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DIOCESE OF WORCESTER
Lay Personnel Policies

Welcome: The Diocese of Worcester welcomes you as a member of its staff. Our employees are our most valuable resource. As a person of faith, committed to Gospel values, each employee values the diocesan community and the responsible management of resources, and helps the Church fulfill its mission and purpose.

The Lay Personnel Policies of the Diocese of Worcester as Employer (hereinafter referred to as "Diocese" in these Policies), are set forth to insure that employees know what is expected of them and what they may expect from the Diocese as employer. These policies also are intended to provide the basis for a unique working relationship of leadership and service reflective of Catholic social teachings. Both employer and employee in the Church are guided by such principles as human dignity. **Human Dignity (Gaudium et Spec #12, 15-17), Collegiality (Lumen Gentium #22-23), Subsidiarity (Gaudium et Spec #68), Individual Responsibility and Initiative (Gaudium et Spec #41, Individual Development and Competence (Gaudium et Spec #254-567), and Pastoral Authority and Dialogue (Lumen Gentium #40-41).**

These principles are not exhaustive of the social teaching of the Church. They are reminders that personnel ministry is a service function of the mission of the Church, and that service should model the beliefs about the relationships between God, self and others in the Christian family.

You will receive with your copy of these policies, a letter identifying your position and the name of the person to whom you are responsible. It is important that you sign and return the copy of that letter to show you have received it and that you have been informed of these personnel policies. The signed copy of that letter will be filed in your personnel file.

These policies are for the lay employees of the Diocese and not for contractors engaged by the Diocese. They do not replace and are subject to the Manual of Policies and Regulations for Catholic Schools published through the Office of the Superintendent of Catholic Schools and any union contracts.

1.0 Employment Policy

1.1 Mission Statement

As an employee of the Diocese, you share in the mission which Christ entrusted to the Church, to spread the Gospel, to serve our sisters and brothers in the human family in love, and to build up the Body of Christ which is the church. Our employees must share, appreciate and uphold the teachings, principles, legislation, policies and traditions of the Roman Catholic Church in the Diocese of Worcester both in word and example. As partners in Christ, our work is not only occupational but vocational, a call to improve the quality of life of the human family by bearing witness to the presence of Christ and His Church in the World.

1.2 Equal Employment Opportunity and Non Discrimination Policy

Employees are assured of equal opportunity in employment recruitment, placement, promotions, demotions, layoffs, training, compensation and all other conditions and terms of employment without discrimination on the basis of race, color, sex, national origin, age, ancestry, disability, marital status, or religious creed, except where religion is a bona fide occupational qualification. This is in accordance with all applicable federal and state law, including but not limited to Section 504 of the Rehabilitation Act of 1973, Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, as amended, Article 114 of the Massachusetts Constitution, Chapters 151B and 272, Sections 92, 98, and 9SA, of the Massachusetts General Laws and Executive Orders 227, 246 and 253.

The Diocese will make a reasonable accommodation for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship will result.

1.3 Selection

It is the policy of the Diocese to select the most qualified person for the position. Employees are selected on the basis of their qualifications for specific job positions. Each position of employment has a written job description that includes required job qualifications and required employment responsibilities. Job descriptions will be reviewed periodically by the Diocese, to ensure that they reflect current duties and responsibilities of the position.

1.4 Employment and Hiring

The Residential Bishop or his delegate has the responsibility for the employment of all staff members. Interviewing of candidates for employment may be delegated to administrative or supervisory staff members with recommendation for hiring made to the Bishop.

1.4.1 Reference and CORI

An applicant's references may be checked either by telephone or mail before a hiring decision is made, with the informed consent of the applicant.

The Diocese will seek and obtain certain specific criminal history information from the State Criminal History System Board. We are permitted to ask employees or prospective employees if they have a felony record. The employee is permitted to respond "no record" if his or her criminal records have been sealed pursuant to G.L. c276 s 100A.

All CORI checks will be conducted by authorized staff. Unless otherwise provided by law a criminal record will not automatically disqualify and applicant. Determinations of suitability will be based on the relevance of the crime to the position, the nature of work to be done, time since conviction, age of candidate at the time of offense, seriousness and number of crimes, evidence of rehabilitation, current pending charges, or any other relevant information submitted. The Diocese will notify the applicant of the decision in a timely manner describing what part of the criminal record made her/him ineligible. The applicant will then have an opportunity to dispute the accuracy and relevance of the CORI.

1.4.2 Employment at Will

Your employment is an employment-at-will relationship and not a contract of employment and may be terminated at any time by you Or by the Diocese.

The disciplinary and grievance procedures set forth in these policies will not apply during the first six months of employment. After the first six months of employment, the stated grievance procedures will apply. In all instances, the decision of the Bishop shall be final, unreviewable in any court or other tribunal, and shall be binding on the Diocese and employee.

1.4.3 Employee Orientation

New employees will meet with the Department Head or a delegate and receive an informational briefing as to the history and activities of the department and available benefit programs. They also would be given a tour of the facility, a copy of the personnel policies and procedures, a job description, notification of additional Diocesan work rules, wage and performance evaluation policies, necessary payroll forms, and an introduction to other employees and Supervisors as is appropriate.

1.4.4 Immigration Law

In compliance with the Immigration Reform and Control Act of 1986, all employees when hired must provide verification of identity and eligibility for employment and are required to complete the *Department of Homeland Security Form 1-9* as required by Law. A photocopy of the documents used to meet this requirement will be in the Diocese's payroll file.

1.4.5 Physical Examination

Employees and applicants may be offered positions on the condition that they pass a physical examination. The Diocese will pay the cost of any physical exam required after a conditional offer of employment has been made, and reserves the right to designate its own physician to conduct appropriate examinations.

1.4.6 Employment of Relatives of the Department Head or Supervisory Personnel

Relatives of employees are able to apply for jobs with the Diocese of Worcester, for which they are qualified except when the position available is directly and/or solely supervised by a relative.

If a written complaint of nepotism is made, it will be reviewed by the Personnel Committee for an advisory opinion to the Chancellor, who will act upon it.

1.4.7 Grant and/or Contract Funded Positions

Prior to hire, employees whose job positions are of limited duration because they are funded for limited periods of time will be informed of this fact and their job description will be so noted. Continued existence of the position may be dependent upon need and availability of funding.

1.4.8 Lay Employee Communication and Information System

All employees at the start of employment are required to complete the Lay Employee Communication and Information System Questionnaire and return it to the Diocese for processing.

Information obtained from this form is used by the Diocese for statistical and demographic data purposes.

This information allows for direct communication to you for benefit notices or opinion surveys, Statement of Estimated Retirement Benefits, service acknowledgments, and other relevant information.

Information from this form is held "**Confidential**".

1.4.9 Child Labor Provisions

The following regulations are extracted from both the Commonwealth of Massachusetts and from the U.S. Department of Labor.

- 1) No child under the age of fourteen (14) years may be employed at any time.
- 2) Minors fourteen (14) and fifteen (15) years of age are allowed part-time and vacation employment only by permit from the local school department. Such employment shall not take place during the hours when school is in session and shall not exceed three (3) hours in any one (1) school day or eighteen (18) hours in anyone school week, eight (8) hours on a non-school day, or forty (40) hours in a non-school week. Work may not begin before 7 a.m. nor end after 7 p.m. except from June 1 to Labor Day when evening hours are extended to 9 p.m.
- 3) Minors sixteen (16) and seventeen (17) years of age may not work more than forty-eight (48) hours in anyone week nor more than nine (9) hours in anyone day.

