



DIOCESE OF OAKLAND

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July 2024

Dear Friends:

Our Diocesan Mission Statement, “To know Christ better and make Him better known,” speaks volumes to me about the focus of the Chancery and parishes of our Diocese. I want to thank you, first, for the incredible work of service you do for God’s people. I am very grateful we are working together.

Bishops Cummins, Vigneron, and Cordileone, my predecessors, had the vision to recognize the importance of developing and updating policies and procedures to create a sound basis for our working together. These policies are the policies of our Diocese, which both employees and employer are expected to follow. The first Chancery/Parish Personnel Policies were approved and promulgated in January 2000. The Policies were completely reviewed in 2003, 2007, 2010, 2014, and 2024. The current College of Consultors has reviewed the changes you will find this year and I have approved them.



These policies clearly state the rights and responsibilities of each employee and also the rights and responsibilities of the Diocese/Parish as the employer. Please take time each year to carefully review this document. Do not hesitate to contact our Diocesan Human Resources Office with any questions.

May our God bless you and your families and bless especially the time and talent you so graciously share in His service.

Sincerely yours,

The Most Reverend Michael C. Barber, SJ
Bishop of Oakland

Offices of the Diocese of Oakland

Vision Statement

Receiving (A) their mission as a participation (B) in the pastoral mission of the Bishop of Oakland (C), the personnel (E) of the Diocesan Offices work to serve parishes, institutions, and organizations in order to support them (F) as their members strive to witness faithfully to Christ and to serve God and neighbor, thereby growing in holiness and service according to their Baptismal consecration. (G)

Mission Statement

The personnel of the Diocesan Offices assist the Bishop in his role of teaching, sanctifying, and shepherding the Catholic Church in Oakland by serving parishes, institutions and organizations in the areas of

- Guiding pastoral activity
- Caring for the administration of the Diocese and exercising good stewardship over its resources
- Exercising judicial power.¹

Priorities

The priorities of those individuals who direct and serve in the Diocesan Offices are:

- To support and represent the Bishop in fulfilling his responsibilities as pastor of the Church in Oakland, especially “in expressing his pastoral charity”.²
- To serve as resources to parishes and pastoral centers, so they may be more effective in strengthening their ministries and apostolates, especially catechesis.³
- To develop and support strong leadership, both clerical and lay, for the service of parish communities.
- To ensure the financial health of the Diocese both in the present and the future.
- To facilitate responsible planning and development, given the demands of growth and the constraints imposed by limited resources.
- To support the Bishop in sustaining the Cathedral of Christ the Light and the whole Cathedral Center.⁴

In all of its work, the Diocesan Offices will demonstrate commitment to advancing the values of spirituality, collaboration, diversity, hospitality, justice and accountability.

¹ See Vat. II’s Decree on the Bishops’ Pastoral Office in the Church, *Christus dominus*, n. 27; *CIC*, 469.

² The phrase quoted comes from Pope John Paul II’s Post-synodal Apostolic Exhortation *Pastores gregis*, “On the Bishop, Servant of the Gospel of Jesus Christ for the Hope of the World,” (n. 45). Giving particular attention to the pastoral charity here reflects the mind of the Synod, as reported by the Holy Father: “Many of the interventions of the Synod Fathers referred to various aspects and moments of Diocesan life. Due attention was thus given to the Diocesan Curia as the structure employed by the Bishop to express his pastoral charity in its different aspects” (*ibid.*). For a further consideration of witnessing to hope as central to mission of the Bishop and his curia, see endnote H.

³ The singling out of catechesis for special emphasis is the result of the planning process directed by the Diocesan Pastoral Council.

Because the mission of the Bishop is first and foremost to bear witness to the mystery of the death and resurrection of Jesus Christ and his coming again,⁵ (H) so too such witnessing to the Christian hope must animate all the activities of the Diocesan Offices.

End Notes

This series of end notes is meant to offer commentary on the “Mission Statement” and “Priorities” in order to clarify their meaning or draw out their implications.

^A To speak of the mission of the Diocesan Offices as “received” is a necessary consequence of affirming it is a share in the Bishop’s mission. Neither he nor the community establishes his mission. He embraces it from Christ, who determines it and assigns it to him. Likewise, the mission of the Diocesan Offices comes from Christ, through His Church, and those individuals who serve in these Offices accept and embrace it in faith.

