



**DIOCESE OF
STOCKTON**

HUMAN RESOURCES

LAY EMPLOYEE HANDBOOK

Central Catholic High School

2023.2024

MISSION STATEMENT:

We, the Catholic people of the Diocese of Stockton
Transformed by Jesus Christ through Baptism,
Empowered by the Holy Spirit; Nourished by the Eucharist,
Faithful to the mission of Christ, Commit ourselves to be
God's heart of mercy and love, God's voice of hope and truth,
God's hands of justice and healing to all people

VISION OF THE DIOCESE OF STOCKTON:

Full, active, conscious participation in the mission and life of our Church.

The Roman Catholic Diocese of Stockton is a religious organization and as such, requires certain positions within the Church to uphold the religious, moral and ethical principles upon which we stand. Therefore, you understand and agree that you are representing the Catholic Church and that formally or publicly dissenting from, or offending by work or conduct, the teachings of the Catholic Church on faith and morals as these are set forth in the Catechism of the Catholic Church, will tend to subvert such values and shall be sufficient cause for the termination of employment at any time.

You acknowledge that the religious, moral, and ethical principles of the Roman Catholic Church are many and may implicate and affect many activities. You acknowledge that you may consult as necessary with your immediate supervisor in order to clarify whether any particular activity or advocacy would violate said principles.

FOREWORD

The Catholic Church is called to respond in a pastoral manner to all whom she encounters. It is this goal for which we strive. As an employer, Central Catholic High School (“Employer”) is committed to treat all persons we encounter with Christian dignity and respect. A dedication to the continuous development of Christian community takes precedence over the personal goals and ambitions of individuals.

At the same time, the Catholic Church is an institution existing within a civil society. As an employer, the Employer promotes civil relationships that respect individual and corporate rights and responsibilities. Employer is exempt from a number of secular/civil laws but, to a limited extent, has voluntarily chosen to provide certain benefits to eligible employees as set forth in this Handbook. Employer’s provision of said benefits to eligible employees does not mean that Employer must or intends to comply with secular/civil laws from which it is otherwise exempt. The purpose of this Employee Handbook is to provide guidelines about the nature of the employment relationship that exists for those persons who work the Employer.

This Handbook applies only to the employees of Employer and does not expressly or impliedly create an employment relationship with any other person, organization, corporation, or entity other than the employees’ specific employer.

This Handbook is intended to cover all lay employees, including members of a vowed religious community employed by Employer. Ordained clergy, unless otherwise specified, are not covered in this Handbook. In the event of a written contract, this Handbook will apply unless the written contract provides different terms that have been approved by the appropriate authority.

Pursuant to the Management Services Agreement between The Roman Catholic Bishop of Stockton and Employer, the Agreement provides that the Roman Catholic Bishop of Stockton shall, among other things, assist Employer to develop, promulgate, and periodically revise an Employee Handbook.

The appropriate authority for Employer reserves the right to revise or discontinue the policies, procedures or benefits described in this information and to institute new policies, procedures, or benefits. Any such changes may require appropriate diocesan, canonical, pastoral, and legal consultation in accordance with the Management Services Agreement.

This Handbook is intended to be a reference for employees. It is not intended to be a contract, express or implied. Unless otherwise stated or unless specifically prohibited, the norms of Canon Law supersede secular/civil requirements.

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EXPLANATION OF NUMBERING SYSTEM: If there is an “S” following a number, this means that the policy applies to Schools. If there is a “PS” following a number, this means that the policy applies to Pre-Schools.

SECTION 100: GENERAL EMPLOYMENT

101 COMPLIANCE WITH STATE AND FEDERAL LAWS/MINISTERIAL EXCEPTION

The Employer complies with all applicable local, state, and federal laws and regulations. Unless otherwise stated herein or specifically prohibited by civil law, Canon Law shall prevail in matters within its competency.

As a religious organization, certain federal and state employment laws may not apply to the Employer to the extent they interfere with its constitutional rights to the free exercise of religion. This “ministerial exception” may preclude claims against the Employer arising under federal and state employment discrimination, wage and hour, and other laws. The Employer reserves the right to rely on the ministerial exception in making employment policies and decisions. Any policy in this handbook that references specific laws or contains language similar to those laws is not intended to waive the Employer’s right to invoke the ministerial exception.

102 AT-WILL EMPLOYMENT

All employment at the Employer is “at-will.” This means that both employees and the Employer have the right to terminate employment at any time, with or without advance notice, and with or without cause. An employee’s status and terms of employment may be changed at any time by Employer. No person has the authority to alter this status except by a written contract signed by the Central Catholic High School Principal. (i.e., the Bishop, the Pastor, High School Principal, President, or Executive Director, as appropriate)] and the affected employee. The written contract must express a clear and unambiguous intent to alter the at-will nature of the employment relationship.

103 EMPLOYMENT OF RELATIVES

In the interest of maintaining professionalism and integrity of staff relationships, the Employer desires to avoid situations in which an actual or potential conflict of interest may exist. Employees’ relatives are not eligible for employment where one family member supervises the other at the same work site. Relatives include an employee’s parent, child, spouse, brother, sister, aunt, uncle, cousin, nephew, niece, in-laws, grandparents, grandsons, granddaughters, and step-relationships.

104 ELIGIBILITY FOR EMPLOYMENT

In compliance with federal immigration laws, the Employer only hires workers who are and continue to be eligible to work in the United States. All employees hired after November 6, 1986 are required, as a condition of employment, to document this eligibility by completion of U.S. Department of Justice Immigration & Naturalization Services I-9 Form.

104.1. S. Teachers.

All teachers should have professional preparation comparable to the requirement for a California Teaching Credential. Comparable preparation may include, at the principal’s discretion:

- Teaching credentials from accredited universities in other states or foreign countries
- Academic degrees from regionally accredited universities in other states or foreign countries.

104.2. S. Teachers without California Credentials.

If a principal engages a teacher who does not have professional preparation comparable to the requirement for a California Teaching Credential, there shall be a continuation of professional study leading to a credential ***within six years*** of the signing of the initial contract. Each year, an addendum to that teacher's contract shall clearly state the conditions for professional academic progress for the year. Teachers who fail to meet these annual requirements may be frozen on the salary scale. Teachers without a California Credential are bound by the requirements of Section 104.4-S herein, "Criminal Record Summary for Elementary and High School Employees."

104.3. S. High School Teachers.

High School teachers shall have one or more of the following:

- Single subject credential directly related to the instructional assignment.
- A Master's Degree in a field of study related to the instructional assignment.
- At least three year's work experience directly related to the instructional assignment.

104.4. PS. Preschool Teachers Eligibility.

Preschool teachers must adhere to the qualifications as stipulated in the California Child Care Licensing Manual, Title 22, Division 12, Chapter 1 (Policies and Procedures).

104.5. S. Catechist Certification of Principals, Presidents & Religious Education Teachers.

All teachers who teach religion and principals must obtain California Catechist Certification through the diocesan School of Ministry or Catholic Schools Office within a three (3) year period following the signing of the initial contract. All other teachers in Catholic schools must complete the minimum coursework outlined in the Administrative Handbook for Schools.

California Catechist Certification is awarded after completing the requirements as prescribed by the California Catholic Conference.

Teachers/principals holding degrees in theology or religious education, or in process of obtaining them, shall at their initial employment be granted Catechetical Certification upon the evaluation of their course work by the School of Ministry.

Teachers in their first year of employment who have taken religious studies courses for college credit within the past five (5) years should request an evaluation of their status from the director of the School of Ministry. These courses may be applied toward the California Catechist Certification.

Those who come to the Diocese of Stockton holding Catechetical Certification from another diocese should present the certificate to the principal.

Religious Certification must be renewed every four (4) years. To renew a certificate, the teacher/principal must complete at least thirty (30) hours within four (4) years in the same content areas as required for catechetical certification.

It is the responsibility of the teacher to document courses taken and to present a copy of the documentation to the principal. The principal maintains a file with the record of courses and upon completion submits a form to the Catholic Schools Office. The Catholic Schools Office will award the certificate.

Courses should receive prior approval from the principal, and if necessary in consultation with the Catholic Schools Office.

As of September 1, 2003, the preferred method of obtaining the California Catechist Certificate is through the Diocese of Stockton's School of Ministry's Basic Core Course. Teachers hired before September 1, 2003 may continue to use the Echoes in Faith program, although the Basic Core Course is highly encouraged.

104.6. Criminal Record Summary for Designated Parish Job Applicants, Employees or Volunteers.

Parish job applicants, employees and volunteers who have supervisory or disciplinary power over a child or any other person agree to be fingerprinted through the Department of Justice. Results of the fingerprinting process will determine whether the person can begin/continue ministry in the parish.

Applicants, employees, and volunteers covered under a Section 11105.3 request include but are not limited to: Directors/Coordinators/Assistants of Religious Education; Directors/Coordinators/Assistants for Sacramental preparation programs such as baptism, confirmation, first Eucharist, penance, RCIC; catechists and all teacher/classroom aids; Directors/Coordinators of Youth Ministry; Directors/Coordinators of music; organist or musician for children's choir; altar server coordinator; sacristan; Directors/Coordinators of youth athletics; CYO or other athletic coaches, or anyone who represents the parish, school or agency that is providing direct services to, or has unsupervised contact with children.

104.7. S. Criminal Record Summary for Elementary & High School Employees.

As a mandatory condition of employment, all new school employees, including non-certified staff, must obtain a criminal record summary from the State Department of Justice and the Federal Bureau of Investigation using forms obtained from the Catholic Schools Office. The results of the criminal record summary must be received by the Catholic Schools Office on or before the first day of employment. The results must show no convictions for sex crime, drug crime or crime of violence or serious or violent felony as defined in Section 44237 of the California Education Code. Employees are responsible for paying the processing fee payable to the State Department of Justice.

Teachers holding a valid California Teaching Credential have already met this requirement. Any teacher who allows their California credential to expire must be fingerprinted.

104.8. PS. Criminal Record Summary for Preschool Employees.

As stipulated in the California Child Care Center Handbook of Policies and Procedures (Title 22, Division 12, Chapter 1), a criminal record review must be completed for preschool personnel, using forms obtained from the director of the program. A Child Abuse Index must be completed and cleared for preschool personnel.

104.9. S. Health Requirements.

All school employees shall submit evidence of freedom from active tuberculosis, based on an x-ray of the lungs or an approved intradermal negative tuberculin test, at least every four (4) years.

105 INITIAL EMPLOYMENT PERIOD

The first ninety (90) calendar days of employment are referred to as the “initial employment period.” Within thirty (30) and sixty (60) calendar days after being hired, employees should receive a verbal performance review and after ninety (90) calendar days supervisors should complete a written performance evaluation. Employees who successfully complete the initial ninety (90) days of employment will be considered as “regular full-time,” “regular part-time,” or “minimum part-time” employees.

Qualified employees begin accruing vacation, sick, and personal leave benefits from the first day of employment; however, they are not eligible to take accrued vacation or personal leave during the initial ninety (90) days of employment.

During this initial employment period and during the entire term of the employment relationship, employment is “at-will.”

106 ANNIVERSARY DATE

An employee’s anniversary date is the date of hire; if eligible for diocesan benefits such benefits will be calculated from that date. The anniversary date for persons initially hired for a temporary assignment will be the date they are placed on regular status.

107 EMPLOYMENT STATUS

107.1. Full-Time, Regular Employees:

- a. Have successfully completed the initial employment period.
- b. Work a full-time schedule (35 - 40 hours per week) as defined by the site;
- c. Are eligible for Employer-sponsored benefits (e.g., medical, dental, vision, long term disability insurance; pension plan; vacation, sick, personal and holiday paid leaves).

107.2. Part-Time, Regular Employees:

- a. Have successfully completed initial employment period;
- b. Work 30-34 hours per week;
- c. Are eligible for Employer-sponsored benefits as described herein.

107.3. Minimum Part-Time, Regular Employees:

- a. Have successfully completed the initial employment period;
- b. Regularly work less than 30 hours per week;
- c. Are not eligible for additional benefits except as required by law or expressly stated in this handbook. However, if a minimum part-time employee (regularly working less than 30 hours/week) is scheduled to work on a day that a holiday falls on*, they will be compensated at their hourly rate.

*Scheduled work days must be regularly scheduled; they cannot be changed to accommodate a holiday.

107.4. Temporary Employees:

- a. Are hired for limited time;
- b. May work full or part time;
- c. Are not eligible for additional benefits except as required by law or as expressly stated in this handbook. even if employee is scheduled to work on a day that a holiday falls on*

*Scheduled work days must be regularly scheduled; they cannot be changed to accommodate a holiday.

107.4.1 S. Temporary School Employees - Substitute Teachers.

At the beginning of employment, the Principal will inform the substitute teacher of salary arrangements, obtain payroll forms, and complete other required paperwork, including I-9's, and obtain fingerprint clearance.

107.5. Students.

No one under 12 years of age will be employed. Under California Law, minors aged 12-17 must have a "permit to Employ and Work" on a form issued by the State Department of Education on file with the employer during the term of employment. Students should obtain the application from their school principal/counselor. Generally, any student who is hired is subject to the same terms and conditions as adults who work the same hours (e.g., Income Tax, FICA, Disability, Unemployment, Workers' Compensation.). The law permits employers to pay learners at least 85% of minimum wage for a specified period of time.

108 EMPLOYMENT AGREEMENTS

108.1. Agents of Religious Communities.

Members of a vowed religious community serve as agents of that community. As such, the religious community may enter into employment agreements with the Employer for the member to perform work for that Employer. Such work is described in a written agreement along with information about compensation and other terms and conditions of the assignment. This Handbook applies to members of religious communities, except where the agreement provides otherwise, or unless said members are ordained clergy. In that latter case, the personnel policies for ordained clergy apply.

108.2. Consultants/Independent Contractors.

The Employer may choose to retain the services of an independent contractor. These contractors may be self-employed or work for another organization. They are retained for a particular assignment and for a specified period of time. Consultants are not considered employees of Employer.

108.3. S. School Employee Agreements.

All Catholic Schools provide the teachers, principals, and presidents with the appropriate standard agreement. The written agreement specifies the salary or stipend for teachers, principals, and presidents. Pastors with elementary schools will present a comprehensive compensation proposal to the Parish Finance Council that includes salaries and benefits for all parish lay employees.

108.4. S. Elementary School Teacher Employment Agreements.

Elementary School Teacher Employment Agreements are offered at the discretion of the Pastor.

108.5. S. High School Teacher Employment Agreements.

Teacher agreements are offered at the discretion of the president of the high school.

108.6. S. Elementary School Principal Employment Agreements.

Elementary School Principal Employment Agreements are offered at the discretion of the Pastor.

108.7. S. High School Principal Employment Agreements.

High School Principal Employment Agreements are offered at the discretion of the President.

108.8. S. High School President Agreements.

High School president agreements are offered at the discretion of the Board of Directors in consultation with the Director for Catholic Schools. A high school president agreement for the subsequent year should generally be offered no later than April 1. The president shall submit a signed contract on or before April 15. In the event the president fails to submit a signed agreement on or before April 15, the Board of Directors may withdraw the offer of employment. The President of the Board of Directors signs the high school president's agreement.

