances, either partial day or full day deductions may be made.

It is diocesan policy to comply with the salary basis requirements of the FLSA. The Diocese does not allow deductions that violate the FLSA.

Any questions regarding the compliance of FLSA should be directed to the employer or the Office of Human Resources. Any report of improper salary deduction will be investigated promptly. If it is determined that an improper deduction has occurred, the affected employee(s) will be promptly reimbursed by the employer for any improper deduction made.
There will be no retaliation against any employee for reporting in good faith any pay stub inquiry or perceived improper deduction. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination of employment.

D. **BENEFITS**

**Benefits Mandated by Law:**

1. **Social Security and Medicare**
   
   a. The Diocese participates in the Social Security system and is governed by existing government regulations. Each employing location withholds FICA/Medicare taxes from lay employees, and the employee contributes to FICA and Medicare taxes as well.

   b. Religious employees’ communities determine the participation of their members in the Social Security system and pay the FICA/Medicare taxes. Employers will reimburse the religious community the identical amount paid by the religious community for the employer portion of FICA/Medicare taxes.

2. **Workers’ Compensation**

   The Virginia Workers’ Compensation Commission is charged with administering Virginia’s Workers’ Compensation Program and the Diocese of Richmond is self-insured for workers’ compensation benefits. Employees who sustain an on-the-job injury or potential occupational disease may be eligible for workers’ compensation benefits pursuant to the Virginia Workers’ Compensation Act. Employees must immediately report any work-related accident or injury to their supervisor/employer so the requisite *First Report of Injury* can be timely filed with the Office of Risk Management for review and processing. All due workers’ compensation benefits are coordinated through the Office of Risk Management while the employee’s main point of contact is the employer/supervisor.

   In Virginia, a disability from work must exceed seven (7) calendar days before lost wage benefits (Temporary Total Disability, “TTD”) are payable under workers’ compensation. In the interim until a worker’s compensation claim is determined, absence due to an injury should be paid using administrative leave. If the disability from work exceeds 21 days, the first seven days are paid retroactively. Injured diocesan employees who are losing compensable (covered by workers’ compensation) time from work will receive a continuation of regular pay for the first seven days of disability. TTD benefits, at the weekly rate of two-thirds of the average weekly wage, will begin on the eighth day of disability. Should the disability from work exceed 21 days the Diocesan Self-Insurance Program will reimburse the employer in the amount of the TTD benefit due for the first seven days of disability.

   Employees should immediately report injuries at work to the employer and the diocesan Office of Risk Management and no later than 30 days following the date of accident. Late reporting can affect the compensability of a claim which makes timely reporting of all work accidents of the utmost importance. All Accident Report forms can be found in the “Catholic Diocese of Richmond Protected Self-Insurance Program Policies and Procedures” located on the Employee Extranet.
Employees should be placed on Family Medical Leave concurrently with their absence for a Workers’ Compensation claim. Please contact the Office of Human Resources for more information.

Benefits Provided through the Employer:

Employees hired on or before December 31, 2006 who are employed 20 or more hours per week and kindergarten or pre-school teachers who are employed 15 or more hours per week will continue to be eligible for the health insurance benefits described below, if in fact, the employee was enrolled in health insurance prior to the December 31, 2006 date and continue to be enrolled without any break in service; however, employees hired on or after January 1, 2007 must be employed to work 30 or more hours per week to be eligible for health insurance benefits as described below.

The diocesan payroll period is every other week (bi-weekly). For 12-month employees enrolled in benefits, the employee premium deduction is withheld over a period of 24 bi-weekly payroll periods. For 10 or 11-month employees enrolled in benefits, the employee premium deduction is withheld over a period of 20 bi-weekly payroll periods. Regardless of the months of employment, 10, 11 or 12 months, all employees on an annual basis pay the same amount based on the benefit selected; consequently, employees working 10 or 11 months will have a higher bi-weekly employee premium deduction to accommodate the fewer pay periods.

1. Health Insurance

a. Medical and dental insurance plans are available to employees. The employer and the employee share the premium costs. Supplemental vision insurance is available at the full expense of the employee. Rates and summary plan descriptions are available from the Office of Human Resources and on the Employee Extranet.

b. Churches are exempt from COBRA, the law which allows continuation of group health insurance coverage. The Diocese of Richmond has a Continuation Policy which can be found on the Employee Extranet. All eligible employees whose employment has ended, or whose hours have been reduced below the weekly eligibility threshold, the spouse of a deceased or divorced employee, or a dependent child who has not reached the age of 26, may continue participation in the health insurance plan at his or her own expense for a period not to exceed 18 months.

c. Employees must enroll in the health insurance plan at the time they are first eligible, the first of the month following or coinciding with the date of hire or during the annual period of open enrollment. The only other time during the year enrollment is permitted is at the occurrence of a qualifying event. Qualifying events include marriage, the birth or adoption of a child, death, divorce, or the loss of coverage, as outlined in our plan document. Documentation of a qualifying event is required.

d. Verification of dependent eligibility is required for all medical enrollments. Please refer to the Employee Extranet for acceptable documents.

e. Religious employees may participate in the diocesan group health insurance plan or the employee’s religious community may be reimbursed by the employer for the employee’s participation in the community’s plan. The reimbursed amount is not to exceed the cost of the diocesan plan.
f. Employers continue health insurance premium contributions during the period of short-term disability.

g. During the period of long-term disability, the (former) employee may continue in the health insurance plan at their own expense up to twenty-three months or until the (former) employee qualifies for Medicare, whichever occurs first.

h. Rehired employees, regardless of prior hire date and/or prior tenure, must be rehired to regularly work 30 hours a week or more to be eligible for health insurance benefits.

2. Medical Information Privacy:

The group health plan is subject in certain respects to the Health Insurance Portability and Accountability Act (HIPAA). Please see the Appendix for more in-depth information.

Employees who are employed 20 or more hours per week are eligible for benefits as described below.

3. Retirement

The Catholic Diocese of Richmond offers both a defined benefit plan (pension) and a defined contribution plan (403(b)).