^B This bond between the Diocesan Bishop and his co-workers in his curia is so strong the **Directory on the Pastoral Ministry of Bishops**, *Ecclesiae imago*, issued after the close of the Second Vatican Council, speaks of them forming “almost one being” with him (n. 200).

^C Since the mission of the Diocesan Offices is so inextricably linked to that of the Bishop, it is useful here to recall how the Fathers of the Second Vatican Council summarized the Church’s belief about the Bishop’s identity and mission: “The bishops themselves, however, having been appointed by the Holy Spirit, are successors of the Apostles as pastors of souls (Vat. I, *Pastor aeternus*, c. 3 / DS 3061). Together with the supreme pontiff and under his authority they are sent to continue throughout the ages the work of Christ, the eternal pastor (*ibid.*, “Proem.” // DS 3050). Christ gave the Apostles and their successors the command and the power to teach all nations, to hallow men in the truth, and to feed them. Bishops, therefore, have been made true and authentic teachers of the faith, pontiffs, and pastors through the Holy Spirit, who has been given to them (Vat. II, *Lumen gentium*, nn 21, 24-25)” (*Christus dominus*, n. 2).

^D At this point is it helpful to recall the teaching of the Second Vatican Council on the identity of a particular church or “diocese”: “A diocese is a portion of the people of God which is entrusted to a bishop to be shepherded by him with the cooperation of the presbyterate. Thus, by adhering to its pastor and gathered together by him through the Gospel and the Eucharist in the Holy Spirit, it constitutes a particular church in which the one, holy, catholic, and apostolic Church of Christ is truly present and operative. Individual bishops who have been entrusted with the care of a particular church -- under the authority of the supreme pontiff -- feed their sheep in the name of the Lord as their proper, ordinary, and immediate pastors, performing for them the office of teaching, sanctifying, and governing” [*Christus dominus*, n. 11].

^E About the personnel of the Diocesan Offices, **The Directory** offers this wise counsel: “[They are] distinguished not only for their competence, but also for their piety and pastoral zeal” (*Ecclesiae imago*, n. 200).

^F The formulation here is expressly constructed to emphasize a pre-eminent criterion for the mission-effectiveness of the Diocesan Offices is their level of service to parishes.

In connection with this point, it is helpful to recall the wise counsel offer which **The Directory** offers to priests working in the Diocesan Curia applies also to religious and laity: Along with their duties in

⁵ Pope John Paul II’s Post-synodal Apostolic Exhortation *Pastores gregis*, n. 2.

these offices, they should exercise some form of ministry, so this direct contact with the faithful, as they struggle to answer their call to Christian holiness, will help prevent the Diocesan Offices from becoming a mere bureaucracy (see *Ecclesiae imago*, n. 200).

^G Building upon the vision of the Fathers of the Second Vatican Council, this “Mission Statement” could not fail to make reference to the Universal Call to Holiness. About this the Council says:

The Lord Jesus, the divine Teacher and Model of all perfection, preached holiness of life to each and every one of His disciples of every condition. He Himself stands as the author and consummator of this holiness of life: "Be you therefore perfect, even as your heavenly Father is perfect" (Mt. 5:48) They are justified in the Lord Jesus, because in the baptism of faith they truly become sons of God and sharers in the divine nature. In this way they are really made holy. Then too, by God's gift, they must hold on to and complete in their lives this holiness they have received.... Thus, it is evident to everyone, that all the faithful of Christ of whatever rank or status, are called to the fullness of the Christian life and to the perfection of charity (*Lumen gentium*, n. 40).

Reference to the universal call to holiness serves to underline that assisting the People of God in the Diocese of Oakland in their turning from sin and growing in Christ's grace is the ultimate measure for determining whether the Diocesan Offices have achieved the mission they share with the Bishop.

^H On the mission of witnessing to hope, Pope John Paul II writes:

It is in fact the task of every Bishop to proclaim hope to the world, hope based on the proclamation of the Gospel of Jesus Christ: a hope "which not only concerns penultimate matters but also and above all that eschatological hope which awaits the riches of the glory of God (cf. *Eph* 1:18), which surpasses anything that the human heart has ever conceived (cf. *1 Cor* 2:9), and to which the sufferings of the present cannot be compared (cf. *Rom* 8:18)...A stance of theological hope, together with faith and love, must completely shape the Bishop's pastoral ministry.