There shall be an interval of not less than eight (8) hours between the end of a work period and the start of a new one.

Students are not permitted to work between the hours of 11:30 p.m. and 6 a.m. when the following day is a school day.

Minors under eighteen (18) years of age are prohibited from working in any hazardous occupation.

1.4.10 Confidential and Proprietary Information

Confidentiality is a mark of the deepest respect which we should have for every person. Each employee shall respect the confidentiality of all information received during the course of employment by the Diocese of Worcester.

All information, records, materials and files, whether manually written or computerized, or of an electronic or voice technology and whether personal or financial, are the sole property of the Diocese and may be used by employees only in carrying out their assigned duties.

Release of such information to anyone is expressly prohibited unless specifically authorized by written procedures or by specific written permission by an employee's Department Head or Supervisor.

Employees are expected to act in a manner that will ensure the information which they are authorized to access is protected from unauthorized use, invalid changes or destruction.

Employees who violate the Diocese's confidentiality and proprietary information policies will be subject to discipline, up to and including immediate termination of employment for serious violation.

The Diocese reserves the right to seek legal redress and remedies for breaches of its confidential and proprietary information policy by former employees.

1.4.11 Ownership of Computer Software Applications

All computer software applications such as programs, modifications to programs, databases, report layouts, report formats, spreadsheets and software documentation developed by employees as part of their regular duties or purchased by the Diocese are the sole property of the Diocese and may be used or modified by the Diocese.

All data in such applications and documentation are considered confidential and subject to the stated Confidentiality and Proprietary Information Policy.

1.4.12 Ownership of Research and Literary Works

Research with its documentation and processes along with works of a literary nature developed by employees as part of their regular duties are the sole property of the Diocese.

Release of such is prohibited unless specifically authorized in writing by the Department Head.

All data processes and works are considered proprietary and subject to the stated Confidentiality and Proprietary Information Policy.

1.4.13 Use of Employer's Tax Exemption

Employees are never authorized to use the Diocese's Roman Catholic Church Federal or State Tax Exemption and/or number for any personal purchases of services or items. This would include the use of the Diocese's established account at a vendor to purchase personal items which would be later reimbursed by the employee.

Violation of this policy may cause the Diocese to lose its Federal and/or State Tax Exemption status. Therefore, because of the seriousness of this violation, employees maybe subject to immediate termination.

1.4.14 Personnel Record

A personnel record shall be kept on each employee. The employee's record will be maintained in the Payroll Office. These records are available to the Department Heads. The employee's record will be carefully protected from review by unauthorized persons and will be shared with others only with explicit permission by the worker.

The record will consist of cumulative data with reference to the employee, from the employee's initial application, references, record of personal interview, condition of employment, confirmation of employment, work assignments, medical reports, correspondence, periodic evaluations and evidence of termination of employee.

The record will contain cumulative data regarding salaries, increments, leave and sick leave, time sheets/card, maintained by employee and approved by Department Head or delegate and recorded monthly.

Any release of the employee's personnel record may be given only by the Chancellor or the Department Head, and with the employee's informed consent.

1.5 Employee Status Classification

Employees will be classified in approved job position classifications.

1.5.1 Exempt or Non-Exempt Employee Classifications

Federal Law requires that each employee be classified as exempt from the provisions of the Fair Labor Standards Act, as amended, or non-exempt.

"Exempt" means that the employee need not receive overtime pay for hours worked in excess of forty hours (40) in a work week.

"Non-Exempt" means that the employee must receive overtime pay for hours worked in excess of forty hours (40) in a work week.

Generally, employees will be "non-exempt" unless the employee meets the test for and is employed in a bona fide executive, administrative or professional capacity as defined by the Federal Labor Standards Act Title 29 Part 541.

The exempt classification is dependent on the specific job duties, responsibilities and required qualifications for each position and is not dependent on the job title given. In addition, exempt employees must be paid on a salary basis (as opposed to hourly) and their salaries must exceed certain weekly minimum set forth in the Regulations.

1.5.2 Regular Part-Time Employee

A regular part-time employee is one, who is not a full time employee working thirty-five (35) hours per week but, who is regularly employed at least twenty-five (25) hours per work week in an established job of an ongoing or continuing nature.

Regular part-time employees are able to participate in all benefit programs for which they are eligible, pro-rated on the Department's full-time hours per week. Medical coverage, however, will be provided according to Section 3.5 of these personnel policies.

1.5.3 Part-Time Employee

Part-time employees are those who normally work less than twenty-five (25) hours per work week in an established job.

These employees would participate only in mandatory benefits: Social Security and Medicare, Worker's Compensation, and in any other programs required by law.

1.5.4. Temporary Employee

Temporary employees are those in a position established for a limited and specific period of time not to exceed six (6) months.

These employees would participate only in Social Security and Medicare, Worker's Compensation, and in any other programs required by law.

1.5.5. Hours of Work

For the convenience of those we serve, the Offices of the Chancery Building are open from Monday through Friday. The work week is based on thirty-five hours for full-time staff. The usual hours of business are from 9 a.m. to 12:30 p.m. and from 1:30 p.m. to 5 p.m. It is expected that all employees will be at their place of work during these hours.

In an emergency and under special circumstances, the employee may be asked to extend the regular work day. Financial compensation and/or compensatory time off for non-exempt employees will be provided and will be arranged between the Department Head and the employee.

1.5.6 Promotions and Transfers

The primary goal of the Diocese's promotion and transfer policy is to fill vacancies or newly created positions with qualified applicants. The availability of a position will be posted for clergy, Religious and lay persons within the Diocese. If the position is not filled with someone within the Diocese, the position will be advertised through appropriate public channels.

When filling a vacancy or staffing a new position, the Diocese will, whenever possible, give a qualified employee consideration, thus allowing for upward mobility and possible career path advancement.

Qualified employees who meet the requirements of the position are encouraged to apply. Employees should have been in their present job position for at least one (1) year before placing themselves under consideration.

Anytime there is a new position created, the changing of a job title or added responsibilities to a current position, a written job description specifying title, responsibilities and salary range must be submitted to the Director of Finance for approval and a copy sent to Bishop McManus. No position will be filled nor any change made without written approval from Bishop McManus and the Director of Finance.

Factors taken into account in all promotion and transfer decisions will be the relative ability and merit of all candidates, such as, job skill, knowledge, past experience, ability, efficiency, initiative, attitude, attendance and job performance evaluation.

The sharing of staff services between departments is encouraged. These services are to be provided without additional compensation. If these services are provided at times outside the usual work schedule, compensatory time should be provided.

1.5.7 Temporary Transfer to Another position

Every employee of the Diocese of Worcester has an assigned position. Budget limitations, illness, vacation, absence or contingent necessities may make it necessary for the Chancellor's Office to assign an employee temporarily under the following conditions: consultation with the Department Head and the employee; "temporarily" is intended to mean two weeks; however, if a long, or indefinite period is intended, the Department Head and the employee must be consulted.

1.5.8 Voluntary Resignations

Voluntary Resignations are those instances where an employee chooses to leave employment on their own accord. It is expected that all employees would notify the Diocese in writing of their intent to resign in accordance with the following paragraph. Non-exempt employees are expected to give a ten (10) working day notice. Exempt employees are expected to give a twenty (20) working day notice. These notices help provide time for the Diocese to find a replacement so that operations can continue during the transition.

1.5.9 Exit Interview

Employees are expected to take part in an exit interview prior to the last day of employment. The purpose is for a sharing of views, opinions, reactions, or suggestions concerning the practices, policies and procedures used in the Diocese, Program/Department. This information can help the Diocese make improvements where necessary.

