

Human Resources Policy
Guidelines
For Parishes

Archdiocese of Cincinnati
Office of Human Resources

January 2009

My Dear Friends,

Attached you will find the latest revision of the sample Human Resources Policy Guidelines for Parishes that I have approved. Employees of the Archdiocese of Cincinnati and its affiliates are employed at will and nothing in the guidelines creates or is intended to create a contract of employment. The Archdiocese may amend or change the policy guidelines at its discretion.

The reason for this publication is two-fold, the first is because God loves and prizes us human creatures. The second is because parish priests are now expected to be skilled in Human Resources Management.

The basic good news of our Christian faith is that God loves us. God loves us so much that the Second Person of the Trinity became a human being in order to demonstrate God's love for us and to model the way in which God expects us to respond to that love. This is the foundational truth on which is based the Catholic Christian teaching about human dignity.

Every human being is a creature of infinite worth, a worth that does not arise from our own making but from God's love for us. No human being is a disposable commodity. We all share the dignity, the worth of being daughters and sons of God. The exercise of Christian life is simply the working out of that dignity in our relationships with God, with one another, and with ourselves. What does human dignity mean in practice? That's the question that we all face each day.

The reality of human dignity is at the root of the relationship between pastor and parish staff member, between various kinds of Church ministers, between employer and employee. What do pastors have the right to expect from those who work with and for them in the parish ministry? What do employees have a right to expect from those to whom they are responsible?

Obviously everybody has the right to expect to be treated as a son or daughter of God. But when it comes to specific practices, what is expected is not always so obvious. Sometimes there are clashes of expectation in which one party believes that he or she is being treated in a way that is in disaccord with the dignity of a human person. Sometimes one party takes things for granted which the other does not. Sometimes there are honest disagreements in which both parties believe they are each acting in accord with the justice that human dignity requires.

Many priests in the contemporary Church find themselves dealing with issues like these. As pastors they are responsible for a number of fellow workers in their parish ministry: a school principal, school teachers, deacons, a coordinator or director of religious education, perhaps one or two involved in other ministries, plus maintenance and support personnel. They wish to conduct themselves in a way which is in accord with the teaching of the gospel about human dignity, compassion, fairness. At the same time they are aware that their responsibility to the diocese and to the parish demands that they exercise a certain degree of direction and supervision. They are both administrative leader and Human Resources Director of what is, in practice, a small corporation. Some priests, perhaps many, feel that

they need some help in these responsibilities. This booklet is an attempt to provide some of that help.

The purpose of these sample Human Resources Policy Guidelines and policies is to enable priests and other Church ministers and employees to clarify ahead of time that which each expects of the other. Both employer and employee, by reason of their dignity as human persons, have the right to be clear about what their relationship entails. These sample guidelines are intended to provide a model on which these relationships can be outlined and defined when the relationship begins so as to avoid misunderstanding and tensions later. It is not fair to expect an employee to carry out the demands of a position if these demands are expressed only in a general and vague fashion. It is not fair to an employer to be expected to evaluate someone's performance if there are no clear criteria on which such an evaluation can be based. It is not fair to anybody to have to work together in a situation in which prerogatives and benefits are not clearly established. Human dignity demands something more. So does the execution of pastoral responsibility.

Some of the items treated here are matters of ecclesiastical or civil law from which little or no deviation is acceptable. These items have been clearly indicated.

Other matters are presented as guidelines or samples which call for refinement or specification at the local level. These models should not be uncritically adopted but used as a starting point for more detailed treatment.

Most important of all, however, is that there are written policies available to everyone. They are the foundation of contemporary Christian Human Resources Management.

The tenor of working relationships can be enhanced and misunderstandings, mistakes, and tensions can be avoided if everybody knows where they stand from the very beginning of a collaborative undertaking. We owe it to our shared human dignity and to the pastoral ministry of the Church to do whatever we can to make working together for the Church an authentically Christian experience. It is my hope that what is offered here will be a step in that direction.

Most Reverend Daniel E. Pilarczyk
Archbishop of Cincinnati

ARCHDIOCESE OF CINCINNATI

HUMAN RESOURCES HANDBOOK FOR _____ PARISH

PLEASE PRINT

Employee Name:

Last

First

Middle Initial

Job Title:

Parish

Verification Statement

I verify that I have read and understand the policies and procedures outlined in the Human Resources Policy Handbook for _____ Parish. I understand that my employment is at will and that nothing in the handbook creates or is intended to create a contract of employment. I agree to abide by these policies and procedures and also understand that the Parish may amend or change the policies at its discretion without notice.

Employee Signature

Date

RETURN FORM TO: Pastor _____

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CAUTION!

The sections enclosed in shaded boxes are policies mandated by either the Archdiocese of Cincinnati or governmental regulatory agencies. These policies may not be changed at the parish level.

1.0 EMPLOYMENT POLICY

1.1 Selection of Personnel

_____ Parish is an Equal Opportunity Employer. It is the policy of the Parish to promote equal opportunity in the areas of recruitment, employment, training, development, and promotion where appropriate. Employment in the Parish and subsequent development or promotion will go to those individuals whose training and experience most nearly qualify them for the positions offered without regard to race, color, religion, sex, age, disability or national origin, except where religion, sex or ordination is a bona fide occupational qualification. By the very nature of many parish teaching and ministerial positions, a faith commitment may be a necessary requirement for employment.

Because the defense and promotion of human rights is inseparable from the Gospel mandate, the Parish will ensure equal opportunities for protected classes including, but not limited to, the disabled, minorities and women.

1.2 Hiring Practice

The Parish (when necessary and appropriate) advertises position openings, takes applications, screens applicants and considers the qualified candidates for further interview. The hiring agent then has the final responsibility for the hiring and training of personnel. Prior to starting work, eligibility for employment must be verified according to the Immigration Reform & Control Act of 1986. The appropriate forms must be completed by the prospective employee and the employer and be kept on file.