Defined Benefit (Pension) Plan

Employees are automatically enrolled in the Diocesan Lay Employees Retirement Plan. The employer pays the entire contribution to the retirement plan. A Summary of the Diocesan Lay Retirement Plan is available from the Employee Extranet. A Statement of Estimated Retirement Benefits may be provided annually to each active lay participant. Please reference the Statement of Estimated Retirement Benefits for retirement planning purposes. An official calculation is completed when a formal request for retirement is received by the Office of Human Resources. Highlights of the plan include:

a. The Pension Plan has a five-year vesting period. After achieving 5 years of credited service, the employee is entitled to a benefit.

b. The Pension Plan provides a $5,000 death benefit for non-vested in-service employees and a $10,000 death benefit for vested in-service employees.

c. In the event the employee is eligible to receive payments and has a spouse at the time of death, the spouse will receive a monthly payment based on the 100% Joint and Last Survivor option.

d. The normal retirement age is 65. The normal retirement date is the first of the month following or coinciding with the participant’s 65th birthday.

e. The Pension Plan provides for a permanently reduced early retirement benefit after ten years of credited service and the attainment of age 55. An employee cannot receive early retirement payments and continue to work. If a participant is receiving early retirement payments and is re-hired by a diocesan employer, retirement payments will cease. Payments will resume when the employee reaches the normal retirement age or when employment terminates.
f. The Pension Plan provides for a lump-sum payment to former employees who are vested if their accrued benefit is less than $1,000. Former employees who are vested may elect to receive a lump-sum benefit if their accrued benefit is over $1,000 and less than $25,000.

g. Fully vested employees over the age of 65 may continue to work and draw their pension. If you contact the Benefits Manager after the age of 65 to begin drawing your pension benefit, your monthly benefit will be actuarially adjusted to reflect the date that you begin to receive your pension benefit. No back payments will be made.

**Defined Contribution Plan, 403 (b)**

Employees can also participate in the Catholic Diocese of Richmond 403(b) Plan.

a. Personal Contribution: New employees are automatically enrolled at a 4% deferral rate of the employee’s personal compensation. Automatic, initial enrollments are in investments that align with Catholic Church teaching.
   - The employee can increase or decrease the deferral rate or completely opt out of the plan at any time. To do so, please go online to the 403(b) provider to make account changes.

b. Employer match: Employers will match 50% of the contributions made by the employee, up to 4% of the employee’s eligible compensation for a total of 2%.
   - Employees who are “grandfathered” in the defined benefit plan (pension), as of December 31, 2014, are not eligible for the employer match. Grandfathered employees are those who are age 60 or older as of December 31, 2014 and who are vested in the pension plan, i.e., have 5 years or more of eligible service.

c. Eligibility date is one month after date of hire (1st of the following month).

d. Various investment options are available.

e. Both pre-tax and post-tax contributions are available; however, employers will only match on either the pre-tax or the post-tax contributions

f. Employees are vested immediately on pre-tax and post-tax contributions.

g. The Employee Extranet has procedural information, to include the enrollment or opt out process.

4. **Disability Income Protection**

   a. The Diocese has both employer paid short and long-term disability income protection plans which cover all eligible employees, including religious whose communities participate in Social Security.

   b. Lay employees are enrolled automatically and are eligible on the first of the month following their date of hire (eligibility date revised effective 07/01/2021).

   c. Religious employees must notify the employer of their eligibility (i.e., their reported income to the Social Security Administration) before enrolling.

5. **Life Insurance**
a. All employees scheduled to work 20 hours a week or more will have employer paid basic life insurance in the amount of $10,000 coverage.

b. Additional supplemental life insurance is available with coverage amounting to one, two or three times the employee’s annual salary. The cost for life insurance coverage can be obtained from the Office of Human Resources or from the Employee Extranet.

c. Dependent Life Insurance is available to employees enrolled in supplemental life insurance.

Employees must apply for additional life insurance at the time they are first eligible, the first of the month following or coinciding with the date of hire. Late enrollees will be required to complete a personal health application and await approval from the provider.

Employees must complete a life insurance beneficiary form, even if they are not applying for additional life insurance, to be used for the diocesan paid basic life insurance.

6. Elective Benefits

Critical illness, accident insurance, and hospital indemnity are available. Please check the Employee Extranet for other benefits that may be offered to employees.

All employees, regardless of hours worked, are eligible for benefits as described below.

7. Defined Contribution Plan 403(b)

a. All employees are eligible to participate with personal contributions into the Catholic Diocese of Richmond 403(b) Plan (defined contribution plan). Contributions can be pre-tax or post-tax. Employees working less than 20 hours a week must enroll to participate and there is no matching employer contribution. The Employee Extranet has procedural information, to include the enrollment process.

8. Employee Assistance Program (EAP)

The Diocese cares about the health and well-being of its employees and recognizes that personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of families and friends, sometimes employees need professional assistance and advice.

The Diocese provides confidential and voluntary assistance to all employees, and members of their households, through the diocesan EAP. EAP provides information, counseling, and referral services to all employers/employees, and members of their households.

Contact information is available on the Employee Extranet. The EAP may be reached 24 hours a day on weekdays and weekends. (800-346-5484)

Examples of services provided include counseling and/or referrals for Family and Marital Issues, Alcohol and Drug Abuse, Emotional Distress, Financial Difficulties, Legal Issues, Workplace Issues, Crisis Intervention, Illness, Child Care Problems, etc.

9. Virginia Credit Union (VACU)

Employees can apply to open an account. More information is available on the Employee
10. **Unemployment Compensation**

The Diocese of Richmond participates voluntarily in the Virginia Unemployment Compensation Program.

**E. Leave**

Paid leave is available to all full-time and regular part-time diocesan employees. Limited part-time and temporary employees do not earn paid leave. Employees on paid leave continue to accrue leave. Employees on unpaid leave do not accrue leave. The leave year runs from July 1 – June 30 of each year.

**Sick Leave:**

1. Employees shall earn one hour of sick leave per month for every five hours of work scheduled per week. For full-time employees, this equates to one paid leave day per month. For part-time employees, a paid leave day is calculated as follows:

   \[
   \text{One Paid Leave Day} = \frac{\text{work hours per week}}{5 \text{ days}}
   \]

   (For example, for an employee working 21 hours a week, one paid leave day is 4.2 hours.)

2. Earned sick leave may be used when an employee’s illness prevents him or her from working.

3. Earned sick leave may be used when an employee needs to attend necessary medical appointments, which cannot be scheduled during non-business hours.

4. Accumulated sick leave is transferable between diocesan employers if reemployment occurs within six months of prior diocesan service.

5. Sick leave is capped at 900 hours. Employees with sick leave accumulations above 900 hours as of August 1, 2017 are grandfathered at their current accumulated sick leave and may add to its accrual.

6. Terminated employees are not paid for unexpended sick leave accumulations.

7. Employers may require certification from an attending physician for paid sick leave in excess of three consecutive work days or other pattern of absence (e.g., usually absent on Mondays; first workday of the month, etc.).

