

Diocese of Richmond

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Dear Employees and Employers:

I am pleased to publish *Called to Work in Harmony*, the sixth edition of the Personnel Policies for Lay and Religious Employees of the Catholic Diocese of Richmond. All employees are to receive a personal copy of *Called to Work in Harmony* and should acknowledge receipt by signing and dating the yellow Employee Acknowledgement Form. Once completed, employees should forward the form to their respective employer.

If you are an employer, kindly ensure that all of your employees receive the revised edition of *Called to Work in Harmony* and that all signed acknowledgement forms are received and maintained in your employees' respective personnel files.

These policies describe our expectations and current practice. Please read the personnel policies and ask questions so that you may understand what is expected of an employee of the Catholic Diocese of Richmond. Please also know that we are 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 system, parish environment, or another employing location, please accept my sincere gratitude for your ministry and dedicated efforts. On behalf of the Diocese of Richmond, I thank you.

With every best wish, I remain,
Sincerely yours in Our Lord,

Most Rev. Francis X. DiLorenzo
Bishop of Richmond

September 1, 2008



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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 covers some 36,000 square miles of southern Virginia and includes over 140 parishes.

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. Bishop Walter Sullivan established the Office of Personnel in 1984 along with the Diocesan Personnel Commission. In January of 1999, the title changed to the Office of Human Resources. This sixth 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 just personnel practices.

Additions to the sixth edition include Records Retention, a Retaliation Policy, a thirteenth Holiday (Monday following Easter), Reduction in Hours Worked Policy and Appendix F – Funeral Leave for Staff and an Immediate Family Member of Staff. Changes include the revision of the Orientation Period from 120 to 180 calendar days, FLMA updates to include family members of the Armed Forces, a life insurance enhancement and the requirement that compensatory time for non-exempt employees be taken during the same work week. 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, both part-time and full-time, whose livelihood comes from the parishes, schools, and institutions of the Diocese; for example, bookkeepers, ministers, administrative assistants, principals, technicians, faculty, housekeepers, 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, fair compensation, and a participation in the decisions affecting the work environment.

Through these *Personnel Policies*, the 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 *Personnel 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 the individual parish, school or institution.



Office of Human Resources Mission Statement

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. **Regular Full-time Employees:** Employees who are regularly scheduled to work 35 to 40 hours per week.
- B. **Regular Part-time Employees:** Employees who are regularly scheduled to work 20 or more hours per week and less than 35 hours per week.
- C. **Limited Part-time Employees:** Employees who are regularly scheduled to work less than 20 hours per week.
- D. **Temporary Employees:** Employees who are hired to perform a designated function for a definite period of time, not to exceed five months.
- E. **Exempt and Non-exempt Employees:** All employees of the Diocese are either non-exempt or exempt:
 - 1. **Non-exempt Employees:** Employees who are compensated for working overtime. (Generally, this category includes: administrative assistants, receptionists, technicians, bookkeepers, custodians, housekeepers, and cooks).
 - 2. **Exempt Employees:** Employees who are not compensated for working overtime (generally, this category includes: teachers, principals, ministers, and administrators).

Please refer to page 9 for a more detailed definition of non-exempt and exempt.

- F. **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 (their service and ministry are provided by agreement with their communities).
- G. **Lay Employees:** Employees who are not priests, and who are not members of religious communities.
- H. **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.
- I. **Employers:** Those individuals whom the Bishop of Richmond designates to manage the ministries and services of the Diocese in its various organizations and institutions.
- J. **Supervisors:** Usually an employer or a person designated by an employer to supervise employees (hiring and termination are reserved to the employer).
- K. **Independent Contractors:** Individuals who are contracted to perform specific and specialized services for the Diocese or diocesan institutions. (Independent contractors are not regularly supervised by the employer and normally use equipment not belonging to the employing site. They are paid 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*



II. Definitions

Policies of the Diocese.) For more detailed information, please reference the *Internal Revenue Service's Factor Control Test*. This document can be found on the Diocesan Employee Extranet.

- L. **Dependents:** Individuals defined as “family member” in the *Family and Medical Leave Act*, namely, son, daughter, spouse, or parent of the employee; or a relative or member of the household who qualifies as a dependent of the employee according to the Internal Revenue Code (This definition does not apply to the term as used in contracts between the Diocese and providers such as health and life insurers).



Employees: Non-Exempt vs. Exempt

(Per Fair Labor Standards Act - FLSA)

Non-exempt: Non-exempt means *not exempt* from and therefore subject to the FLSA and its overtime and timekeeping requirements. Non-exempt positions generally include those performing routine, often repetitive work such as clerical, secretarial, drafting, computer operations, mechanical, food preparation, building and grounds maintenance, security, and custodial work. Non-exempt employees must be provided overtime compensation for each hour over 40 hours of actual work in a given week. Hours worked between full-time [e.g., 35+ hours] and 40 hours should be compensated at the regular pay rate. Non-exempt staff can be compensated, in accordance with the FLSA, by overtime pay or compensatory time. Compensatory time (time off) must be taken during the same work week. A work week is a period of 168 hours during seven consecutive 24 hour periods. It may begin on any day of the week and any hour of the day established by the employer. Time off is to be given per FLSA guidelines (i.e., hour for hour up to 40 hours and 1.5 hours for each hour above 40 hours). 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.

Exempt: Exempt means *exempt* from the FLSA, so exempt employees are not compensated for overtime and do not need to satisfy timekeeping requirements. Generally, this category includes teachers, principals, ministers, and administrators. Federal regulations impose tests to determine if an employee can be paid as exempt. The ‘salary test’ establishes a floor of \$455 per week (\$23,660 for a 12 month work year) for exempt status eligibility. Employees earning less than \$455 per week need to be compensated as non-exempt, 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. In minimalist terms the duties tests are “executive” (supervises two or more employees); “administrative” (performs management or general business operations activities, exercising discretion and independent judgment with respect to matters of significance); “professional” (requires advanced specialized training or performs original and creative work). Exempt staff should expect occasional extra hours and irregular schedules without additional compensation.

Note: Licensed and certified teachers in elementary and secondary schools are classified as exempt employees regardless of pay earned (29 Code of Federal Regulations 541.303).