COMMENTARY: The ultimate authority as the hiring agent in the parish is the pastor. However, this authority is sometimes delegated to others, e.g., the principal or the business manager.

The Immigration Reform & Control Act of 1986 states that "employers should hire only American citizens and aliens who are authorized to work in the United States." The stated intent of this law is to preserve jobs for those who are legally entitled to them; i.e., American citizens and aliens who are authorized to work in the United States. Although there have been numerous questions related to social justice issues concerning this law, the Archdiocese of Cincinnati has taken the position that the law should be followed in our own hiring practices. Employers need to verify employment eligibility of anyone hired and complete and retain a one page form (Form I-9) which is available from the Archdiocesan Office of Human Resources. It should be noted that the provisions of this act apply to "ALL EMPLOYEES" whether they are United States citizens or aliens. The form should be completed for all employees.

Details of the employment procedure used by the Parish may be found in 1.7, Employment Procedure.

1.3 **Employees Affected by the Policies**

The life styles of those who make up the staff of the Parish vary considerably and generally consist of lay people, deacons, priests, and men and women religious. This situation creates rather complex relationships, insofar as the application of human resources policies is concerned. In some instances there may be prior relationships, such as that of bishop to priest, which may take precedence. But in the interest of consistency and fairness in administration, these policies apply to all employees unless otherwise stated.

COMMENTARY: This paragraph is an attempt to recognize the differences in types of employment relationships which may exist in a given parish. It attempts to treat all personnel alike, insofar as the policies are concerned, and establishes the basis for a comprehensive human resources system which includes lay, religious and clergy.

The very nature of a given position may require certain other conditions of employment. Any conditions or circumstances contrary to, or in addition to, these policies will be specified in the role description, the hiring letter or similar document.

COMMENTARY: Certain employees may have previously established contracts which could be contrary to the policies established for the parish employees. If it is necessary to maintain any such agreements, they should be signed and clearly explained to the employees involved. Traditionally, teachers in the Archdiocese of Cincinnati have one year contracts. Only the approved Archdiocesan contracts should be used which are within the spirit of these human resources policies.

Your employment classification determines which pay policies and benefits are applicable to you. The Fair Labor Standards Act, which is the federal law governing wages and hours, sets standards for an employee's classification. _____ Parish complies with these regulations by assessing the job duties, level of authority and compensation of each of its employees against the standards set forth in the Act as follows:

1. **Exempt Employees**

Exempt employees are those salaried employees holding executive, administrative, professional or outside sales positions who are not covered by the Act.

2. **Non-Exempt**

Those employees not included in the categories above are Non-Exempt. Non-Exempt employees are generally paid by the hour and are eligible for overtime pay (at one and on-half times base) for hours worked in excess of 40 per week.

COMMENTARY: *Although it is best not to emphasize differences among employees, these classifications and their definitions are established to define by law those employees eligible for certain benefits.*

1.4 Types of Employment

1. Regular full-time: An employee who is regularly scheduled to work at least 40 hours per week and is eligible for full employee benefits.
2. Regular part-time: An employee who is regularly scheduled to work less than 40 hours per week.
 - a. A regular part-time employee who is regularly scheduled to work at least 20 hours per week is eligible for prorated sick leave, vacation, holiday, and insurance benefits, including but not limited to disability, life, health and workers' compensation, if the employee satisfies the eligibility requirements of each of these plans or programs.
 - b. A regular part-time employee who is regularly scheduled to work fewer than 20 hours per week is not eligible for paid sick leave, vacation and holidays, but is eligible for workers' compensation.

COMMENTARY: *The Parish must determine the number of hours constituting the work week. The relationship of these hours to benefit status must be consistent with Archdiocesan guidelines. Please see No. 4.3 on benefits.*

3. Temporary or Seasonal: An employee who is hired to work for a limited length of time (less than 3 months) to perform a specific task. This employee is not eligible for vacation or other Parish benefits, but is entitled to coverage under Workers' Compensation Insurance.

COMMENTARY: *Local Parish customs will dictate the provisions for other benefits such as holidays.*

All employees must be in full compliance with the Decree on Child Protection.

1.5 Provisional Employment

All new employees are hired on a provisional basis. The period of provisional employment is three months. At the end of the provisional period, or at any time during the provisional period, the employee may be released if performance is unsatisfactory. If performance is satisfactory, the employee will be transferred to regular status at the end of the period. While a provisional employee, vacation time may not be taken. Completion of the provisional employment period does not alter the "at will" status of

employment. The employee is eligible for all other benefits from the date of hire, depending upon the status as a full-time or part-time employee.

COMMENTARY: The purpose of the Provisional Employment period is to give both the employee and employer the opportunity to verify that the employment is right for both parties. However, in the event that the employee would be terminated without cause during this period, eligibility for unemployment in Ohio is not impacted.

1.6 Employment Procedure

1. Advertising the Position

When a position becomes vacant, or a new position is created, the hiring agent makes known the position with the requirements and qualifications needed. Notice may be placed in any of the following when it is appropriate for the position: the Parish bulletin, neighborhood or local newspapers, Archdiocesan website or publications, or information may be sent to placement offices of local colleges or schools depending on the type of position available. Such ads/information will include the title of the position, whether it is a full or part time position, a brief description of responsibilities and duties, the deadline for application and where the application should be sent.

COMMENTARY: When a position becomes open it is important to review the old job description and adjust it according to the way it has evolved or as it should be done. In the case of a new job, a job description should be completed before posting or advertising the position.

2. The Application Process

- a. A procedure has been established for the application process. For certain positions like a principal of a school, a search committee which includes Parish representation may be formed. The Pastor or his designate will chair the search committee.

COMMENTARY: The search committee forms an interview team and should be composed of the Pastor; staff with whom the person would be working, such as DRE, Principal, or Youth Director; and a third person, for example, in the case of a principal, a representative from the Parish Education Commission. The committee should normally have no more than three to five members.