8. Sick leave and disability income: A claim for diocesan disability income must be filed when an employee’s illness and therefore absence from work, may extend beyond a 29-calendar day period.

   a. Employees who have accrued sick leave remaining after a 29-calendar day period of sick leave, are paid by the disability insurer, provided the claim is approved, (usually at 60% of income) and by the employer (usually at 40% of income) at a combined rate of 100% of the employee’s normal daily rate until such accrued sick leave is exhausted.

   - One day of sick leave is used for each day of combined income. Unlike sick
leave, when vacation or personal leave is used to supplement disability pay, 40% is charged against paid leave. As a result, one vacation or personal day will equal 2 ½ supplemental pay days. For example, an employee who works an 8-hour day will be charged 3.2 hours of vacation leave for a supplemental pay day at 40%.

b. Employment is terminated and sick leave is not used with the commencement of long-term disability (usually after six months’ absence or five months of disability pay).

c. Employees receive disability income payments for the weeks they are scheduled to work (i.e. a 10-month employee would not receive disability pay when not scheduled to work). Only days during scheduled workweeks are counted towards the 29-calendar day eligibility period.

d. Employers continue health insurance premium contributions during the period of short-term disability. The (former) employee may continue in the health insurance plan at their own expense during the period of long-term disability up to twenty-three months or until the former employee qualifies for Medicare, whichever occurs first.

9. Sick leave may be used for illness of the employee or the employee's immediate family members, when the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member. Immediate family is described as spouse, children, and parents. Should there be a need for an extended absence (longer than 3 days), please refer to the Section, “Family Medical Leave Act” (FMLA).

10. For purposes of leave administration, should a paid holiday occur when an employee is out on paid sick leave, the day should be denoted as a holiday and not sick leave. If the employee has exhausted all paid leave, the holiday is not a paid holiday.

11. In the event of childbirth, only the portion of time before and after delivery, which is certified by a doctor as medically necessary, may be charged to sick leave. Short-term disability benefits are available during the period of disability certified by the doctor. Additional time off, beyond the disability period, may be taken; this time may be charged to vacation leave, if available, at the employee’s option, or to unpaid leave (FMLA). Please also refer to the Section, “Parental Leave.”

Family Medical Leave Act (FMLA):

The Diocese provides family and medical leave in accordance with the Family & Medical Leave Act. Family and Medical Leave provides job and benefits protection only; it does not provide pay protection. Employees are eligible for FMLA, up to 12 work weeks per year (in a rolling 12-month period) upon completion of 12 months of employment (not necessarily consecutively and have at least 1,250 hours of service for the employer during the 12-month period immediately preceding the leave. (Note that eligibility is not at regular part-time employment, 20 or more hours a week, but at 1,250 hours of service during the 12-month period immediately preceding the leave.)

1. Eligible employees are entitled to up to twelve (12) weeks of unpaid family and medical leave every twelve (12) months for the following reasons: (i) the birth of a son or daughter and to care for a newborn child; (ii) the placement with the employee of a son or daughter for adoption or foster care; (iii) to care for a parent, son, daughter or spouse with a serious health condition; (iv) the employee’s own serious health condition; or (v) any qualifying event arising out of the fact that an employee’s parent, son, daughter or spouse is on active duty, or has been notified of an impending call to active duty status, in support of a qualifying military operation. An eligible employee who is the parent, son, daughter, spouse or next of
kin (meaning the nearest blood relative) of a covered Armed Forces service member recovering from a serious illness or injury is entitled to up to twenty-six (26) weeks of unpaid family and medical leave during a single twelve (12) month period to care for the service member.

2. Employees should note that “serious health condition” does not include day-to-day ailments, such as a cold or minor injuries. Rather, it refers to a condition requiring inpatient care at a hospital or similar facility, or continued treatment by a licensed health care provider normally necessitating an extended leave of absence of more than three (3) consecutive days. A “serious illness or injury” means one that the Armed Forces service member incurred in the line of active duty that may render the service member medically unfit to perform his or her military duties.

3. Any qualifying leave will be counted against an employee’s allowed allotment of family and medical leave.

4. The amount of family and medical leave available to an eligible employee at any particular time is measured by determining the amount of such leave previously taken by the employee during the immediately preceding twelve months and subtracting it from the total allotment allowed.

5. Family and medical leave does not necessarily have to be taken at one time. Leave may be taken intermittently or on a reduced-schedule basis. Intermittent or reduced-schedule leave taken for a serious health condition (either that of the employee or a covered family member) may be taken if medically necessary and must be approved by the employer. For leave taken for planned medical treatments, employees should schedule the treatments so as to avoid as much as possible disruption of operations.

6. Under the FMLA, special rules apply to school teachers. While school teachers are eligible for FMLA, there are certain restrictions on intermittent leave. Consequently, school administrators may require teachers seeking this leave to take leave for periods of a particular duration not to exceed the planned duration of the medical treatment or to transfer to another position of equivalent pay and benefits which better accommodates recurring periods of leave than the teaching position. Likewise, there are special considerations for teachers taking leave near the end of a term. In certain cases, teachers may be required to take leave up to the end of a term. Decisions regarding FMLA leave at the end of a term are based on several factors, including when the leave will commence and its anticipated duration.

7. FMLA leave is paused when the employing location is closed for one or more full weeks (i.e., a school is closed during Christmas break/summer break).

8. If an employee’s request for intermittent or reduced-schedule leave is foreseeable, the employee may be required to transfer temporarily to an alternative position or shift with equivalent pay and benefits in order to better accommodate the employer’s needs during repeated periods of absence. This transfer will be within the discretion of the employer.

9. Employees needing family and medical leave should make leave requests in accordance with the Diocese’s normal policies where possible. Employees normally must give at least thirty (30) days’ notice for leave taken for the birth, adoption or placement of a child and for planned medical treatments. If circumstances necessitating any leave make thirty (30) days advance notice impossible, the employee must give as much notice as practical. Leave may be delayed where proper notice is not provided.

10. If an employee has accrued sick leave and is absent for reasons covered by both diocesan
sick leave policy and FMLA, accrued sick leave must be used concurrently with FMLA leave. Once accrued sick leave is exhausted, eligible employees must use accumulated vacation/personal leave days concurrent with the FMLA leave; however, the exception is that an employee may reserve up to 5 vacation/personal leave days in order to use later in the leave year. After all paid leave is exhausted (excluding up to the 5 vacation/personal leave days), any remaining FMLA leave is unpaid.

11. Accrued sick leave may be used when an employee needs to attend to sick dependents up to a maximum of 12 weeks of FMLA.