Also all property of the Diocese, such as keys, manuals, publications, ID cards, equipment, computer software, computer programs or other electronic media, etc., are to be returned at this time.

1.5.10 Involuntary Termination

The Diocese has the authority to terminate an employee. Employees so terminated may be given a maximum of ten (10) working days notice of termination. Employees will be terminated immediately for gross misconduct, willful negligence or repeated infractions of the Diocese's policies and/or rules, such as, fighting, use or possession of alcohol or illegal drugs, insubordination, stealing, fraud, embezzlement and/or other serious infractions. Employees who are involuntarily terminated will not receive severance pay.

1.6. Layoff

If it is necessary for the Diocese to layoff an employee, the employee will be notified of the date of the layoff at least thirty (30) days in advance of the effective date. The Diocese may reduce the thirty (30) day period if the layoff is due to unforeseeable circumstances, such as, cancellation of grant funding or other unexpected financial crisis, Act of God, or other disruptive events, etc.

Layoff would be made by grant funded project, by department or unit or by specific program, as required. Provided that in the Diocese's judgments, job qualifications, ability and past performance are equal, the order of layoff among employees in the same job(s) would be: temporary employees, part-time employees, regular part-time employees, and finally full-time employees.

Employees are encouraged to use the notification period to explore other employment opportunities with other employers within the Diocese of Worcester and with other outside employers.

An employee, who is designated for layoff and has not obtained another position with another employer within the Diocese of Worcester, would be eligible to be placed on a reemployment list for up to one (1) year with the Diocese. If the employee is not rehired within the one (1) year period, the employee will then be eligible for severance pay if applicable, only after the end of the one (1) year period.

Those employees designated for layoff who do not wish to be placed on a reemployment list and who resign will be eligible for and receive severance pay, if applicable.

1.6.1 Severance Pay

Severance pay is restricted to full-time and regular part-time employees, who lose their jobs for reasons such as, layoff, release without fault or employee death. Employees who quit voluntarily or are involuntarily terminated are not entitled to severance pay.

Employees employed less than twelve (12) months, temporary or part-time status with the Diocese are not eligible for severance pay.

The following severance pay schedule will be applicable and relates to an employee's normal weekly wage:

- 1) Less than one (1) year of continuous service with the Diocese -No Severance Pay.

- 2) At least one (1) year but less than five (5) years of continuous service with the Diocese – Two (2) weeks severance pay.
- 3) At least five (5) years but less than ten (10) years of continuous service with the Diocese – Three (3) weeks severance pay.
- 4) Ten (10) years but less than fifteen (15) years of continuous service with the Diocese – Four (4) weeks severance pay.
- 5) Fifteen (15) years or more of continuous service with the Diocese – five (5) weeks severance pay.

1.6.2 Variations in Work Schedules

The Diocese reserves the right to change an employee's work schedule on either a temporary or ongoing basis. Such a change may result from workload variations, cyclical workload variation at specific times of the year or from an employee's request for a change in work schedule for personal reasons. Personal requests may be denied on the basis of the Diocese's needs and other reasonable considerations.

A change to an employee's work schedule must be authorized by the Department Head. Employees whose work schedules must be changed on a temporary or ongoing basis for unanticipated reasons will be notified as far in advance as is practical under the conditions that resulted in the change. If an employee is unwilling to make the change in the work schedule, reasonable effort will be made to find the employee another position within the Diocese, if possible.

If the Diocese and employee cannot reach a mutual agreement, then the Diocese shall consider this cause for involuntary termination.

1.6.3 New Position

A new position may be established within a Department of the Diocese of Worcester. A Job Description must be developed and the new position approved by the Chancellor prior to recruitment.

When a new position is created, the changing of job title or added responsibilities to a current position a written job description specifying title, responsibilities and salary range must be submitted to the Bishop for approval with a copy to the Director of Finance. No position may be filled nor any changes made without written approval from the Bishop.

2.0 Compensation and Evaluation

2.1.1 Policy Goal

It is the primary goal of the Diocese's wage administration policy to attract and retain good workers and motivate employees to perform at above average levels. The policy also is designed to ensure that the Diocese's wage policies and practices comply with all applicable Federal and State laws and regulations and that employees' pay rates reflect their performance and the relative difficulty of their job duties and responsibilities within the Diocese's wage structure.

2.1.2 Job Description

Employees are entitled to a written job description from the Diocese. The job description is to provide the name of the Department, job position title, exemption classification and is to convey accurately the function of the job. The job description also is to provide a listing of responsibilities and duties of the position which would identify essential job functions, to include specific performance standards as appropriate and to provide at least the minimum required qualifications for the job position.

Job descriptions are not to imply they are all inclusive of all the duties and responsibilities to be performed by the employee. Employees will be required to perform other related duties as required.

Employees' job descriptions will be updated from time to time.

2.2 Wage Payment Schedule

Ordinarily, wages will be paid bi-weekly on Thursday. However, the Diocese reserves the right to change the payment of wages to another permanent scheduled day or to a permanent bi-weekly or monthly schedule as conditions warrant.

Part-time and temporary employees will be paid on the next scheduled pay period after the end of the work week.

In the event that a holiday falls on a regular pay day, pay will be distributed on the preceding regular work day.

Notice of employee's approved vacation period should be provided to the payroll office of the Diocese at minimum two (2) weeks in advance of the expected vacation check. This procedure helps to ensure that proper payment is prepared on a timely basis.

2.3 Performance Evaluation

The performance evaluation process is to provide a thoughtful, objective and equitable means of employee evaluation. The performance of all employees should be evaluated, at least annually, by the Department Head or supervisor, to ensure that employees know how they are doing in terms of fulfilling their job duties and responsibilities.

The evaluation process should promote the growth of the individual employee, improve communications between supervisor and employee, and provide the vehicle for improved performance and morale.

An employee and immediate Supervisor both prepare an official performance evaluation form prior to the evaluation interview. The employee's self-evaluation is to be compared with the Supervisor's evaluation in arriving at a final evaluation. Employees may add their comments to the approved form, if desired. Employees are required to sign the final evaluation indicating their participating in the process. Signature does not indicate agreement. The employee will receive a copy of the final form.

All performance appraisal evaluations will be filed with the Chancellor and retained in the employee's personnel file. Follow-up evaluations will be undertaken as is necessary.

2.4 Overtime (OT)

"Non-exempt employees" are compensated for hours worked in accordance with the provisions of the Fair Labor Standards Act. They are paid their "regular rate" for all hours actually worked up to and including forty (40) hours during the work week. They also are paid one and one-half (1-1/2) times their regular rate for all hours actually worked in excess of forty (40) hours during a work week.

If an employee does not work on the day of an observed holiday, but is paid for that day, the scheduled hours of work on the day of the observed holiday are counted as hours worked for the purpose of computing overtime payments.

2.5 Compensatory time (Comp Time)

2.5.1 "Comp Time" Non-Exempt Employees

"Comp Time" is granted by the Department Head to "non-exempt employees" who work more than their "normal hours" on a given day, but who work less than forty (40) hours per work week.

"Comp Time" must be taken in the same forty (40) hour work week as per Federal regulations. The overtime (OT) policy in Section 2.4 is to be adhered to for all hours worked in excess of forty (40) hours per work week.