108.9. PS. Preschool Employment Agreements.

The preschool director is the only preschool employee to have an employment agreement. All other preschool employees are hired under the terms and conditions of this Employee Handbook and the Administrative Handbook for Schools.

109 EMPLOYMENT CLASSIFICATIONS

109.1. “Exempt” Employees.

Under both State and Federal Law, executive, administrative, and professional employees, as well as certain professional employees licensed by the State, are exempt from being paid overtime. Employees in such positions are considered “exempt” and include, but are not limited to, those whose positions regularly require the performance of duties related to management, those whose positions require advanced specialized training, or those whose work must be original and creative in character depending on the invention, imagination, and talent of the employee.

For example, assuming appropriate credentials and job responsibilities, Directors of Religious Education, Liturgy Directors, Youth Ministers, Sacramental Preparation Directors, Business Managers, School Principals, and Elementary and Secondary School Teachers would be classified as exempt employees.

Exempt employees receive a salary which is intended to compensate them for all hours that they may work. Generally, exempt employees receive their full salary for any workweek in which work is performed. However, by law, exempt employee salaries are subject to certain deductions and the Employer may reduce an exempt employee's salary for the following reasons in a workweek in which work was performed:

- Deductions for full-day absences due to personal reasons, including vacation;
- Deductions for full-day absences for sickness or disability, pursuant to the Employer's sick leave policy;
- Deductions for full-day disciplinary suspensions for infractions of safety rules of major significance (including those that could cause serious harm to others);
- Deductions for Family and Medical Leave absences (full or partial day);
- Deductions to offset amounts received as payment for jury and witness fees or military pay;
- Deductions for unpaid disciplinary suspensions of one or more full days for significant infractions of major workplace conduct rules as set forth in this handbook;
- Deductions for the first or last week of employment when the employee works less than a full week.

Specific types of deductions may also be made, such as for the employee's portion of insurance benefits, state, federal or local taxes, social security, or voluntary deductions. However, in any workweek in which the exempt employee performs any work, salary will not be reduced if:

- The absence is for a partial day for personal reasons, sickness or disability;
- The absence is because the facility is closed on a scheduled workday;
- The absence is for jury duty, attendance as a witness, or military leave in any week in which the employee performs work.

Exempt employees are required to use accrued vacation or sick leave for full or partial day absences for personal reasons, sickness, or disability. However, salary will not be reduced for partial day absences if the employee does not have sufficient time off.

109.2. "Non-Exempt" Employees.

Non-exempt employees are all employees that are not in the classification as defined in Section 109.1. They are entitled to receive overtime compensation as described in Section 403 of this handbook.

For example, secretaries, bookkeepers, custodial and maintenance workers, teachers' aides, receptionists, and administrative assistants are typically classified as "non-exempt" positions.

110 PERSONNEL RECORDS

- A. Personnel Files. The information in an employee's personnel file is permanent and confidential, and must be kept up to date. Employees should inform the Personnel Manager immediately whenever there are changes in personal data such as name, address, telephone number, marital status, number of dependents, and person(s) to notify in case of emergency.

Employees have the right to inspect their personnel files at reasonable times and on reasonable notice. In addition, employees have the right to request copies of employment-related documents that they have signed as well as personnel records that the employer maintains relating to the employee's performance or to any grievance concerning the employee. An employee may inspect only his or her own personnel file and only in the presence of the Personnel Manager or other designated employee.

Personnel files are the property of the Employer and may not be removed from the Employer's premises without written authorization from the Personnel Manager.

- B. Payroll Records. Employees also have the right to inspect and copy certain payroll records regarding their compensation, and deductions from their compensation, upon reasonable request to the Employer. Employees wishing to review or copy payroll records should notify the Personnel Manager.

111 EMPLOYMENT REFERENCES

Requests from prospective employers for information about current or former employees will be handled with discretion. All such requests should be directed to the Diocesan Director of Human Resources in accordance with Employer's Management Services Agreement with the Diocese. No information other than name, employment dates, and position title should be released without the written consent of the employee. If factual information must be released for some reason, the employee must first sign a written authorization.

SECTION 200: OFFICE PROCEDURES

201 WORK WEEK

Supervisors will inform employees of their work schedule. The standard work week begins at 12:01 a.m. Sunday and ends at 12:00 midnight the following Saturday. The standard workday begins at 12:01 a.m. each day and ends at midnight on that day. However, employees may have alternate work weeks at the discretion of Employer.

202 WORK HOURS

The Employer establishes and appropriately communicates to employees its normal open hours of operation.

Employees in “exempt” positions do not necessarily have the same daily work schedule. Knowing the responsibilities of the position for which said employees were hired, they will set a time schedule with their supervisor best suited for getting the job done and adjusting that schedule if the supervisor so indicates. Likewise, supervisors of employees in “non-exempt” positions will communicate the standard work schedule.

203 DAY OF REST

Employer provides all non-exempt employees at least one day’s rest in each workweek. Employees are entitled, encouraged, and expected to take their rest days provided under this policy. Exceptions to the day-of-rest-requirement will be made only in the following situation:

- When employees work no more than six hours on any one day, and no more than 30 hours total, in the workweek.
- When employees are required to work on emergencies.
- When the nature of the employment reasonably requires employees to work seven or more consecutive days, if in each calendar month, the employee received the equivalent of one day’s rest for every seven days worked (i.e., total month’s calendar days divided by seven equals the number of required rest days for that month).

204 MEAL AND REST PERIODS

- A. Meal Periods. Employer provides non-exempt employees who work more than five hours in a day with at least an unpaid thirty (30) minute uninterrupted meal period starting no later than the end of the fifth hour of work. Employer provides non-exempt employees who work more than ten (10) hours in a day with a second unpaid thirty (30) minute, uninterrupted meal period starting no later than the end of the 10th hour of work. Employees who work no more than six (6) hours in a day may waive the first meal period. Employees who work no more than twelve (12) hours in a day may waive the second meal period if they took their first meal period. Employees are entitled, encouraged, and expected to take all meal periods provided under this policy and not waived. During meal periods, Employer will relieve employees of all duty and will not exercise control over employees’ activities. Employees are free to spend their meal period time as they choose (consistent with any other Employer policies that may apply during off-duty time) and are free to leave the worksite. No supervisor or manager may impede or discourage employees from taking meal periods provided under this policy.

- B. Rest Periods. Employer authorizes and permits nonexempt employees working at least three and one-half (3 1/2) hours in a day to take a ten (10) minute, off-duty paid rest period for each four (4) hours worked or major fraction thereof. The ten (10) minutes do not include the reasonable time it takes to walk to and from a break area. Employer reserves the right to designate a particular rest break area. Employees who work more than six (6) hours in a day may take a second rest period. Employees who work more than ten (10) hours in a day may take a third rest period. The rest periods are summarized as follows:

Hours Worked	Rest Periods
0 - 3.5 hours	0
>3.5 - 6.0 hours	1
>6.0 - 10.0 hours	2
>10.0 hours	3

Employees should take their rest periods in the middle of each work period to the extent it is practicable to do so. For example, a seven (7) hour workday from 8:30 a.m. to 4:30 p.m. with a one (1) hour lunch would have break periods near mid-morning and mid-afternoon. Rest periods cannot be used to extend a meal period, arrive late, or leave early.

SECTION 300: EMPLOYMENT STANDARDS

301 STANDARD OF CONDUCT

Employees represent the Catholic Church community not only to other members of that community, but also to the general public. All employees are to conduct themselves in a professional manner that reflects the values of the Roman Catholic Church.

302 PUBLIC STATEMENTS

Employees should realize the danger of confusing personal viewpoints with an official position of the Employer. Therefore, employees who speak or write on community or political matters must make it very clear they are speaking as an individual and not as a representative of the Church. Employees are to refrain from any public action or statements that oppose the teaching of the Roman Catholic Church or that could tend to embarrass the Church.

303 APPEARANCE

Employees come into contact with members of not only the Catholic Church community, but also the general public. Employees should conduct themselves properly, be neat in appearance, and dress in a manner appropriate for the work responsibilities. Supervisors are responsible for determining whether an employee's attire or appearance is appropriate for the workplace.

304 CONFIDENTIALITY OF PERSONNEL AND PAYROLL INFORMATION

Personnel and payroll information is especially sensitive. Payroll checks must be placed and distributed in sealed envelopes. All payroll and personnel files and reports should be maintained in locked cabinets.

305 EMPLOYER PROPERTY; PROPRIETARY, CONFIDENTIAL AND PERSONAL INFORMATION

The security of Employer property is of vital importance to the Employer. Employer property includes not only tangible property, like desks and computers, but also intangible property such as confidential information. Much of the information received and disseminated from the Employer is private in nature. In order to maintain professional confidentiality, employees must not discuss or otherwise share any information related to their employment (including individuals, incidents, and situations), unless the discussion pertains to and is necessary for the conduct of one's assigned work. It is critical for the Employer to preserve and protect its confidential information, as well as the confidential information of suppliers, and third parties. All employees are responsible for ensuring that proper security is maintained at all times.

305.1. Confidential and Personal Information.

"Confidential Information" means all information, not generally known, belonging to, or otherwise relating to the business of the Employer or its clients, suppliers, vendors, affiliates or partners, regardless of the media or manner in which it is stored or conveyed, that the Employer has taken reasonable steps to protect from unauthorized use or disclosure.

"Personal Information" includes personally-identifiable information about employees, consultants or other individuals, such as Social Security numbers, background information, credit card or banking

information, health information, or other non-public information entrusted to the Employer. There are laws in the United States that protect certain types of personal information, and employees should not disclose personal information about the other individuals to any third party without prior managerial approval.

While employed by the Employer, employees must not use or disclose any Confidential or Personal Information that they produce or obtain during employment with the Employer, except to the extent such use or disclosure is required in connection with performing their jobs. Employees may not use or disclose Confidential or Personal Information for any reason after the employment relationship with the Employer ends. Misuse or unauthorized disclosure of Confidential or Personal Information may result in immediate termination, as well as potential personal and criminal liability. Nothing in this Guideline restricts an employee from discussing his or her wages or other terms and conditions of employment with coworkers or others, to the extent protected by law.

305.2. Obligations on Termination.

On termination of employment, whether voluntary or involuntary, all Employer documents, computer records, and other tangible Employer property in the employee's possession or control must be returned to the Employer immediately.

305.3. Security.

Avoiding loss or theft of Confidential or Personal Information is an important part of each employee's job. Accordingly employees must observe good security practices. Employees are expected to keep Confidential Information secure from outside visitors and all other persons who do not have legitimate reason to see or use such information. Employees are not to remove Employer property without authorization. Failure to adhere to Employer policies regarding Confidential and Personal Information will be considered grounds for dismissal.

Given the sensitivity of Confidential and Personal Information, employees may only dispose of such information by secure methods approved by the Employer. If an employee has any doubt or question about how to handle Confidential or Personal Information, the employee should consult with the employer's Principal (i.e., Bishop, the Pastor, High School Principal, President, or Executive Director, as appropriate).

306 ATTENDANCE

When scheduled, employees are expected to be consistently ready and available to work. Although unplanned absences do occur, unplanned absences of three (3) or more days in one (1) calendar month, or repeated absences of less than three (3) days a month may be considered excessive. Depending on the circumstances, absenteeism may be grounds for disciplinary action up to and including termination. Employer may require a medical report when a long absence or frequent short absences due to illness interfere with an employee's ability to perform the duties of the job. However, nothing in this policy is intended to apply to the use of legally permitted leave (e.g. sick leave, family care and medical leave, etc.)

307 PERSONAL ADVANTAGE/CONFLICT OF INTEREST

Employees, agents of religious communities, or independent contractors engaged by the Employer must take great care not to use their positions with the Employer for financial gain, personal advantage, or in any manner

which would create, or appear to create, a conflict of interest. Employment carries with it a responsibility to be aware of the importance of ethical conduct. Employees must refrain from taking part in, or exerting influence on, any transaction in which their own interests may benefit or which may conflict with the best interest of the Employer.

308 SAFETY AND HEALTH

The Employer is concerned about the safety and health of all employees. Employees cannot be assigned to work at jobs known to be unsafe, unhealthy, or possibly hazardous. Accordingly, employees who suspect, know of, or become aware of any unsafe or hazardous equipment, conditions, or acts, are required to notify their supervisor promptly so that steps can be taken to correct the situation. Employees who report unsafe or hazardous equipment, conditions, or acts will not be retaliated against or suffer other recrimination. Any accident resulting in an injury, no matter how minor the injury may seem, must be reported immediately to the supervisor who will arrange for the employee to be seen by a physician if necessary. The Employer expects all employees to share the responsibility for safety and health and to comply with all safety rules and regulations.

Employers will establish and maintain a written Injury and Illness Protection Program that outlines the safety program and procedures in place and contains documents for reporting safety hazards. Copies will be made available to employees upon request.

In accordance with applicable federal and state laws, smoking of tobacco products are prohibited, except in designated smoking locations.

309 VIOLENCE IN THE WORKPLACE

309.1. Statement of Policy.

The Employer recognizes that workplace violence is a concern among employers and employees across the country. The Employer is committed to providing a safe, violence-free workplace. In this regard, the Employer strictly prohibits employees, consultants, visitors, or anyone else on Employer premises or engaging in an Employer-related activity from behaving in a violent or threatening manner. Moreover, the Employer seeks to prevent workplace violence before it begins and reserves the right to address certain behaviors, even in the absence of violent behavior.

The Employer believes that prevention of workplace violence begins with recognition and awareness of potential early warning signs and has established procedures for responding to any situation that presents the possibility of violence.

309.2. Workplace Violence Defined.

Workplace violence includes, but is not limited to, the following: (1) Threats of any kind; (2) Threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others; (3) Other behavior that suggests a propensity towards violence, which can include belligerent speech, excessive arguing or swearing, sabotage, or threats of sabotage of Employer property, or a demonstrated pattern of refusal to follow Employer policies and procedures; (4) Defacing Employer property or causing physical damage to the facilities; or (5) With the exception of security personnel or persons who have obtained prior Employer approval, bringing weapons or firearms of any kind on Employer premises, in Employer parking lots, or while conducting Employer business.

309.3. Reporting.

If any employee observes or becomes aware of any of the above-listed actions or behavior by an employee, consultant, visitor, or anyone else, he or she should notify his or her appropriate supervisor immediately. Further, employees should notify his or her appropriate supervisor if any restraining order is in effect, or if a potentially violent non-work-related situation exists that could result in violence in the workplace. In addition, the appropriate supervisor should then immediately notify the Human Resources Department.

309.4. Investigation.

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the Employer will inform the reporting individual of the results of the investigation. To the extent possible, the Employer will maintain the confidentiality of the reporting employee and of the investigation. The Employer may, however, need to disclose results in appropriate circumstances, for example, in order to protect individual safety. The Employer will not tolerate retaliation against any employee who reports workplace violence.