12. The FMLA year is a rolling 12-month period measured backward from the date FMLA leave is used by the individual employee. When family and medical leave is taken for a serious health condition (either the employee’s or a covered family member’s), the employee is required to provide medical certification from the treating health care provider of the condition and the fact that the employee is unable to perform his or her job functions or is needed to care for the family member in question, as the case may be. In the case where intermittent or reduced-schedule leave is necessary, this certification also must provide the dates and durations that treatments will be given (as applicable) and that absences will be necessary. The Diocese has the right to seek a second opinion, and if necessary, a third opinion, at diocesan expense, regarding medical certification of a serious health condition where the Diocese has reason to doubt the original certification. All medical information will be maintained in confidence.

13. While on family and medical leave, the employee will not lose any employment benefits accumulated prior to the date of the leave, except insofar as the employee is required to exhaust all accrued paid leave (with the exception of 5 vacation/personal leave days). However, while on unpaid leave, the employee is not entitled to accrue any additional benefits.

14. Upon return to work, an employee normally will return to the position he or she held when family and medical leave commenced, or to an equivalent position with equivalent pay, benefits and other meaningful terms of employment.

15. During the period of family and medical leave, if an employee is enrolled in the diocesan group health plan for employees, the employee may continue to participate in that health plan for the duration of the leave under the same conditions that coverage would have been provided to the employee if no leave had been taken. The employee must continue to pay their share of the premium while on leave. If in an unpaid status, arrangements must be made with the Business Manager / Bookkeeper for payment.

16. Please refer to Parental Leave for related policy on FMLA leave.

**Personal Leave:**

1. Personal leave, with pay, shall be taken on the occasion of unanticipated events in which the employee needs to participate. Employees may take personal leave at their discretion. Advance notice should be given if possible.

2. Employees working 20 or more hours per week (including school employees) are entitled to three paid personal leave days per leave year. Personal leave may be used in hour-long increments.

1 personal day is calculated as follows:
One Paid Personal Day = work hours per week ÷ 5 days

(For example, one personal leave day for an employee working 21 hours a week is 4.2 hours.)

3. The personal leave entitlement for each employee shall be effective with the beginning of each leave year. Unexpended personal leave shall not be carried forward to the subsequent leave year.

4. The personal leave entitlement for employees commencing work during the leave year shall be prorated, based on the number of months remaining in the leave year.

5. Terminated employees shall not be paid for unexpended personal leave.

Vacation Leave:

1. Full-time and regular part-time twelve (12) month employees earn paid vacation leave. Official holidays shall not be counted as vacation leave.

2. School and college campus employees who work eleven (11), or fewer months, each year do not earn paid vacation. They are paid for holidays and institutional breaks during their term of work (breaks typically being Christmas and Easter break). For example, campus ministers, school faculty and school support staff working eleven (11), or fewer months, are expected to use vacation time during school closures and are not otherwise eligible for paid vacation leave. Please refer to appointment letter for specific allotment.

3. Parish employees who work 11 or fewer months receive prorated vacation leave.

4. Employers will arrange with twelve (12) month school employees when they will take vacation. If twelve (12)-month employees do not work during Christmas break and/or Easter break, these days will be charged to vacation. Official holidays during these periods shall not be counted as vacation days.

5. Full-time and regular part-time employees shall accrue vacation leave at the following rates:

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<th>YEARS OF DIOCESAN SERVICE</th>
<th>DAYS PER MONTH</th>
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<td>15 or more</td>
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One Paid Vacation Day = work hours per week ÷ 5 days

(For example, a paid vacation leave day for an employee working 21 hours a week is 4.2 hours.)

6. Additional vacation leave, not to exceed 3 days, may be granted to a new employee with significant related experience, at the discretion of the employer. For purposes of calculating vacation benefits only, the new employee may be credited with a maximum of 5 years'
7. The rate at which vacation is accrued is transferable between diocesan employers if reemployment occurs within 6 months of prior diocesan service.

8. The vacation leave for each employee shall be effective with the beginning of each leave year. Earned, but unused vacation leave, up to a maximum of the normally scheduled weekly work hours, is permitted to be carried-over into the new fiscal year; however, the carry-over hours must be used prior to September 30th, three months into the new fiscal year, or the specific carry-over hours will be forfeited. Carry-over vacation is intended to be used for leave purposes and is not to be paid as earned, but unused vacation leave upon an employee’s termination.

9. The final pay of employees terminated during the leave year shall be adjusted to reflect earned, but unused vacation leave, or expended, but unearned vacation leave. Vacation is prorated for months actually worked. An employee is paid for prorated vacation leave not taken. If the employee fails to provide the required notice, the employee shall not receive any additional payment for earned but unused vacation leave that he/she may otherwise be entitled to receive. Vacation time taken in excess of the prorated amount will result in deduction from final pay. Employees terminated at the conclusion of the fiscal year, June 30th, are NOT paid for any earned but unused vacation as the leave year has concluded.

10. Earned, but unused vacation leave will be carried-over for employees who are on paid sick leave and short-term disability. If an employee’s sick leave is exhausted during short-term disability, earned vacation/personal leave must be used to supplement the disability income; however, the exception is that an employee may reserve up to 5 vacation/personal leave days in order to use later in the leave year.

**Holidays:**

1. Full-time and regular part-time employees are entitled to paid holidays.

2. Employees working an academic school year will be eligible only for those holidays recognized in the established school calendar. Employees are not paid for holidays outside their term of employment (e.g., ten-month employees are not paid for July 4).

3. Employees on unpaid leave are not entitled to paid holidays.

4. Paid holidays currently observed in the Diocese are:
   - New Year’s Day (January 1)
   - Martin Luther King, Jr. Day (3rd Monday in January)
   - Presidents’ Birthday (3rd Monday in February)
   - Good Friday (Friday before Easter)
   - Easter Monday (Monday following Easter Sunday)
   - Memorial Day (Last Monday in May)
   - Independence Day (July 4)
   - Labor Day (1st Monday in September)
   - Thanksgiving Day (4th Thursday in November)
   - Day after Thanksgiving (Friday following)
   - Christmas Eve (December 24)
5. Employers may adjust paid holidays according to local need, keeping at a minimum, the holidays listed above.

6. When one of the holidays falls on a Saturday, it will be observed on the preceding Friday. When one of the holidays falls on a Sunday, it will be observed on the following Monday.

7. If, upon the employer’s request, an employee works on an observed holiday, prior arrangements will be made for that person to have an alternative date for the holiday, within the work week.

8. If a full-time employee is regularly off on the day a holiday is observed, another day will be granted during the work week.

9. If a regular part-time employee is regularly off on the day a holiday is observed, the employee is not granted another day during the work week.