Applicants for all other positions should follow a standard application process which includes:

1. Completion of an application form.

2. Pre-employment interview.
3. Assessment of the applicant's experience. A transcript of grades or copies of degrees, certificates or licenses may be required.
4. Reference checks.
5. Objective work related tests where applicable; e.g. typing, spelling, etc.

COMMENTARY: *Equal Employment Opportunity law requires tests that have been approved and validated and are free from discrimination.*

Present employees should be given the opportunity to apply for the position in order to utilize their training and expertise.

- b. New employees will be selected by the hiring agent. When a candidate is hired, the hiring agent notifies the candidate in writing, stating the position title, salary, name of supervisor and starting date.

COMMENTARY: *This statement focuses the relationship of the Pastor and the hiring agent and clearly states the conditions of employment.*

- c. If the candidate accepts employment with the Parish, the Pastor or designate places the information (see item b above) in the employee's human resources file along with the candidate's application form and reference information.

A sample application form can be found online at:

http://www.catholiccincinnati.org/files/personnel/pdf/application_for_employment.pdf .

3. Post-Hiring Procedures/Orientation

When the new employee reports to work, he/she will be given the necessary forms to complete and given an explanation of employee benefits as they apply to his/her type of employment.

New employees will also be given a complete job description and a copy of the Human Resources Policies of the Parish.

COMMENTARY: *New employees should be given a complete explanation of benefits and how they apply to his/her situation as a full-time or part-time employee. It is also advisable to give all new employees a brief orientation outlining the key employment policies, as well as Parish procedures, etc. This will help to clarify mutual expectations and is important from management and justice points of view. All applicable forms should be completed at this time. Please refer to the New Employee Orientation Checklist online at:*

http://www.catholiccincinnati.org/files/personnel/pdf/new_employee_checklist_for_parishes.pdf) for a list of required forms.

2.0 WORKING CONDITIONS

2.1 Office Hours

The normal work week is 40 hours for a full-time employee. Parish office hours are generally 8:00 a.m. to 5:00 p.m., Monday through Friday.

As a general rule, regularly scheduled work hours should not be interrupted by personal appointments or medical appointments. When an appointment must be scheduled during work hours, the employee should consult with the supervisor for approval of the time arrangements.

COMMENTARY: Parishes may wish to alter these hours according to their own situation.

2.2 Lunch Periods

Employees should schedule lunch in consultation with the supervisor to insure adequate coverage of the job.

COMMENTARY: Current Ohio and federal laws do not require specific times for lunch or break periods except for minors.

The laws regulating the employment of minors require a 30 minute rest period for more than five consecutive hours of work. Employment of minors is strictly controlled and requires a work permit which can be obtained from the local high school office. Summer employment in non-hazardous jobs does not require a work permit for 16 to 17 year-olds. Minors under the age of 16 may not operate mowers or other cutting equipment. Details on these employment conditions may be obtained from the Archdiocesan Office of Human Resources.

It is advisable that the lunch period for all employees be unpaid. Therefore all lunch breaks must be at least 30 minutes long. Rest breaks are normally paid time.

If the parish has a school, an additional paragraph might be added to define and clarify work schedules for non-contract school employees.

2.3 Overtime

The Fair Labor Standards Act establishes minimum wage, overtime pay, and equal pay provisions for employees. Some employees are excluded from the minimum wage and/or overtime provisions by specific exemptions based on the salary/wage they earn and the type of work they do. Only those who are classified as non-exempt per the overtime provisions of the Act are entitled to overtime pay. Exempt employees are those salaried employees holding Executive, Administrative, Professional or Sales positions. To qualify for the

Executive, Administrative and Professional exemption an employee must be paid at least a minimal salary of \$455.00 per week or \$23,660.00 annually.

Authorized overtime of non-exempt employees is compensated at the regular rate of pay up to 40 hours. Non-exempt employees will be paid 1.5 times the regular rate for hours worked in a week above 40 hours.

It is permissible, however, when an employee works extra hours during one or more days to provide time off during the same week at straight time, as long as total hours actually worked do not exceed 40 in the work week. For purposes of counting overtime hours, holidays, vacation, sick leave and other paid time off are not counted toward actual hours worked in a week for calculating required overtime payments. (e.g., an employee whose total hours equal 48 hours during a week but includes 8 hours sick time is not entitled to any overtime pay).

All overtime must have the prior approval of the supervisor.

COMMENTARY: From a justice and legal point of view, it is important to clearly state an employee's rights in relation to the Federal Fair Labor Standards Act of 1938. In essence, it is this law that sets forth the obligation to pay certain employees for time worked over and above the normal work week of 40 hours. In addition it should be made clear to employees at the time of hire, whether they are exempt or non-exempt employees. Overtime pay must be provided therefore, to non-exempt employees such as secretaries, bookkeepers, maintenance personnel, etc.

2.4 Reimbursement for Job-Related Expenses

Employees will be reimbursed for expenses incurred in the performance of job-related duties. Local transportation to and from meetings, etc., will be reimbursed at the rate established by the Internal Revenue Service each year. Local transportation does not include traveling to and from home to work.

With prior approval of the supervisor, the cost of attending meetings, conferences, or other official business also will be reimbursed.

2.5 Dress Code

Employees should dress professionally and appropriately for their positions. Resolution of questions concerning dress is at the discretion of the Pastor.

3.0 JOB PERFORMANCE

3.1 Job Classification and Description

Job classification refers to the title of the position. Job description refers to the list of duties and responsibilities of a given position. Individual job descriptions shall include the following and be provided to the respective employee:

A job classification (title) which accurately conveys the function of the position.

The minimum requirements and qualifications for the position.

The duties and responsibilities of the position.

The relationship of each classification to other classifications as it applies to lines of authority, responsibility, channels of communication and accountability.

COMMENTARY: This section simply defines and clarifies the content of descriptions and is important from the standpoint of consistent management.