309.5. Corrective Action and Discipline.

If the Employer determines that workplace violence has occurred, the Employer will take appropriate corrective action and will impose discipline on offending employees. The appropriate discipline will depend on the particular facts but may include written or oral warnings, probation, reassignment of responsibilities, suspension, or termination. If the violent behavior is that of a non-employee, the Employer will take appropriate corrective action in an attempt to ensure that such behavior is not repeated.

Under certain circumstances, the Employer may forego disciplinary action on the condition that the employee takes a leave of absence. In addition, the Employer may request that the employee participate in counseling, either voluntarily or as a condition of continued employment.

310 POLICY AGAINST HARASSMENT, DISCRIMINATION, AND RETALIATION

Employer strives to create a work environment where all persons treat each other with dignity, charity, and respect in accord with Christian principles and the social teachings of the Church. Therefore, Employer is committed to provide a work environment that is free from harassment, discrimination, and retaliation, based on gender, race, disability, or other protected characterization in accordance with federal, state, or local law. Harassment of, discrimination, or retaliation against any person working for the Employer by any lay employee, religious or priest ("Person") is prohibited. Allegations of harassment will be treated seriously and will be reviewed and investigated in a prompt, confidential and thorough manner.

A charge of harassment, discrimination, or retaliation shall not, in and of itself, create the presumption of wrongdoing. However, substantiated acts of harassment, discrimination, or retaliation will result in disciplinary action, up to and including discharge. Persons found to have filed false or frivolous charges will also be subject to disciplinary action, up to and including discharge.

310.1. Verbal Harassment.

Derogatory comments and jokes; hostile or threatening words spoken to another Person;

310.2. Physical Harassment.

Unwanted physical touching, contact, assault, deliberate impeding or blocking movements, or any intimidating interference with normal work or movement;

310.3. Visual Harassment.

Derogatory, demeaning or inflammatory posters, cartoons, written words, drawings, gestures;

310.4. Sexual Harassment.

Includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when any or all of the following occurs:

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

Specific examples of sexual harassment include, but are not limited to:

- Making unsolicited sexual advances and propositions;
- Using sexually degrading words to describe an individual or an individual's body;
- Displaying sexually suggestive objects or pictures;
- Telling inappropriate or sexually related jokes;
- Making reprisals, threats of reprisals or implied threats of reprisals following a negative response to sexual advances; and
- Offering favors of employment benefits, such as promotions, favorable performance evaluations, favorably assigned duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

310.5 Discrimination

Discrimination includes refusing to hire or employ a person or to refuse to select the person for a training program leading to employment or to bar or discharge a person from employment or from a training program leading to employment or to discriminate against the person in compensation or in terms and conditions or privileges of employment (i.e. benefits, promotions, transfers, disciplinary action, etc.) All such discrimination, when based on an employee's protected characteristic, is unlawful.

310.6 Retaliation

Retaliation includes the discharge, expulsion or other discrimination against any person because he or she has opposed any practices prohibited by this policy or because the person has filed a complaint, testified, or assisted in any proceeding under this policy.

It is the responsibility of the Employer to:

- Implement this policy with all supervisory personnel ensuring that they understand the policy and its importance;
- Make all employees, religious, and priests aware of this policy and the commitment of the employer toward its strict enforcement;
- Remain watchful for conditions that create or may lead to a hostile or offensive work environment;
- Establish practices designed to create a work environment free from discrimination, intimidation, retaliation, or harassment.

It is the responsibility of each Person to:

- Conduct himself or herself in a manner which contributes to a positive work environment;
- Avoid any activity that may be considered discriminatory, intimidating, retaliatory, or harassing;
- Report all incidents of discrimination, retaliation, or harassment to his/her supervisor, or, if not the supervisor, to the next higher level of management or the Pastor, School Principal, President, Executive Director, or Preschool Director, as appropriate;
- If informed he/she is perceived as engaging in discriminatory, intimidating, retaliatory, harassing or unwelcome conduct, to discontinue that conduct immediately.

310.7. Complaint Filing and Investigation Procedures.

The following procedures must be followed for filing and investigating a claim of harassment, discrimination, or retaliation under this policy (“Claim”):

- The employee, religious, or priest (“Person”) should report the Claim to his or her immediate supervisor.
- If the complaint is against the Person’s immediate supervisor, the Person must report the Claim to the next higher supervisor, as appropriate.
- Directors or supervisors who either believe or who have been told that harassment, discrimination or retaliation, is occurring between Persons in their departments are required to report any such harassment promptly to the Principal (i.e., Bishop, the Pastor, High School Principal, President, or Executive Director, as appropriate).

The Person alleging the Claim will be asked to complete a formal, written complaint. Regardless of whether a formal, written complaint is submitted, Claims will be investigated thoroughly, involving only the necessary parties. Confidentiality will be maintained as much as possible. The investigation by the Principal (i.e., Bishop, the Pastor, High School Principal, President, or Executive Director, as appropriate) will include a meeting with the Person accused in the Claim, sharing with that Person the nature of the allegations as well as the name of the Person bringing the allegations. If appropriate, the alleged harasser will be placed on paid administrative leave during the course of the investigation. Once the facts of the case have been gathered, the Principal (i.e., Bishop, the Pastor, High School Principal, President, or Executive Director, as appropriate) will decide what, if any, disciplinary action is warranted. The disciplinary action will relate to the nature, context, and seriousness of the harassment and can include all disciplinary actions up to and including immediate termination. If the complaint is against a non-employee such as a parent, parishioner, volunteer or vendor, the Principal (i.e., Bishop, the Pastor, High School Principal, President, or Executive Director, as appropriate) will take steps within his or her power to investigate and eliminate the problem.

SECTION 400: COMPENSATION

401 TIME REPORTING

All employees are responsible for regularly completing and submitting timesheets. Employees in non-exempt positions record actual hours worked and paid leave taken, such as vacation, sick leave, holiday, bereavement leave, jury duty, and personal leave. Employees in exempt positions, including agents of religious communities, complete timesheets for all pay periods, but do not record actual hours worked. Only paid leave taken, such as vacation, sick, holiday, bereavement, jury duty, and personal leave is recorded by exempt employees. They record unpaid leave taken as discussed below in Section 503. Supervisors approve all timesheets.

402 RECORD KEEPING

An Employee Paid Leave Record is to be maintained for all employees. This records the hours worked, plus hours attributable to vacation, holidays, bereavement, illness, etc. This log is the basis for complying with various record-keeping laws covering employees and for recording the various benefits, accruals, and usage for both exempt and non-exempt employees.

Employers will provide information to all employees regarding the status of their paid leaves, such as vacation, sick and personal leave. This should be available on an on-going basis, and available in writing at least annually. If any disagreement with the record occurs, employees may request a review of their time records.

The accuracy of the Employee Paid Leave Record is ultimately the responsibility of the employee since the employee's initials or signature constitutes an approval of the accuracy of the recorded time. Employees are responsible for accurately reporting work time and absences and must alert the supervisor of inaccuracies on the Employee Paid Leave Record. Employers are responsible for maintaining an accurate and current record of all paid leaves earned and taken for eligible employees.

403 OVERTIME FOR EMPLOYEES IN NON-EXEMPT POSITIONS

Non-exempt employees are sometimes required to work more than their normally scheduled hours. When this is necessary, non-exempt employees must have the prior approval of their supervisor to work the additional hours. The supervisor must initial their approval of overtime on the employee's timesheet.

Only those employees who are classified as non-exempt from the overtime provisions of the State and Federal wage and hour laws are entitled to overtime pay. If there is a question as to the classification of an employee as either exempt or non-exempt from overtime, Employers may contact the Diocesan Director of Human Resources for clarification in accordance with the Management Services Agreement.

Employees in non-exempt positions may not waive the right to overtime compensation, except as provided by law. Generally, time worked up to eight (8) hours per workday will be paid at straight time. Anything over eight (8) hours per workday or forty (40) hours per workweek will be paid at one and a half (1 1/2) times the current hourly rate of pay. Employees in non-exempt positions will receive double their current rate of pay for any time worked more than twelve (12) hours in a day. For any work performed on the seventh consecutive day in any single workweek, non-exempt employees are paid one and a half times their rate of pay for the first eight (8) hours and double their rate of pay for all hours thereafter.

Only those hours that are actually worked are counted to determine an employee's overtime pay. Compensated holidays, for example, are not hours worked and therefore are not counted in making overtime calculations unless the employee actually worked on the holiday.

Employees in non-exempt positions may make up work time that is or would be lost as a result of personal obligations if the time were made up during the same workweek in which the work time is lost. Such employees will only be permitted to make up work time if they submit a signed written request to make up the lost time and their supervisor approves the request in advance. These employees will not be paid overtime for performing makeup work unless they work more than 11 hours in a workday or more than 40 hours in the workweek.

Under the federal Fair Labor Standards Act (FLSA), employers are not permitted to offer compensatory time off to non-exempt employees in lieu of paying overtime.

404 COMPENSATORY TIME FOR EMPLOYEES IN EXEMPT POSITIONS

Exempt employees are paid a fixed salary. Employees in exempt positions are not entitled to additional compensation for extra hours of work or time off in lieu of additional compensation. The nature of exempt positions oftentimes requires more than the standard number of hours per week. If an excessive amount of additional hours are regularly worked, compensatory time off (comp time) may be discussed with Employee's supervisor. Should additional guidance be needed, Employer may contact the Diocesan Director of Human Resources in accordance with the Management Services Agreement.

405 PAYDAY

The Employer schedules paydays twice a month. When pay day falls on a Saturday, Sunday, or other day that the site is closed, payday is on the prior workday. Employees who are absent on payday will have their paychecks held and available to the Employee upon his or her return, or mailed to Employee if requested in writing. Employees are responsible to keep a current address and phone number on file with the employer. Direct deposits of employees' paychecks to their designated bank or credit union may be available.

Employees who are on a scheduled absence may request their paycheck before departure. Such requests must be submitted in writing at least five (5) days in advance to the payroll office and should not be for more than ten (10) days prior to the scheduled payday. No other payroll advances are permitted.

406 OTHER TYPES OF PAY

- A. Reporting Pay. Nonexempt employees who report to work at the Employer's request, but are furnished less than half of their usual or scheduled day's work, will be paid for half the usual or scheduled day's work, but not less than two hours' pay or more than four hours' pay at their regular rate, without regard to the number of hours they actually worked, unless the reasons for the lack of work are beyond the Employer's control. Reporting time pay will not be paid to an employee on paid standby status who is called to perform assigned work at a time other than the employee's scheduled reporting time. Reporting time hours are not counted as "hours worked" for overtime purposes beyond the time in which work actually is performed. For example, if an employee who is scheduled to work an eight-hour shift is sent home after three hours, the employee will receive four hours' pay for that day, but the fourth hour of reporting time pay will not be treated as time worked for overtime purposes.

- B. Callback Pay. A nonexempt employee who is called back for a second work period in a workday and is given less than two hours' work will be paid a minimum of two hours' pay at the employee's regular rate of pay for the second work period, without regard to the number of hours actually worked, unless the reasons for any failure to furnish two hours of work are beyond the Employer's control. Callback time is not counted as "hours worked" for overtime purposes beyond the time in which work actually is performed.

407 DEDUCTIONS FROM GROSS PAY

Certain statutory and voluntary deductions from an employee's paycheck are itemized on the paycheck stub.

The statutory deductions include:

- a. Federal Income Tax (FIT)
- b. Social Security (FICA)
- c. Medicare
- d. State Income Tax
- e. State Disability Insurance (SDI)

Voluntary deductions include:

- a. Medical and/or Dental Insurance premiums for dependent coverage
- b. Tax sheltered or Tax Deferred savings plans.

Voluntary deductions are made from the employee's paycheck only with the employee's written permission and the Employer's consent.

408 WAGE GARNISHMENTS

The Employer is required to withhold funds from an employee's paycheck according to an established formula when legal garnishments are submitted. Withholdings will cease upon notification from the submitting organization.

409 PAYMENT ON RESIGNATION, TERMINATION, OR COMPLETION OF ASSIGNMENT OR TERM

If an employee resigns, his or her paycheck will be available on the final day of work, provided the employee has given at least seventy-two (72) hours' prior notice. If an employee resigns without giving seventy-two (72) hours' notice, his or her paycheck will be made available within seventy-two (72) hours after the employee gives notice of the resignation, unless the employee requests in writing that his or her final paycheck be mailed, in which case the Employer will mail the final paycheck within three days after the employee gives notice. Employees who are terminated involuntarily will be paid on the day of the discharge. If an employee is hired for a specific assignment or otherwise has a defined term of employment, his or her paycheck will be available upon the completion of the assignment or employment term. In all cases, employees' final paychecks will include payment for all wages owed and any accrued but unused vacation time.

SECTION 500: EMPLOYEE BENEFITS AND LEAVES

501 STATUTORY BENEFITS

501.1. State Unemployment Insurance (UI).

The California Unemployment Compensation Law provides for temporary financial assistance to eligible employees who are no longer employed due to a qualifying reason as determined by the State of California Employment Development Department. The Employer pays premiums and claims are reviewed and approved by the Employer. The State of California Employment Development Department determines eligibility, amount of benefit, and length of coverage. Claims may be made through local branches of that office.

501.2. State Disability Insurance (SDI).

Disability Insurance may be possible for employees who cannot work because of illness or injury (mental or physical, including pregnancy, childbirth or related medical condition) not caused by their job. Employees may not be paid Unemployment Insurance and State Disability Insurance ("SDI") benefits for the same period of time. However, SDI premiums may be coordinated with either/both sick leave, long-term disability, or other paid leave benefits. SDI premiums are deducted from each employee's salary. The SDI premium rate and the subject wages are determined by the State of California. Claim forms for SDI benefits are available from the employee's physician, the local Employment Development Department, or the Diocesan Human Resources Office. (See Section 503.3 for coordination with sick leave benefits.)

501.3. Workers' Compensation.

This insurance provides medical, surgical, and other benefits including wage-loss protection, for employees who are injured or become ill as a result of their work. Employees must report their work-related injury or illness to their supervisor as soon as possible. "Employee's Claim for Workers' Compensation Benefits" and "Employer's Report of Occupational Injury or Illness" forms must be completed and submitted to the workers' compensation claims administrator within the required time limits.

Subject to the conditions and limitations of the Diocesan contract with the workers compensation carrier, any person who performs voluntary services without pay shall be deemed an employee of the site for workers' compensation benefits, while performing such services.

Employees who are on an authorized leave of absence due to a work-related injury, accident, or illness must regularly contact their supervisor to advise them of their prognosis to return to work.

501.4. Social Security/Medicare.

Employer participates in the Social Security (FICA) system and is governed by existing governmental regulations. Employer withholds Social Security and Medicare contributions from the pay of lay employees. Likewise, Employer also makes appropriate contributions to Social Security and Medicare for all lay employees.

502 OTHER FRINGE BENEFITS

502.1. Eligibility.

Unless otherwise specifically stated, lay employees who meet one of the definitions below are eligible for coverage on the benefits listed in this section:

- Regularly work at least thirty (30) hours per week in a ten (10) consecutive calendar month period.
- Teach at least five (5) out of six (6) classes per day, or six (6) out of seven (7) classes per day for a full school year.