III. Employers In The Diocese

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 non-exempt parish staff
 - b. Principals of parish schools
 - c. Campus Ministers who serve on a parish staff
 2. Catholic school principals, and day care center administrators, are the employers of faculty and staff.
 3. The Superintendent of Catholic Schools is the employer of principals of regional schools.
 4. Office directors in the Pastoral Center are employers of non-exempt staff within their offices and are supervisors of exempt and non-exempt 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 employers, are appointed by the Bishop of Richmond and supervised by the local employer.



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:

EMPLOYEES	RESPONSIBLE STAFF
1. All school personnel and all day care personnel	Office of Catholic Schools
2. Ministers of Religious Education, personnel in Christian Formation and Youth Ministry	Office of Christian Formation
3. Campus and Young Adult Ministers	Office of Campus and Young Adult Ministry
4. Parish Business Managers/Bookkeepers	Office of Finance
5. Justice and Peace/Social Action Ministers	Office of Justice and Peace
6. All other positions	Office of Human Resources – for assignment to the appropriate office

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 seek clarification from their supervisor or employer. Questions or concerns may be addressed to the Diocesan 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 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 institution 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 society.
2. Employers establish positions, change them, or abolish them in consultation with their respective councils (Pastoral and Finance), commissions, boards, the Office of Human Resources, and / or other advisory groups.
3. Employees cannot expect lifelong employment from the Diocese, but they can expect that the positions they occupy will not be eliminated or changed arbitrarily.

B. Hiring Employees

1. **Job Descriptions:** It is the policy of the Diocese that the employer must 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 organization or community
 - b. description of the responsibilities and tasks of the position including essential functions
 - c. examples of the work to be done
 - d. exempt or non-exempt status of position
 - e. qualifications necessary in an applicant
 - f. working conditions
 - g. physical demands
 - h. benefits for this position
2. **Vacancy Posting and Current Staff:** Employers will consider the qualifications of current employees when vacancies exist. Current staff shall be notified of vacancies and may apply for the position(s).
3. **Application:** Employers shall require applicants for vacancies to 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.

4. **References:** Before offering a position to a candidate for employment, the employer:
 - a. shall have obtained a satisfactory reference from the previous employer
 - b. should telephone persons whose names were given as references, especially former employers and others who have worked with the candidate
 - c. shall obtain the candidate's signature for a criminal records check

5. **Appointment:** When first hired, employees of the Diocese receive an appointment letter, a job description, and a copy of the performance appraisal form to be used. Effective with employment offers made on or after September 1, 2008, the Orientation Period is 180 calendar days. 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. Faculty in the Catholic schools of the Diocese receive an annual contract in lieu of an appointment letter.

6. **Safe Environment Regulations:**
 - a. **Background Screening Employees:** In accordance with the Charter for the Protection of Children and Young People, "ARTICLE 13. Dioceses/eparchies are to evaluate the background of all incardinated and non-incardinated priests and deacons who are engaged in ecclesiastical ministry in the diocese/eparchy and of all diocesan/eparchial and parish/school or other paid personnel and volunteers whose duties include ongoing, unsupervised contact with minors. Specifically, they are to utilize the resources of law enforcement and other community agencies. In addition, they are to employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination (cf. National Conference of Catholic Bishops, Program of Priestly Formation, 1993, no. 513)."

Lay and religious diocesan employees must be screened at the time they are hired. To obtain the required screening processes, please refer to the Diocesan Safe Environment Regulations. All screening forms to be completed and processed (with the exception of fingerprint cards) 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 will establish "safe environment" programs. They will cooperate with parents, civil authorities, educators, and community organizations to provide education and training for children, youth,



V. Employment

parents, ministers, educators, and others about ways to make and maintain a safe environment for children. Dioceses/eparchies will make clear to clergy and all members of the community the standards of conduct for clergy and other persons in positions of trust with regard to sexual abuse.”

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. All employees are required to attend safe environment training within 3 months of their hire date.

7. **Forms:** The Diocesan Office of Human Resources maintains the following sample forms on the Employee Extranet:
 - a. a standard application form
 - b. a standard diocesan form for use in developing a job description
 - c. a standard appointment letter for lay employees
 - d. a standard appointment letter for religious employees
 - e. a standard contract for Catholic school faculty in all parish and regional schools in the Diocese
 - f. all federally/state mandated and diocesan required new hire forms

8. **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.

9. **Personnel Files:**
 - a. 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.).
 - b. Personnel files are the property of the employer. With appropriate notice, current and former employees may inspect and copy 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. Personnel files are not to be removed from the employing location.
 - c. 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, or other personnel action, and to Diocesan officials who have a legitimate, verifiable need to know specific information about the employee.
 - d. Contents of a personnel file should include the following:



- 1) completed Diocesan application and resume (if submitted)
- 2) appointment letter issued upon hiring
- 3) I-9 Form (per federal guidelines, these forms are to be kept in a separate confidential file)
- 4) state and federal tax forms
- 5) signed acknowledgement forms for *Called to Work in Harmony* and the *Diocesan Safe Environment Regulations*
- 6) job description
- 7) copy of benefit enrollment forms (if applicable)
- 8) beneficiary form for retirement death benefits
- 9) transcripts, certifications and endorsements (if applicable)
- 10) performance appraisals
- 11) letters of commendation or disciplinary action and reference letters
- 12) personal data form
- 13) termination / resignation letters

- e. It is the policy of the diocese that employees will promptly notify their employers regarding changes in personal data such as benefit enrollments, mailing address, telephone numbers, dependents, emergency contacts, beneficiary forms, etc.

C. Opportunities – Job Postings

Job opportunities are 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.

D. Records Retention

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



VI. Equal Opportunity Policy

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 teaching 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, or handicap.

The Equal Employment Opportunity Act of 1972 expanded Title VII's coverage to include both public and private educational institutions. It did, however, grant exemption to religious institutions, including religious educational institutions. The exemption applies only to positions that pertain to carrying on the religious activities of the institution.

Religion is a bona fide occupational qualification (BFOQ) in those circumstances that involve religious activities, for instance, teaching in a Catholic school where religious activities are a position requirement. Certain positions 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), for example, a Coordinator of Religious Education or a teacher of religion. The ultimate determination of whether an individual is a Catholic in good standing shall be made by the Bishop or his designee.



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.

It is the policy of the Diocese to accommodate, given reasonable time and cost, those employees having disabilities, provided these employees perform employment responsibilities satisfactorily. 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

A. Diocesan Code of Ethics

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 the following principles to ensure that a harmonious environment exists for all employees within the Pastoral Center, parishes, schools, agencies, and missions. Compliance with these principles is expected.