3.2 Performance Evaluation

An employee's immediate supervisor will conduct an annual evaluation. The purpose of the evaluation session is to allow the employee and the supervisor to set goals for the future, evaluate the success with which previously set goals have been met, commend the employee for work well done, and help improve performance when necessary. The job description is a useful guide for goal setting and evaluation.

Employees will receive a written evaluation at the time of transfer from provisional employment to regular status and annually thereafter. Both employee and supervisor will sign the evaluation to signify that it has been read and discussed. The employee will receive a copy and a copy will be placed in the human resources file of the employee.

COMMENTARY: Proper supervision and evaluation is critical to all employees, and applies in a special way to provisional or in-training employees. This training period permits the employer and the employee to evaluate the employee's performance and provides an opportunity for the employee to assess whether the position is appropriate for his/her professional interests and skills. During the provisional employment period, the employee or employer may terminate the work relationship at any time.

Performance evaluations should be done on a regular basis for all employees and formal written records kept in the employee's human resources file. By far, the majority of employment related law suits result from the lack of proper evaluation and disciplinary procedures. An employee's termination should never come as a surprise to him/her, but should be evident from the communications resulting from regular evaluation sessions along with daily communication.

3.3 Human Resources Records

A cumulative human resources record is maintained for each employee in the office of the Pastor or in the office of his delegate. It contains: the employment application form; references; confirmation of employment; work assignments; written evaluations; correspondence; record of salaries and increments; sick leave, vacation and leave accrued and taken. All human resources records are confidential and available only to the employee and appropriate supervisory personnel. All medical records must be maintained separately from the Human Resource file per Americans with Disabilities Act (ADA) requirements. No information is released without authorization of the Pastor or his representative or without the written approval of the employee.

It is important that all employees keep their respective supervisors and the Pastor promptly informed of any change in address, telephone number, marital or dependency status.

Human resources files are available to employees provided they make a timely and reasonable request and that the viewing of the file is done during business hours.

COMMENTARY: This is another critical element in a sound Human Resources Management System. Human resources records should be kept carefully and regularly by the proper person. Human resources records are the property of and remain the property of the Parish.

3.4 Health Problems

The Pastor or supervisor may request a physician's statement with an absence of three or more consecutive days, or when frequent short absences due to illness interfere with the ability to perform the duties of the job.

4.0 EMPLOYEE BENEFITS

4.1 Paid Absence Benefits

4.1.1 Holidays

_____ Parish observes the following holidays:

January 1
Memorial Day (last Monday in May)
July 4
Labor Day
Thanksgiving Day
Christmas Eve (a half day)
Christmas Day
New Year's Eve (a half day)

When January 1, July 4 or December 25 falls on Saturday, it will be observed on the previous Friday. When any one of these dates falls on Sunday, it will

be observed on the following Monday. When Christmas Eve and New Year's Eve fall on Saturday, the employee will be eligible for one additional holiday to be taken later.

COMMENTARY: Currently in the State of Ohio, employers provide an average of 10 holidays per year. The Parish may want to consider adding additional holidays to the above list; e.g. Martin Luther King Day (third Monday in January), Good Friday, the Friday after Thanksgiving.

A number of parishes recognize Holy Days as additional days off. If parish custom recognizes these days as non-work days, it is encouraged that all parish employees be treated equitably in this regard.

If, due to parish needs, an employee is required to work on a holiday, an additional day with pay will be granted.

Regular full-time employees are eligible for all holidays with pay. Regular part-time employees will be paid for those holidays which fall on their normal work days. If the holidays do not fall on normal work days, no additional time or compensation will be paid. Employees on lay-off, or leaves of absence, are not entitled to holiday pay.

4.1.2 Vacation

The length of vacation time is determined by years of employment. Full-time employees are eligible for paid vacation as follows:

- 2 weeks vacation - after 1 year of employment
- 3 weeks vacation - after 5 years of employment
- 4 weeks vacation - after 10 years or more of employment

COMMENTARY: The Archdiocese of Cincinnati and some parishes allow credit for work experience in previous parishes. If the parish allows such credit, the policy should reflect this.

Vacation time is accumulated from the date of hire. A regular part-time employee is eligible for vacation pro-rated in relationship to normal weekly hours regularly scheduled versus the normal work week.

Vacation schedules must be approved by the supervisor in order to ensure that the Parish duties will be covered at all times. Vacation pay will be included in the regular pay schedule. Any other arrangement for vacation pay must be authorized by the Parish administration.

An annual vacation is important for rest and renewal. Vacation may be taken at any time following the employee's anniversary date that is convenient for the Parish. Vacation time may not be accumulated from year to year except under unusual circumstances, and only with the supervisor's permission. Accrued vacation time not taken by the anniversary date of hire is forfeited.

If an employee leaves the employ of the Parish, unused earned vacation days will be compensated at the regular rate of pay.

4.1.3 Family and Medical Leave Act

_____ Parish follows the Family and Medical Leave Act ("FMLA") as required by law. Please click the following link (<http://www.dol.gov/esa/whd/fmla/finalrule/fmlaposter.pdf>) for notice of employee rights and responsibilities under the FMLA, which is incorporated herein by reference. If leave time is taken under this act, all available paid leave must be utilized prior to unpaid leave.

COMMENTARY: For specific requirements under the FMLA, please contact the Archdiocesan Office of Human Resources.

4.1.4 Sick Days

Sick days for regular full-time employees are accumulated at the rate of one and one-quarter days per month (15 days per year) from the date of hire. Sick leave is cumulative to 130 working days (26 weeks). Sick leave for regular part-time employees scheduled to work at least 20 hours per week is accumulated on a pro-rated basis.

In the case of prolonged absence due to illness, including the inability to work for physical reasons associated with pregnancy and childbirth, a position (either the one held at the time leave began or a comparable position at a comparable rate of pay) will be held for 130 working days once in any 52-week period. The employer reserves the right to require written verification of illness after a reasonable length of time.