3.0 Employee Benefits

3.1 Holidays

The following days are recognized as paid holidays:

- | | |
|---------------------------|--|
| 1) New Year's Day | 9) Labor Day |
| 2) Martin Luther King Day | 10) Columbus Day |
| 3) Presidents' Day | 11) Veterans Day |
| 4) Holy Thursday | 12) Thanksgiving Day |
| 5) Good Friday | 13) Day after Thanksgiving |
| 6) Patriots Day | 14) Christmas Day |
| 7) Memorial Day | 15) Last working day before or
after Christmas as
determined by the Chancellor |
| 8) Independence Day | |

When a full-time employee is scheduled off on a holiday, that employee will receive a day's pay for the holiday. If a holiday falls on an employee's regular day off, that employee is entitled to another day off with pay as scheduled by the employee's Supervisor. When a holiday occurs while an employee is on paid vacation leave, that employee will not be charged with a vacation day on the holiday. If the holiday falls during the time an employee is on leave of absence, that employee is not entitled to be paid for the holiday.

3.2 Vacation Leave

The Diocese of Worcester will provide vacation leave for eligible full-time employees.

Desired vacation period must be submitted and approved by the Department Head.

Seniority will determine permitted leaves if more than one employee desires the same vacation period. Consideration will be given to employees for vacation time according to vacation requests. The Department Head will reserve the right to select permitted leaves according to the worker's responsibilities and overall department needs.

All full-time personnel shall have the same amount of vacation leave with pay consonant with their anniversary date and the agreement under which the employee was hired:

After one (1) full year of service, vacation leave shall be ten (10) work days; after five (5) full years, fifteen (15) work days; after ten (10) full years, twenty (20) work days. These shall be computed from the day the employee begins work.

Vacation leave shall not be cumulative from year to year except in cases where the employee postpones vacation for the convenience of the department and written agreement of the Department Head and the Chancellor.

Vacation leave must be taken. Pay shall not be allowed in lieu of vacation leave or unused vacation.

3.3 Sick Leave

Sick Leave provides employees with an authorized paid absence from work for personal illness or injury within accrued year.

Each full-time employee will earn one (1) paid sick day at the end of each month of employment, cumulative to maximum of twelve (12) paid sick days per anniversary year.

Employees may accumulate such paid sick leave up to a maximum of seventy-five (75) days.

Regular part-time employees will be entitled to the same benefit on a pro-rated basis.

Part-time and temporary employees are not entitled to sick leave benefits.

Paid sick time accumulated for employees who change from full-time to regular part-time status, or vice versa, or those who change the number of hours of regular part-time employment will necessitate that the amount of accumulated sick time be converted into hours of accumulated sick time.

Employees who move from part-time or temporary status to full-time or regular part-time status will earn paid sick leave from the date employed full-time or regular part-time. This is the date for which eligibility for benefit begins.

For an unscheduled absence, such as sickness, employees are required to notify their immediate Supervisor of the absence within one-half (1/2) hour of the start of the workday, if possible. If an employee is absent from work for three (3) or more consecutively scheduled workdays and has not notified the immediate Supervisor of the unscheduled absence, the employee will be considered to have voluntarily terminated from the Diocese.

Reporting of absence to any employee other than the employee's immediate Supervisor will not be accepted as complying with Section.

Employees returning to work after an illness of more than five (5) consecutive workdays may be asked to submit to the Diocese a statement from the employee's physician indicating the employee's fitness to return to work.

Employees must request time off for scheduled medical or dental appointments, in writing, from their immediate Supervisor at least two (2) workdays in advance of the desired time off. Time off for medical or dental appointments should be charged to the employee's accrued sick leave or to an employee's accrued vacation leave. The two (2) day requirement may be shortened in emergency situations. Employees may work through their rest breaks or lunch periods to offset time taken for medical or dental appointments.

Employees generally are expected to schedule medical and dental appointments for non-work hours. Supervisors are authorized to approve these requests and are responsible for communicating their decisions to the employee and to the payroll processing department. There will be no compensation for unused sick days at time of termination of employment.

3.4 Employee Paid Benefits

Each full-time employee, defined as an employee who is scheduled to work twenty-five (25) hours or more a week, is entitled to the benefits of the Diocese.

Medical

The Diocese assumes 75% of the cost of the lowest cost health plans offered by the Diocese for each eligible employee.

An employee, who opts for one of the health plans offered other than the lowest cost plan, will be responsible for the cost differential.

Flexible Spending Account Plan

Lay employees who are covered under the employer-sponsored Group Health Insurance Plans may make election to have their portion of the premium for Group Health Insurance treated as a "pre-tax" salary reduction rather than a "post-tax" deduction.

Section 125 of the Internal Revenue Code (the federal tax code) allows certain plans that qualify under the tax rules and regulations to offer this option to employees. The Diocese of Worcester qualifies for this option that allows you to instruct us to reduce your salary compensation by the amount needed to pay your portion of the premium (individual or family plan) for Group Health Insurance coverage. Because the employee's compensation will be reduced before being paid to the employee, no federal income tax, FICA, or state tax is applicable to the portion of the premium paid by the employee's salary reduction. Depending on the employee's personal federal and state tax bracket, this may have the effect of reducing the employee's "net" cost for coverage by 20% to 33%.

Tax-sheltered Annuity (TSA)

An employee may participate in the plan by signing a salary reduction agreement and selecting an annuity provider or fund custodian.

Dental Plan

An employee may participate in the Plan for either family or individual dental insurance through a payroll deduction. The deduction may be designated as a pre-tax flexible spending amount.

Disability Insurance

An employee may participate in the Plan through a payroll deduction. The deduction is based upon the employee's age and choice of benefit levels.

Life Insurance

Employees are enrolled in the group term life insurance program of the Diocese after sixty (60) days of employment. The amount of insurance is one times the employee's projected annual earnings to the nearest \$1,000. The employee pays the full amount of the premium.

Retirement Plan

Employees are entitled to participatory benefits in the Retirement Plan of the Diocese after three (3) full fiscal years of employment.

Medical Savings, Dependent Care, College Savings, and Long-term Care Plans

The information in this section is intentionally brief. Each plan is covered by its own individual contract, which should be reviewed for a thorough understanding of the coverage.

3.5 Health Care Benefits After Termination

The Diocese of Worcester is not mandated by Federal Law to continue the health care benefit to employees upon termination. The Diocese will provide terminated employees and their dependents the opportunity to continue their health care benefit within the spirit of the Consolidated Omnibus Reconciliation Act of 1985 (COBRA).

Terminated employees will receive a written offer to extend their health care benefits at time of termination. Continuation of coverage requires an acceptance of the offer and the payment of the next monthly premium or balance of the unexpired premium in the month of termination.

Failure to pay monthly premiums in a timely fashion will initiate the termination of the health care benefit without right to reinstatement.

The time extension of the health care benefit will follow the COBRA guidelines.

3.6 Unemployment Insurance Benefits

Employees are not covered under the Massachusetts Employment Security Act for unemployment insurance.

Employment Transitional Insurance

The Diocese along with the other dioceses in Massachusetts, does not participate in the public compensation program as the result of a court case that was decided many years ago. However, the Diocese began its own program, entitled "Employment Transition," in 1997. The program is designed to follow the public program in form. It is administered by a professional firm and provides 13 weeks of benefits. Claim forms are available at each work site for employees who are laid-off or terminated.

3.7 Worker's Compensation Insurance

Employees are covered by the Worker's Compensation Law as established by the Commonwealth of Massachusetts. This insurance is for employees who sustain job related injuries during hours of employment. Worker's Compensation Benefits are intended to

compensate workers by reimbursing for income loss and provide for payments of medical and rehabilitation treatment.

Job related illness or injury **must be reported immediately** to the Department Head or supervisor and the Office of Finance. Benefits will be paid according to the formula set by Law.