1. In all Diocesan policies, procedures and practices, employees are to be faithful to Biblical values, the social teaching of the Catholic Church, and the code of Canon Law.
2. Employee behavior must be in agreement with the moral and ethical standards of the Church, including, but not limited to, the sanctity and dignity of human life, the value and integrity of the human person, and the value of people's social relationships to one another and the community. Prohibited misconduct includes, but is not limited to, any offenses against commonly accepted norms of social behavior and/or the dignity of marriage, and the teaching/advocating the rejection of Church laws or doctrines.
3. Situations must be avoided when potential conflicts of interest between the employee's interest and the interest of the Diocese may exist. Activities and relations with others should be conducted so as to avoid any actual or perceived conflicts of interest. If conflicts of interest do occur, employees must make a prompt and full disclosure to their supervisor.
4. Employees must maintain and protect the confidentiality of proprietary information concerning other employees, volunteers, and the Diocese.
5. All activity and decisions must comply with applicable laws and regulations including, but not limited to, abuse, employee discrimination, fraud, antitrust, and false claims.
6. Employees must promote the highest standards of business ethics and integrity, and must act in good faith and in the best interest of the Diocese.

VIII. Employee Conduct



7. Employees must be responsible stewards of Church resources, including financial and human resources. Employees must act to preserve and protect the assets of the Diocese by making prudent and effective use of resources.
8. Compliance with all policies relating to Diocesan Safe Environment Initiatives, such as the prevention and reporting of child/youth sexual abuse.
9. Business transactions with existing or potential third party vendors (suppliers, contractors, etc.) must be conducted in a conservative manner so as to avoid any perceived bribe or improper inducement. Strict standards are expected regarding the acceptance of gifts or favors from third party vendors. In order for a Diocesan employee to accept gifts/favors, they must be:
 - a. Limited in value such as calendars, books, or an invitation to a meal;
 - b. Perishable items, such as gifts given during holidays, i.e., hams, cookies, nuts, etc.;
 - c. Day outings, such as golf or fishing, or tickets to events, such as sports or fundraisers, with the approval of the supervisor;
 - d. Of such a nature that public disclosure of the gift would not embarrass the Diocese.

Under most circumstances, it is not permissible to accept gifts of cash or cash equivalents. Supervisors should not accept gifts from the individuals under their supervision unless the gift is of limited value.

Although employees may in appropriate cases receive counseling or other notification of unacceptable conduct or performance, disciplinary action up to and including termination may result due to any violation of the Catholic Diocese of Richmond's Code of Ethics.

If there is a question regarding conduct, please contact the Director of Human Resources.

B. Personal Safety

The diocese is dedicated to providing a safe work environment.

1. Employees and employers 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;
 - b. Physical assault such as hitting, pushing, kicking, holding, impeding or blocking the movement of another person;
 - c. Display of derogatory or offensive posters, publications or drawings;
 - d. 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



VIII. Employee Conduct

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 including termination for misconduct.
3. Employers are expected to take all necessary and reasonable measures to ensure compliance with this policy by visitors and invitees to diocesan, parish, or school property.

C. Drug and Alcohol Use

1. Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. No employee may be under the influence of any illegal drug 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 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.
3. Employees may use physician-prescribed medications, provided that the use of such drugs does not adversely affect job performance or 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.
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 or illegal drugs, or after a work-related accident in which the employee was involved.

D. Reporting Child Abuse and Neglect

1. Code of Virginia: The policy of the Diocese is to report suspected child abuse or neglect as required by the Code of Virginia Sect. 63.1-248.2 et seq. Employees should immediately report any such suspicions to their employer or the employer's designee. The employer is responsible for contacting reporting authorities. Failure on the part of an employee to report suspected child abuse or neglect may constitute misconduct. If an employee has any questions regarding reporting obligations, they should ask the employer.
2. Diocesan Reporting: In addition to the Code of Virginia reporting requirement, the Diocesan Safe Environment Regulations adds the following responsibility for reporting allegations of child sexual abuse:



All clergy, seminarians or other personnel of the diocese are obliged to report immediately to the Bishop any allegation or suspicion that a priest, deacon, diocesan personnel, or contractor has sexually abused a minor, 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 Bishop, unless and until otherwise instructed by the Bishop. Likewise, after making an immediate report to the Bishop, 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 Bishop in writing. Whether given in writing or orally, the report should include:

- a. 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.

Employees should reference the *Diocesan Safe Environment Regulations* for additional details. These regulations are available on the Employee Extranet.

E. Sexual Harassment

1. It is the policy of the Diocese that employees are entitled to a work environment free from all forms of discrimination, including sexual harassment.
2. Sexual harassment is a form of misconduct, which undermines the integrity of the employment relationship. No employee - either male or female - should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical.
3. Such conduct, whether committed by supervisors or non-supervisory personnel, is specifically prohibited. This includes: continued or repeated offensive flirtations, advances, propositions, continued or repeated verbal comments of a sexual nature, the display of sexually suggestive objects or pictures, or any unpermitted or offensive physical contact.
4. In addition, no one should imply or threaten that an applicant or employee's "cooperation or refusal thereof" of a sexual nature will have any effect on the individual's employment, assignment, compensation, advancement, career development, or any other condition of employment.
5. Any questions by employers or employees of the Diocese or its institutions regarding this policy, or complaints of sexual harassment, should be addressed to the Diocesan Human



VIII. Employee Conduct

Resources Director. Any allegations of sexual harassment must be reported to the Human Resources Director, and, in the case of school employees, also to the Superintendent of Catholic Schools. It is the responsibility of the Human Resources Director or Superintendent to ensure a prompt response to allegations of sexual harassment.

F. Workplace Harassment

It is the policy of the Diocese to promote a productive work environment and not to tolerate verbal or physical conduct by any employee which harasses, disrupts, interferes with another's work performance, or which creates an intimidating, offensive, or hostile environment. Allegations of workplace harassment are to be reported to the employer and/or to a representative of the Office of Human Resources. All complaints of harassment will be investigated promptly and in as confidential a manner as possible.

G. Retaliation

The Diocese 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.



IX. 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 positions pay and benefits relative to other organizations.

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

Compensation Philosophy

Church Administrators are to pay employees a just and decent wage so that they may provide appropriately for their needs and those of their family. Canon 1286, #2

All employees of the Diocese of Richmond should receive pay and benefits that are *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.