502.2. Medical, Dental, and Vision Insurance.

Eligible employees must complete the appropriate enrollment form for the plans they elect and turn them in to the Employer's benefits administrator in a timely manner. Coverage begins on the first day of the month following the date of hire. Employees may change health insurance plans once a year, during the designated open enrollment period.

Employees must add newborn or adopted children within thirty (30) days of the birth or adoption of the child.

Eligible employees may waive their right to participate in the medical, dental, and vision coverage. Employees may also choose to participate in only the medical or only the dental coverage. Vision coverage is not available separately. Employees who want vision coverage must enroll in one of the medical plans.

Employees do not need to enroll all eligible dependents in both the medical or dental plan. For example, employees with a spouse and two children may enroll all family members in the medical plan and enroll only themselves and one child in the dental plan. Note that only those persons enrolled in the medical plan will be enrolled in the vision plan.

The Employer contributes an amount to the cost of medical, dental, and vision insurance. This amount is determined each year.

If spouses are both benefit-eligible employees, and work for the same or different Church organizations, they may choose to separately enroll as "employees," or to be covered as a family.

Please refer to the current plan description for more information.

502.3. Pension Plan.

The Employer may sponsor and make contributions into a retirement plan for certain eligible lay employees. Employees are directed to Human Resources for additional information regarding said plans.

502.4. Long Term Disability Insurance.

Employees eligible for benefits are covered on a Long Term Disability Plan. This plan is paid for by the Employer and provides compensation for employees who are unable to work due to a covered illness, disease, or accident. This benefit provides compensation for employees who are disabled longer than 180 calendar days and coordinates benefits with the State Disability Insurance and with sick leave. It does not coordinate benefits with Workers' compensation.

502.5. Continuation of Benefit Coverage by the Employer

Employees are sometimes absent from work due to their own illness, injury, or disability, or are required to care for a family member. Likewise, they may have requested and received an authorized unpaid personal leave of absence for a designated period of time.

Employers will pay their normal cost of insurance premiums when eligible employees are on one of the following authorized leave of absences:

1. **Leave For Medical and Family Care Purposes/Military Caregiver Leave:** (See Sections 503.9, 503.7.2): The Employer will pay their normal cost of insurance premiums for eligible employees and their dependents during an authorized Leave for Medical and Family Care Purposes ("LMFCP"). Employees will pay their normal cost for dependent insurance. Employers will continue paying premiums even if some/all of the LMFCP is an unpaid leave. The maximum LMFCP is twelve (12) weeks per twelve (12) month period. The maximum Military Caregiver Leave is twenty-six (26) weeks per twelve (12) month period. During the period of leave, if an employee is on an authorized LMFCP on the first day of a month, the employer will pay for their normal cost of the insurance premiums for the entire month. Once LMFCP is exhausted, employees may request an extension of leave from work. The Employer will make a decision about extension requests on a case-by-case basis. Employees who receive an extension and have unused paid leave will have their insurance premiums paid by the employer through the month that paid leave ends. Employees who receive an extension that is unpaid will pay the full cost of ALL insurance premiums for themselves and their dependents through Employer's continuation of benefits policy. This occurs the first month in which there is no paid leave from the employer.
2. **Workers Compensation Leave of Absence:** (See Section 501.3) The Employer will continue to pay their normal share of the cost of insurance premiums for employees and their dependents for up to twelve (12) weeks. Employees will be required to pay their normal cost for dependent premiums. After twelve (12) weeks, if the employee has not been released to return to work, the Employer will review the prognosis for returning to work and other relevant information to determine whether the insurance premiums will continue to be paid, and how long to hold the job available for the employee. During the first twelve (12) weeks, if an employee is on a workers compensation leave of absence on the first of a month, the Employer will pay for their normal cost of the insurance premiums for the entire month. Employees may coordinate workers compensation payments with other available sick, vacation or personal leave. At some point, the Employer may require employees to pay the full cost of ALL insurance premiums for themselves and their dependents.
3. **State Disability Insurance Leave of Absence:** (See Section 501.2) The Employer will continue to pay their share of the insurance premiums for employees and their dependents for the

equivalent of twelve (12) weeks. Employees are required to pay their normal cost for dependent premiums. Within the first twelve (12) weeks of disability, if employees are on a leave of absence and receiving State Disability Insurance on the first of a month, the Employer will pay their normal cost of the insurance premiums for the entire month. Employees may coordinate SDI benefits with other available sick, vacation, or personal leave. After that time, employers will require employees to pay the full cost of ALL insurance premiums for themselves and their dependents through Employer's continuation of benefits policy. This applies for the duration of the leave of absence, whether or not the employee eventually returns to work.

4. **Long Term Disability Leave of Absence:** (See Section 502.3). This benefit begins after an eligible employee is disabled longer than one hundred eighty (180) consecutive calendar days. The Employer will continue to pay their share of the insurance premiums for employees and dependents through the month in which the one hundred eighty (180) days ends. After that time employees are required to pay the full cost of ALL insurance premiums for themselves and dependents through Employer's continuation of benefits policy. If the employee eventually returns to work, the employer will again begin paying the normal cost of benefits on the first of the month following the employee's return to work.
5. **Unpaid Personal Leave of Absence:** (See Section 506) Employees on an authorized unpaid personal leave of absence will be offered benefits under Employer's continuation of benefits policy on the first of the month following their last day of paid leave as required by applicable law.

502.6. Continuation of Benefit Coverage By Employees.

Eligible employees and/or dependents that are affected by termination of employment, death of a spouse, divorce, or the employee's own illness, injury or disability, or other qualifying reason may elect to continue medical and/or dental coverage for a limited period of time. Continuation in group medical and dental plans will be at the employee's expense. Employees who elect to continue medical and/or dental coverage must submit a "Continuation of Coverage Agreement" form prior to their termination of employment and also complete the appropriate insurance forms. Payments for this benefit must be received by the Benefits Administrator on a timely basis. An administrative charge will be assessed to process premiums under Employer's continuation of benefits policy.

502.7. Flexible Benefit Plan.

All eligible employees may participate in a Flexible Benefit Plan. This plan allows employees to pay medical and dental premiums for themselves and dependents on a pretax basis through payroll deduction. This benefit is provided under Section 125 of the Internal Revenue code.

503 LEAVES OF ABSENCE

Employees are hereby notified that the inclusion of any reference to or description of any specific federal or state law that requires certain employers to grant employees benefits or personal leave DOES NOT express or imply that any such laws in fact necessarily apply to the Employer.

504 HOLIDAYS.

The Employer observes a minimum of 18 paid Holidays and/or Holy Days each calendar year. The Human Resources Department publishes a list of the holidays every year.

Eligibility: Subject to the conditions described below, all regular full-time and regular part-time employees will receive time off with pay for each holiday. If a regular full-time or regular part-time employee is required to work on a holiday, the employee will receive pay at double their current hourly rate for all hours worked on a holiday.

*Minimum part-time and temporary employees do not receive paid time off for holidays and are paid only for hours actually worked on a holiday at their normal hourly rate.

Holidays which fall on Saturday typically are observed on the preceding Friday and holidays which fall on Sunday are typically observed on the following Monday.

If a paid holiday occurs when employees are using authorized, paid vacation, personal or sick leave, such holiday will be paid as “holiday pay” and not considered as vacation, personal or sick leave. If a paid holiday occurs when employees are on an unpaid, authorized leave of absence (such as leave for medical and family care purposes), the holiday will not be paid by the employer. If a paid holiday occurs when employees are receiving paid insurance benefits such as State Disability, Workers’ Compensation, or Long Term Disability, the holiday will not be paid by the employer unless accrued paid time off (vacation, sick, personal time) is being coordinated with the SDI, in which case the employee will receive a pro-rated amount of holiday pay in ratio to the amount of accrued paid time off being used.

All regular full-time and regular part-time employees are eligible for holiday pay if a holiday falls on a regularly scheduled workday. Minimum part-time and temporary employees are not eligible for holiday pay*. Where it is not possible for an employee to be off work, an administrative decision may be made to select another day off within thirty (30) calendar days of the missed holiday in place of the holiday; if another day cannot be so selected, the employee will receive the current hourly double time rate for all hours actually worked on the holiday.

If a minimum part-time employee (regularly working less than 30 hours/week) is scheduled to work on a day that a holiday falls on, they will be compensated at their hourly rate. Temporary Employees will not be eligible for holiday pay and will only receive pay at their regular rate if they actually work on the holiday. The same applies on days that the office may have to close early for unforeseen circumstances and the staff is dismissed.*

***Scheduled work days must be regularly scheduled; they cannot be changed to accommodate a holiday.*

505 VACATION

New eligible employees begin to accrue vacation time upon date of hire and may request to take accrued vacation after successful completion of the initial ninety (90) days of employment. Employees may not take vacation before it is accrued.

Vacations should be arranged between the employee and the supervisor at least four (4) weeks in advance. Employees should not schedule vacations at times that are seasonally critical for the work of the employer.

Preference is given on a seniority basis for vacation time requested six (6) months or more in advance. Vacation requests submitted less than six (6) months prior to the requested vacations are on a “first come” basis.

Paid holidays that occur during an employee’s vacation will be charged as holiday pay rather than vacation.

Vacation benefits may be accumulated up to a maximum of six (6) weeks. Employees will cease to accrue or earn additional vacation after reaching the six (6) week maximum, and no further vacation will be earned until vacation is taken to reduce the amount accrued to below the maximum time allowed. Employees should keep track of their vacation balance or contact the bookkeeper for information about vacation leave available.

Under no circumstances may pay be given in lieu of vacation, except upon termination.

Upon termination of employment, employees are paid all accrued but unused vacation through their last day worked at their base rate of pay at the time of termination.

Vacation accrues for full time, regular employees at the following schedule:

Date of hire through 3rd year of employment	10 days (.83 days per month)
Beginning of 4th year through 10th year	15 days (1.25 days per month)
Beginning of 11th year through 15th year	20 days (1.67 days per month)
Beginning of 16th year and thereafter	One (1) additional day is earned per year until a total of 25 days is earned.

Regular, part-time employees accrue vacation time in proportion to the amount of time per week that they regularly work. *For example:* if the Employer has a thirty-five (35) hour workweek, employees who work thirty (30) hours per week accrue vacation at 30/35 (6/7) of the fulltime rate. Therefore, such a part time employee would accrue vacation at .71 days per month (6/7 x .83).

In determining vacation accrual, credit will be given for all years worked at least thirty (30) hours per week in a Catholic Church organization.

Employees who leave employment and return to the same or different Catholic Church organization within twelve (12) consecutive calendar months will be given credit for their years of employment for the purpose of determining vacation accrual.

505.1. S. Vacation / Holidays.

Holidays and vacations for non-contracted school employees are defined in the school calendar and local addendum.

505.1.1. S. Contracted School Employees Exclusion.

Vacation provisions do not cover contracted employees. Contracted employees are employed for the time period specified in the contract. Generally, this time period is comprised of the total number of instructional days required to fulfill the instructional assignment and the number of non-instructional days required for meetings, professional development, or other needs determined by the Pastor, School Principal, or Preschool Director, and as included in the contract.

505.2. Sick Leave.

505.2.1. Eligibility and Accrual.

To help prevent loss of earnings that may be caused by accident or illness, Employer has established paid sick leave for all employees after thirty (30) days of service in California.

505.2.2. Accrual.

Accrual of sick leave benefits begins when the employee has worked in California for thirty (30) days. Sick leave accrual for full time employees is based on hours worked in an average workweek and generally accrues as follows:

- a. Regular Full-Time Employees. Employees working forty (40) hours per week will accrue sick leave at a rate of 6.667 hours per month. Employees working thirty-five (35) hours per week will accrue sick leave at a rate of 5.833 hours per month. Full-time exempt employees are deemed to work forty (40) hours per week and will accrue sick leave at a rate of 6.667 hours per month, unless their normal work week is, in fact, less than forty (40) hours, in which case they will accrue sick leave in proportion to the amount of time they regularly work. However, at no time shall an employee receive less than (1) hour of sick leave for each thirty (30) hours worked.
- b. Regular Part-Time Employees. All employees that work less than thirty-five (35) hours per week will accrue sick leave in proportion to the amount of time per week they regularly work. For example, employees who work thirty (30) hours per week accrue sick leave at a rate of five (5) hours per month. However, at no time shall an employee receive less than one (1) hour of sick leave for each thirty (30) hours worked.

Employees may accumulate accrued and unused sick leave to a maximum of sixty (60) days. Once this maximum is reached, all further accruals will cease. Sick leave accruals will recommence after the employee has used his or her sick leave and his or her accrued hours have dropped below the maximum. Employees will not accrue sick leave during any unpaid leave of absence, or while receiving state disability benefits, including those under Paid Family Leave. Sick leave accruals recommence when the employee returns to work.

- c. Minimum Part-Time (below 30 hrs/week) and Temporary Employees: In accordance with California's Mandatory Paid Sick Leave Law, minimum part-time and temporary employees, who were previously excluded from receiving sick leave, must now be covered.

Employers can provide the sick leave in the following ways:

- i. Accrual Method: Employees accrue sick leave at a rate of at least one (1) hour of sick leave for every thirty hours worked up to a max of three (3) days or twenty-four (24) hours in a year. (This method is suggested if you pay employees who work only a few hours per week or month, i.e., church musicians, cantors, preschool aides, occasional service providers, janitors, etc.)

Employees must be allowed to carry over unused accrued sick leave from year to year, but the employer can cap the employee's maximum accrual to forty-eight (48) hours or six (6) days.

- ii. **Lump Sum Method:** Employer provides at least twenty-four (24) hours or three (3) days of sick leave at the beginning of each year, (either fiscal, calendar, or employee anniversary).

The employer does not need to allow the employee to carry over unused sick leave from year to year. Instead, the employee loses unused sick leave but receives a new 24 hours of leave at the beginning of each year or other 12 month period).

*An employee will never receive less than 24 hours/3 days per year

505.2.3. Use.

Employees may begin to use sick leave as soon as it is accrued. Sick leave may be taken for preventative care or the diagnosis, care, or treatment of an existing illness, injury, or medical condition (including doctor's appointments), for the employee or the employee's child (regardless of age or dependency status), spouse, parent or guardian, grandchild, grandparent, spouse's parent or guardian and as otherwise required by applicable law, or a medical-related leave. Additionally, sick leave may be used by an employee who is a victim of domestic violence, sexual assault or stalking for purposes specified by law in Labor Code section 230 and 230.1(a). An employee must personally notify his or her supervisor as soon as practicable and no later than one hour after his or her scheduled start time on each workday that sick leave is necessary. For a scheduled medical or dental appointment, employees must seek approval from their supervisor at least five (5) working days prior to the appointment, if possible.

Non-exempt employees must use accrued sick leave in increments of no less than one hour. Exempt employees must use accrued sick leave for partial day absences taken for sick leave purposes of four hours or more.