10. Limited part-time and temporary employees are not eligible for paid holidays.

**Parental Leave:**

1. Upon completion of a three-month waiting period, full-time and regular, part-time employees (fathers and mothers), working 20 or more hours a week, are eligible to take up to six weeks of paid parental leave upon the birth, adoption or placement of a child. This leave is not designated as sick, vacation or personal and should be captured in payroll as “parental leave”.

   a. A week of paid parental leave equates to the employee’s normally scheduled work week, whether it is 20 hours, 35 hours, or 40 hours.

   b. The six weeks of paid parental leave must be taken during the first six weeks of the employee’s leave upon the birth, adoption or placement of a child. If both parents work for the same location, the employer, with consultation with the diocesan Office of Human Resources, may exercise discretion, in this implementation. For the temporary placement of a child in cases such as foster care, Parental Leave may be used a maximum of one time per calendar year. (Temporary Placement guidelines effective 07/01/2021).

   c. Should the employee be eligible for Family and Medical Leave (FMLA), the six weeks of paid parental leave will run concurrent with the twelve weeks per year of FMLA leave (in a rolling 12-month period). Please refer to the Section, “Family and Medical Leave” for further information.

   d. A mother, with the birth of a child, may be eligible for short-term disability. Please refer to the Section “Sick Leave, Sick Leave and Disability Income” for more information which references a disability that is medically necessary.

   e. Additional time off may be charged to vacation leave, if available, at the employee’s option, or to unpaid leave (FMLA).
f. To request parental leave and FMLA leave, if applicable, the employee submits their request to the employer and the diocesan Office of Human Resources. Parental Leave and FMLA leave should be requested 30 days before the birth, adoption or placement of a child.

g. Parental Leave is paused when the institution is closed for one or more full week and is then resumed when the institutional break ends.

h. Employees, in collaboration with their supervisor, should plan for the transfer of responsibilities to other staff or replacement staff in advance of parental leave.

**Other:**

1. **Bereavement Leave:** An employee is entitled to paid leave, not to exceed three days, on the occasion of the death of an immediate family member (parent, spouse, child, sibling) grandparent, grandchild, In-laws (father, mother, brother or sister-in-law), or member of the employee’s household.

2. **Jury Leave:** An employee is entitled to paid leave for a period of obligation to serve as a juror. In order to be compensated for such jury service, all employees:
   a. will furnish their employer with a copy of the official notice of their service
   b. will furnish their employer with a daily sheet of their attendance at the jury call. (This document is readily available from each court on each day of service.)
   c. a copy of the check received as payment for service on the jury must be submitted to your employer, and that amount will be deducted from your regular pay in the next pay period.

3. **Military Leave:** An employee, who is a member of the National Guard or Enlisted Reserve, is entitled to paid leave not to exceed ten working days per year for annual obligatory training. The employee shall be paid the shortfall, if any, between National Guard/Enlisted Reserve pay and diocesan pay.

4. **Limited part-time, regular part-time and full-time employees are eligible for paid administrative leave during certain office/school closures. Specifically, an employee is entitled to paid leave when the employing location is “officially closed” due to inclement weather, electrical power outage, etc., if in fact, the employee was scheduled to work during the day and hours impacted. This should be noted on time records as administrative leave. All employees scheduled to work (including those under 20 hours) should get administrative leave pay for scheduled hours during the specific hours of closing.**

**Paid Leave – Administration Records:**

1. Employee leave requests, approvals and balances are administered through the centralized payroll system. Employees should initiate the requests.

2. An employee’s sick leave balance and accrued vacation rate are maintained if the employee is hired by another diocesan employer or is rehired by the previous diocesan employer within 6 months of the original termination.
3. All vacation and personal leave for each employee is granted at the start of the leave year which runs from July 1 – June 30. Sick leave is granted one paid leave day a month (one leave day = work hours per week ÷ 5 days), and is accrued the first of the month following (i.e., January’s sick leave is granted on February 1st).

Administrative Leave:

Occasionally, an employer may need to place an employee on Administrative Leave. These occasions may include, but are not limited to: conducting an investigation, protecting the good name of the Diocese, parish or school, protecting the employee or others at the work location, and providing for a health assessment of the employee. Such leave will be paid or unpaid, at the employer's discretion. Leave should be notated on the employee’s leave record.

XII. PERFORMANCE APPRAISAL

Employee performance is generally appraised annually, or more often if deemed necessary by the employer. Performance appraisals are occasions for promoting the continued personal and professional growth of employees. The appraisal gives the supervisor, and the employee, the opportunity to discuss and assess the employee’s performance in relation to his or her job.

A completed performance appraisal is signed by the supervisor, the employer, and the employee. Copies are made available to the employee and supervisor. Performance appraisals are confidential and become part of the employee’s permanent personnel file (specifically the performance file).

Samples of performance appraisal formats are provided by the Office of Human Resources on the Employee Extranet.

XIII. PROFESSIONAL & CAREER DEVELOPMENT

Continuing professional development, in order to maintain the necessary skills and knowledge to perform the work of the position, is the joint responsibility of the employee and the employer. Based on budget availability, the employer participates in the cost of the employee’s professional development and allows reasonable time off, generally with pay, for development, training and retreats. Ordinarily, the responsibility for teacher certification rests with the individual. Policies for reimbursement of expenses related to continuing education, retreats and workshops, are published in Called to Stewardship - Diocesan Policies for Parish Finance Councils.

XIV. REDUCTION IN HOURS WORKED
There may be circumstances based on the needs of the employing location or the needs of the employee, when an employee’s weekly hours worked are significantly reduced on a regular and on-going basis. For this purpose, the definition of significant usually includes reductions greater than 10% of hours worked. When this occurs, a new job description and an appointment letter should be provided. Based on the needs of the employing location, if an employee’s weekly hours worked are significantly reduced on a regular and on-going basis, appropriate notice of this change should be given to the employee. In most cases, nonexempt employees should receive a 30-calendar day notice and an exempt employee should receive a 60-calendar day notice (faculty notice is per the appointment letter). The diocesan Office of Human Resources should be notified in any such instance.

1. Based on the needs of the employee, the employee may request a reduction in their weekly hours worked on a regular and on-going basis. The employer may approve or disapprove the request based on the needs of the employing location and the employee is notified accordingly.

2. Other considerations are potential changes in Fair Labor Standards Act status (exempt vs. nonexempt) and benefit eligibility.