3.8 Social Security and Medicare Benefits

Social Security and Medicare play an important part in the lives of all employees. All employees will participate in the Federal Insurance Contributions Act Program (F.I.C.A.) known as Social Security and in the Medicare Program according to Federal regulations and a payroll deduction formula fixed by law. The Diocese, as employer, also pays a matching amount into this Program.

3.9 Parking

Parking will be provided as available in the location of the work site.

3.10 Vehicle Travel Reimbursement

Employees who use their own vehicles for approved business will receive reimbursement at an approved rate per mile as well as for parking fees and tolls. Prior authorized use of personal vehicles must be granted by the Department Head or Supervisor.

The approved rate per mile will not exceed the rate per mile set by I.R.S. Regulations. The current rate adopted by the Diocese is .40 per mile.

The employee will be required to submit the beginning and ending odometer readings along with the date and reason for travel. This information is to be detailed on the Vehicle Reimbursement Request Forms provided by the Diocese. The Diocese is required by I.R.S. regulations to add the amount of vehicle reimbursement to the employee's annual wage and make all necessary payroll deductions if an "Accounting" is not made.

3.11 Business Expense Reimbursement

Employees who purchase materials or services, with prior authorization from the Department Head or Supervisor, which are necessary for the performance of the employees' assigned duties will receive reimbursement.

Depending on the circumstances, employees may receive a full or partial advance payment in obtaining the materials or services.

Employees will be required to give a detailed "Accounting". This information requires all sales receipts and purchase documents or registration materials, itemized and attached to an Expense Reimbursement Request Form provided by the Diocese.

The Diocese is required by I.R.S. regulations to add the amount of reimbursement to the employee's annual wage and make all necessary payroll deductions if an "Accounting" is not made.

3.12 Payroll Deduction Plan for Partners in Charity, the United Way Appeal and Catholic Schools

The Diocese offers the convenience and benefit of having the employee's Partners in Charity, United Way appeal, and Catholic School appeal pledge payments deducted from the employee's payroll check during the period from September 1 through August 31.

The amount withheld from the employee's pay would be forwarded directly to the applicable agency and credited by that office to the employee's account.

The necessary forms for the employee's request and authorization to start this payroll deduction can be obtained from the payroll department of the Office for Finances.

4.0 Leaves

4.1 Unpaid Time Off

Unpaid time off is considered a privilege and is an authorized absence from work without pay for ten (10) consecutive workdays or less, which may be granted for personal reasons. The Chancellor reserves the right to approve or disapprove of all such leaves. All full-time and regular part-time employees who have been employed twelve (12) months or more with the Diocese are eligible. Unpaid time off is granted only in whole-day increments. Unpaid time off cannot be granted for more than ten (10) workdays in any Fiscal Year of the Diocese. Employees must request this privilege in writing and submit the request to the Department Head who will forward it with a recommendation to the Chancellor.

Before approval can be made, the Diocese will take into consideration the staffing and budgeting needs of the Diocese. Requests may be denied on the basis of these and other reasonable considerations.

Employees who are absent from work without approval may be subject to discipline and discharge.

An employee who fails to return to work by the expected return date may be considered to have voluntarily terminated from the Diocese.

4.2 Leave of Absence -Personal

A personal leave of absence (for reasons other than those identified in Section 4.5.1) is an authorized absence from work without pay. It is a temporary suspension of employment for a specified period of time which does not exceed one (1) year. The Chancellor reserves the right to approve or disapprove all such leaves.

All full-time and regular part-time employees who have been employed twelve (12) months or more with the Diocese are eligible.

An employee's accrued vacation days may be used before the leave commences.

Employees must submit a written request for the leave of absence to their Department Head. The request must include the reason for the leave and the specific dates of the leave period. The Department Head will forward the request and recommendation to the Chancellor for decision on the request.

Employees will be notified in writing from the Chancellor, so authorized, of the decision.

Approval decisions must take into consideration the staffing needs of the Diocese. Requests may be denied on the basis of this and other reasonable considerations.

An employee who is on an approved leave of absence shall receive every reasonable consideration by the Diocese in returning the employee to a position of similar status and pay. However, the Diocese cannot guarantee the employee's return to employment nor to employment at a similar status, similar payor at the same work schedule.

The employee shall not engage in or apply for any employment, other than employment with the Diocese, during the leave of absence; otherwise the employee is subject to immediate discharge.

Vacation and sick day benefits do not accrue nor is the employee eligible for any holiday benefits.

The employee may remain in the Group Medical Benefit Program if the employee makes a written election, and makes the necessary premium payment to the Diocese by the set payment due date, which usually is the 20th day of the month preceding the month of coverage. Nonreceipt of the monthly premium by the Diocese as of the set payment due date will indicate to the Diocese that coverage is no longer desired, so coverage can be terminated. Employee Group Medical Coverage may not exceed the eighteen (18) month maximum.

If an employee resumes employment within one (1) week following the end of the approved leave of absence, the period of absence shall be recognized as service under the Lay Employee Retirement Plan.

In the event the employee fails to have resumed employment within one (1) week following the end of the approved leave of absence, employment shall be deemed to have terminated on the first day of such absence.

Any leave granted will be credited towards leave required by Federal or State Law.

4.3 Leave of Absence -Medical and Disability

SEE 4.5.1 FMLA below.

4.4 Maternity Leave

SEE 4.5.1 FMLA below.

4.5 Leave of Absence -Parental and Paternity Leave/Family Leave Act

SEE 4.5.1 FMLA below.

4.5.1 Family and Medical Leave (FMLA)

The following documentation details the process, rights and responsibilities for leaves related to family, medical and disability needs. All requests should be made in writing using this form and directed to the Chancellor.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. 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 on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV



12-1-10

Notice of Eligibility and Rights & Responsibilities
(Family and Medical Leave Act)

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division



OMB Control Number: 1215-0181
Expires: 12/31/2011

In general, to be eligible an employee must have worked for an employer for at least 12 months, have worked at least 1,250 hours in the 12 months preceding the leave, and work at a site with at least 50 employees within 75 miles. While use of this form by employers is optional, a fully completed Form WH-381 provides employees with the information required by 29 C.F.R. § 825.300(b), which must be provided within five business days of the employee notifying the employer of the need for FMLA leave. Part B provides employees with information regarding their rights and responsibilities for taking FMLA leave, as required by 29 C.F.R. § 825.300(b), (c).

[Part A – NOTICE OF ELIGIBILITY]

TO: _____
Employee

FROM: _____
Employer Representative

DATE: _____

On _____, you informed us that you needed leave beginning on _____ for:

- The birth of a child, or placement of a child with you for adoption or foster care;
- Your own serious health condition;
- Because you are needed to care for your _____ spouse; _____ child; _____ parent due to his/her serious health condition.
- Because of a qualifying exigency arising out of the fact that your _____ spouse; _____ son or daughter; _____ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
- Because you are the _____ spouse; _____ son or daughter; _____ parent; _____ next of kin of a covered servicemember with a serious injury or illness.

This Notice is to inform you that you:

- Are eligible for FMLA leave (See Part B below for Rights and Responsibilities)
- Are **not** eligible for FMLA leave, because (only one reason need be checked, although you may not be eligible for other reasons):
 - You have not met the FMLA's 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately _____ months towards this requirement.
 - You have not met the FMLA's 1,250-hours-worked requirement.
 - You do not work and/or report to a site with 50 or more employees within 75-miles.

If you have any questions, contact _____ or view the FMLA poster located in _____.