Sick leave is for the purpose of employee's illness, dependant's illness and/or immediate family's illness. A maximum of 10 days per calendar year may be used for the purpose of care for a dependant and/or immediate family member. Unused sick leave is not reimbursed with pay and sick leave may not be used as vacation time.

All absences due to illness are to be reported to the immediate supervisor prior to the start of the employee's work day. Careful records should be kept by the immediate supervisor of absences due to illness and placed in the employee's human resources file.

COMMENTARY: This policy is intended to provide for short term illnesses.

4.1.5 Emergency Days

Up to five of the fifteen sick leave days may be used each year for emergency reasons; i.e. flooded basement, car problems, or death in the immediate family.

4.1.6 Civic Duty

If selected to serve on a jury, an employee will be paid the difference between the compensation received from the court and the regular base pay. The employee must give the supervisor a copy of the notification of jury duty selection and a statement from the court showing the rate of compensation paid by the court. On any day that court is excused, the employee is expected to report for work at the Parish.

Employees who are subpoenaed by a court for personal or family matters may use an emergency leave day. Employees who are subpoenaed in connection with their work as an employee of the Archdiocese of Cincinnati will be paid their regular base pay for their time away from work to comply with the subpoena.

4.1.7 Maternity/Paternity Leave

In order to assist parents bringing newborn/adopted children into their homes, employees of the Parish will be provided with three weeks paid maternity/paternity leave, commencing with the birth/adoption of the child. The leave must be completed within twelve weeks of the birth/adoption of a child. This leave must be used minimally in weekly increments. Further time off may be requested in accord with the provisions of Policy 4.1.3. In order to qualify for a paid maternity/paternity leave, the employee must have completed one year of employment with the Parish.

COMMENTARY: This policy is equally applicable to males and females.

4.2. Unpaid Absence Benefits

Leaves of Absence

An employee may make a written request to the Pastor for a leave without pay for up to one year. The request must be for a compelling medical reason acceptable to and approved in writing by the above. Re-employment at the conclusion of a one year leave is dependent on the availability of an appropriate position. After six months of unpaid leave an employee's position may be filled. The employee may continue on unpaid leave for up to twelve months.

Leaves covered by the FMLA are addressed in Paragraph 4.1.3.

Military Leave

Employees inducted into the military, or who are members of the National Guard will be granted duty leave without pay and without loss of accumulated service as, and to the extent, provided by law.

4.3 Archdiocesan Benefit Plans

Eligible employees who regularly work 20 or more hours a week or teach 12 classroom hours a week and meet other eligibility requirements are entitled to benefits under the Archdiocesan Benefit Plans (i.e. The Health Care Plan, Group Life Insurance, Long Term Disability, and the Pension Plan). There are voluntary group plans sponsored by the Archdiocese of Cincinnati, but fully paid by the participating employees (Dental Insurance, Term Life Insurance, and 403(b) Employee Saving Plan). The eligibility and other terms and conditions of each of these benefit plans are established and governed by the insurance policies and formal plan documents which set forth their terms and conditions. The Archdiocese of Cincinnati reserves the right to amend or terminate any of the benefit plans described in Sections 4.3 – 4.5.3 at any time as permitted by law.

COMMENTARY: PLEASE NOTE, the following plans are established by the Archdiocese of Cincinnati and may not be altered by a parish in any way. Eligibility requirements may not be changed at the parish level.

4.3.1 The Health Care Plan of the Archdiocese of Cincinnati

Parish employees participate in the Archdiocesan self-insured, comprehensive, major medical plan, presently administered by the Anthem Blue Access (PPO Plan). The Archdiocese of Cincinnati voluntarily complies with federal PPO regulations.

For a full-time employee not covered on another plan, the Parish pays the total cost for single health care coverage. If the spouse or child(ren) of a full time employee is not eligible for other health coverage, the cost will be paid by the Parish for the family coverage. A married employee whose spouse and/or child(ren) are eligible for coverage under another employer group plan, but chooses to cover his/her spouse and/or child(ren) under the Archdiocese of Cincinnati Health Care Plan will be required to contribute a monthly premium for dependent coverage. Please note: there is no coordination of benefits, and participants can be on only one plan.

For a part-time employee who works less than the regular work week but at least 20 hours per week, the parish will pay the health care premium in proportion to the hours worked. The employee will be responsible for the balance of the premium. (Example: the employee works 20 hours a week and the regular work week is 40 hours. The parish would pay 50% of the premium and the employee would pay 50% of the premium.)

If a part-time employee pays a portion of the premium as described above, and his/her spouse has available coverage, the above provisions will apply.

COMMENTARY: Health Enrollment forms can be obtained directly from the Archdiocesan website:

http://www.catholiccincinnati.org/index.php?option=com_content&task=view&id=130&Itemid=426 or by contacting Becky Daring at American Administrative Group, 266 Bainbridge St., Dayton, OH 45402. Phone: 1-888-411-6093 After completing the forms, return them directly to American Administrative Group.

4.3.2 Group Life Insurance

Eligible employees are covered by a group life insurance policy. If coverage is waived under the health plan, employees may still enroll in the group life insurance plan. The premiums are paid entirely by the Parish. For further details, please refer to the plan booklet.

COMMENTARY: Life Insurance Claim forms can be obtained directly from the Archdiocesan Finance Office.

4.3.3 Pension Plan

The Parish participates in the Archdiocesan pension plan for lay employees, presently administered by UMR, Inc. Contributions to the plan are paid entirely by the Parish. For details of eligibility and vesting, please refer to the plan booklet.

COMMENTARY: Pension claim forms and additional pension information can be obtained directly from UMR, Inc., 333 W. Vine St. #500, Lexington, KY 40507, Phone: (888) 640-1700.