3. Changes are entered and appointment letters uploaded in the centralized payroll system.

**XV. DISCIPLINE**

It is the policy of the Diocese of Richmond to respond to infractions by employees in a prompt, clear, and appropriate way. Responses to infractions must reflect the seriousness and/or repetitiveness of the infraction and may include unsatisfactory performance documentation for subsequent infractions.
XVI. TERMINATION

The Commonwealth of Virginia is an employment-at-will state where both the employee and employer have the right to terminate the employment relationship at any time, for any reason, with or without cause or advance notice. Employment-at-will is for no fixed period or duration. All employees working for the Diocese of Richmond are employed at-will unless specifically specified in a written contract for employment with a particular employee and signed by both the employee and either the employer, principal of the school in question, or Bishop’s designee.

The Diocese hopes that its relationships with employees will be long-term and mutually rewarding. Although it is the general desire of the Diocese to continue the employment of those employees who perform to the expectations of the employer and who desire to continue, the employer and the employee understand that various events may occur which necessitate employment termination.

Termination takes two forms:
1. by the employee
2. by the employer

A. TERMINATION BY THE EMPLOYEE:

The employee may terminate employment under any of the following conditions:

1. **Resignation:** The employee may resign employment at-will; however, the employee is requested to give written notice of resignation of at least 14 calendar days prior to the effective resignation date.

2. **Abandonment of Employment:** The employee fails to report to work for three consecutive days without notice to the employer.

3. **Retirement:** An eligible employee may retire in accordance with diocesan policy and plan provisions.

The employer may elect to pay the employee in lieu of any such notice set forth in this section. If the employee fails to provide the required notice, the employee shall not be entitled to payment in lieu of notice. Likewise, the employee shall not receive any additional payment for accrued, but unused, vacation leave that he/she may otherwise receive.

The Diocese encourages employees voluntarily separating from employment to participate in an exit interview. The interview allows employees an opportunity to discuss their work-related experiences, to ensure that all necessary forms are completed, and to collect all diocesan property in the employee’s possession. Interviews are generally conducted by the employer, or his/her designee, or the Office of Human Resources.

B. TERMINATION BY THE EMPLOYER:

Termination decisions should be handled where the circumstances permit in consultation with the Office of Human Resources. Like the employee, the employer may elect to terminate the employment relationship at-will. Typical conditions that may cause a separation of employment include, but are not limited to the following:
1. **Job Elimination/Layoff:** The position occupied by the employee is ended due to reorganization. In these circumstances, the employer may provide the affected employee(s) the following notice, if practical and consistent with the employer’s needs:

- 90 calendar days’ notice to exempt staff;
- 30 calendar days’ notice to nonexempt staff;
- Notice is per the employment agreement for faculty.

The employer may also elect to pay the employee in lieu of such notice or any portion of it.

2. **Unsatisfactory Performance:** It is the desire of the Diocese to address unsatisfactory performance with an employee. The employer may elect to provide notice and counseling to an employee and allow the employee a reasonable opportunity to improve performance. If the employee does not satisfactorily improve performance, the employer may terminate employment without further advance notice. Where practical and consistent with the employer’s needs, the employer, in its sole discretion, may provide the following notice of termination:

- 30 calendar days’ notice to exempt staff;
- 14 calendar days’ notice to nonexempt staff;
- Notice is per the employment agreement for faculty.

In such instances, the employer may also elect to pay the employee in lieu of such notice or any portion of it.

3. **Immediate Dismissal:** Immediate dismissal may be appropriate for certain offenses, to include but not limited to, misconduct or insubordination, dishonesty, Code of Ethics violations, willful or reckless poor performance, misrepresentation or other offenses deemed sufficiently serious to warrant immediate dismissal. Advance notice is not provided. Likewise, the employee shall not receive any additional payment for accrued, but unused, vacation leave in such instances.

For separating employees enrolled in health and life insurance, coverage ends on the last day of the month of termination. Separated employees may be eligible for Continuation of Health Insurance coverage. Separated employees may also be eligible for life insurance conversion. Other benefits cease on the last day of the month of termination. Please contact the Office of Human Resources for more information.

Final pay checks for regular wages are issued in accordance with the regular scheduled diocesan payroll schedule.

**C. REFERENCES REQUESTED BY CURRENT OR FORMER EMPLOYEES:**

Diocesan employers may respond in writing to written reference requests from non-diocesan prospective employers of current or former employees. The prospective employer’s request must be in writing and contain the candidate’s written permission to provide the reference and release of claims to seek the reference. Verbal references are limited to a neutral format (years of service, title and responsibilities, hours, rate of pay).
Employees of the Diocese may have concerns or complaints about their employment situation which they need to address. Employees may use the grievance procedure of the Diocese. Representation by legal council is not permissible in the grievance process.

**GRIEVANCE PROCEDURE**

**What Can Be Grieved:** The Grievance Procedure which follows may be initiated by an employee who believes that his or her employment situation has deteriorated and should be corrected by the employer. The grievance may arise from the employee’s belief that the employer:

a. is not following the personnel policies correctly;

b. has not honored a prior agreement with the employee;

c. has initiated inappropriate directions or instructions to the employee;

d. is retaliating against the employee for some reason; or

e. has wrongfully terminated the employee.

**What Cannot Be Grieved:** However, certain issues shall not be grievable under this procedure, such as:

a. Current and future duties and responsibilities of the position, including reasonable work hours, except where the performance of such may unnecessarily endanger life or property, are illegal, immoral or are inconsistent with the stated mission of the institution in which the employee works;

b. Current and future compensation and benefits, provided such are in accordance with diocesan guidelines/policy;

c. Conditions of employment already accepted by the employee, unless grieved within 14 calendar days;

d. Necessary actions taken by the employer to carry out the duties of the location in emergencies.

**Grievance Process:**

**Step One - Informal**

This shall be an informal conference between the employee and his/her employer/supervisor. The employee shall request this conference within 14 calendar days of the occurrence of the action of which the employee complains. The employer/supervisor will schedule the conference within 14 calendar days of the request. At the conference, the employee shall state the nature of the grievance, and the employer/supervisor shall attempt to resolve the difficulty. Both parties shall document the occurrence of this conference. The employee must request this conference prior to proceeding with a formal grievance.
Step Two - Formal

1. Documentation and Arrangements:

   a. The employee sends the employer a formal grievance request and states what was unacceptable about the grievance response from the first, informal step. The written grievance request must be completed and submitted within 14 calendar days of the date of the informal grievance. The employee sends a copy to the Diocesan Human Resources Officer (Officer).

   b. The employer dates the grievance form and sends a copy to the Officer.

   c. The Officer reviews the grievance and relevant information provided by the employee and employer and determines if the matter warrants formal grievance proceedings. The two parties are informed in writing of the Officer’s determination within 14 calendar days of the Officer’s receipt of the employer’s dated grievance form.

   d. If the matter warrants a formal grievance, the Officer sends a list of documents and copies of the documents related to the grievance to the Investigative Judge selected by the Officer. This is done within 21 calendar days of receiving the employer’s signed grievance form.

   e. The employer and employee forward any other relevant documents to the Officer for submission to the Investigative Judge. Relevant witnesses may be requested if directly relevant to the case. The relevancy of witnesses is determined by the Investigative Judge.

   f. The Investigative Judge coordinates and conducts a proceeding as he or she determines appropriate. Upon conclusion of the proceeding, a final Disposition of the Grievance is written.

   g. After the Investigative Judge signs the Disposition, the Disposition is sent to the Officer for review. The Officer sends copies to the two parties. The Grievance is ended.

   h. If necessary, the Officer effectuates and monitors the implementation of the Disposition.