[PART B-RIGHTS AND RESPONSIBILITIES FOR TAKING FMLA LEAVE]

As explained in Part A, you meet the eligibility requirements for taking FMLA leave and still have FMLA leave available in the applicable 12-month period. **However, in order for us to determine whether your absence qualifies as FMLA leave, you must return the following information to us by _____.** (If a certification is requested, employers must allow at least 15 calendar days from receipt of this notice; additional time may be required in some circumstances.) If sufficient information is not provided in a timely manner, your leave may be denied.

- Sufficient certification to support your request for FMLA leave. A certification form that sets forth the information necessary to support your request **is/** **is not** enclosed.
- Sufficient documentation to establish the required relationship between you and your family member.
- Other information needed: _____

No additional information requested

If your leave does qualify as FMLA leave you will have the following responsibilities while on FMLA leave (only checked blanks apply):

Contact _____ at _____ to make arrangements to continue to make your share of the premium payments on your health insurance to maintain health benefits while you are on leave. You have a minimum 30-day (or, indicate longer period, if applicable) grace period in which to make premium payments. If payment is not made timely, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work.

You will be required to use your available paid _____ sick, _____ vacation, and/or _____ other leave during your FMLA absence. This means that you will receive your paid leave and the leave will also be considered protected FMLA leave and counted against your FMLA leave entitlement.

Due to your status within the company, you are considered a "key employee" as defined in the FMLA. As a "key employee," restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us. We _____ have/_____ have not determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us.

While on leave you will be required to furnish us with periodic reports of your status and intent to return to work every _____. (Indicate interval of periodic reports, as appropriate for the particular leave situation).

If the circumstances of your leave change, and you are able to return to work earlier than the date indicated on the reverse side of this form, you will be required to notify us at least two workdays prior to the date you intend to report for work.

If your leave does qualify as FMLA leave you will have the following rights while on FMLA leave:

- You have a right under the FMLA for up to 12 weeks of unpaid leave in a 12-month period calculated as:
 - _____ the calendar year (January – December).
 - _____ a fixed leave year based on _____.
 - _____ the 12-month period measured forward from the date of your first FMLA leave usage.
 - _____ a "rolling" 12-month period measured backward from the date of any FMLA leave usage.
- You have a right under the FMLA for up to 26 weeks of unpaid leave in a single 12-month period to care for a covered servicemember with a serious injury or illness. This single 12-month period commenced on _____.
- Your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work.
- You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from FMLA-protected leave. (If your leave extends beyond the end of your FMLA entitlement, you do not have return rights under FMLA.)
- If you do not return to work following FMLA leave for a reason other than: 1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; 2) the continuation, recurrence, or onset of a covered servicemember's serious injury or illness which would entitle you to FMLA leave; or 3) other circumstances beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave.
- If we have not informed you above that you must use accrued paid leave while taking your unpaid FMLA leave entitlement, you have the right to have _____ sick, _____ vacation, and/or _____ other leave run concurrently with your unpaid leave entitlement, provided you meet any applicable requirements of the leave policy. Applicable conditions related to the substitution of paid leave are referenced or set forth below. If you do not meet the requirements for taking paid leave, you remain entitled to take unpaid FMLA leave.

_____ For a copy of conditions applicable to sick/vacation/other leave usage please refer to _____ available at: _____.

_____ Applicable conditions for use of paid leave: _____

Once we obtain the information from you as specified above, we will inform you, within 5 business days, whether your leave will be designated as FMLA leave and count towards your FMLA leave entitlement. If you have any questions, please do not hesitate to contact:

_____ at _____.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to provide employees with notice of their eligibility for FMLA protection and their rights and responsibilities. 29 U.S.C. § 2617; 29 C.F.R. § 825.300(b), (c). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION.**

4.6 Bereavement Leave (Death Leave)

In the event of a death in the immediate family, full-time and regular part-time employees will be entitled to up to three (3) days of paid leave. Immediate family means: spouse, parents and grandparents of employee or spouse, siblings, and any other person living in the same household as the employee.

An employee shall be entitled to one (1) day of paid leave if death occurs to relatives outside of the immediate family.

An employee may take unpaid leave or paid vacation time to attend the funeral of friends or others, after approval of the Department Head or immediate Supervisor.

4.7 Jury Duty Leave

The Diocese encourages its employees to fulfill their civic responsibilities. Employees who are summoned to jury duty will provide the Diocese with a copy of the official notice of the Court. Employees are to notify their Department Head or immediate Supervisor at least one (1) week in advance of required attendance dates. An employee excused from jury duty for a whole day is expected to report to work.

The Diocese will pay the difference between jury duty pay, less travel expenses, and the employee's regular wage, for a period not to exceed thirty (30) working days.

The policy of jury duty leave does not apply if an employee appears in court on one's own behalf. The policy does apply if the employee is summoned to be a witness in a Court of Law. As noted previously, a copy of the official summons notice of the Court is to be given to the Diocese.

4.8 Military Duty Leave

4.8.1 Temporary Military Service

Military leave will be granted to employees serving in the Armed Force Reserve Program or the National Guard Program who are required to take time off from work to participate in training activities, both initial and periodic, or emergency type duty. Employees are requested to provide the Diocese with a schedule of planned training periods in advance so that staffing arrangements can be made.

The Diocese will pay the difference between military duty pay and the employee's regular wage up to a maximum of fifteen (15) days pay in any one (1) year.

4.8.2 Regular Military Service (Long Term)

Unpaid Military Leave will be granted to employees who enlist in the military service, which would include the Reserve Program and National Guard Program, when called to Active Duty for maximum of four (4) years, unless required by law to serve for a longer period of time.

Employees returning from military service qualify for reemployment rights, if they have not served more than four (4) years (except if an extension is required by law), are honorably discharged, and notify the Diocese of their intention to return within ninety (90) days of discharge.

Upon reinstatement, employees are entitled to the pay rate they would have reached had they not been absent and entitled to an opportunity to regain former proficiencies or any employment credit required by law.

An employee on long term military service is not entitled to the benefits applicable to full-time and regular part-time employees.

4.9 Accident Leave

An employee, absent because of accident not covered by Worker's Compensation, may deduct time from sick leave.

If the employee finds there is insurance coverage related to such an accident and a "contingent fee" is available to the employee, the employee may reimburse the Diocese for any monies received as salary during this period, thus regaining sick leave status.

4.8 Military Duty Leave

4.8.1 Temporary Military Service

Military leave will be granted to employees serving in the Armed Force Reserve Program or the National Guard Program who are required to take time off from work to participate in training activities, both initial and periodic, or emergency type duty. Employees are requested to provide the Diocese with a schedule of planned training periods in advance so that staffing arrangements can be made.

The Diocese will pay the difference between military duty pay and the employee's regular wage up to a maximum of fifteen (15) days pay in any one (1) year.

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Employees returning from military service qualify for reemployment rights, if they have not served more than four (4) years (except if an extension is required by law), are honorably discharged, and notify the Diocese of their intention to return within ninety (90) days of discharge.

Upon reinstatement, employees are entitled to the pay rate they would have reached had they not been absent and entitled to an opportunity to regain former proficiencies or any employment credit required by law.

An employee on long term military service is not entitled to the benefits applicable to full-time and regular part-time employees.

4.9 Accident Leave

An employee, absent because of accident not covered by Worker's Compensation, may deduct time from sick leave.

If the employee finds there is insurance coverage related to such an accident and a "contingent fee" is available to the employee, the employee may reimburse the Diocese for any monies received as salary during this period, thus regaining sick leave status.