Religious are covered by congregational retirement plans. The Parish contributes to these plans according to the schedule agreed upon by the Archbishop of Cincinnati and the Major Superiors of Congregations of Religious serving in the Archdiocese of Cincinnati.

COMMENTARY: Contributions to the religious congregation can be made monthly, quarterly or annually by mutual agreement between the Parish and the religious congregation. This should be determined at the time of hire.

4.3.4 Group Long Term Disability

Lay employees are also covered by a long term disability plan to indemnify wages against loss during periods of total disability. The cost of the plan is paid entirely by the Parish. For details of eligibility and benefits, please refer to the plan booklet. Although religious men and women are not covered under this plan, an equivalent amount should be paid to the religious congregation.

COMMENTARY: Long term disability claim forms can be obtained directly from the Archdiocesan Finance Office.

4.4 Government Programs

4.4.1 Unemployment Compensation

The Ohio Unemployment law provides for the temporary assistance to employees who are lay persons or permanent deacons who have lost their jobs through no fault of their own. Though exempt from this law for employees, the Archdiocese of Cincinnati voluntarily provides coverage. Premiums are paid entirely by the Parish. An equal percentage is paid to the congregation for men and women religious. The fund is presently administered by T & W Employer Services, Inc.

COMMENTARY: *When an employee files an unemployment claim, the Parish should contact T & W Employer Services, Inc., 6100 Channingway Blvd., Suite 004, Columbus, OH 43232, Phone: (614) 864-2510 Fax: (614) 864-2521.*

4.4.2 Worker's Compensation

All employees of the Parish are covered under Ohio law for job-related illness or injury. Premiums are paid entirely by the Parish. Job-related illness or injury must be reported immediately to the supervisor/business manager.

COMMENTARY: *When an employee files a worker's compensation claim, the Parish should immediately contact Gallagher Bassett at Kingland Office Building, 7862 Kingland Dr., Suite A, West Chester, OH 45069, Phone: (513) 779-2980 Fax: (513) 779-8929.*

4.4.3 Social Security

Parish lay employees are covered under the Federal Social Security program for retirement benefits and other survivor and disability benefits. The Parish contributes the amount required for each lay employee as established by this program. An equal percentage is paid to the congregation for men and women religious.

4.5 Voluntary Benefit Programs

4.5.1 Dental Insurance

Parish employees who qualify for benefits are eligible to enroll in a voluntary dental plan. The cost of the plan is the responsibility of the employees. The Parish will utilize payroll deductions.

COMMENTARY: *The voluntary dental program is administered by Dental Care Plus, 100 Crowne Point Place, Cincinnati, OH 45241, Phone: (513) 554-1100 or 800-367-9466, Fax: (513) 554-3187.*

4.5.2 Term Life Insurance

Parish employees who qualify for benefits are eligible to enroll for voluntary term life insurance. The cost for this insurance is the responsibility of the employees. The Parish will utilize payroll deductions.

COMMENTARY: *For details of this plan, please contact the Archdiocesan Finance Office.*

4.5.3 403(b) Employee Saving Plan

Parish employees who qualify for benefits are eligible to enroll in a 403(b) savings plan. An "Approved Vendor List" and directions for participation are available from the parish benefits administrator.

5.0 Termination

5.1 Dismissal

An employee may be dismissed for unsatisfactory work performance, habitual or excessive absences or tardiness, violation of Parish policies or other inappropriate behavior. The decision to dismiss an employee shall be made by the immediate supervisor in consultation with the Pastor. Dismissal may occur after the employee has received a written warning and has been given an opportunity to improve performance or conduct. The warning statement is to be signed by both employee and supervisor and a copy is to be placed in the employee's human resources file. However, in some situations immediate dismissal may be appropriate. The reasons for immediate dismissal may include, but are not limited to, one or more of the following:

1. Insubordination or intimidation;
2. Condition unfit for duty such as reporting to work under the influence of alcohol or drugs;
3. Theft or misappropriation of property or funds belonging to the Parish, to employees, or to parishioners;
4. Conduct contrary to or detrimental to the religious and professional character of the Parish or the policies;
5. Serious breach of confidentiality.
6. Other inappropriate behavior of a significant nature or degree.

COMMENTARY: *Please see Human Resources Practices, "Termination".*

5.2 Procedure for Dismissal of Employees

A discharged employee will receive written notice of discharge and a copy will be placed in his/her human resources file. Unused accumulated vacation pay will be given along with earned wages. The employee will also be given written notification regarding other benefit status.

COMMENTARY: *Archdiocesan policy allows a terminated employee to continue, at the employee's expense, coverage under the health care plan for a maximum of six months. Church sponsored plans are exempt from COBRA legislation. Therefore, COBRA periods for extension of benefits do not apply. The Archdiocese of Cincinnati does follow applicable Ohio State Law, which does require up to six months extension. Long term disability and life insurance terminate immediately. Pension benefits are governed by the pension plan.*

5.3 Layoff

The Parish will make all reasonable efforts, including transfers, where feasible, to prevent a reduction in the total work force. However, it retains the right to reduce its work force, either permanently or temporarily. The Parish will reduce its work force on the basis of its assessment of job requirements, performance, and length of service.

If an employee is released as a result of a reduction in work force, the date of termination will be set with at least four weeks severance pay and any unused vacation pay. Severance pay shall be at the employee's regular rate of pay.

5.4 Resignation

Employees are requested to give their supervisor a minimum of two weeks written notice of the intent to terminate.

5.5 Retirement

The Parish does not have a mandatory retirement age. For the normal retirement age with full retirement benefits, refer to the current Archdiocesan Lay Employee Pension Plan booklet. The formal plan documents govern eligibility and other terms and conditions of the plan.

COMMENTARY: Due to the time lag and paper work involved in securing benefits, requests for pension and social security benefits should be initiated at least three months prior to termination date. It is important that all covered employees be given a pension booklet and should be encouraged to read it thoroughly.