2. The Officer may extend deadlines at any time during the process, with the exception of the initial formal grievance request of 14 days. Employees in the Pastoral Center of the Diocese may file a formal grievance with the Officer. In the absence of the Officer, grievances may be forwarded to the Human Resources Director.
APPENDIX A - Alcoholic Beverage Policy

The Use and Serving of Alcoholic Beverages at Parish Social Functions Policy:

March 28, 2020

The Catholic Church recognizes the dangers that come from the widespread abuse of alcohol in our country. The Church has never taken a position that forbids the use of alcoholic beverages by its members. However, alcohol is a drug. That its use enjoys broad social acceptance in our culture does not change its status. Alcohol must be treated with the same caution and responsibility afforded other drugs.

Alcoholism is an illness of epidemic proportions in our society. For that reason, it is imperative that members of the Church exercise the same prudence in the use and serving of alcoholic beverages that they would with any other potentially dangerous substance. While the social use of alcohol in moderation is acceptable, the Church has a responsibility to those who choose to abstain from the use of alcoholic beverages.

Therefore, the following policies govern the serving and use of alcoholic beverages at parish social functions or in any church facility within the Diocese of Richmond:

1. Any beverage which contains alcohol must always be clearly labeled at parish functions.
2. Drinking alcohol should never be a social requirement. Whenever alcohol is served in any form, non-alcoholic alternatives must also be offered. Non-alcoholic beverages must be served with the same attractiveness and accessibility as those containing alcohol, so that those who choose not to drink alcoholic beverages need not feel any embarrassment, discomfort, or inconvenience in exercising their preference.
3. It is illegal in the Commonwealth of Virginia to sell alcoholic beverages without a license. Church groups or those who use church facilities must observe all federal, state, and local laws and ordinances.
4. Drunkenness is always unacceptable behavior. Therefore, care must be taken to ensure that responsible persons moderate the serving of alcoholic beverages.
5. These policies are to be observed by any group that uses church property in the Diocese of Richmond, including outside groups who rent or are allowed to use facilities free of charge. Such groups must agree to observe these policies as a condition for authorized use.
6. Care should be taken in the advertising of church gatherings or activities so that these activities do not appear to encourage the use of alcohol.
7. The use of alcohol at church sponsored activities for youth, on or off church property, including private homes, is never permitted.
8. When alcohol is served, it should be dispensed by a licensed bartender or an individual with sufficient training in serving drinks.
9. Food should be served constantly throughout events involving alcohol.
10. No alcoholic beverages should be brought to the event (“brown bagging”) for consumption.
11. These policies are binding on parishes, missions, and all other diocesan entities. As noted in #3 above, anyone using a church facility is required to observe all federal, state, and local laws and ordinances which regulate the use and/or sale of alcohol. In particular, Virginia’s
ABC statutes require:

a. that a license be obtained whenever alcohol is sold or is included in the price of a ticket, and

b. that servers of alcoholic beverages are liable to criminal charges if they (knowingly) serve someone who is: under age 21, or legally prohibited from drinking, or is intoxicated. In case of doubt, consult local ABC officials.

APPENDIX B - Pastoral Center Smoke-Free/Vape-Free Workplace

The Pastoral Center of the Catholic Diocese of Richmond provides a healthy and clean work environment for our employees and visitors. Therefore, all inside areas of the Pastoral Center are smoke-free/vape-free and smoking and vaping are only permissible in designated outdoor areas.

APPENDIX C - Pastoral Center Inclement Weather Policy

Closings/Delayed Openings:

From time to time the Pastoral Center may need to close or have a delayed opening because of inclement weather (e.g., snow, hurricane, etc.). In such instances, the Bishop, or his designee, will determine if a closing or delayed opening is to occur. If a decision is made to close or delay opening, employees will receive a recorded phone message, sent to their home phone, cell phone or both, between 6:00 am and 7:00 am with details of the change to the opening or closing status of the Pastoral Center. An employee may always call the Pastoral Center’s main number after 7:00 am for a recorded message that will detail any opening or closing changes.

Early Closings:

On days when weather conditions worsen as the day progresses, the Bishop may decide to close the offices early. In such cases an announcement will be made. In the Bishop’s absence, the Vicar General will make the decision regarding office closures.

Additional Information:

In the event of a delayed opening, it is management’s responsibility to ensure that access to the building is made available to employees, e.g. parking lot and sidewalks, 30 minutes prior to our official opening time.

When offices are open during inclement weather, employees are encouraged to use good judgment about their own ability to come to work. Personal leave and vacation leave are available for use in the event an employee determines they are unable to report to work due to weather related conditions. Please notify your supervisor if you are unable to come to work.

If an employee is on paid leave or unpaid Family and Medical Leave (FMLA) at the time of an office closing because of inclement weather, that day is not recorded as a paid leave day or FMLA day but as an “inclement weather closing”. If an employee is on an unpaid leave of absence at the time of the inclement closing, that day is recorded as a leave of absence.
APPENDIX D – Pastoral Center Dress Code Policy

The Pastoral Center of the Catholic Diocese of Richmond has established a business casual dress code policy. Employees are expected to maintain a professional appearance at all times to allow for a welcoming atmosphere for visitors, vendors and employees. Appearance considerations include dress, personal grooming, hygiene and accessories. Workplace attire must not serve as a distraction to others and may not cross the line between “business casual” and “casual”. Our dress code policy is not “casual”. Capris, sandals and polo shirts are acceptable. Tights, leggings or other types of hosiery must be accompanied by a top or dress not higher than mid-thigh level.