The Bishop is called in a particular way to be a prophet, witness and servant of hope. He has the duty of instilling confidence and proclaiming before all people the basis of Christian hope (cf. *1 Pet* 3:15). The Bishop is the prophet, witness and servant of this hope, especially where a culture of "the here and now" leaves no room for openness to transcendence. Where hope is absent, faith itself is called into question. Love too is weakened by the loss of this virtue. Especially in times of growing unbelief and indifference, hope is a stalwart support for faith and an effective incentive for love. It draws its strength from the certainty of God's desire for the salvation of all people (cf. *1 Tim* 2:4) and from the constant presence of the Lord Jesus, the *Emmanuel* who remains with us always, until the end of the world (cf. *Mt* 28:20) [*Pastores gregis*, n. 3].

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I. HUMAN RESOURCES' WELCOME

One of the greatest gifts in my position as Director of Human Resources is to work with such dedicated women and men to bring about the mission and goals of the Diocese of Oakland. I hope you, as an integral part of our ministry here, will find your ministry with the Diocese of Oakland pleasant and rewarding. We in Human Resources are always available to assist you in your ministry and in helping you to achieve a sense of community in the Chancery and at your parish worksites.

The Diocese of Oakland is unique in many ways. It is a place where we try to focus on knowing Christ better and making Him better known. In doing so we hope that we can minister well to those people of our Diocese we are called to serve. Nevertheless, like other institutions, the Diocese requires certain policies and procedures to ensure its smooth operation.

These Personnel Policies apply to employees of the Diocese of Oakland Parishes and Chancery. Any questions or concerns a staff member may have about the application of these policies or procedures should be addressed to the staff member's immediate supervisor or Diocesan Human Resources.

The handbook is not a contract of employment and does not confer contractual rights, either express or implied upon any employee, nor does it guarantee employment for any period of time. This handbook, and the policies and procedures contained herein, supersede any and all prior practices oral or written representations or statements. The Diocese reserves the right to amend, modify, rescind, delete, or supplement the provisions of this handbook when deemed necessary. Such changes will be communicated to all employees.

No individual, other than the Bishop, has the authority to enter into any employment agreement or other agreement that modifies the policies of the Diocese of Oakland. [Any modification ***must*** be in writing and signed by the employee and the Bishop or member of the Bishop's Administrative Council.]

Human Resources
July 2024

Definitions:

Diocese of Oakland: Canon Law (Canon 369) states a diocese is a portion of the people of God entrusted for pastoral care to a Bishop with the cooperation of the presbyterate, so that, adhering to its pastor and gathered by him in the Holy Spirit to the gospel and the Eucharist, it constitutes a particular church in which the one, holy, Catholic and apostolic church of Christ is truly present and operative. The Diocese of Oakland is such a particular church serving the people who live in Alameda and Contra Costa Counties.

In these policies, the Diocese or the Diocese of Oakland also refers to the Bishop, the Diocesan Administrator, or College of Consultors acting on behalf of the Diocese, either directly or through the Bishop's Administrative Council.

Roman Catholic Bishop of Oakland, a Corporation Sole: A civilly registered name for the Diocese of Oakland.

Chancery: A group of selected clergy and other Christian faithful of a particular church which offers assistance to the Diocesan Bishop for the good of the entire Diocesan community in the form of governance of the entire Diocese, especially in directing pastoral activity, in providing for the administration of the Diocese and in exercising judicial power.

Bishop's Administrative Council ("BAC"): The members are: Vicar General/Moderator of the Curia, Chancellor, Judicial Vicar, Chief Financial Officer, Director of Communications, Superintendent of Catholic Schools, Director of Faith Formation & Evangelization and the Director of Mission Advancement. The Bishop consults directly with the council.

Presbyterial Council: Council of Priests elected by their membership or appointed by the Bishop to serve as advisors to the Bishop. Members of the council serve for a three (4) year term.

College of Consultors: Priests appointed by the Bishop to consult with him in matters involving the running of the Diocese. Members of the College serve for a five (5) year term.

Diocesan employee: Any lay person who is employed by the Diocese to provide services to the Roman Catholic Bishop of Oakland, a Corporation Sole.

Pastor: The Pastor is the proper shepherd of a Parish entrusted to him, exercising pastoral care in the community entrusted to him under the authority of the Diocesan Bishop. In his ministry of Christ, he has been called to share in accord with the norm of law. He carries out for his community the duties of teaching, sanctifying, and governing with the cooperation of other presbyters, deacons, and the assistance of lay members of the Christian faithful.