6.0 Administration

6.1 Administration of the Policies

The Pastor has the responsibility for the administration of the policies contained in this manual and is also responsible for interpretation of these policies.

6.2 Human Resources Records

A permanent human resources file will be maintained by the Parish Administration for each employee. Employee files will be maintained in a confidential manner. Requests for information about employees will be handled with discretion. Only the name, employment dates and position title will be provided. Reference checks will be directed to the pastor. An example of an exception to this policy would be the record of a terminated employee, discharged for activity resulting in a criminal conviction. If factual information

must be released in order to secure a loan or proceed with a business transaction, the employee must first sign a written authorization.

Written requests for information from the Social Security Administration, agents who administer unemployment compensation, and other government agencies and as required by law may be answered without the employee's written authorization.

6.3 Problem Resolution

Parish human resources policies are intended to promote equitable treatment of all employees. On occasion, however, claims that an employment condition is unjust or inequitable, or that a provision of the human resources policies has been improperly, unjustly, or inequitably applied may arise. In the event that these situations cannot be resolved to the mutual satisfaction of employee and employer, a procedure for resolution of the situation may be initiated.

COMMENTARY: With the establishment of the Office of Mediation in the Archdiocese of Cincinnati, parishes have two options for the resolution of problems. 1) Establish a local process for reconciliation. (Please see a suggested process for reconciliation below.); 2) Use the Office of Due Process for resolving conflicts.

Process for Reconciliation

1. The employee prepares a formal complaint and a suggested solution in writing to his/her immediate supervisor.
2. If the problem is not resolved at this level, the employee presents the complaint to the Pastor. The Pastor has three days to meet with the employee to discuss the problem.
3. If the problem is not resolved at this level, the employee may request the formation of an independent panel of three persons. This panel is composed of one representative of the employee, one representative of the Pastor, and one representative chosen by mutual agreement of the other two panel members.
4. This panel of three meets as soon as possible to review the situation, hearing from all necessary parties.
5. The panel arrives at a decision within one week after the hearing. The decision of the panel is final. The review panel has no authority to add to, subtract from or modify the policy. The panel has no power to award a monetary settlement.

6.4 Harassment

Introduction

_____Parish is firmly opposed to any form of harassment. Specifically forbidden is harassment based on race, color, religion, gender, national origin, age, disability, and sexual harassment. Not only is harassment offensive to the individual, it is offensive to the values of the Gospel instructions and the Church's teachings on the dignity of the human person. Any employee should be able to work in an atmosphere free of harassment and intimidation.

Definition and Response

For purposes of definition, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age or disability, or that of his/her relatives, friends or associates, and that has the purpose or effect of creating an intimidating, hostile or offensive work environment; has the purpose or effect of unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment occurs when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Allegations of harassment will be dealt with immediately. When verified, the offending party (or parties) will be disciplined appropriately. Initial disciplinary action for harassment will include a written reprimand and counseling by the supervisor. Actions of a serious nature or continued harassment can result in dismissal.

6.5 **Information Technology**

All computer systems (including electronic mail and all word-processing equipment and materials) and the voice mail system are property of the parish. The parish reserves the right to monitor, inspect, or access an employee's computer, voice mail system or electronic media at any time with or without notice. The parish also may retrieve any information or material retained in any such system. There is no expectation of privacy in any matter created, received, stored, or sent from any computer system or the voice mail system. Additionally, the recording of any conversations, whether in person or over the telephone, is prohibited unless it is by mutual consent. The complete text of the Information Technology Policy is available online at:

http://www.catholiccincinnati.org/files/personnel/pdf/information_technology_policy.pdf .

All employees are required to sign the "Information Technology Disclosure Statement," which is available online at:

http://www.catholiccincinnati.org/files/personnel/pdf/information_technology_disclosure_statement.pdf . Failure to comply with any of the provisions of the Information Technology Policy will be grounds for discipline, up to and including termination.

6.6 **Fit for Duty**

The parish expects all employees to report for work in a condition that will allow them to perform the essential functions of their job without jeopardizing the safety and security of the working environment for themselves and others. The Fit for Duty Policy provides a list of general warning signs that indicate that an employee may be unfit for duty and provides uniform procedures that must be followed when management determines that an employee is unfit for duty. The complete text of the Fit for Duty Policy is available online at:

http://www.catholiccincinnati.org/files/personnel/pdf/fit_for_duty.pdf.

Failure to comply with any of the provisions of this Fit for Duty Policy will be grounds for discipline, up to and including termination.

6.7 Conflict of Interest

The parish expects responsible individuals to avoid conflicts of interest by not allowing outside obligations, financial interests or other activities to interfere with their obligations and commitments to their work. Responsible individuals are those who hold decision-making or policy setting positions or significantly influence decisions with respect to investments or purchases of any other goods. Such employees have the responsibility to report any personal, family or business relationships that may conflict with their parish duties. The complete text of the Conflict of Interest Policy is available online at:

http://www.catholiccincinnati.org/files/personnel/pdf/conflict_of_interest_policy.pdf .

Responsible individuals are required to sign a "Conflict of Interest Disclosure Statement", which is available online at:

http://www.catholiccincinnati.org/files/personnel/pdf/conflict_of_interest_disclosure_statement.pdf . Failure to comply with any of the provisions of this Conflict of Interest Policy will be grounds for discipline, up to and including termination.

6.8 Ethics and Conduct

Employees of the parish are held to the highest ethical standards and accountability. Each employee (exempt and non-exempt) must sign a statement assuring that he/she will adhere to the laws of government and ethical principles of the Church, will demonstrate the highest level of integrity, honesty and conduct and will not misuse his/her power and authority. The complete text of the Ethics and Conduct Policy is available online at:

http://www.catholiccincinnati.org/files/personnel/pdf/ethics_and_conduct_policy.pdf .