Examples of items considered inappropriate include, but are not limited to:

- Jeans/denims (to include jackets, shirts and skirts), overalls and leather pants
- T-shirts of a casual nature, as well as those intended to be worn as undershirts
- Tops with spaghetti/narrow straps, halter /mid-drift tops or muscle shirts
- Shorts
- Skorts or mini-skirts/dresses (with a hemline above mid-thigh level)
- Apparel/accessories adorned with language or images that can be considered inappropriate
- Apparel with holes, rips or tears
- Workout attire, such as sweatpants, sweat suits, sweat shirts, hoodies, yoga pants or athletic shoes
- Beachwear, such as flip flops and rubber shoes
- Hats, caps, sweatbands or bandanas

Employees may wish to wear business suits due to participation in a particular meeting, but this formality is not policy.

Employees are expected to comply with policy any time they are at work or otherwise representing the Diocese. Exception from the above guidelines due to the nature of work being performed may be authorized by the respective Office Director. An exception may also be accommodated based on medical need, such as wearing tennis shoes after foot surgery. Please speak with the Office of Human Resources on accommodation requests.

Office Directors are responsible for ensuring policy compliance within their respective offices.

APPENDIX E – Procedures for Pastoral Center

Nonexempt Employees

Per FLSA regulations, nonexempt employees must be paid for all hours worked in a work week.

A. Time Worked

1. Each location has designated work hours. For example, the Pastoral Center work hours are 8:30 a.m. – 4:30 p.m. for a full-time employee working 35 hours a week. Flextime may be authorized by the Office Director. An example of flextime would be scheduled hours such as 8 a.m. – 4 p.m. Working before or after designated work hours must be authorized by the office director. Compensatory time must be taken during the same workweek, Monday - Sunday.
2. A nonexempt employee shall not be permitted to perform work away from the premises or at home, unless approved in advance in writing by the office director. If approved, work performed off-site by a nonexempt employee will be counted as time worked.

3. Necessary breaks during the day are counted as time worked. In the Pastoral Center, a break should average 10 minutes.

4. In the Pastoral Center, attendance at special Masses, e.g., Holy Days of Obligation, holiday Masses as part of a holiday luncheon gathering, and ordination celebrations of the Bishop, will be considered time worked.

B. Time Not Worked

1. Uninterrupted time off for lunch is time not worked. Lunch time is a period of one hour, normally taken between 12 noon – 2 p.m. Any exception to the one-hour lunch must be authorized by the office director.

2. Paid Leave (vacation, sick leave, holidays, or other paid leave) is time not worked.

3. Meetings, conferences or seminars that are attended voluntarily and are not related to the employee’s job, and no work is performed, is time not worked. In most instances, these meetings are held outside normal working hours to include lunch time.

4. Attendance at daily Mass (with the above exceptions) is time not worked.

C. Timekeeping

The Diocese uses a centralized payroll system to capture work time and leave. Employees are paid bi-weekly (26 pay periods annually).

Nonexempt employees must punch in and out as they begin and end their workday. In addition, punches at the beginning and ending time of lunch and for any departure from and return to work for personal reasons are required. Work hours begin and end with the start/finish of principal work activities.

Any adjustment to punches or missed punches (i.e. forgotten, working outside the Pastoral Center, etc.) must be entered by the office director. The timekeeping system punches convert minutes into a percentage of the hour for display and payroll processing.

The office director reviews and approves time worked and leave requests in the time keeping system. Approvals should occur by 10 a.m. on the Monday following the close of the pay period to allow for payroll processing. Should an office director be unavailable for approval, the office director is to make arrangements in advance to obtain approvals from the Office of Human Resources.

Falsifying punches in the payroll system or sharing confidential badge numbers or passwords with others may result in disciplinary action, up to and including termination of employment.
APPENDIX F – Pastoral Center Funeral Leave

for Staff/Staff Family Members

Current Pastoral Center staff may attend the funeral services of a deceased Pastoral Center employee who had been actively employed when the death occurred without designating it as leave. Up to a maximum of one day is allowable for out of town funeral services.

For funeral services of an immediate family member of an active Pastoral Center employee, staff may take up to 2 hours paid time to attend the service without designating it as leave.

APPENDIX G – Visitors in the Pastoral Center

To provide for the safety and security of our employees and the facilities of the Pastoral Center only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances. Employees will be called to meet any visitor outside their work area.

All visitors, including vendors, should be directed to enter the Pastoral Center at the front lobby and should be signed in and out in the visitor’s log. Authorized visitors will be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on the premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the front lobby.

APPENDIX H – Medical Information Privacy

Normally, the Diocese has only very limited access to information about employees in connection with their participation in the group health plan. The Diocese generally only performs initial enrollment, changes in enrollment, terminations and requested payroll deductions. To the extent the Diocese obtains any protected health information (PHI) under HIPAA (Health Insurance Portability and Accountability Act), the Diocese and its representatives with any access to PHI will maintain that information in confidence. The Diocese will not use or disclose PHI for employment-related actions and decisions or in connection with other benefit plans. The Diocese will disclose PHI in response to subpoenas or other process of law only upon satisfactory assurance that the requesting party has made reasonable efforts to (i) notify the subject of the requested PHI of the request or (ii) secure a qualified protective order meeting HIPAA’s requirement, or as otherwise allowed under HIPAA.

To be clear, PHI refers to individually identifiable health information received by the group health plan and created or received by a health care provider, health plan, or health care clearinghouse that relates to the past, present or future health of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care. Such health information includes health status, medical condition, claims experience, receipt of health care, medical history, genetic information and evidence of insurability and disability. PHI does not refer to health information received apart from a group health plan, such as information concerning worker’s compensation claims, short and long-term disability claims, and information received and
maintained in connection with the Diocese’s obligations under the Americans with Disabilities Act and similar employment statutes.

The group health plan will not disclose PHI to the Diocese without the employee’s specific written authorization. The plan’s insurers will only disclose summary health information to the Diocese as the plan’s sponsor for the purpose of obtaining premium bids or for the purposes of modifying, amending or terminating the group health plan. The Diocese will request summary health information only for these purposes. Summary health information means general claims histories, claims expenses or claims experience. The following identifying information will be deleted: names, addresses, dates of service (except the year), telephone and fax numbers, email addresses, Social Security numbers, other identifying numbers, and other unique identifying images, characteristics and codes.

The Diocese will discipline, up to and including termination of employment, employees for improper access, use, or disclosure of PHI or other confidential medical information. The Diocese will not retaliate in any way against any person for raising questions in good faith about the handling of PHI, for filing a complaint as allowed under HIPAA, assisting in any related investigation, or opposing any act believed in good faith to be a violation of the privacy rights under HIPAA.