B. Salaries

1. Parish and school pay schedules for lay employees are published annually by the Diocesan 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 stipend/housing arrangement.
3. Annual salary increases are to be based on diocesan schedules. These schedules will be reviewed and adjusted yearly in light of cost of living increases and other factors.

C. Overtime Pay/Compensatory Time Exempt/Non-exempt Staff

1. Employers in the Diocese expect each employee to perform to his or her ability during the scheduled hours established by the employee's position description. Job descriptions are designed to reflect the normal workload of the various positions in the Diocese.
2. The terms "Non-exempt" and "Exempt" refer to the two basic categories of employees under



IX. Salary And Benefits

the Fair Labor Standards Act (FLSA) by which Church employers are bound. (See Section II)

3. 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. Non-exempt staff shall be compensated in accordance with the FLSA by overtime pay or compensatory time. No overtime shall be worked by a non-exempt employee without authorization by the employer or supervisor. Compensatory time must be taken during the same work week. A work week is a period of 168 hours during seven consecutive 24 hour periods. It may begin on any day of the week and any hour of the day established by the employer. Time off is to be given per FLSA guidelines (i.e., hour for hour up to 40 hours and 1.5 hours for each hour above 40 hours).
 - b. Exempt staff should expect occasional extra hours and irregular schedules, without additional compensation.
4. For non-exempt employees, each location should establish procedures to consistently document the timekeeping requirements of the FLSA.

D. Benefits

1. **Benefits Mandated by Law**

a. Social Security and Medicare

- 1) The Diocese participates in the Social Security system and is governed by existing governmental regulations. Each employing location withholds FICA/Medicare taxes from lay employees, and the employer contributes to FICA and Medicare taxes as well for all lay employees.
- 2) 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.

b. Workers' Compensation

The Diocese has a standard worker compensation plan for employees injured on, or in connection with, their jobs. The plan is administered by the Diocesan Director of Risk Management.

2. **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; however,



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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.

a. Health Insurance

- 1) Medical, dental, and life insurance plans are available to employees. The employer and the employee share in the premium costs. Rates and summary plan descriptions are available from the Office of Human Resources.
- 2) 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, or the spouse of a deceased or divorced employee may continue participation in the health insurance plan at his or her own expense for a period not to exceed 18 months. Dependent children who have reached the age limitation of 25 are not eligible to continue in the group health plan under the Continuation Policy.
- 3) 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. The five qualifying events are: marriage, the birth or adoption of a baby, death, divorce, or the loss of coverage through a spouse's plan.
- 4) 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.
- 5) 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 nineteen months or until the (former) employee qualifies for Medicare, whichever occurs first.

Employees who are employed 20 or more hours per week are eligible for benefits as described below. (The exception is that all employees are eligible for the Employee Assistance Program regardless of employee status.)

b. Retirement

Lay employees are automatically enrolled in the Diocesan Lay Retirement Plan. The employer pays the entire contribution to the retirement plan. A *Summary of the Diocesan Lay Retirement Plan* is provided to each lay participant. A *Statement of Estimated Retirement Benefits* is provided annually to each lay participant.

c. Disability Income Protection



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- 1) The Diocese has both short and long-term disability income protection plans which cover all eligible employees who participate in the Social Security system, including religious whose communities participate in Social Security.
- 2) Lay employees are enrolled automatically.
- 3) Religious employees must notify the employer of their eligibility (i.e., their reported income to the Social Security Administration) before enrolling.

d. Life Insurance

Effective November 1, 2008, all employees scheduled to work 20 hours a week or more will have diocesan paid basic life insurance in the amount of \$10,000 in coverage. Additional life insurance is available for purchase 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 Human Resources Office.

e. Employee Assistance Program (EAP)

The Diocese cares about the health and well-being of its employees and recognizes that a variety of 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, who may be experiencing personal stress in their lives. The EAP may be reached 24 hours a day on weekdays and weekends.

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.

f. Long-Term Care Insurance (LTC)

LTC insurance provides protection in the event long-term care, because of an illness or an accident, is needed in a facility such as a nursing home, rehabilitation center or in your



own home. This benefit is available to employees of the diocese, and their family members, at group rates paid by the employee.

g. Unemployment Compensation

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

h. Automobile Reimbursement

- 1) Lay or religious employees, required to use their automobiles on official business, are reimbursed for use of their personal automobiles according to the diocesan schedule.
- 2) Religious employees, whose communities have agreed to a housing/stipend arrangement, may be provided with the use of automobile and operating expenses.

3. **Leave - Paid Leave**

Paid leave is available to all regular full-time and part-time employees in the offices and institutions of the Diocese of Richmond. Limited part-time and temporary employees do not earn paid leave.

a. Sick Leave

- 1) Employees shall accrue one hour of sick leave per month for every five hours of work scheduled per week (or one workday off per month). See page 29 for definition of a Paid Leave Day.
- 2) Accrued sick leave may be used when an employee's illness prevents his or her working.
- 3) Accrued sick leave may be used when an employee needs to attend necessary medical appointments, which cannot be scheduled during non-business hours.
- 4) There shall be no limit on maximum sick leave accumulation. Accumulated sick leave is transferable between diocesan employers if reemployment occurs within one year of prior diocesan service.
- 5) Terminated employees shall not be paid for unexpended sick leave accumulations.
- 6) 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.).
- 7) Sick leave and disability income: A claim for diocesan disability income is required when an employee's illness and therefore absence from work, extends beyond a 30-calendar day period.
 - a) Employees who have accrued sick leave after a 30 calendar day period of



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sick leave, are paid by the disability insurer (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.

- (1) One day of sick leave is used for each day of combined income.
 - (2) Employment may be terminated when paid leave and FMLA leave (see below, Family and Medical Leave) are exhausted during the period of short-term disability.
 - (3) 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).
- b) School faculty and other employees who work eleven or fewer months a year receive disability income payments for the weeks they are scheduled to work. Only days during scheduled workweeks are counted towards the 30-calendar day eligibility period.
- c) 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 nineteen months or until the former employee qualifies for Medicare, whichever occurs first.
- 8) Accrued sick leave may be used when an employee needs to attend to sick dependents (spouse, parents, or children) up to a maximum of 12 weeks.
- 9) 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 leave without pay (FMLA).

b. Personal Leave

- 1) Personal leave, with pay, shall be taken on the occasion of unanticipated events in which the employee needs to participate (e.g., attending to urgent legal or business matters, etc.) and may be taken to attend to sick dependents, at the employee's option. School faculty members may take personal leave at their discretion.
- 2) Regular full-time and regular part-time employees are entitled to three paid personal leave days per year. Full-time school faculty members shall receive a yearly entitlement equivalent to three school days per year.
- 3) The personal leave entitlement for each employee shall be effective with the



IX. Salary And Benefits

beginning of each fiscal or school year. Unexpended personal leave shall not be carried forward to the subsequent fiscal or school year.