All employees are required to sign the "Ethics and Conduct Disclosure Statement", which is available online at:

http://www.catholiccincinnati.org/files/personnel/pdf/ethics_and_conduct_disclosure_statement.pdf . Failure to comply with any of the provisions of the Ethics and Conduct Policy will be grounds for discipline, up to and including termination.

The Archdiocese of Cincinnati has established a hotline to provide employees a simple, risk-free means for reporting financial misconduct by calling 1-888-389-0381 or logging onto <http://www.catholiccincinnati.org> which has a direct link to EthicsPoint (a third party administrator).

6.9 Records and Retention

The purpose of this policy is to ensure that necessary records and documents of the parish are adequately protected and maintained to ensure that records no longer needed by the parish are discarded at the proper time. This policy aides employees in understanding their obligations in retaining records, which include, electronic documents (email, Web files, text files, PDF documents, word processing documents, spreadsheets, databases, database data, backup tapes and other formatted files). The complete text of the Records and Retention Policy is available online at:

http://www.catholiccincinnati.org/files/personnel/pdf/records_&_retention_policy.pdf . Failure to comply with any of the provisions of the Records and Retention Policy will be grounds for discipline, up to and including termination.

6.10 Gifts and Gratuity

Employees of the parish are prohibited from conducting business with customers or vendors on the basis of gifts or favors. No employee shall receive any improper payment or gratuity from any business enterprise which is a supplier, customer of the Archdiocese of Cincinnati or its affiliates. A business gift is anything of value received as a result of a business relationship and for which the recipient does not pay fair market value. Parish employees receiving gifts from vendors must complete and sign the Gifts and Gratuities Transaction Log. The complete text of the Gifts and Gratuity Policy is available online at:

http://www.catholiccincinnati.org/files/personnel/pdf/gifts_and_gratuities_policy.pdf .

The Gifts and Gratuity's Transaction Log is available online at:

http://www.catholiccincinnati.org/files/personnel/pdf/gifts_and_gratuities_transaction_log.pdf

Failure to comply with any of the provisions of this Gifts and Gratuities Policy will be grounds for discipline, up to and including termination.

6.11 Weapons in the Workplace

The Archdiocese of Cincinnati is committed to providing a safe workplace for its employees and all those who enter its property or premises. Accordingly, the Archdiocese of Cincinnati has adopted the following policy on weapons in the workplace. This policy applies to all employees and other persons entering Archdiocesan / Parish property or premises regardless of whether such employee or other person possesses a valid license that permits the carrying of a concealed weapon. Unless specifically authorized in writing by the Archdiocese of Cincinnati or its administrators, the possession, transfer or use of weapons is prohibited while on Archdiocesan / Parish property or premises, including without limitation, while in Archdiocesan / Parish-owned vehicles. Weapons prohibited by this policy include without limitation: firearms (including concealed handguns), firearm replicas, ammunition look-alike's (dummies or duds), explosives, night sticks, spring loaded knives, and other objects designated to intimidate or injure people. Any Archdiocesan / Parish employee who violates this policy will be subject to discipline, up to and including termination of employment. Any other individual who violates this policy will be removed from the Archdiocesan / Parish property or premises and may be prohibited from future entry to the Archdiocesan / Parish property or premises.

6.12 Reporting to Work

Employees of the Archdiocese of Cincinnati are expected to report to work as scheduled and to maintain a consistent record of good attendance. Office hours and work schedules have been established based on the needs of the various locations and departments. Employees who have a chronic problem with reporting to work will be subject to the corrective counseling process which may begin with a verbal warning and can progress to termination if the undesirable conduct is not corrected. The complete text of the Reporting to Work Policy is available online at:
http://www.catholiccincinnati.org/files/personnel/pdf/Reporting_to_Work.pdf

6.13 Corrective Counseling

The conduct of employees who work for the Archdiocese of Cincinnati is governed by established fundamental principles from church teachings and traditions. The excellent work record and reputation of the Archdiocese is dependent upon employees maintaining an orderly and harmonious working environment.

Employees failing to meet Archdiocesan standards will be subject to corrective counseling which focuses on encouraging the employee to meet expectations. Corrective counseling may begin with a verbal warning and can progress to termination if the undesirable conduct is not corrected. The Archdiocese has established thirty-five rules and regulations that employees must adhere to or receive corrective counseling. The list is not all inclusive. The complete text of the Corrective Counseling Policy is available online at:
http://www.catholiccincinnati.org/files/personnel/pdf/Corrective_Counseling.pdf

6.14 Solicitation & Distribution

It is the policy of the parish to prohibit employees, volunteers and non-employees from unauthorized solicitation of employees and/or distribution of materials on parish premises unless approved by the pastor/administrator.

This policy was developed to prevent individuals from disrupting employees during their "working time." "Work time" is defined as any time when the employee doing the soliciting or the employee being solicited is scheduled to be working. Lunch time and break periods are not considered "work time" for purposes of this policy. The complete text of this policy is available online at: http://www.catholiccincinnati.org/files/personnel/pdf/solicitation_and_distribution_policy.pdf

7.0 Volunteers

Volunteers are a vital part of parish life, providing a variety of services otherwise unavailable to the Parish. Although they are not employees of the Parish, a certain relationship is established, and it is important for both the Parish and the volunteer to understand the policy aspects of this relationship.

Because volunteers are not employees, they are not covered under the Archdiocesan benefit plans, including workers' compensation, unemployment, social security, health and life insurance, pension and long term disability. These plans are established for employees and therefore exclude volunteers.

Volunteers should be made aware of the liability they accept when volunteering for Parish work. The Archdiocesan liability insurance does provide some coverage for volunteers if they are sued for unintentional negligence while engaging in the volunteer activity. Some aspects of potential liability are not covered. This should be communicated to the volunteer. Specifics in this area may be obtained from the Archdiocesan Finance Office.

All volunteers must be in full compliance with the Decree on Child Protection.

COMMENTARY: It is extremely important to inform volunteers of liability issues.

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