Parochial Administrator/ Parish Life Director: Is bound by the same duties and enjoys the same rights as a Pastor unless the Diocesan Bishop or Canon Law determines otherwise. In all cases where a Parish Life Director is assigned, a proper Pastor must also be appointed.

Site: Chancery or Parish.

Categories of Staff:

Probationary employees are new to the Diocese or current employees who transfer from one position to another within the Diocese. The employment relationship of all probationary employees is an “at-will” relationship – the Diocese of Oakland or the probationary employee may terminate the employment relationship at any time without cause or advance notice. For all new employees, this probationary period lasts for 180 days and may be extended for generally another 90 days by the Pastor/Parochial Administrator/Parish Life Director or the Division/Department Director. However, the extension may last longer, depending on the specific circumstances. Eligible probationary employees (those working 25 hours a week or more) begin to accrue some benefits from the first day of employment.

Regular full-time employees are those employees who have successfully completed their probationary period and whose regularly scheduled work week consists of 37.5 hours to 40 hours, depending on the site. Regular full-time employees are eligible for all Diocesan benefits except as noted elsewhere in this manual or mandated by law or contract. (See Appendix A)

Regular part-time employees with benefits are those employees who have successfully completed their probationary period and whose workweek consists of fewer than 37.5 hours or 40 hours, depending on the site. If an employee regularly works 25 hours or more per week at any site, or combination of sites, that employee is eligible for health benefits, long/short term disability coverage, life insurance, and participation in the Diocese retirement plans. If an employee works more than 25 hours per week at a combination of sites, his or her benefits costs are shared among those sites by percentage worked at each site. All other benefits will be provided on a prorated basis, allowing for those exceptions noted elsewhere in this manual or mandated by law or contract. Part-time employees with benefits receive holiday pay only when the holiday falls on a workday they normally work.

Regular part-time employees without benefits are those employees who have successfully completed their probationary period and whose workweek consists of fewer than 25 hours. These employees are not eligible for health coverage or retirement benefits and do not receive paid vacation, paid holidays, or personal days, except when the legal holiday falls on a day they normally work.

Full- or part-time temporary employees are those persons hired on a temporary basis. Temporary employees are not eligible for Diocesan benefits except those required by law. Temporary employment is not to exceed one year (365 days); proper legal paperwork (I-9, fingerprints, emergency forms) must be completed on all temporary employees. At the end of one year, employment is either terminated or the employee is offered regular employment.

Volunteers are not employees of the Diocese. Generally, volunteers should confirm in writing their willingness to volunteer without compensation. Volunteers are expected to follow the policies and procedures of the Diocese.

Independent Contractors are not employees of the Diocese. Independent contractors are generally used to provide specialized and infrequent services for which the Diocese or a parish

does not have a position already created and will not perform similar work with an existing employee. Independent contractors should always be issued 1099s for their services and should not be issued a W-2. For example, if a parish would like to hire an additional or uniquely qualified musician to play at Easter or for Christmas, then the parish may consider hiring an independent contractor. All independent contractors must have signed contracts which have been reviewed by the parish and also by the Director of Human Resources. Independent contractors must also demonstrate, prior to performing services at any Diocesan locations, that they, and any of their employees or subcontractors, have completed a Criminal Background check and Livescan requirements.

Seniority is acquired through length of service with the Diocese. The first five (5) years of employment in another Diocese or Catholic institution are counted toward seniority.

Religious and Clergy

Staff members who are Diocesan clergy or members of religious congregations are bound by this manual, allowing for exceptions mandated by Diocesan policy, Diocesan proper law, civil or canon law, or contract. Items needing clarification should be directed to the Human Resources Department.

Diocesan priests are substantially different from lay employees in their benefits, pay, and relationship to the employer, the Roman Catholic Bishop of Oakland. Deacons, however, according to their expertise, may be hired as Diocesan employees and be paid accordingly.

As diocesan clergy, they are neither hired nor fired by the Bishop or out of any position in the Diocese but rather are assigned and reassigned. In assigning and reassigning, the Bishop may choose to incorporate within his decision-making the hiring and termination procedures applicable to lay employees, safeguarding canon law.

Clergy compensation (both Diocesan and religious) is ordinarily set and adjusted yearly by the Bishop following consultation with his College of Consultors and Presbyteral Council. Clergy may be subject to the same expectations of job performance, evaluation, accountability, and professional comportment as applicable to lay employees and according to the Clergy Personnel Handbook.