- 4) The personal leave entitlement for employees commencing work during the fiscal or school year shall be prorated.
- 5) Terminated employees shall not be paid for unexpended personal leave.

c. Vacation Leave

- 1) Regular full-time and regular part-time twelve month staff earn paid vacation leave. Official holidays shall not be counted as vacation leave.
- 2) However, employees who work 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, school faculty and school support staff working 11, or fewer months, are expected to use vacation time during school closures and are not otherwise eligible for paid vacation leave.
- 3) Regular full-time and regular part-time employees shall accrue vacation leave at the following rates:

YEARS OF DIOCESAN SERVICE	DAYS PER MONTH	DAYS PER YEAR
Less than 5	1	12
5 through 9	1 1/4	15
10 through 14	1 1/2	18
15 or more	1 3/4	21

$$\text{A Paid Leave Day} = \frac{\text{work hours per week}}{5}$$

A paid leave day equals the number of work hours per week divided by 5. For example, a paid leave day for an employee working 21 hours a week is 4.2 hours.

- 4) Additional vacation leave, not to exceed three days, may be granted to a new employee with significant related experience outside diocesan employment, at the discretion of the employer. For purposes of calculating vacation benefits only, the new employee may be credited with a maximum of five years diocesan service and will be eligible for 18 days vacation after completing five years service within the Diocese.
- 5) The vacation leave entitlement for each employee shall be effective with the beginning of each fiscal or leave year. Unexpended vacation leave shall not be



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carried forward to subsequent fiscal or leave years, except that a new employee may carry over unexpended vacation leave no more than 3 months into the second fiscal or leave year.

- 6) The vacation leave entitlement for employees commencing work during the fiscal year shall be prorated.
- 7) The final pay of employees terminated during the fiscal year shall be adjusted to reflect earned, but unexpended 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. Vacation time taken in excess of the prorated amount will result in deduction from final pay.
- 8) Employers will arrange with 12-month school employees when they will take vacation. If 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.
- 9) Earned vacation leave is paid to employees who are on sick leave and short-term disability: a) at the end of the leave year or b) at the beginning of long term disability (and termination of employment). If an employee's sick leave is exhausted during short-term disability earned vacation leave may be used to supplement the disability income.
- 10) An employee may choose to use earned vacation leave to supplement disability income during a period of short-term disability. When vacation leave is used to supplement disability income, two and one half (2 1/2) days of supplemental leave usually equals one day of vacation leave.

d. Holidays

- 1) Regular full-time and regular part-time employees are entitled to paid holidays. Employees working an academic school year will be eligible only for those holidays recognized in the established school calendar. Employees on unpaid leave are not entitled to paid holidays.



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2) Paid holidays currently observed in the Pastoral Center of the Diocese are:

- | | |
|--------------------------------|--|
| 1. New Year's Day | (January 1) |
| 2. Martin Luther King, Jr. Day | (3rd Monday in January) |
| 3. Washington's Birthday | (3rd Monday in February) |
| 4. Good Friday | (Friday before Easter) |
| 5. Easter Monday | (Monday following Easter Sunday) |
| 6. Memorial Day | (Last Monday in May) |
| 7. Independence Day | (July 4) |
| 8. Labor Day | (1st Monday in September) |
| 9. Thanksgiving Day | (4th Thursday in November) |
| 10. Day after Thanksgiving | (Friday following) |
| 11. Christmas Eve | (December 24) |
| 12. Christmas Day | (December 25) |
| 13. Day after Christmas | (If it falls on a weekday other than Monday) |

- 3) Employers may adjust paid holidays according to local need, keeping the same number. Employees are not paid for holidays outside their term of employment (e.g., ten-month faculty is not paid for July 4).
- 4) 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.
- 5) 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.
- 6) If the holiday falls on an employee's regular day off, another day will be granted during the work week.
- 7) Limited part-time and temporary employees are not eligible for paid holidays.

e. Other Paid Leave

- 1) An employee is entitled to paid leave, not to exceed three days, on the occasion of the death of an immediate family member, sibling, grandparent, grandchild, parent-in-law (father or mother-in-law), or member of the employee's household.
- 2) 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:
- will furnish their employer with a copy of the official notice of their service
 - 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



IX. Salary And Benefits

service.)

- c) checks received as payment for service on the jury will be turned in to the employer, in exchange for having been paid by the employer, for each day of jury service.
 - 3) 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 NG/ER pay and diocesan pay.
 - 4) An employee is entitled to paid leave when the employing location is “officially closed” due to inclement weather.
- f. Paid Leave - Administration
- 1) An employee shall submit appropriate leave request forms to the employer in accordance with policies established by the employer.
 - 2) An employee’s sick leave balance is maintained if the employee is hired by another diocesan employer or is rehired by the previous diocesan employer within one year of the termination.
 - 3) The paid leave for each employee is granted at the start of the fiscal or leave year. Each location is to maintain records of leave earned and taken for each employee.

4. **Leave Policies - Unpaid Leave**

a. Family and Medical Leave

- 1) Regular full-time and regular part-time employees, other than school faculty, (see below) are eligible for up to 12 workweeks per year for: the birth of a child; the adoption of a child or the placement of a foster child; the care of a seriously ill spouse, child or parent; or personal illness. FMLA permits a “spouse, son, daughter, parent, or next of kin” to take up to 26 workweeks of leave to care for a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- 2) While school teachers are eligible for Family and Medical leave, they may be required to take leave up to the end of a term, so as to avoid the class disruption of frequently changing teachers. 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 transfer to another position of equal pay and benefits which better accommodates recurring periods of leave than the teaching position.