An employee without sufficient accrued sick time may request to use accrued vacation time or take an unpaid leave for sick leave purposes.

505.2.4. Verification.

Employer may request verification from a licensed health care provider for all absences due to illness or disability.

505.2.5. Compensation for Sick Leave.

Employees will receive pay for sick leave at their regular hourly rate and will be paid no later than the payday for the next regular payroll after the sick leave is taken. Employees are not eligible to receive pay in lieu of sick leave, and employee will not be paid for any accrued but unused sick leave upon termination of employment. If an employee separates from the Employer and is rehired within one year by Employer, previously accrued and unused sick leave will be reinstated. Moreover, should an employee transfer to Employer from another organization in the Diocese of Stockton, employee may transfer a maximum of ten (10) sick days to Employer if the position with Employer is for at least thirty (30) hours per week.

505.2.6. Coordination of Sick Leave Benefits with Other Benefits.

Sick leave benefits may be integrated with State Disability Insurance (SDI) benefits. If hospitalized or unable to work for more than seven (7) calendar days for an illness or injury that is not work-related, employees must apply for SDI benefits. Claim forms are available at the Diocesan Benefits Office, through the local Employment Development Department, or the employee's physician's office.

505.2.7. Additional Limitations on Sick Leave.

Employees may not designate or transfer any of their accrued sick time to other employees. Time off due to illness or injury, even if compensated, will not be considered hours worked for overtime purposes.

505.3. Paid Personal Leave.

This benefit is available to regular full-time employees (35-40 hrs/week), and regular part-time employees (30-34 hrs/week), after the first 90 days of employment. Eligible employees will receive three (3) paid personal leave days at the beginning of each calendar year or anniversary date as determined by the Employer. Arrangements must be made in advance with one's supervisor to use personal leave. Personal leave days may only be accumulated up to a maximum of three (3) days. Personal leave for non-exempt employees must be used at a minimum of 1 hour increments. Upon termination of employment, employees are paid all accrued, but unused personal leave days through their last day worked at their base rate of pay at the time of termination.

505.3.1. S. Personal Leave for School Employees with Employment Agreements.

The Administrative Handbook for Schools applies to contracted school employees with the provision that up to three (3) sick leave days per year may be used for personal or family needs that cannot be dealt with during non-working time as authorized.

505.4. Bereavement Leave.

Employees who lose a relative usually need time to make arrangements, plan services and attend to personal and family needs. For these absences, part time regular and full time employees are provided time off with pay as follows:

Death of Spouse or (Step) Child - **Ten (10) Work Days**

Death of (Step) Parent, (Step) Sibling - **Six (6) Work Days**

Death of other family member (i.e., mother or father-in-law, husband/wife of sister or brother and spouse's brother or sister, grandparent, grandchild, aunt, uncle, niece, nephew) - **Two (2) Work Days**

Employees who attend the funeral or burial of a spouse, child, parent, or sibling more than one hundred fifty (150) miles from home may receive one additional paid day off, and if out-of-state, two (2) additional days.

Employer may approve a half (1/2) day off for employees to attend a funeral for a friend.

505.5. Jury Duty Leave.

The Employer will provide employees time off to serve, as required by law, on a jury or grand jury if the employee provides reasonable advance notice. The Employer considers participation in the judicial

system a civic responsibility and encourages employees to serve as jurors. Employees will receive their regular pay for a maximum ten (10) days per summons. Employees who regularly work less than thirty (30) hours are not eligible for pay during jury duty. Exempt employees who work any portion of a workweek in which they also serve on jury duty will receive their full salary for that workweek. Employees may elect to substitute accrued vacation and/or personal days during any unpaid leave due to jury duty.

While performing jury duty, the employees have certain responsibilities to the employer including:

- a. Notifying their supervisor of work availability when not actually serving on a jury, including partial days (i.e., dismissal before noon), and reporting to work as requested.
- b. Being available for consultation.
- c. Providing a Certification of Jury Duty form to the supervisor.

505.6. Military Leave.

The Employer shall grant employees a military leave of absence to the extent required by applicable federal and state law. Unless otherwise required by law, such leave will be unpaid. In addition, the following leaves related to military service will be provided in accordance with applicable law to eligible employees as follows.

505.6.1. Qualifying Exigency Leave.

At any time it regularly employs five (5) or more persons, or as otherwise required by applicable law, Employer will provide eligible employees with a spouse, son, daughter, parent, or parent-in-law on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation or as a member of the regular Armed Forces and deployed to a foreign country may take an unpaid leave of absence to address certain qualifying exigencies which may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, attending post-deployment reintegration briefings, and providing care for a parent of a military member on active duty status. Exigency leave is an additional qualifying reason available to an employee to take a Leave for Medical or Family Care Purposes (See Section 503.9) of up to twelve (12) weeks total in a twelve (12) month period.

An employee is eligible for Qualifying Exigency Leave if employee has been employed by the employer for at least twelve (12) months, and has worked at least 1,250 hours for employer during the twelve (12) month period immediately preceding the leave.

An employee requesting a Qualifying Exigency Leave hereunder must provide written documentation confirming the military member's active duty status or call to active duty status in support of a contingency operation.

505.6.2. Military Caregiver Leave.

At any time that it regularly employs fifty (50) or more persons, or as otherwise required by applicable law, Employer will provide eligible employees with up to twenty-six (26) weeks of unpaid leave to care for a covered servicemember during a single twelve (12) month period, inclusive of the time the employee takes for Leave for Medical and Family Care Purposes or Qualifying Exigency Leave. The employee must be a spouse, son, daughter, parent or next of kin of the covered servicemember. A covered servicemember is a current member of the Armed

Forces, *including* a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty that may render the servicemember medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list; or whose pre-existing injury or illness was aggravated in the line of duty while on active duty.

An eligible employee must have been employed by the employer for at least twelve (12) months, have worked at least 1,250 hours for employer during the twelve (12) month period immediately preceding the leave; and works at a location where the employer has at least fifty (50) employees within seventy-five (75) miles.

A veteran undergoing medical treatment, recuperation or therapy for a serious injury or illness that was incurred by the veteran in the line of duty on active duty in the Armed Forces or whose pre-existing injury or illness was aggravated in the line of duty while on active duty at any time during the five year period preceding the treatment, recuperation or therapy is also considered a covered servicemember.

An employee requesting Leave for Military Caregiver must provide written certification from a health care provider.

505.6.3. Military Spouse Leave.

At any time that it regularly employs twenty-five (25) or more persons, or as otherwise required by applicable federal and state law, Employer will provide qualifying employees up to ten (10) days leave during that time in which the employee's spouse or other party required by applicable law is on leave from deployment in a combat zone with the active duty or reserve military or national guard during a period of military conflict. Employees may use accrued vacation time to cover this absence. If the employee has no accrued vacation, the employee must request time off without pay.

Qualifying employees are employees who work an average of twenty (20) hours per week and have a spouse or domestic partner who is serving as (1) a member of the U.S. Armed Forces and who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States or (2) a member of the Armed Forces Reserve Components or the National Guard and has been deployed during a period of military conflict.

Qualifying employees who wish to request this leave must provide the Employer with a written request for such leave within two business days of receiving official notice that the military spouse or domestic partner will be on leave from deployment. The employee must also provide written documentation to the Employer certifying that the military member will be on military leave from deployment.

505.7. Leave Due to Pregnancy Disability.

Employer will grant employees unpaid leave due to pregnancy disability up to a maximum period of four months. Leave due to pregnancy disability must be certified by a physician's note providing that the employee is disable and unable to work. An employee's leave for pregnancy disability ends when the employee's disability ends. For example, an employee will typically be disabled for six weeks after

a natural childbirth and eight weeks after a cesarean childbirth, although the doctor's certification will determine the length of the employee's disability.

Leave due to pregnancy disability will be unpaid except to the extent that other sources of pay are available. Examples of such pay could include unused sick, vacation, or personal leave, or State Disability Insurance. Employees on leave due to pregnancy disability accrue benefits such as sick leave and vacation only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. Employees on an unpaid leave of absence will not receive holiday pay. Employees on leave due to pregnancy disability will receive benefits from the employer in accordance with Section 502.5.3 above.

505.7.1 Lactation Accommodation

Any employee who is breastfeeding her child has the right to be provided reasonable break times to express breast milk for her baby (lactation breaks). The lactation break time shall, if possible, run concurrently with any break time already provided to the employee. Lactation break time that does not run concurrently with an authorized rest period shall be unpaid. Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her timesheet.

Employer will designate a specific room, other than a restroom, that is in close proximity to the employee's work area, shielded from view and free from intrusion, for this purpose.

The lactation room or location must comply with all of the following requirements: 1. Be safe, clean and free of hazardous materials, (as defined in Labor Code section 6382); 2. Contain a surface to place a breast pump and personal items; 3. Contain a place to sit; and 4. Have access to electricity or alternative devices (e.g., extension cords, charging stations, etc.) to operate an electric or battery-operated breast pump. Employers must also provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee's workspace (or an alternative cooling device suitable for storing milk if a refrigerator cannot be provided). Where the lactation room is a multipurpose room, the use of the multipurpose room for lactation purposes shall take precedence over other uses during the period it is in use for lactation purposes.

Nursing mothers wishing to use the room for breastfeeding purposes must request/reserve the room by scheduling it ahead of time. Employee must store the breast milk in a bag labeled with the employee's name and date. Any nonconforming products stored in the refrigerator may be disposed of. Employee storing milk in the refrigerator will assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering.

505.8. Leave For Medical and Family Care Purposes.

Leave for Medical and Family Care Purposes ("LMFCP") is a leave of absence, taken without salary or wages for a serious health condition that makes the employee unable to perform his or her job; for the birth of a child; care of a mentally or physically impaired child over 18; the placement of a child with the employee for adoption or foster care; or to care for a parent, parent-in-law, grandparent, sibling, child, grandchild, or spouse who has a serious health condition. A serious health condition is an illness,

injury, impairment or physical or mental condition that involves inpatient care in a hospital or continuing treatment by a health care provider.

505.8.1. Eligibility.

At any time it regularly employs five (5) or more persons, employer will provide regular full-time and regular part-time employees who have been employed by the employer for at least twelve (12) months and have worked at least 1,250 hours for employer during the twelve (12) month period immediately preceding the leave-with LMFCP. Eligibility for leave for family care purposes for the birth of a child, adoption or placement of a foster child expires twelve (12) months from the birth, adoption or placement date.

505.8.2. Maximum Length of Leave.

The maximum length of LMFCP is twelve (12) weeks of leave within any twelve (12) month period.

Leave for family care purposes shall be no more than twelve (12) weeks when taken in conjunction with four months leave due to pregnancy disability. After an employee completes a leave due to pregnancy disability, an employee may request leave for family care purposes to stay home and care for the child. The employee may take a maximum of three (3) months LMFCP in addition to the four (4) months leave due to pregnancy disability already taken. Pregnancy disability leave must be certified by a physician's note.

Spouses who are both employed by the employer may each take (12) weeks leave for family care purposes for the birth, adoption or foster care of a child, or to care for a seriously ill parent.

Intermittent or reduced leave is permitted if medically necessary for serious health condition of parent, child, spouse, or employee as certified by a physician. Only the amount of time the employee takes off can be counted as leave for family care purposes. An employee on a reduced leave may be transferred temporarily to a different job, with equivalent pay and benefits, that would better accommodate recurring periods of leave.

The length of the leave must be determined and certified in writing by a physician and is not to exceed twelve (12) weeks. The employee is required to inform his or her supervisor of the status of the leave and any changes in the expected date of return. Supervisors should notify Employer's HR Department (Accounting Assistant) of any changes in the employee's return date. Employees not returning to work on the date in the physician's release may be considered to have voluntarily resigned unless other arrangements have previously been made.

505.8.3. Procedure to Request Leave.

Employees requesting LMFCP should provide a written request for approval to the employee's supervisor at least thirty (30) days in advance of foreseeable leave (i.e., birth of child, adoption), or with as much advance notice as is practicable.

For leave to care for an ill parent, spouse, child or self, Employer requests that a written request for approval of LMFCP include a written statement from the physician certifying: (1) the date on which the serious health condition commenced; (2) the duration of condition; (3) appropriate medical facts; (4) that the employee is needed to care for the seriously ill individual; or that the employee is unable to perform the functions of the position; and (5) an estimate of amount of time employee is needed to care for the family member.

505.8.4. Benefits.

When on an authorized LMFCP, medical, dental, life, long-term disability, and pension premiums will be paid for by the employer to the extent described herein in Section 502.4.

LMFCP is an unpaid leave except to the extent that other sources of pay are available. Examples of such pay could include accrued and unused sick, vacation, or personal leave, State Disability Insurance, or Workers' compensation. Leaves for the birth, adoption, or foster care placement of a child must be concluded within one year of the birth, adoption, or placement. Employees are required to use all but one week of available vacation and all personal leave for all LMFCP. Employees are required to use available sick leave for leave for medical purposes because of their own serious health condition and may elect to use available sick leave for other types of leaves for medical and family care purposes.

Employees on LMFCP accrue benefits such as sick leave and vacation only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. Employees on an unpaid leave of absence will not receive holiday pay. Employees on an authorized LMFCP will not be treated differently than other employees if decisions are made at the Employer to reorganize, reassign, or lay off positions during the time the employee is on LMFCP. Employers must be very careful about making decisions affecting the terms and conditions of employment for employees on an authorized leave of absence.

505.8.5. Reemployment.

Employees on LMFCP for twelve (12) weeks are assured of reinstatement to their former positions or to jobs of like status and pay upon return to work. Employees absent more than twelve (12) weeks cannot be assured of return to their positions or similar jobs and may be terminated.

The maximum time normally granted for LMFP is twelve (12) weeks. Under exceptional circumstances, Employer may approve written requests for medical leave extension. The feasibility of continuing employment is based on employer needs and budget constraints.

505.9. Witness Duty Leave.

The Employer will provide employees with time off to appear in court or other judicial proceedings as a witness to comply with a valid subpoena or other court order. Leaves under this section will be unpaid. However, exempt employees who work any portion of a workweek in which they also appear as a witness will receive their full salary for that workweek. Employees may elect to substitute accrued vacation during any unpaid leave due to a witness appearance. Employees are required to provide reasonable advance notice of the need for witness leave. Employees also are expected to report to work each day or portion of a day they are not performing witness duty.

505.10. Leave to Attend Children's School At Teacher's Request.

Employer will grant employees who are parents or guardians of a pupil time off without pay to appear at their children's school pursuant to a teacher's request under Education Code section 48900.1, if the employee, prior to taking the time off, gives reasonable notice to the Employer that he or she is requested to appear in the school.

505.11. Leave For Educational/Daycare Purposes.

At any time that it regularly employs twenty-five (25) or more persons working at the same location, or as otherwise required by applicable law, Employer will grant employees time off without pay for up to forty (40) hours per calendar year, but no more than eight hours in any calendar month, to participate in the activities of schools or licensed child daycare facilities attended by their children. Employees must substitute accrued vacation for purposes of a planned absence under this Section. Employees wishing to take time off under this Section must provide their supervisors with reasonable notice of the planned absence. If both parents of a child are employed by the Employer at the same worksite, the request for time off under this Section will be granted to the first parent to provide notice of the need for time off. The request from the second parent will be accommodated if possible.