All other benefits and incidentals relating to clergy are described in the Clergy Personnel Handbook.

Members of Institutes of Consecrated Life and Societies of Apostolic Life who are not members of the clergy are paid according to the lay compensation schedule. These members are allowed five (5) workdays for retreat or community assemblies each year which are not considered vacation days.

Retirement and Health Benefits for Consecrated Religious

Consecrated religious, working in the Diocese of Oakland, receive a retirement contribution

from the site of employment paid to his or her religious community. This contribution is equal to the amount of one month's salary per 365 days of employment (each month employed = 1/12 of one (1) year's salary). Retirement contributions for all consecrated religious are figured from the first day of employment.

Consecrated religious (except for religious priests), working at least 25 hours per week, are entitled to Diocesan health benefits. The Diocesan health benefit plans do not allow a person to choose a health plan other than one offered by the Diocese, nor can one elect to receive a financial reimbursement instead of electing health benefits.

All consecrated religious do not receive unemployment or workers' compensation insurance coverage.

II. THE EMPLOYMENT RELATIONSHIP

Probationary Period

For the benefit of both the Diocese and the new employee, there is a period of time to establish the appropriateness for the continuation of employment. During this probationary period, which lasts 180 days from the date of hire, either the Diocese of Oakland or the employee may terminate employment with or without cause or advance notice. Upon being hired, or transferring to a new job position, the employee is subject to a probationary period. The probationary period may be extended for an additional 90 days by the Pastor/Parochial Administrator/ Parish Life Director or the Division/Department Director. This probation extension is to be in writing, signed by the appropriate Diocesan authority and employee, and include the reasons the probationary period is being extended. If an employee moves from one job position to another within the Diocese, a new probationary period is required.

The transition from a probationary employee to an employee with regular status will be determined by the Pastor/Parochial Administrator/Parish Life Director or the Division/Department Director and notification of the transition will be given to the employee in writing. Once an employee has transitioned to regular status, then termination should be for cause. However, if the employee transfers to a new job position, then a new probationary period is required. During the probationary period, the employee may be terminated from that job position for any reason, with or without cause, and with or without notice during the probationary period.

The probationary period will automatically be extended for the period of time an employee is on any leave of absence longer than one week during the 180-day period.

Probationary employees have access to the Diocesan Dispute Resolution Process except for issues regarding termination.

Performance Appraisal

The Diocese believes in both the affirmation and accountability of job performance evaluated in

the context of a performance appraisal. This appraisal serves both the needs of the Diocese to evaluate its mission and effectiveness and is an aid in the development of the individual's contribution.

The first formal probationary evaluation will be conducted approximately 180 days from hire. Thereafter, a written performance appraisal (See Appendix D-10 Performance Review Parish/Chancery) of each employee will be done once each year by the supervisor based on the position's description. The time between Easter and June 30th each year is set aside for the completion of performance appraisals for all other employees. Employees should be informed by supervisor appraisals will be conducted during this time and a time for the employee to return the completed appraisal to the supervisor should be set. This time should be approximately 3-5 days prior to the performance appraisal conference. Each employee's active participation in the appraisal process is critical to the success and purpose of the review. Accomplishments, affirmations, recommendations, new job requirements, goals and action plans are all appropriate aspects of the performance appraisal. Both the employee and supervisor should comment on each area of the appraisal, which is then signed by both employee and supervisor. At the Chancery, the appraisal is also signed by the Division Director responsible for the particular department; at the parish, if the Pastor or Parochial Administrator or Director of Parish Life is not the immediate supervisor, he is also to sign the appraisal.

The performance appraisal will be discussed with the employee and become part of the personnel file. When the employee signs the appraisal, this signature verifies receipt and review, and does not necessarily imply agreement. Each employee has an opportunity to respond in writing to his or her appraisal, and this response will become part of the appraisal and the personnel file.

Progressive Counseling Program

The Diocese may, at its discretion, utilize progressive counseling to correct performance or behavioral issues. This progressive counseling may apply both to probationary and regular employees (full-time or part-time). Progressive counseling is not required prior to termination, and an employee may be terminated without first being provided with progressive counseling. If started, progressive counseling may be halted or abandoned at any time if performance or behavioral issues are not improving. Progressive counseling may, but is not required to, include informal counseling, written warnings, a final written warning, and other such discipline, including and up to termination.