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- 3) Employees are required to give 30 days (or as much as practicable) notice of the leave.
 - 4) Employees will accrue no sick leave or vacation and no service credit for retirement will be given while on unpaid Family and Medical Leave.
 - 5) Employers will maintain health insurance coverage, including family coverage, for an employee on FMLA leave on the same terms as if the employee continued to work.
 - 6) Upon return from FMLA leave, most employees must be restored to their original or equivalent pay, benefits, and other employment terms.
 - 7) FMLA is invoked by the employer when:
 - a) an individual employee requests it; or an employee has been away from the job for personal illness or to care for a dependent in excess of 3 consecutive workdays;
 - b) unless there are extenuating circumstances, within 2 workdays after the employer has been given notice of a qualifying reason for the need for leave. The FMLA period is to be calculated from the inception of the serious illness.
 - 8) 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.
 - 9) If an employee is absent for a reason allowed by FMLA but not covered by a specific paid leave, the employee may, but is not required to, use vacation or personal leave concurrently with unpaid leave.
 - 10) The FMLA year is a rolling 12-month period measured backward from the date FMLA leave is used by the individual employee.
 - 11) The employee shall notify the employer one month prior to the conclusion of the leave of their readiness to resume work.
- b. Other Leave of Absence
- 1) Time off with permission, and without pay, may be granted to regular full-time and regular part-time employees after completion of two years of service. This leave, for personal business or other reasons deemed valid by the employer, shall not exceed six months. Leave must be requested in writing at least 30 days in advance and must be approved by the employer.
 - 2) An employee's position cannot be guaranteed upon his/her return. Every effort will be made to assign a returning employee to the same position, or another position for which the employee is qualified. If no vacancy exists, returning employees will be given first consideration for future vacancies for which they qualify, within six



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months of their request to return to work.

- 3) An employee on other leave of absence is required to pay the total monthly premium for benefits in which he or she participates. Payments are to be made in advance.
- 4) Vacation and sick leave are not accrued during this time off, and no service credit for retirement will be given for the period of leave without pay.

5. **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.



X. PERFORMANCE APPRAISAL

Employee performance is appraised, and officially documented, at least annually, or more often if deemed necessary by the employer. For new employees, an initial appraisal will be completed within 180 days of employment (the Orientation Period).

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.

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



XI. PROFESSIONAL AND 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. The employer participates in the cost of the employee's professional development and allows reasonable time off, 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, workshops, and attendance/matriculation at college are published in *Called to Stewardship - Diocesan Policies for Parish Finance Councils*.



XII. 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 includes reductions greater than 10% of hours worked. When this occurs, a new job description and an appointment letter shall be provided. With this appointment letter, a new orientation period does not apply.

1. 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 shall be given to the employee. In most cases, non-exempt employees shall receive a 30 calendar day notice and an exempt employee, including faculty, shall receive a 60 calendar day notice. Should the reduction be due to funding, faculty shall receive a minimum of a 30 calendar day notice.
2. 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.
3. Other considerations are potential changes in Fair Labor Standards Act status (exempt vs. non-exempt) and benefit eligibility.



XIII. Discipline

XIII. 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 include a warning of consequences for subsequent infractions.



XIV. TERMINATION

It is the general desire of the Diocese of Richmond to continue the employment of those employees who perform to the expectations of the employer and who desire to continue. However, from time to time, 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 is expected to give written notice of resignation of at least 60 calendar days for exempt staff, and for school faculty, or at least 14 days for non-exempt staff, prior to the effective date of resignation.
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.
4. **Orientation Period:** With employment offers made prior to September 1, 2008, the employer established an initial orientation period of 120 calendar days during which either employee or employer may end the employment relationship, without cause, with 30 calendar days notice. With employment offers made on or after September 1, 2008, the employer will establish an initial orientation period of 180 calendar days during which either employee or employer may end the employment relationship, without cause, with 30 calendar days notice.

B. Termination by the Employer: The following constitute grounds for termination by an employer of an employee:

1. **Reorganization:** The position occupied by the employee is ended due to reorganization. In connection with any reorganization, the employer shall give the affected employee(s) the following notice:
 - a. 120 calendar days' notice to exempt staff;
 - b. 90 calendar days' notice to faculty;
 - c. 30 calendar days' notice to non-exempt staff.Arrival of a new employer is not considered reorganization.
2. **Funding:** Sufficient funds are not available to the employer for the position in question. In connection with any reduction in force due to funding, the employer shall give the affected employee(s) the following notice:
 - a. 120 calendar days' notice to exempt staff;
 - b. 30 calendar days' notice to faculty, with preference being a 60 calendar day notice;



XIV. Termination

- c. 30 calendar days' notice to non-exempt staff.
3. **Unsatisfactory Performance:** The employer shall document the employee's unsatisfactory performance and follow these procedures:
 - a. Written notice of duties or responsibilities performed unsatisfactorily, with explicit warning of the consequences for continued unsatisfactory performance, shall be given to the employee. Notice need not be solely by means of a performance appraisal. Other writings shall suffice if they adequately inform the employee of the performance problems.
 - b. A remedial plan (performance objectives and dates for improvement) shall be prepared by employer and employee. If the employee does not satisfactorily complete the remedial plan, and upon a final evaluation, the following notice of termination shall be given:
 - 1) 30 calendar days' notice to exempt staff and faculty;
 - 2) 14 calendar days' notice to non-exempt staff.
4. **Misrepresentation:** Employment may be terminated if the employer discovers information about the employment or personal history of the employee which was not disclosed by the employee at the time of hiring and which, in the opinion of the employer, is a material misrepresentation which directly or indirectly affects the employee's ability to carry out the mission of the employer. No notice is required.
5. **Misconduct:** Misconduct includes, but is not limited to, the employee's willful or intentional violation of laws or regulations, diocesan regulations, employer's policies, rules or instructions or the commonly accepted norms of social and professional behavior appropriate to the positions; insubordination; dishonesty or any other act deviant from those reasonably expected by the employer. No notice is required.
6. **Orientation Period:** With employment offers made prior to September 1, 2008, the employer established an initial orientation period of 120 calendar days during which either employee or employer may end the employment relationship, without cause, with 30 calendar days notice. With employment offers made on or after September 1, 2008, the employer will establish an initial orientation period of 180 calendar days during which either employee or employer may end the employment relationship, without cause, with 30 calendar days notice.
7. **Non-performance of duties:**
 - a. Employment may be terminated when an employee is absent after paid leave and, if applicable, Family and Medical Leave are exhausted.
 - b. Employment is terminated when an employee commences long-term disability.