Employer reserves the right to request that the employee furnish written verification from the school or daycare facility as proof that the employee participated in school or daycare activities on the specific date and at a particular time. Failure to provide written verification is grounds for disciplinary action.

505.12 Volunteer Firefighter, Reserve Peace Officer, and Emergency Rescue Personnel.

Nonexempt employees will be granted time off without pay to perform emergency duties as a volunteer firefighter, reserve peace officer, or emergency rescue personnel. At any time that it regularly employs fifty (50) or more persons, or as otherwise required by applicable law, employees who are volunteer firefighters, reserve peace officers, or emergency rescue personnel also are eligible for leave of up to fourteen (14) days per calendar year for fire or law enforcement training as well as emergency rescue training. Exempt employees who work any portion of a workweek in which they also perform such emergency duties or training will receive their full salary for that workweek. Otherwise, exempt employees will be granted time off without pay. Employees may substitute vacation pay for any unpaid portion of leave to perform such emergency duties or training.

505.13 Voting Time Off.

Employees who do not have sufficient time outside of their regular working hours to vote in a statewide election may request time off to vote. If possible, employees should make their request at least two days in advance of the election. Up to two hours of paid time off will be provided, at the beginning or end of the employee's regular shift, whichever will allow the most free time for voting and the least time off work.

505.14 Leave Related to Domestic Violence, Sexual Assault, Stalking, Crimes Involving Physical Injury and Because a Covered Family Member is Deceased Due to Crime.

The Employer will provide unpaid time off to an employee who has been the victim of domestic violence, sexual assault, stalking, a crime involving physical injury, or because a covered family member is deceased due to crime, in order for the employee to seek any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child. At any time that it regularly employs twenty-five (25) or more persons, or as otherwise required by applicable law, Employer will provide employees unpaid time off for obtaining services from a domestic violence shelter, program or rape crisis center, counseling, medical attention, and participation in safety planning programs. The employee may use accrued vacation time for leave under this section. The Employer requires reasonable advance notice of

the leave when feasible. If time off is taken due to an emergency, the employee must, within fifteen (15) days of the absence, provide the Employer with certification of the need for the leave such as a police report, court order, documentation from a healthcare provider, victims advocate, or counselor.

505.15 Crime Victims' Leave.

1. As required by applicable law, the Employer will provide unpaid time off to an employee to attend judicial proceedings related to a crime, if that employee is a victim of crime, an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. The employee may use accrued vacation time or personal leave under this subparagraph as well as accrued sick time in accordance with applicable law. The Employer requires that where feasible, in advance of taking leave, the employee provide it with a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice. If advance notice is not possible, the employee is required to provide the Employer with a copy of the notice within a reasonable time. As required by law, the Employer will provide reasonable accommodations for an employee victim of domestic violence, sexual assault, or stalking who requests an accommodation for the safety of the employee victim while at work.
2. As required by law, the Employer will also provide unpaid time off to a victim of a specified offense listed in paragraph (2) of Labor Code section 230.5 for taking time off from work, upon the victim's request, to appear in court to be heard at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue. The employee may use accrued vacation time for leave under this subparagraph. Victim, with respect to this subparagraph B is defined as any person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act, including the person's spouse, parent, child, sibling, or guardian. As a condition of taking time off for a purpose set forth in this subparagraph B, the employee shall give the Employer reasonable advance notice of the employee's intention to take time off, unless the advance notice is not feasible. When an unscheduled absence occurs, the Employer shall not take any action against the employee if the employee, within a reasonable time after the absence, provides a certification to the employer including one of the following: (1) a police report indicating that the employee was a victim of a specified offense; (2) a court order protecting or separating the employee from the perpetrator of a specified offense or other evidence from the court or prosecuting attorney that the employee has appeared in court; or (3) documentation from a medical professional, domestic violence advocate or advocate for victims of sexual assault, health care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from a specified offense. The Employer will maintain the confidentiality of any employee requesting leave under this subsection to the extent allowed by law.

505.12. Leave for Organ and Bone Marrow Donation.

At any time the Employer regularly employs fifteen (15) or more persons, the Employer will grant an employee the following paid leaves of absence for the purpose of organ or bone marrow donation:

1. A leave of absence up to five (5) business days in any one-year period for the purpose of donating the employee's bone marrow to another person.

2. A leave of absence of up to thirty (30) business days in any one-year period for the purpose of the employee donating his or her organ to another person.

If necessary, the Employer will also provide an additional *unpaid* leave of absence, not exceeding thirty (30) business days in any one-year period, for the purpose of the employee donating the employee's organ to another person.

A leave of absence for the purpose of organ or bone marrow donation will be provided with pay, however, if an employee has earned and unused sick or vacation time available, the employee is required to first use up to five (5) days of paid sick or vacation time for a bone marrow donation and up to two (2) weeks of sick or vacation time for organ donation.

In order to receive a leave of absence pursuant to this policy, the employee must provide written verification to Employer that he or she is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow.

Any leave taken for the donation of an organ or bone marrow will not constitute a break in service for purposes of the employee's right to salary adjustments, sick leave, vacation, annual leave, or seniority. During any leave taken under this policy, the Employer will maintain and pay for coverage under any group health plan, for the full duration of this leave.

Leave provided under this policy may be taken in one (1) or more periods.

Leave taken under this policy will not run concurrently with any leave taken pursuant to the federal Family and Medical Leave Act or the California Family Rights Act, if applicable.

Upon expiration of a leave of absence authorized by this policy, the Employer will restore the employee to the position held by the employee when the leave began or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment. The Employer may decline to restore an employee because of reasons unrelated to the exercise of rights under this policy by the employee.

506 OTHER FRINGE BENEFITS

506.1. Staff Development/Education.

Employees may be asked or required by the Employer to attend conferences, seminars, institutes, and courses directly related to the employee's job during regularly scheduled working hours. Such training time shall be considered time worked and the employer will pay the costs associated with the training.

506.2. Tuition Reduction.

If parishes or schools offer a tuition reduction benefit for employees with children, it must be a written, non-discriminatory policy. A written record of the individual reduction must be made each year and retained by the employer.

507 ADMINISTRATIVE LEAVE

Employees who are suspected of improper behavior requiring further investigation may be placed on administrative leave. Depending on the circumstance, the administrative leave will be with or without pay. The Employer is encouraged to consult with the Diocesan Director of Human Resources concerning all administrative leaves in accordance with the Management Services Agreement.

508 UNPAID PERSONAL LEAVE

For personal needs extending beyond accrued vacation and sick leave, employees with at least six months' employment may request an unpaid leave of absence. Such a leave may be for a maximum of 60 calendar days. Employees must present the request for such a leave in writing to their supervisor.

In the event that an approved unpaid leave extends beyond the last day of the month in which some pay was received, health benefits will continue after this period at the employee's expense. No vacation or sick leave benefits will accrue during an unpaid leave of absence. Holidays are not paid during an unpaid leave of absence. Employees requesting an unpaid leave of absence are responsible for contacting the Diocesan Benefits Administrator regarding what effect the leave of absence will have on their health and/or pension plans. Unpaid personal leave is not an entitlement, and all requests will be reviewed on a case-by-case basis.

SECTION 600: EMPLOYMENT STATUS CHANGE

601 INTERNAL TRANSFER OR PROMOTION

Employees who have been in their current job at least six months may apply for any internal job for which they believe they are qualified. Before advertising for a position publicly, the Employer should make job announcements available at their site. Employees considering a position internally will notify their supervisor when application is made.

SECTION 700: EVALUATING JOB PERFORMANCE

701 PERFORMANCE APPRAISAL

The Employer believes in both the accountability and the affirmation that occurs with performance appraisals/evaluations. This process can assist the Employer to evaluate the employee's effectiveness and should also facilitate in the professional development of employees.

The first written performance appraisal should be completed three months after the initial hire date. Thereafter the supervisor will complete an annual written performance evaluation of employees based on position description, goals and objectives and/or other pertinent information. Employees' active participation in the process of review is critical to the success of the review. Past accomplishments, observations, affirmations, concerns, recommendations, new job requirements, action plans, and goals are all essential ingredients of the performance review.

Performance appraisals are discussed with employees and become part of their personnel file. The employee's signature does not necessarily indicate agreement with the review, but only that the employee has read and received a copy of the review. Employees have an opportunity to respond in writing to their appraisal and this response will be included in the final document. The contents of the evaluation are confidential and available only to the employee and appropriate administrators.

701.1. S. Evaluation of Teachers.

School principals are responsible to annually complete written evaluations of the performance of teachers. Recommended forms and processes are available from the Catholic Schools Office.

701.1.S.2. Evaluation of New Teachers.

Teachers new to the profession and/or new to Catholic education need more than annual evaluations. Principals are strongly encouraged to supervise and evaluate new teachers early and often. At a minimum, new teachers should be evaluated at least twice; three to four times a year is recommended.

701.2. S. Evaluation of Elementary Principals.

It is the pastor's responsibility to annually review and evaluate the performance of the elementary school principal. Recommended forms and processes are available from the Catholic Schools Office. Pastors will forward copies of annual principal evaluations to the Director for Catholic Schools.

The Catholic Schools Office recommends that pastors establish an evaluation process that provides input and feedback from:

- School staff regarding the principal's effectiveness in general school operations;
- Instructional faculty regarding the principal's effectiveness in educational leadership, supervising student learning, and the supervision and evaluation of the faculty; and
- School Advisory Committee regarding the principal's effectiveness in working with the School Advisory Committee to accomplish its goals.

701.3. S. Evaluation of High School Principals.

The high school president will annually review and evaluate the performance of the high school principal. Recommended forms and processes are available from the Catholic Schools Office. The President will forward copies of annual high school principal evaluations to the Director for Catholic Schools.

The Catholic Schools Office recommends that presidents establish an evaluation process that provides input and feedback from:

- School staff regarding the principal's effectiveness in general school operations;
- Instructional faculty regarding the principal's effectiveness in educational leadership, supervising student learning, and the supervision and evaluation of the faculty; and
- School Advisory Committee regarding the principal's effectiveness in working with that Committee to accomplish its goals.

701.4. S. Evaluation of High School Presidents.

The Board of Trustees will annually review and evaluate the performance of the high school president. Recommended forms and processes are available from the Catholic Schools Office. The Board of Trustees will forward copies of annual high school president evaluations to the Director for Catholic Schools.

The Catholic Schools Office recommends that the Board of Trustees establish an evaluation process that provides input and feedback from the:

- Senior staff regarding the president's effectiveness in managing the school operations;
- Trustees regarding the president's service to and relationship with the Trustees and the president's effectiveness in working with the Trustees to accomplish the Board's goals.

702 TERMINATION, DISCIPLINE, AND RULES OF CONDUCT

702.1. Termination.

702.1.A. Voluntary Termination.

Employees oftentimes initiate the decision to end their employment relationship with the employer. Examples of voluntary termination include resignation to accept other employment, retirement, moving out of area, or attending school.

Employees in non-exempt position are asked to inform their supervisor of their resignation at least two weeks before the last active day of work. Employees in exempt positions are asked to provide at least four (4) weeks of written notice to their supervisor. Employees will receive their final paycheck on their last day of work or within seventy-two (72) hours of giving notice.

Employer will consider an employee to have voluntarily terminated his or her employment if an employee does any of the following:

- (1) Elects to resign from Employer;
- (2) Fails to return from an approved leave of absence on the date specified by Employer; or

- (3) Fails to report for work without notice to Employer for three consecutive days.

702.1.B. Involuntary Termination.

An employee may be terminated involuntarily for reasons that may include poor performance, misconduct, or other violations of Employer's rules of conduct as set forth below.

Notwithstanding this list of rules, Employer reserves the right to discharge or demote any employee with or without cause and with or without prior notice.

702.1.C. Reduction In Work Force (Lay Off).

Under certain conditions including, but not limited to, those related to financial resources, reorganization, or change in administrative structure, it may be necessary to transfer or terminate employees. Should this occur, the need for the position, as well as an employee's ability, performance, and seniority will be considered. Employees affected by layoffs are encouraged to apply for other available positions for which they are qualified. Employees who accept another position will receive the salary designated for the new job classification. Employees who are laid-off will receive severance pay (unless another similar or comparable position is offered to the employee prior to the severance date) of one (1) week's current salary for every year employed by the Employer, up to a maximum of ten (10) weeks.

702.2. Discipline and Rules of Conduct.

Employees are expected to observe certain standards of job performance and good conduct. When performance or conduct does not meet Employer standards, the employee will be subject to discipline up to and including termination.

The rules set forth below are intended to provide employees with notice of what is expected of them. Necessarily, however, such rules cannot identify every type of unacceptable conduct and performance. Therefore, employees should be aware that conduct not specifically listed below but which adversely affects or is otherwise detrimental to the interests of Employer, other employees, or customers, may also result in disciplinary action.

702.2.A. Job Performance.

Employees may be disciplined for poor job performance, including but not limited to the following:

- (1) Unsatisfactory work quality or quantity;
- (2) Poor attitude (for example, rudeness or lack of cooperation);
- (3) Excessive absenteeism, tardiness, or abuse of rest break and meal period policies;
- (4) Failure to follow instructions or Employer procedures; or
- (5) Failure to follow established safety regulations.

702.2.B. Misconduct.

Employees may be disciplined for misconduct, including but not limited to the following:

- (1) Insubordination;
- (2) Dishonesty;
- (3) Theft;
- (4) Discourtesy;

- (5) Any behavior that could cause scandal for the Church organization and/or the Roman Catholic Church.
- (6) Conduct inconsistent with the faith, morals, and laws of the Roman Catholic Church.
- (7) Misusing or destroying Employer property or the property of another on Employer premises;
- (8) Violating conflict of interest rules;
- (9) Disclosing or using confidential or proprietary information without authorization;
- (10) Falsifying or altering Employer records, including an application for employment;
- (11) Interfering with the work performance of others;
- (12) Altercations;
- (13) Harassing, including sexually harassing, employees or customers;
- (14) Being under the influence of, manufacturing, dispensing, distributing, using, or possessing alcohol or illegal or controlled substances on Employer property or while conducting Employer business;
- (15) Gambling on Employer premises or while conducting Employer business;
- (16) Sleeping on the job or leaving your work location/work site without authorization;
- (17) Possessing a firearm or other dangerous weapon on Employer property or while conducting Employer business;
- (18) Being convicted of a crime that indicates unfitness for the job or raises a threat to the safety or well-being of Employer, its employees, customers, or property; or
- (19) Failing to report to Employer, within five days, any conviction under any criminal drug statute for a violation occurring in the workplace.

702.2.C. Attendance.

In addition to the general rules stated above, employees may be disciplined for failing to observe the following specific requirements relating to attendance:

- (1) Reporting to work on time, observing rest break and meal period policies, and obtaining approval to leave work early; and
- (2) Notifying the supervisor in advance of anticipated tardiness or absence.