Grounds for immediate dismissal include, but are not limited to, the following:

- Gross insubordination
- Serious breach of discipline
- Flagrant misconduct
- Use, possession, dispensing, or being under the influence of illegal substances or alcohol during work hours
- Misappropriation or misuse of funds
- Falsification of work records
- Conviction of a crime or misdemeanor involving moral turpitude
- Public statements or conduct contrary to the official teachings of the Catholic Church, or

which are likely to cause public scandal or disrespect to the Diocese, as interpreted in the sole judgment of the Roman Catholic Bishop of Oakland.

- Failure to comply with Chancery/Parish personnel policies or the Code of Conduct.

If started, progressive counseling may be halted or abandoned at any time if performance or behavioral issues are not improving. Progressive counseling may, but is not required to, include informal counseling, written warnings, a final written warning, and other such discipline, including and up to termination.

Definition and Guidelines of Progressive Counseling

Preamble

The Diocese believes employees thrive when there are clear job expectations set and when there is consistent feedback provided to the employee with regard to areas where the expectations are being met, exceeded, or falling short. The Diocese has established four pillars of success: (1) clear job descriptions, (2) frequent constructive feedback and training, (3) annual performance evaluations, and (4) goal setting. The development of a positive workplace environment and compliance with the four pillars reduces the need for formal counseling and allows for smaller issues to be addressed before they become larger issues. However, if formal counseling does become necessary, the Diocese uses progressive counseling to correct performance or behavioral issues.

Progressive Counseling

Progressive counseling is the process of using increasingly severe steps or measures when an employee fails to correct a problem after being given a reasonable opportunity to do so. The underlying principle of progressive counseling is to allow the supervisor to use the least severe action necessary to correct the undesirable situation. The severity of the action is increased only if the condition is not corrected.

Guidelines:

- Thoroughly investigate the situation, including obtaining the employee's explanation or response prior to administering counseling.
- Document the process and results of your investigation.
- It is acceptable to repeat a step if you feel it will correct the problem. However, it is also important to continue to work through progressive discipline if the employee is not receptive to a step. Repeating a step may be reasonable if it has been quite a while (i.e., six (6) months or more) since this issue was last addressed with the employee, and the problematic behavior has only recently reappeared. If repeating the step works, then this allows for the situation to be resolved without escalation. However, be aware an employee may be led to believe nothing worse will happen if you continually repeat a step. As such, a step may only be repeated once, and if repeating a step does not resolve the problem, then move on to a higher step.
- The goal of progressive counseling is to modify unacceptable behavior or improve performance.

- Progressive counseling does not require every step to be followed for every employee. Rather, the circumstances of each case are taken into account in determining which step to apply or whether to utilize progressive counseling. Some offenses may necessitate immediate termination, regardless of whether progress counseling has been previously utilized with this employee.
- It is recommended a witness or note taker be present when meeting with the employee during the progressive counseling process. It is required to have the Pastor/Parochial Administrator/Parish Life Director present when either a final written warning is being issued or for a termination of employment.
- Diocesan Human Resources is available for consultation at any step of the process, but it is especially important at the steps of final warning and termination.

Typical progressive counseling steps include:

1. Verbal counseling
2. Written warning
3. Final written warning
4. Termination

Essential elements of each progressive counseling step include:

1. The employee must be explicitly informed of the unacceptable behavior or performance and given specific work-related examples.
2. Explain acceptable behavior or performance standards and give the employee reasonable time to comply.
3. Inform the employee of the consequences of failing to comply.

The Diocese does not require progress counseling of any employee prior to termination. Termination can occur for any reason and at any time for employees in their probationary period, and for cause for regular employees.

Verbal Counseling:

Counseling is usually the initial step.

- Conduct the whole counseling session in a friendly, yet firm manner.
- This discussion should be done in private. Tell the employee the purpose for the discussion and identify the problem.
- Try not to be mechanical or read from a piece of paper. Have documentation available to serve as a basis for the discussion, and for both you and the employee to sign acknowledging a verbal counseling did occur.
- Seek input from the employee about the cause of the problem.
- Where possible, jointly identify a solution to the problem; otherwise, identify your desired solution.
- Clarify the employee's understanding of your expectations concerning the situation.
- Let the employee know possible disciplinary action may follow if the problem is not corrected.

- Schedule a follow up meeting with the employee in order to provide feedback and to let the employee know how he or she is progressing on solving the problem.