XIV. Termination

- C. References Requested by Current or Former Employees:** Employers may respond in writing to written reference requests from prospective employers of current or former employees. The prospective employer's request should be in writing and contain the candidate's written permission to seek the reference. References should be based on the documented performance record of the employee or may be limited to a neutral format (years of service, title and responsibilities, hours, rate of pay).



XV. NON-RENEWAL OF CONTRACT (SCHOOL FACULTY ONLY)

Catholic school faculty are employed by means of an annual contract. A principal's decision to renew a contract may first be communicated by means of a letter of intent, and then confirmed by a standard diocesan contract, at least 30 days prior to the expiration of the current contract. Reasons for non-renewal differ from grounds for termination. The decision not to renew may be based on one of the following, or on those grounds which might otherwise be the basis for termination:

- A. Unsatisfactory Performance:** After at least one prior written warning, final performance review/appraisal is given in which continuing performance deficiency (not necessarily the same deficiency) is stated as the reason for non-renewal. The final review/appraisal and notice of non-renewal is completed no later than 30 days prior to the expiration of the contract.
- B. Revision of Organizational Priorities:** The faculty member receives notice of the abolition of the position at least 90 days prior to the expiration of the contract.
- C. Anticipation of Insufficient Funds Being Available to the Employing School:** The employee receives notice of insufficient funds to maintain the position at least 30 days prior to the expiration of the contract.



XVI. DISPUTE RESOLUTION

Employees of the Diocese may have concerns or complaints about their employment situation which they need to address. Employees are encouraged to use the voluntary process of mediation or to use the grievance procedure of the Diocese.

A. Mediation Process

Mediation is a process in which the parties in a dispute sit down to negotiate their differences with two neutral mediators. Through the process of mediation they are encouraged to talk with each other, air their grievances, and come up with solutions to their mutual concerns. Because the mediators are experts in negotiation, they will help the parties with problem solving and testing of proposed solutions. The mediators are not judges or arbitrators, and will not make any decisions about the fairness of either party's case. The parties themselves decide upon the outcome. Any agreed-upon solution, like the process itself, is entirely voluntary.

Mediation is particularly helpful because, unlike the grievance procedure, it is designed not to decide who is right and who is wrong, but rather to enhance the relationship of the two parties involved in the dispute. At the conclusion of a successful mediation, both parties should be able to feel good about the process and about the prospects of continuing to work together, as well as continuation in membership in Christian community.

Recognizing the great value of cooperative problem solving, employees are encouraged to mediate an employment dispute with very few exceptions. In all cases of mediation, both parties involved must enter the mediation procedure voluntarily. There is no mediation in termination cases.

Further information on this process is available from the Diocesan Office of Human Resources.

B. Grievance Procedure

1. **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 employers, or who feels that employment termination was unjust. 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 improperly terminated the employee.



XVI. Dispute Resolution

2. **What Cannot Be Grievied:** 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 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 institution in emergencies;
 - e. Termination during Orientation Period.

3. Grievance Process:

- a. 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.

- b. Step Two - Formal

1. Documentation and Arrangements:

- 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 Director of Human Resources (Director).



- The employer dates the grievance form and sends a copy to the Director.
 - The Director reviews the grievance and determines if the matter may be grieved. The two parties are informed in writing if the Director determines the matter may not be grieved, within 14 calendar days of receiving the grievance form.
 - If the matter may be grieved, the Director sends a list of documents and copies of the documents related to the grievance to the employee, to the employer and to the Investigative Judge from the Panel of three judges. This is done within 14 calendar days of receiving the grievance form.
 - The employer and employee will send any additional documents intended for use in the grievance to the Director. At the same time the employer and employee will send to the Director a short list of carefully chosen witnesses who can substantiate their arguments and actions and the reasons he/she believes the witnesses are important to the grievance. This is done by the deadline set by the Director, usually within ten days of receiving the documents in the previous bullet.
 - The Director sends copies of the documentation and witness lists to the parties and to the Investigative Judge. Usually within two-three business days of receipt of documents for the employee and employer.
2. Interviewing the Two Parties in the Grievance:
- The Investigative Judge arranges a time to meet with each party separately.
 - The Investigative Judge meets with the employee. The employee explains the situation and the reasons for the grievance and answers any questions from the Investigative Judge.
 - The Investigative Judge meets with the employer and goes through the same process, explaining the reasons for the action which gave rise to the grievance.
3. Interviewing the Witnesses:
- Depending on the circumstances of the grievance, the Investigative Judge determines witnesses as necessary from zero to three witnesses from each party's list. Each party is responsible for arranging the meeting with each witness at a time available to the Investigative Judge. These are usually scheduled on the same day.
 - The Investigative Judge meets with each of the witnesses individually.



XVI. Dispute Resolution

4. Panel and the Disposition:

- The Investigative Judge selects the documentation to be viewed by the other two Judges on the Panel. The Director sends these materials to the Panelists.
- The Panel convenes. The Investigative Judge describes the results of the interviews for the other two Judges. After some deliberation, a final Disposition of the Grievance is written (usually one or two paragraphs in length).
- The Disposition is sent to the Director for review, and if appropriate, to a diocesan attorney. After the Director signs the Disposition, he/she sends originals to the two parties and copies to the Panelists. The Grievance is ended.
- The Director monitors the implementation of the Disposition. Usually it is the employer who implements the Disposition. Implementation may require cooperation from the employee.

The Director of Human Resources may extend deadlines at any time during the process. The Director shall offer the option of mediation in those cases where they believe it would be beneficial, except in termination cases. Mediation may be offered when the complaint is not grievable, or at any time in the grievance process.

Employees in the Pastoral Center of the Diocese may file formal grievance with the Director of Human Resources. Office Directors and those employed directly by the Bishop have no grievance procedure available to them except as the Bishop of the Diocese may direct.



APPENDIX A**The Use and Serving of Alcoholic Beverages at Parish Social Functions Policy: November 21, 1994****The Use and Serving of Alcoholic Beverages at Parish Social Functions Policy: November 21, 1994**

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 insure 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.



Appendices

7. The use of alcohol at church sponsored activities for youth, on or off church property, including private homes, is never permitted.
8. 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 - Policy of the Pastoral Center

Smoke-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. Smoking is permissible only in designated outdoor areas.