5.0 Disciplinary Policy and Procedures

5.1 Policy

Some types of misconduct are so intolerable that they may be punished by termination at the first occurrence. These include, but are not limited to, physical attacks on co-workers; falsifications of an employment application, resume or other work documents or records; theft; willful property damage; embezzlement; fraud; insubordinate conduct; sexual or physical abuse of others; or use or possession of alcohol or illegal drugs on the job.

Before imposition of discipline, employees would be required to relate their version of the incident or problem at issue and provide, in writing, any explanation or justification they consider relevant.

5.2 Procedures

Under many circumstances, the following steps may be used by the Diocese in applying discipline. However, the Diocese reserves the right to apply appropriate discipline including discharge for any inappropriate incident.

Discipline may include an oral warning to erring employees that their conduct is unacceptable and that further infractions will lead to more severe penalties. In cases involving performance deficiencies, employees first will be counseled by their Supervisors (performance evaluation) and told which improvements are needed before they are subject to an oral warning.

The Department Head or Supervisor who makes the oral warning will make a brief but precise written notation for the employee's personnel file. The written notation is to state the cause for the oral warning and the content of the warning.

Discipline may include a written reprimand. This reprimand would describe the unacceptable conduct or performance and specify the improvement needed. A copy of this warning will be retained in the employee's personnel file.

Discipline may include an unpaid suspension. The length of suspension will vary, based on such factors as severity of the offense and the employee's performance and disciplinary record.

Employees may be suspended for repeated instances of minor misconduct or for a single serious offense.

A record of the suspension will be retained in the employee's personnel file.

Discipline for employees who fail to improve their conduct or performance after the imposition of a disciplinary suspension may be discharged.

Employees who commit acts of violence or other flagrant misconduct or serious safety violations may be suspended at the time of the incident, pending the Diocese's review of the matter. After the Diocese concludes the review, the Department Head, in consultation with the Chancellor, will inform the employee of the results and the Diocese's decision.

5.3 Policy and Procedure in Case of Sexual Misconduct

Statement of Policy

It is the policy of the Diocese that sexual misconduct or the failure to report an observation or a complaint of sexual misconduct is a violation of an employee's obligation of employment, and is inconsistent with the provision of volunteer services to the Diocese.

Procedure

The procedure is set out in the policy and procedures published by the Diocese of Worcester Pastoral Care Committee.

Cooperation with Law Enforcement Authorities

Nothing in these policies shall be construed as an instruction not to cooperate with law enforcement and governmental authorities, as required by law, provided that the cooperation does not require a violation of legal rights of other persons, including rights of privacy and confidentiality based upon secrecy in the Sacrament of Reconciliation and pursuant to the notion of Internal Forum.

5.4 Sexual Harassment Policy

It is the Diocese's policy and goal that all employees have a right to work in an environment free from sexual harassment. Sexual harassment is a violation of federal law under Title VII of the Civil Rights Act of 1964 and also is against state law. The Diocese will not tolerate nor permit sexual harassment of employees in any form, and such conduct may result in disciplinary action up to and including discharge. In Massachusetts, the legal definition for sexual harassment is this:

"Sexual harassment" means advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly, is a term or condition of employment or as a basis for employment decisions.
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment.

These definitions are broad and include any sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or humiliating to male or female workers. If any individual believes that he or she has been sexually harassed, he or she should notify his or her Supervisor immediately.

An employee who believes he or she has been sexually harassed may file a formal complaint with either or both of the following government agencies: The United States Equal Employment Opportunity Commission and/or the Massachusetts Commission Against Discrimination.

If the employee's immediate Supervisor is the source of the alleged harassment, then the employee should report the problem to the Department Head. A Department Head or Supervisor who receives a sexual harassment complaint will carefully investigate the matter, questioning all employees who may have knowledge of either the incident in question or similar problems. An employee who brings a complaint in good faith will not be adversely affected. The complaint will be promptly and, to the extent possible, confidentially investigated and any remedial action which is necessary and appropriate will be taken.

If sexual harassment by an employee is verified, the Diocese will take such action as is appropriate under the circumstances. Such actions may include counseling, informal or formal reprimands, written or verbal warnings, suspension, and other formal sanctions including termination from employment.

Employees who are dissatisfied with the Department Head's resolution of a sexual harassment complaint may seek resolution under the procedures of the Pastoral Care Committee.

Sexual Harassment Policy Amended October 9, 1996.

6.0 Grievance Procedure

It is the intent of the Diocese to resolve concerns on an informal basis. Employees are encouraged to discuss employment problems with their appropriate Supervisors.

If an employee believes that he or she is not receiving fair treatment related to the employee's employment or the employee objects to specific job related or employment practices, that employee may seek to have his or her grievance remedied through the grievance process.

Some matters are not grievances and, therefore, will not come within the scope of this procedure. These include wages for particular job classification, employee performance warnings and discharge for unsatisfactory performance or misconduct.

Step I

An employee with a grievance will discuss the grievance frankly and sincerely with the employee's Supervisor to arrive at a constructive solution. If an employee's grievance has not been resolved within five (5) working days after discussions with the Supervisor, then Step II of the grievance procedure will be undertaken.

Step II

An employee may request a hearing with the Department Head. The Department Head will attempt to resolve the matter after reviewing all the facts of the matter in question. Within five (5) working days of the hearing, the Department Head will present to the employee a written decision to resolve the grievance. If the employee remains dissatisfied with the decision of the Department Head, the employee may resort to Step III.

Step III

An employee may make a request to the Chancellor for a hearing within five (5) working days of the Department Head's decision. The Chancellor will review all the facts and prior decisions and render a decision within twenty-one (21) days, and such decisions will be final and binding on all parties.

In the event the employee's Supervisor is Department Head, the hearing requested under Step II and Step III will be held by the Chancellor in his unavailability, by a person delegated by the Chancellor.

Step IV

An employee may request an arbitration hearing with the Tribunal.

7.0 Other Work Rules

7.1 Smoke Free Workplace

The work sites of the Diocese will be smoke free. If necessary within the work sites, an area will be designated where smoking will be allowed.

7.2 Drug Free Workplace

For the safety and well-being of clients and employees, the Diocese of Worcester prohibits the use of alcohol and/or other controlled substances in the workplace.

Employees are expected to report to work with no alcohol or other drugs (other than prescribed medications) in their bodies.

In addition to the use of a controlled substance, distribution, disposing of or possession of a controlled substance is prohibited.

As a condition of employment, the employee shall notify his or her Department Head of any criminal drug statute conviction for a violation occurring in the workplace, including driving under the influence of alcohol or other drugs, no later than five (5) days after such conviction. Should any employee be so convicted, that employee may be subject to termination.

7.3 Official Bulletin Boards

The Diocese will provide, at a reasonable location, a physical and electronic bulletin board for the posting of official policies, procedures, events and other required information. No other items may be posted on this official board without the authorization of the Chancellor.

7.4 Inclement Weather

In the event of inclement weather, the Diocese will activate its pre-established procedures to the notification of employees by use of a recorded message on the Chancery switchboard.

Work shifts or building opening may be delayed or canceled. The decision rests with the Chancellor.

Employees are expected to report to work unless notified to the contrary. If the work shift has not been canceled or delayed, or building declared closed, then any time off would be considered as employee's vacation time taken.

An employee cannot be authorized or credited for work done at home for inclement weather days.

7.5 Tardiness and Early Departure

Employees are expected to be at their desks or work stations at the start of the work period. If an employee's arrival to work is to be delayed, the employee is expected to notify the Department Head or immediate Supervisor of the delay and the anticipated arrival time.