702.2.D. Discipline Procedure.

Except as set forth below, discharge or demotion for poor performance ordinarily will be preceded by an oral warning and a written warning.

Employer reserves the right to proceed directly to a written warning, demotion, or termination for misconduct or performance deficiency, without resort to prior disciplinary steps, when Employer deems such action appropriate. Employer may terminate an employee at will, for any reason, at any time, with or without cause, and with or without notice.

Employees who believe they have been disciplined unfairly may contact their supervisor's supervisor. The Diocesan Director of Human Resources is a resource for supervisors and employees regarding employment-related concerns.

702.3. Exit Interview.

Whenever possible, the supervisor and/or the Human Resource delegate may interview all employees terminating their employment. At the time of the interview, employees are expected to return all Employer-furnished property, such as uniforms, tools, equipment, I.D. cards, keys, credit cards,

documents, and handbooks to Employer. Arrangements for clearing any outstanding debts with Employer and for continuation of health benefits, if any, will also be made at this time.

703 EMPLOYMENT AT WILL.

Nothing in this Guideline is intended to alter the at-will status of employment with Employer. Either you or Employer may terminate the employment relationship at any time with or without cause and with or without prior notice. Employer reserves the right to terminate any employment relationship, to demote, or to otherwise discipline an employee without resort to the above disciplinary procedures.

SECTION 800: RESERVED

SECTION 900: DISPUTE RESOLUTION

Church organizations recognize that disputes can arise in the course of employment. In its role as an Employer, Church organizations are committed to respond to disputes with a process that honors the Christian principles of subsidiarity** and justice. All persons involved in a dispute should be treated with dignity and respect. There should be no retaliation against employees who honestly and appropriately express their concerns about work-place issues. Confidentiality is a value that should be a hallmark for all disputes. Only those persons who have a need to know about disputes should be involved in addressing or resolving them.

**Subsidiarity means that disputes should be resolved at the lowest appropriate level. For example, two parish employees with a dispute should make good faith attempts to resolve the issue between themselves rather than immediately contact the Pastor to resolve the issue.

The Employer may at its discretion use trained facilitators or mediators, and as appropriate, arbitrators, to help resolve conflicts. Parties in a dispute agree to participate in good faith in the Employer's internal dispute resolution process before initiating external administrative remedies.

Job performance concerns initiated by supervisors are addressed in Section 702 of this Handbook.

Other areas involving disputes between employees could include:

901 DISPUTES BETWEEN CO-WORKERS

This presumes the dispute is between employees who are in a non-supervisory relationship. If one or both parties are not able to agree to a resolution, both employees should agree to contact their supervisor(s). If the supervisor's response does not result in a mutually agreeable resolution, the following person will make a final decision after appropriate consultation and careful review of the issues:

- If employees work at a parish, the pastor will make a final decision.
- If employees work at an elementary school, the pastor, in consultation with the principal will make a final decision.
- If employees work at a high school, the president will make a final decision.
- If employees work at Catholic Charities or Catholic Cemeteries, the respective Executive Director will make the final decision.
- If employees work at the Chancery, the Vicar General will make the final decision.

Unless there is preemption by civil or canonical law, the decision by these persons will be final.

902 DISPUTES BETWEEN EMPLOYEES AND SUPERVISORS

This presumes the issue is not directly related to job performance. If the dispute cannot be resolved to the mutual satisfaction of all parties, they should contact the next appropriate supervisor. This person will review the pertinent issues and make a decision. Those persons listed in Section 901 above will review all internal decisions and make a final decision.

**903 DISPUTES ABOUT THE INTERPRETATION OR IMPLEMENTATION OF AN ADMINISTRATIVE OR PERSONNEL
POLICY OR PROCEDURE**

Employees should discuss the issue with their Employer or delegate. After interviewing appropriate people, reviewing applicable policies, precedents, and unique circumstances, and consulting with diocesan administrators as appropriate, the Employer will make a final decision.

SECTION 1000: ADMINISTRATIVE POLICIES

1001 PROPERTY AND COMMUNICATION

The Employer owns all computers, telephones, copiers, faxes, and other equipment and property. As such, the employer has a right to request, view, listen, or otherwise review, written, spoken, taped, or electronic communication developed, sent or received by employees. Passwords are the property of the Employer.

Employees may not use office equipment for personal use unless authorized by the Employer.

Using office equipment or any other property for illegal or unethical purposes is prohibited.

1002 TECHNOLOGY USE AND SECURITY

The Employer provides various Technology Resources to authorized employees to assist them in performing their job duties for the Employer. Each employee has a responsibility to use the Employer's Technology Resources in a manner that increases productivity, enhances the Employer's public image, and is respectful of other employees. Failure to follow the Employer's policies regarding Technology Resources may lead to disciplinary measures, up to and including termination of employment. Employer employees are reminded that, in addition to the requirements of this policy, all usage of Technology Resources is also subject to Employer's "Employer Property; Proprietary, Confidential, And Personal Information" policy and all employees must sign an "Acceptable Use Policy" acknowledgement.

1002.1. Technology Resources Definition.

Technology Resources consist of all electronic devices, software, and means of electronic communication including any of the following: personal computers and workstations; laptop computers; mini and mainframe computers; computer hardware such as disk drives and tape drives; peripheral equipment such as printers, modems, fax machines, and copiers; computer software applications and associated files and data, including software that grants access to external services, such as the Internet or cloud storage accounts; electronic mail; telephones; mobile phones; personal organizers, tablets, and other handheld devices; pagers; voicemail systems; and instant messaging systems.

1002.2. Authorization.

Access to the Employer's Technology Resources is within the sole discretion of the Employer. Generally, employees are given access to the Employer's various technologies based on their job functions. Only employees whose job performance will benefit from the use of the Employer's Technology Resources are authorized to access and use the necessary technology. Additionally, employees must sign an "Acceptable Use Policy" acknowledgement before they are authorized to access and use the Employer's Technology Resources.

1002.3. Use.

The Employer's Technology Resources are to be used by employees only for the purpose of conducting Employer business unless otherwise specifically authorized by Employer.

The Employer assumes no liability for loss, damage, destruction, alteration, receipt, transmission, disclosure, or misuse of any personal data or communications transmitted over or stored on the Employer's Technology Resources. The Employer accepts no responsibility or liability for the loss or non-delivery of any personal electronic mail or voicemail communications or any personal data stored on any Employer property. The Employer strongly discourages employees from storing any personal data on any of the Employer's Technology Resources.

1002.4. Improper Use.

A. Prohibition Against Harassing, Discriminatory and Defamatory Use. The Employer is aware that employees use electronic mail for correspondence that is less formal than written memoranda. Employees must take care, however, not to let informality degenerate into improper use. Under no circumstances shall employees use the Employer's Technology Resources to transmit, receive, or store any information that is discriminatory, harassing, defamatory, obscene, indecent, threatening, or that otherwise could adversely affect any individual, group, or entity (e.g., sexually explicit or racial messages, jokes, or cartoons).

B. Prohibition Against Violating Copyright Laws. Employees shall not use the Employer's Technology Resources to copy, retrieve, forward, or send copyrighted materials unless the employee has the author's permission or is accessing a single copy only for the employee's reference.

C. Prohibition Against Peer-to-Peer File Sharing. Peer-to-Peer (P2P) file sharing/networking is not allowed on the corporate network under any circumstances. P2P programs allow users to copy files from other computers also running P2P programs. P2P file sharing often involves illegally sharing copyrighted material and is a security risk since it allows outsiders to access your computer.

D. Other Prohibited Uses. Employees shall not use the Employer's Technology Resources for any illegal purpose, violation of any Employer policy, in a manner contrary to the best interests of the Employer, in any way that discloses confidential or proprietary information of the Employer or third parties, or for personal or pecuniary gain.

1002.5. Employer Access To Technology Resources.

All messages sent and received, including personal messages, and all data and information stored on the Employer's Technology Resources (including on its electronic mail system, voicemail system, or computer systems) are Employer property regardless of the content. As such, the Employer reserves the right to access all of its Technology Resources including its computers, voicemail, and electronic mail systems, at any time, in its sole discretion. No employee, other than the Technology Coordinator, has authority to waive, vary or amend the Employer's right to access its Technology Resources.

A. No Reasonable Expectation Of Privacy. On occasion, the Employer may need to access its Technology Resources including computer files, electronic mail messages, and voicemail messages. Employees should understand, therefore, that they have no right of privacy with respect to any messages or information created, collected, or maintained on the Employer's Technology Resources, including personal information or messages. The Employer may, at its discretion, inspect all files or messages on its Technology Resources at any time for any reason. The Employer may also monitor its Technology Resources at any time in order to confirm compliance with its policies, for purposes of legal proceedings, to investigate misconduct, to locate information, or for any other business purpose.

B. Passwords. Certain of the Employer's Technology Resources can be accessed only by entering a password. Passwords are intended to prevent unauthorized access to information. Passwords do not confer any right of privacy upon any employee of the Employer. Thus, even though employees may maintain passwords for accessing Technology Resources, employees must not expect that any information maintained on Technology Resources, including electronic mail and voicemail messages, are private. Employees are expected to maintain their passwords as confidential. Employees must not share passwords and must not access coworkers' systems without express authorization.

C. Data Collection. The best way for employees to ensure the privacy of personal information is not to store or transmit it on the Employer's Technology Resources. So that employees understand the extent to which information is collected and stored, examples of information currently maintained by the Employer are provided below. The Employer may, however, in its sole discretion, and at any time, alter the amount and type of information that it retains.

1. Telephone Use and Voicemail: Records are kept of all calls made from and to a given telephone extension. Although voicemail is password-protected, an authorized administrator can listen to voicemail messages and also reset the password.
2. Electronic Mail: Electronic mail is backed up and archived. Although electronic mail is password-protected, an authorized administrator can read electronic mail and also reset the password.
3. Desktop Facsimile Use: Copies of all facsimile transmissions are maintained in the facsimile server.
4. Document Use: Each document stored on Employer computers has a history that shows which users have accessed the document for any purpose.
5. Internet Use: Internet sites visited, the number of times visited, and the total time connected to each site are recorded and periodically monitored.

D. Deleted Information. Deleting or erasing information, documents, or messages maintained on the Employer's Technology Resources is, in most cases, ineffective. All employees should understand that any information kept on the Employer's Technology Resources may be electronically recalled or recreated regardless of whether it may have been "deleted" or "erased" by an employee. Because the Employer periodically backs up all files and messages, and because of the way in which computers reuse file storage space, files and messages may exist that are thought to have been deleted or erased. Therefore, employees who delete or erase information or messages should not assume that such information or messages are confidential or ever were confidential. If a legal dispute arises, or may arise in the future, it may be unlawful to attempt to delete or erase certain information. Employees shall fully comply with Employer policy regarding retention or destruction of information.

1002.6. The Internet And On-Line Services.

The Employer provides authorized employees access to online services such as the Internet. The Employer expects that employees will use these services in a responsible way and for business-related purposes only. Under no circumstances are employees permitted to use the Employer's Technology Resources to access, download, or contribute to Internet sites that contain inappropriate content such as that which is discriminatory, harassing, defamatory, obscene, indecent, threatening, or that otherwise could reasonably adversely affect any individual, group, or entity.

Excessive use of Employer's bandwidth or other technology resources, where not required by job function, is not permitted. Large file downloads or other bandwidth-intensive tasks such as streaming media (video and/or audio) that may degrade network capacity or performance must be performed during times of low Employer-wide usage. The Employer may restrict bandwidth for certain services deemed non-critical to Employer operations, or as it sees fit to preserve network functionality.

Additionally, employees may not use the Employer's Technology Resources to post, comment, send, or otherwise upload any information to any Web sites or other online groups, including web logs (*i.e.*, "blogs"), social networking Web sites, newsgroups, discussion groups, or non-Employer email groups unless specifically authorized by Employer for work-related activities. The employee is asked to recognize that information posted on a blog or social networking Web sites, or other groups immediately becomes public information and thus to exercise extreme discretion in the type of information posted. Employees shall not disclose or disclose on any blog or website confidential business matters or information of or belonging to Employer. The Employer strongly encourages employees who wish to access the Internet for non-work-related activities to obtain their own personal Internet access accounts that are unaffiliated with the Employer, and to use such accounts at home on their own personal computer without making any reference to the Employer.

1002.7. Online Monitoring.

The Employer monitors both the amount of time spent using online services and the sites visited by individual employees. The Employer reserves the right to limit such access by any means available to it, including revoking access altogether. The Employer, through technological tools, may also prohibit or limit access to certain websites considered inappropriate by the Employer or its technology provider.

1002.8. Confidential Information.

The Employer is very sensitive to the issue of protection of confidential and proprietary information of both the Employer and third parties ("Confidential Information"). Confidential Information includes all proprietary, confidential, and personal information covered by the Employer's guideline in this Handbook regarding "Employer Property; Proprietary, Confidential, And Personal Information." Therefore, employees are expected to use good judgment and to adhere to the highest ethical standards when using or transmitting Confidential Information on the Employer's Technology Resources.

Confidential Information should not be accessed through the Employer's Technology Resources in the presence of unauthorized individuals. Similarly, Confidential Information should not be left visible or unattended. Moreover, any Confidential Information transmitted via Technology Resources should be marked with the following confidentiality legend: "This message contains confidential information. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute this information. If you have received this message in error, please advise [employee's name] immediately at [employee's telephone number] or return it promptly by mail."

Employees should adhere to Employer's security policy with regard to Confidential Information and take all appropriate measures to safeguard the confidentiality and security of such information. Employees should avoid sending Confidential Information via the Internet, except when absolutely necessary. Employees should also verify electronic mail addresses before transmitting any messages containing Confidential Information.

1002.9. Software Use License Restrictions.

All software in use on the Employer's Technology Resources is officially licensed software. No software is to be installed or used that has not been duly paid for and licensed appropriately for the use to which it is being put. No employee may load any software on the Employer's computers, by any means of transmission, unless authorized in writing in advance by the Technology Coordinator and thoroughly scanned for viruses or other malware prior to installation.

1002.10. Security.

The Employer has installed a variety of programs and devices to ensure the safety and security of the Employer's Technology Resources. Any employee found tampering with or disabling any of the Employer's security devices will be subject to discipline up to and including termination. Any loss or suspected loss of Confidential Information, or any suspicious activity such as external hacking attempts or unusual internal activity, should be reported immediately to Employer management.

1002.11. Remote Access To Technology Resources.

The Employer may, at its sole discretion, provide certain employees with remote access systems such as a laptop, smartphone, tablet, or other personal organizer to allow such employees to handle the tasks associated with their jobs while working away from the office. Employees must take care to ensure the security of all Employer-provided equipment. Employees must not share network passwords or other PINs with anyone. As soon as an employee believes Employer-provided equipment is lost or that the security and confidentiality of the data on that equipment has been compromised, he or she must notify the Technology Coordinator. If Employer-provided equipment is lost, or if it is damaged as a result of carelessness, employees may be responsible for replacement fees. The Employer-provided remote access system should only be used for Employer-related business. The Employer may decide that it is no longer necessary for certain employees to possess a remote access system and their ability to use such systems may be discontinued, in which case such employees are expected to return any Employer-issued remote access systems in accordance with Employer's "Employer Property" policy.