Notes:

- Counseling sessions are used to bring a problem to the attention of the employee prior to the issuance of written warning.
- The purpose of this discussion is to alleviate any misunderstandings and clarify the direction for necessary and successful correction. Most problems are solved at this stage.
- If some progress is seen, this counseling step can be repeated to allow the employee full opportunity to correct the problem.
- It is necessary to document the counseling session even though it is considered an informal step in progressive counseling. A brief statement confirming the subject matter discussed and the agreed upon course of action to correct the problem, signed by both you and the employee, is sufficient to document this session.

Written Warning:

- Initiate this step by repeating the process used in the counseling step, i.e., talk with the employee before preparing any written action.
- After this discussion, prepare the written warning. Build in information, responses, and commitments made in the discussion.
- The written warning will have three parts:
 - A statement about the past, reviewing the employee's history with respect to the problem.
 - A statement about the present, describing the who, what, when, etc. of the current situation, including the employee's explanation.
 - A statement about the future, describing your expectations and the consequences of continued failure.
- The warning is addressed to the employee, and the employee should sign the warning acknowledging receipt of it.
- This step may be repeated with stronger consequence statements. Examples range from a statement failure to correct this situation "may lead to further disciplinary action" to a statement "this is a final warning and failure to correct the problem will lead to discharge."
- See the sample written warning memorandum.

Final Written Warning:

- Speak to Human Resources prior to initiating this step to discuss whether prior progressive counseling sessions have occurred and, if not, the basis for escalation to a final written warning.
- After speaking to Human Resources, repeat the process used in the counseling step, i.e., talk with the employee before preparing any written action.
- After this discussion, prepare the written warning. Build in information, responses, and commitments made in the discussion.
- Express to the employee this is the final written warning and if the appropriate changes do

not occur the next step will be termination of employment.

Termination:

- This is the last step of any progressive counseling system and is used when earlier steps have not produced the needed results.
- A discussion with the employee must occur before a final determination is reached. Inform the employee about the nature of the problem. See sequence described under counseling.
- The employee must be given an opportunity to explain his or her action and to provide information.
- If the employee takes this opportunity, you must investigate where appropriate and consider the information provided.
- Consult with the Pastor/Parochial Administrator/Parish Life Director and then consult with Human Resources at the Diocese.
- A written notice of termination is prepared after the discussion and consideration of all available information.

Probation

If a regular employee's performance falls below an acceptable level or if an employee engages in conduct contrary to these policies and best interest of the department or the Diocese, then employee may be placed on probation for a period of one (1) to six (6) months, as determined by the Pastor/Parochial Administrator or the Division/Department Director. This probationary period notification must be in writing and Human Resources must be notified first. By the end of this disciplinary period, the employee must have demonstrated satisfactory resolution of the problem that led to being placed on probation or be subject to termination. However, during disciplinary probation the employee has access to the Diocesan Dispute Resolution Process. (See appendix C)

Neither Progressive Counseling nor Disciplinary Probation are Required Prior to

Termination

An employee may be terminated *without* first being placed on progressive counseling or on disciplinary probation.

Termination of Employment

Resignation

The Diocese expects all employees resigning after expiration of the probationary period to give notice in writing at least two weeks and preferably one full month before the resignation date.

The Diocese asks personnel in administrative positions for as much additional notice as possible in order to ensure adequate time to secure qualified replacements.

Restructuring and Job Closure

Should budgetary or programmatic considerations necessitate a cutback in staff, the needs of the Diocese will be of paramount importance in determining which programs/positions must be eliminated and/or combined or otherwise restructured. When possible, reasonable notice should be given to the employee.

If an employee has been laid off due to restructure, budgetary cuts or business interruption, and the position reopens within six (6) months, that former employee will be informed of and offered the reopened position if at the time of layoff, the employee indicated in writing he or she wished to be notified of such opportunity.

Layoffs should be done with the consultation of the Director of Human Resources.

Termination for Cause

The Diocese has the right to dismiss any employee for cause. If an employee is discharged for any of the following reasons, termination will occur after efforts to communicate and correct the deficiency have been made both verbally and in writing. Such efforts may, but are not required to, include progressive counseling or placing the employee on disciplinary probation.

No termination shall occur without prior consultation with the Director of Human Resources. The Director of Human Resources provides guidance to assess the grounds for termination. When such prior consultation is not possible, then the employee should be placed on administrative leave, and removed from the workplace, until such time as the Director of Human Resources can be consulted. If the Director of Human Resources is unavailable for any extended period of time, then the Chancellor should be informed of the situation before any termination.