Employees are not permitted to depart from their desks or workstations before the end of the work period.

Repeated, unsatisfactory attendances, including tardiness or early departure, are components of a negative evaluation.

7.6 Appearance and Dress Code

Employees are expected to present a neat business-like appearance on the job. Employees whose jobs or work assignments call for particular types of protective clothing or safety equipment must wear such attire whenever necessary or required. Grooming should be in good taste and project a positive Diocese image.

Priests are expected to wear a black suit and Roman collar.

Religious are expected to be clothed in a manner approved by the Community to which the Religious belongs.

7.7 Work and Lunch Scheduling

The employee's weekly work schedule and hours worked each day will depend upon the employee's individual job position.

The Diocese will inform the employee of his or her individual work schedule and lunch period.

7.8 Rest Breaks (Coffee Breaks)

Employees are entitled to a fifteen (15) minute rest break for each three and one-half (3-1/2) hour or four (4) hour period of work.

The determination of the schedule for these breaks will be made by the Department Head or Supervisor.

Rest breaks are paid time, counted as time worked and are non-cumulative.

7.9 Personal Telephone Calls

Personal telephone calls must be limited. The social call for personal conversation is not permitted. The personal business call, occasionally necessary for the employee's convenience, is considered permissible, within reasonable limits.

Personal long distance telephone calls are to be reported to the employee's Supervisor and logged. The employee is expected to pay for personal long distance telephone calls.

7.10 Mail

Employees are requested to cooperate by not using the Diocese's facilities for the receipt or the distribution of the employee's personal letters, packages, papers and magazines.

7.11 Telephone Courtesy

Telephone courtesy is one of the most important tools for promoting good relations. When talking on the telephone, always be natural, alert, expressive, pleasant and distinct. Employees are expected to answer the telephone promptly, giving their name and the name of the department. Clergy and Religious should always be addressed by their title; such as, Monsignor, Father, Brother, Sister.

Employees must offer to take a brief message and telephone number if the person wanted is not available.

The employee's voice, whether on the telephone or face-to-face, is reflective of the employee and the Diocese for whom he or she works.

7.12 Keys

Employees are responsible for all keys issued to their care. All keys are the property of the Diocese and are not to be duplicated nor given to any person not so authorized in writing by the Department Head.

Inform the Department Head or Supervisor immediately on loss of any keys.

Upon termination of employment, upon going on a leave of absence or upon relocating to another office department or building, all keys must be returned to the Department Head or Supervisor prior to these actions.

7.13 Reporting Accidents and Illness

Accidents and illnesses occurring in the Chancery building or in any work site must be reported immediately.

An employee who is injured or becomes ill while in the building or on the grounds of the Chancery must report to the Department Head and the Office for Finance immediately.

State law requires the employer to file an accident report within twenty-four (24) hours. A log of work-related illnesses and accidents in conformance with the General Law related to Worker's Compensation will be maintained in the Office for Finance.

7.14 Security

It is the responsibility of each employee to adhere to the common rules of security in order to protect building property and contents of the various offices.

7.14.1 Admission to the Building After Working Hours

No meeting is to be held in the Chancery building after working hours without the knowledge of the Department Head and the custodian. Only persons attending a scheduled meeting are to be admitted to the building. Persons leaving meetings early should be certain that the any exit door

Anyone working after hours must do so with the knowledge of the Department Head and is responsible to see to it that security is maintained in the building and that the alarm is put on.

7.14.2 Money and Negotiable Items

Money and negotiable items should not be kept in the building after hours. If an emergency situation occurs, these items should be placed in the vault in the Office for Finance.

7.14.3 Personal Property

Employees are reminded that any personal property they bring into the Chancery building and keep in their offices is done so at their own risk.

7.15 Economy in the Building

Every effort must be made to keep the Chancery building and its surroundings in excellent condition.

7.15.1 Economy

All personnel are expected to exercise care in the use of equipment in the building and to practice economy by turning off lights, by making maximum use of supplies, etc.

7.15.2 Cleanliness

Cooperation of all employees is required to keep the building and grounds in excellent condition. Taping of posters without authorization is prohibited. The playing of radios, phonographs, tape records, must never interfere with the job performance of others.

7.15.3 Lounge

A lounge has been provided in the Chancery building. Each employee has the responsibility of keeping it orderly.

7.15.4 Collections, Raffles, etc.

No collections or sale of raffle tickets by the personnel in the building will be permitted unless approval by the Chancellor or Vice Chancellor.

7.16 Volunteers

Volunteers of the Diocese of Worcester are personnel who offer their services without financial compensation.

The recruitment, orientation, training, supervision and evaluation of volunteers parallel that of paid staff.

The process for these steps will be dependent upon the position and responsibilities which they assume.

The responsibilities of the Diocese's administrative and supervisory staff in regard to the volunteer are the same as those detailed in our policies and procedures.

8.0 Health and Safety

Employees must inform their Department Head or Supervisor immediately of any on-the-job injury or accident requiring first aid or medical attention, whether or not work time is lost.

Department Heads or Supervisors will be responsible for immediately reporting all such incidents to the Office for Finances whose personnel will report to the insurance carrier.

Employees have the responsibility to assist the Diocese in making known potential or existing unsafe conditions, so that action may be taken by the Diocese to correct the condition.

All employees must be familiar with the location of exits, fire alarm devices and fire extinguishers.

The Diocese will designate an employee to serve as "buddy" for each handicapped employee. "Buddies" will be responsible for helping handicapped workers vacate the premises during an evacuation. The Diocese also will appoint alternates to help in the event a designated "buddy" is absent.

9.0 Personnel Policies Committee

The Personnel Policies Committee will review the Personnel Policies of the Diocese annually.

An ad hoc Personnel Committee will be appointed by the Bishop. Representation will include three (3) volunteer representatives from the human resource profession and representatives from the diocesan managers. This committee will be advisory to the bishop.

EMPLOYEE EVALUATION

Date: _____

Name: _____

Position: _____

Evaluation Period: _____

Date: _____

Evaluator: _____

Title: _____

Mission Statement: *“to develop and offer programs and services that meet the needs of its member districts when such services and programs can more effectively and economically be provided on a collaborative basis.”*

Please explain how the goals you set last year were achieved. Be specific. If they were not, explain why.

In relationship to the Collaborative mission statement, what are your professional goals for the next year?

What tools do you need to achieve your goals?

What are your job responsibilities and how do you think you meet them?

Are you meeting the expectations of the Collaborative organization as requested or perceived?

Name: _____

Position: _____

Evaluation Period: _____

Date: _____

Evaluator: _____

Title: _____

(E=Excellent; G=Good; S=Satisfactory; U-Unsatisfactory)

Category	E	G	S	U	Comments:
Efficiency					
Effectiveness					
Self-control					
Poise					
Flexibility					
Professional Judgment					
Professionalism					
Initiative					
Communications/ Listening					
Interpersonal/ Human Relations					
Enthusiastic Open to new ideas					

Manages the Job

Category	Need Improvement	Satisfactory	Very Good	Excellent
Recognizes problems				
Analyzes causes of problem				
Generates alternative approaches				
Sets realistic goals				
Establishes work priorities				
Organizes people and materials to reach goals				
Handles pressure				
Evaluates results				
Other:				

Gets the Job Done

Category	Need Improvement	Satisfactory	Very Good	Excellent
Follow through				
Meets deadlines				
Achieves balance between work quality and quantity				
Takes responsibility for actions				
Other:				

Employee Signature

Date

Director Signature

Date