APPENDIX C- Policy of the Pastoral Center



INCLEMENT WEATHER POLICY

Pastoral Center

From time to time the Pastoral Center may need to close because of inclement weather (e.g., snow, hurricane, etc.). In such instances, the following policies will be in effect.

Closings:

The Pastoral Center will be closed when HENRICO COUNTY GENERAL GOVERNMENT OFFICES are closed.

Delayed Openings:

The Pastoral Center will delay opening when HENRICO COUNTY GENERAL GOVERNMENT OFFICES have delayed openings. (Example: If HENRICO COUNTY employees for the GOVERNMENT OFFICES are instructed to report to work 2 hours late, the Pastoral Center offices will also open 2 hours late.)

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.

Other Instructions:

Should you be uncertain as to the status of the Pastoral Center, employees should call the office after 7 a.m. for a recorded message that will verify our open or closure status.

In the event of a delayed opening, it is management's responsibility to ensure that access to the building is made available to employees. Entrance to the building will follow normal procedures and you may enter the building 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 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.

November 20, 2007



APPENDIX D- Policy of the Pastoral Center



Catholic Diocese of Richmond
Lay Employees Dress Code
Revised May 2008

Regular Attire

It is important to project a professional and welcoming atmosphere to visitors, vendors, and employees. In dress and appearance, employees are expected to appear neat, clean and professional. Appearance considerations include dress, personal grooming, hygiene, and accessories worn by employees. Office directors are responsible for ensuring policy compliance within their respective offices.

For Women: Professional suits, dresses, skirts, slacks, blouses, and shoes/boots are appropriate business attire.

For Men: Professional suits, slacks, sport coats, dress shirts, ties, socks, and shoes/boots are appropriate business attire.

In some work areas, exceptions from the above guidelines may be authorized due to the nature of the work (ex. maintenance staff).

Summer Attire

The Pastoral Center has established a summer dress code that may be observed on days when the employee does not have scheduled meetings with visitors. Summer dress code starts the week of Memorial Day and ends the week in which Labor Day is observed. During this time, summer attire may be worn. Acceptable summer attire includes the professional attire outlined above, plus polo shirts, shirts without ties, capri pants, and casual sandals.

Unacceptable Attire

Attire that is unacceptable during both the regular and summer attire season includes t-shirts, jeans, denim skirts, tennis shoes, jogging/workout attire, rubber flip flops, rubber shoes, shorts/skort, mini-skirts, mid-drift tops, tank tops and spaghetti strap tops.

Special

On occasion, the Pastoral Center will authorize a casual day, such as days when we have picnics, etc. On these occasions, special dress for the day will be announced in advance. In



addition, if specific work, of a limited nature, presents itself whereby an exception to the above policy is desired, this exception must be approved in advance by the office director.

Adherence to the Pastoral Center Dress Code will help to ensure a harmonious work environment exists for all employees. Questions regarding the Dress Code should be addressed to your office director.



APPENDIX E- Policy of the Pastoral Center



Acceptable Use Policy –
Software, E-mail, and Internet
Acceptable Use Policy

Network Services, E-mail and the Internet

General Provisions:

1. Access to computer systems and networks owned and operated by the Catholic Diocese of Richmond (CDR) imposes certain responsibilities and obligations on employees, contractors and officials (hereinafter termed "users"). Computer systems and networks are shared resources and exist for the common benefit of the organization.
2. Access to computer systems and networks will be granted with the approval of the user's supervisor and the Office of Information Technology (IT). Users may be subject to limitations in their use of the computer systems and networks as determined by their supervisor and the Office of Information Technology.
3. CDR provides computer systems and networks to its users by the assignment of a user account consisting of a user identification ("User ID") and a private password. The User ID and password will allow the user to access the CDR computer network, e-mail facilities and the Internet.
4. CDR owns all computers, networks, user accounts, e-mail facilities, the e-mail themselves, data and related information residing on same computer systems and networks, unless otherwise protected by a valid copyright.

Acceptable Use:

1. The Catholic Diocese of Richmond provides computer systems and networks to its employees and contractors in order to enhance both individual and diocesan efficiency and effectiveness. Users are expected to employ facilities such as email and the Internet toward these ends.
2. Users are expected to be conscientious to prevent an unnecessary drain or monopolization on these shared, limited resources. Any user who is unsure of the impact of their utilization on these resources should contact the IT office.
3. CDR may monitor e-mail transmissions, e-mail accounts, Internet activity, application activity and any form of internal or external communication, which utilizes the computer systems and networks. Limited, casual, personal use of these facilities will be regulated by the users supervisor and is considered acceptable except for activities as are noted below under the section entitled "Misuse."

**Misuse:**

Users may not:

1. share or disclose the assigned private password of the user account to any party,
2. use another person's user account to access the computer systems and networks,
3. restrict or inhibit any other user from using the computer systems, networks, or Internet,
4. represent without authorization the opinions, positions, guidelines, prices, offers, judgments or other diocesan information of the Catholic Diocese of Richmond through any electronic communications,
5. post, transmit, or download any unlawful, threatening, abusive, libelous, defamatory, obscene, pornographic, or profane information of any kind, including without limitation any transmissions constituting or encouraging conduct that would constitute a criminal offense, give rise to civil liability, or otherwise violate any local, state, national or international law, including without limitation the U.S. export control laws and regulations,
6. post, transmit, or download any information or software that user is aware contains a virus, worm, cancelbot or other harmful component. All users must contact the Office of Information Technology for permission, prior to downloading any program or software application, in order to secure appropriate virus detection and security analysis,
7. upload, download, post, publish, transmit, reproduce or distribute in any way, information, software or other material obtained through the Internet or electronic communication which is protected by copyright or other proprietary right derivative works with respect thereto, without obtaining permission of the copyright owner or rightholder,
8. install any software application, including instant messaging systems, screensaver, wallpaper or make alterations to system settings without prior consent of the Office of Information Technology,
9. abuse or fraudulently use the computer systems, networks, or Internet in any way not specifically set forth above.

Acceptable Use Policy - Catholic Diocese of Richmond Internet/Network Systems

Revised November 12, 2004



APPENDIX F - Policy of the Pastoral Center



Catholic Diocese of Richmond
Funeral Leave for Staff
or Immediate Family Member of Staff

Current Pastoral Center staff may attend the funeral services of a deceased Pastoral Center employee without designating it as leave. Up to a maximum of one day is allowable.

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