The Employer does not expect or require employees to work on tasks (including e-mail, work product, etc.) during meal periods or after scheduled working times. Any and all use of remote access systems shall be made in compliance with Employer's "Hours Of Work, Overtime, And Pay Day policy."

Use of public or home networks, such as unencrypted WiFi networks, can be a threat to the security and reliability of the Employer's Technology Resources. Accordingly, employees must only access Employer Technology Resources via means that are specifically approved by the Technology Coordinator.

1002.12. Electronic Mail Guidelines.

Employees are expected to use sound judgment with respect to use of the Employer's electronic mail ("e-mail"). Employees must use the corporate e-mail system for all business-related e-mail. Employees are prohibited from sending business email from a non-Employer-provided email account.

All employees should adhere to the following with respect to use of e-mail:

1. Always ask before sending an e-mail if it is the appropriate medium of communication. When communicating about a sensitive subject, consider whether email is the appropriate medium or whether using the phone rather than email might be more appropriate (but keep in mind that voicemail is similar to e-mail; voicemail may be stored on a computer server and may be forwarded to third parties).
2. Use the “front page” test. Assuming that e-mail is the appropriate medium of communication, each email should be treated as a formal written document. Do not write anything in an email that could not be printed on the front page of the newspaper. Off-the-cuff, sarcastic, or angry comments can come back to haunt the author.
3. E-mail is part of the workplace environment. E-mail containing rude and insensitive comments is not only personally embarrassing, but also may serve as the basis for legal liability. Employees and managers should exercise the same care and sensitivity in communicating via e-mail as they would when communicating in person or in letters. Offensive email received from others should not be forwarded, and the recipient should ask the sender to refrain from sending inappropriate email.
4. Provide context. As with other forms of communication, there is a risk that an e-mail message may be taken out of context. To reduce the risk that the message will be taken out of context, consider including the original message to which the reply email relates.
5. Know your audience. When sending an email, always double-check to whom the email is addressed, especially when using the “reply to all” button. Ask whether it is appropriate for each addressee to receive the e-mail and whether sending the email to a particular addressee will result in the unauthorized disclosure of Confidential Information. If in doubt, remove the doubted addressee.
6. Avoid using a home or personal computer for business purposes. If there is any concern that a legal dispute or litigation involving the Employer and a third party may require producing one’s hard drive from a home or personal computer, the employee should not use the device for business-related purposes. Email relating to Employer business, even though stored on a home or personal computer, is recoverable and discoverable in litigation.

1002.13. Audits.

The Employer may perform auditing activity or monitoring to determine compliance with these policies. Audits of software and data stored on the Employer’s Technology Resources may be conducted without warning at any time.

1003 OFFICIAL LETTERHEAD

The Employer’s stationery, including the logo or other letterhead, is to be used exclusively for appropriate, authorized written communication purposes. Use of the Employer’s stationery for personal or other purposes is prohibited.

1004 USE OF BULLETIN BOARDS/WALLS

The Employer or his/her delegates must approve all information, articles, or any other object on the Employer's bulletin boards, walls, or other property.

1005 DRUG AND ALCOHOL FREE WORKPLACE

The Employer promotes a workplace that is free from alcohol use and use of illegal drugs. Only the Principal (i.e., Bishop, the Pastor, High School Principal, President, or Executive Director, as appropriate] may authorize the use of alcohol on the property in specific instances.

1005.1. Purpose of Guideline.

The Employer promotes and it is the intent of the Employer to maintain a workplace that is free from alcohol use and use of illegal drugs and to discourage drug and alcohol abuse by its employees. Employees who are under the influence of a drug or alcohol on the job compromise the Employer's interests and endanger their own health and safety and the health and safety of others. Substance abuse in the workplace can also cause a number of other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for co-workers, behavior that disrupts other employees, and inferior quality in products or service.

To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its business, property, equipment, and operations, the Employer has established this Guideline concerning the use of alcohol and drugs. As a condition of continued employment with the Employer, each employee must abide by this Guideline.

1005.2. Definitions.

For purposes of this Guideline:

- (1) "Illegal drugs or other controlled substances" means *any* drug or substance that (a) is not legally obtainable; or (b) is legally obtainable but has not been legally obtained; or (c) has been legally obtained but is being sold or distributed unlawfully. Note that despite any change in state law, marijuana is an illegal drug under federal law and this policy.
- (2) "Legal drug" means any drug, including any prescription drug or over-the-counter drug, that has been legally obtained and that is not unlawfully sold or distributed.
- (3) "Abuse of any legal drug" means the use of any legal drug (a) for any purpose other than the purpose for which it was prescribed or manufactured; or (b) in a quantity, frequency, or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.
- (4) "Reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor; information provided to management by an employee, by law enforcement officials, by a security service, or by other persons believed to be reliable; or a suspicion that is based on other surrounding circumstances.

- (5) “Possession” means that an employee has the substance on his or her person or otherwise under his or her control.

1005.3. Prohibited Conduct.

A. Scope. The prohibitions of this section apply whenever the interests of the Employer may be adversely affected, including any time an employee is:

- (1) On Employer premises;
- (2) Conducting or performing Employer business, regardless of location;
- (3) Operating or responsible for the operation, custody, or care of Employer equipment or other property; or
- (4) Responsible for the safety of others in connection with, or while performing, Employer-related business.

B. Alcohol. The following acts are prohibited and will subject an employee to discharge:

- (1) The unauthorized use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol; or
- (2) Being under the influence of alcohol.

C. Illegal Drugs. The following acts are prohibited and will subject an employee to discharge:

- (1) The use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any illegal drug or other controlled substance; or
- (2) Being under the influence of any illegal drug or other controlled substance.

D. Legal Drugs. The following acts are prohibited and will subject an employee to discharge:

- (1) The abuse of any legal drug;
- (2) The purchase, sale, manufacture, distribution, transportation, dispensation, or possession of any legal prescription drug in a manner inconsistent with law; or
- (3) Working while impaired by the use of a legal drug whenever such impairment might:
 - (a) Endanger the safety of the employee or some other person;
 - (b) Pose a risk of significant damage to Employer property or equipment; or
 - (c) Substantially interfere with the employee’s job performance or the efficient operation of the Employer’s business or equipment.

1005.4. Disciplinary Action.

A. Discharge for Violation of Guideline. A first violation of this Guideline will result in *immediate discharge* whenever the prohibited conduct:

- (1) Caused injury to the employee or any other person, or, in the sole opinion of management, endangered the safety of the employee or any other person;
- (2) Resulted in significant damage to Employer property or equipment, or, in the sole opinion of management, posed a risk of significant damage;
- (3) Involved the sale or manufacture of illegal drugs or other controlled substances;

- (4) Involved the possession, distribution, or dispensation of illegal drugs or other controlled substances or alcohol;
 - (5) Involved an employee who had not completed the introductory period or was a casual, seasonal, or temporary employee; or
 - (6) Involved the failure of an employee to report a criminal conviction, as required herein.
- B. Discretion Not to Discharge. In circumstances other than those described in Paragraph A, above, the Employer, in the discretion of management, may choose not to discharge an employee for a first violation of this Guideline.
- C. Effect of Criminal Conviction. An employee who is convicted under a criminal drug statute for a violation occurring in the workplace or during any Employer-related activity or event will be deemed to have violated this Guideline.
- D. Written Warning. An employee who is not discharged for a first violation of this Guideline will receive a final written warning and immediate suspension without pay for a period of 10 calendar days.
- E. Effect of Second Violation. A second violation of this Guideline at any time will result in immediate discharge.

1005.5. Drug-Free Awareness Program.

- A. Management Awareness. Managers and supervisors should be attentive to the performance and conduct of those who work with them and should not permit an employee to work in an impaired condition or to otherwise engage in conduct that violates this Guideline. When management has reasonable suspicion to believe that an employee or employees are working in violation of this Guideline, prompt action will be taken.
- B. Criminal Convictions. Employees must notify the Employer of any conviction under a criminal drug statute for a violation occurring in the workplace or during any Employer-related activity or event. Employees must notify the Employer within five days after any such conviction. When required by federal law, the Employer will notify any federal agency with which it has a contract of any employee who has been convicted under a criminal drug statute for a violation occurring in the workplace.

1005.6. Use of Legal Drugs.

The Employer recognizes that employees may, from time to time, be prescribed legal drugs that, when taken as prescribed or according to the manufacturer's instructions, may result in impairment. Employees may not work while impaired by the use of legal drugs if the impairment might endanger the employee or someone else, pose a risk of significant damage to Employer property, or substantially interfere with the employee's job performance. If an employee is so impaired by the appropriate use of legal drugs, he or she may not report to work. To accommodate the absence, the employee may use accrued sick leave or vacation time. The employee may also contact the Personnel Manager to determine whether or not he or she qualifies for an unpaid leave of absence, such as family care or medical leave. Nothing in this Guideline is intended to sanction the use of accrued sick leave or vacation time to accommodate absences due to the *abuse* of legal drugs.

1005.7. Unregulated or Authorized Conduct.

- A. Customary Use of Over-the-Counter Drugs. Nothing in this Guideline is intended to prohibit the customary and ordinary purchase, sale, use, possession, or dispensation of over-the-counter drugs, so long as that activity does not violate any law or result in an employee being impaired by the use of such drugs in violation of this Guideline.
- B. Off-the-Job Conduct. This Guideline is not intended to regulate off-the-job conduct, so long as the employee's off-the-job use of alcohol or drugs does not result in the employee being under the influence of or impaired by the use of alcohol or drugs in violation of this Guideline.
- C. Inappropriate Use of Alcohol. Only the Principal (i.e., Bishop, the Pastor, High School Principal, President, or Executive Director, as appropriate] may authorize the use of alcohol on the property in specific instances which will not violate this Guideline. However, while this policy will not be construed to prohibit the use of alcohol at Employer-sponsored events where alcohol is served, Employer prohibits the inappropriate use or abuse of alcohol at such Employer-sponsored events and employees must remember their obligation to conduct themselves properly at all times while at Employer-sponsored events.

1005.8. Counseling/Employee Assistance.

Employees who suspect they may have alcohol or drug problems, even in the early stages, are encouraged voluntarily to seek diagnosis and to follow through with the treatment as prescribed by qualified professionals. Employees who wish to voluntarily enter and participate in an approved alcohol or drug rehabilitation program are encouraged to contact the Personnel Manager, who will determine whether the Employer can accommodate the employee by providing unpaid leave for the time necessary to complete participation in the program. Employees should be aware that participation in a rehabilitation program will not necessarily shield them from disciplinary action for a violation of this Guideline, particularly if discipline is imposed for a violation occurring before the employee seeks assistance.

1006 SMOKE FREE WORKPLACE

The Employer complies with all federal and state laws regarding smoking in the workplace. Employees and visitors are not permitted to smoke cigarettes, e-cigarettes/vape pens, pipes, or cigars at any time inside the Employer's buildings and only outside in designated areas.

1007 ALLOWABLE BUSINESS EXPENSE

Employees who use their own vehicles for diocesan business will be reimbursed, unless otherwise stated, at the current IRS rate. Claims for reimbursement should be submitted within 30 days, on an appropriate form signed by the employee, approved by the supervisor, and accompanied by required documentation. Employees operating vehicles on work-related business must comply with all statutory requirements for the operation of motor vehicles and have the minimum insurance coverage required by the Employer and a valid California driver's license.

Reimbursement for additional expenses connected to business travel (e.g., meals, lodging, rental vehicles, etc.) must be approved by the supervisor. If there are any questions about which expenses will be reimbursed, employees must ask their supervisor before incurring the expense.

1008 MOBILE DEVICE POLICY

The Employer prohibits the use of all handheld mobile devices including telephone, data, personal organizer, or other devices for work purposes while operating a motor vehicle or for personal purposes while operating a motor vehicle during work hours or on Employer business. Moreover, all use of Employer-issued mobile devices, or personally purchased mobile devices used for work-related purposes, must be made in accordance with Employer policy.

Employees may use hands-free mobile devices in a vehicle when safe to do so and in accordance with applicable law. Special care should be taken in situations where there is heavy traffic, inclement weather, or the employee is driving in an unfamiliar area. Employees must adhere to all federal, state, and local rules and regulations regarding the use of mobile devices while driving.

Under no circumstances are employees allowed to use text devices to type or review text messages for work purposes while operating a motor vehicle or for personal purposes while operating a motor vehicle during work hours or on Employer business.

APPENDIX: CENTRAL CATHOLIC HIGH SCHOOL HOLIDAY CALENDAR

ACKNOWLEDGEMENT OF RECEIPT

PLEASE READ THE EMPLOYEE HANDBOOK AND FILL OUT AND RETURN THIS PORTION TO THE PERSONNEL DEPARTMENT.

Employee Name:

I acknowledge that I have received a copy of the Employer's Employee Handbook. I understand that I am responsible for reading the Handbook and for knowing and complying with the policies set forth in the Handbook during my employment with the Employer.

I further understand, however, that the guidelines contained in the Handbook are guidelines only and are not intended to create any contractual rights or obligations, express or implied. I also understand that, except for the Employer's at-will employment policy, the Employer may amend, interpret, modify, or withdraw any of the provisions of the Handbook at any time. Furthermore, I understand that, because the Employer cannot anticipate every issue that may arise during my employment, if I have any questions regarding any of the Employer's guidelines or procedures, I should consult the Employer's Human Resources Department.

I understand and agree that my relationship with the Employer is "at-will," which means that my employment is for no definite period and may be terminated by me or by the Employer at any time and for any reason, with or without cause or advance notice. An employee's status and terms of employment may be changed at any time by Employer.

I understand and agree that the terms of this Acknowledgment may not be modified or superseded except by a written agreement signed by me and by [ADD APPROPRIATE ORGANIZATION LEADERSHIP HERE: (i.e., Bishop, the Pastor, High School Principal, President, or Executive Director, as appropriate)] that no other employee or representative of the Employer has the authority to enter into any such agreement, and that any agreement to employ me for any specified period of time or that is otherwise inconsistent with the terms of this Acknowledgment will be unenforceable unless in writing and signed by me and by [ADD APPROPRIATE ORGANIZATION LEADERSHIP HERE: (i.e., Bishop, the Pastor, High School Principal, President, or Executive Director, as appropriate)]. I further understand and agree that if the terms of this Acknowledgment are inconsistent with any guideline or practice of the Employer now or in the future, the terms of this Acknowledgment shall control.

Finally, I understand and agree that this Acknowledgment contains a full and complete statement of the agreements and understandings that it recites, that no one has made any promises or commitments to me contrary to the foregoing, and that this Acknowledgment supersedes all previous agreements, whether written or oral, express or implied, relating to the subjects covered in this Acknowledgment.

I have carefully read this Acknowledgement of Receipt.

Date: _____ Signed: _____