Basis for termination for cause include, but are not limited to:

- Unsatisfactory job performance.
- Inability or unwillingness to work cooperatively as part of the staff.
- Excessive or unreasonable absenteeism or lateness.
- Failure to comply with Chancery/Parishes personnel policies.
- Insubordination.
- Other such bases which are contrary to the policies, procedures, and standards of the Diocese.

In some circumstances immediate dismissal may occur, without prior attempts to communicate or correct the deficiency. Circumstances which warrant immediate dismissal include, but are not limited to, the following:

- Flagrant misconduct.
- Failure to comply with Chancery/Parish Personnel Policies when such failure amounts to insubordination or a serious breach of discipline.
- Use, possession, dispensing, or being under the influence of illegal substances, or alcohol during working hours.

- Misappropriation or misuse of funds.
- Falsification of work records, regardless of when the falsification occurs.
- Conviction of a crime or misdemeanor involving moral turpitude.
- Possession of firearms or weapons in the workplace.
- Any act of violence or threatened violence.
- Behavior that seriously violates the official teachings of the Catholic Church.

A non-probationary employee so dismissed will have the right to notice of the reasons for termination and the right to appeal his or her dismissal through the Dispute Resolution Process. Utilization of the Dispute Resolution Policy must precede the filing of any lawsuit against the Diocese of Oakland. (The Dispute Resolution Policy is attached as Appendix C.)

Exit Interviews

Employees and supervisor may meet to go over the exit checklist. (See attached Appendix D-21.)
Forms to be completed:

- Report of Termination
- Enrollment Change form
- COBRA form
- Participation of Lay Retirement

These forms should be located in the bookkeepers' file and once completed they should be placed in the employee's personnel file.

Business Interruption

At the Chancery, the Chancellor, or if he is not available, another member of the BAC, and at Parish sites, the Pastor/Parochial Administrator/Parish Life Director, will decide when the Diocese or parish will be closed due to severe weather, natural disaster, or other conditions.

When normal operations are maintained and employees are unable to travel to work, they will be paid provided they work remotely from home. However, employees who are unable to work from home will not be paid for time not worked. When operations are shut down or not opened, employees may be paid for such time lost. However, the Diocese reserves the right to place employees on unpaid furloughs as circumstances and conditions warrant.

III. GENERAL EMPLOYMENT POLICIES

Harassment, Discrimination, and Retaliation Prevention Policy

The Diocese, as a nonprofit religious organization, is exempt from the California Fair Employment and Housing Act ("FEHA") and does not waive that exemption. However, in accordance with

Church teaching and the principles of Catholic social justice, the Diocese is committed to the prevention of harassment, discrimination, and retaliatory conduct based on:

- Race
- Religion (except where permitted by law)
- Color
- Sex, gender, and sexual orientation
- National origin
- Ancestry
- Physical or mental disability
- Medical condition
- Genetic information/characteristics
- Marital status
- Age
- Military or veteran status

The Diocese also prohibits discrimination, harassment, or unprofessional conduct based on the perception anyone has any of those characteristics, is associated with a person who has, or is perceived to have those characteristics. The Diocese prohibits retaliation against individuals who raise complaints of discrimination or harassment or who participate in a workplace investigation.

Harassment Prevention

The Diocese's policy prohibiting harassment applies to all persons involved in the operation of the Diocese. The Diocese prohibits harassment, conduct by any employee, including supervisors, managers, and co-workers, as well as to vendors, parishioners, independent contractors, unpaid interns, volunteers, and other individuals who may provide services to the Diocese or employees may come into contact with while working.

Prohibited harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts, or messages;
- Visual displays such as derogatory and/or sexually orientated posters, photography, cartoons, drawings, or gestures;
- Physical conduct includes unwanted touching, intentionally blocking normal movement or interfering with work due to a legally protected classification;
- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss or offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment;
- Communication via electronic media of any type prohibited by state and/or federal law or by company policy.

Sexual harassment does not need to be motivated by sexual desire to be prohibited by this policy. Hostile acts toward an employee because of their gender can amount to sexual harassment, even if the treatment is not motivated by sexual desire. Further, prohibited harassment is not just sexual harassment, but also includes harassment based on any legally protected classification.

Equal Employment Opportunity/Non-Discrimination

In accordance with Church teaching and Catholic social justice, the Diocese promotes equal employment opportunities for all persons involved with the Diocese. The Diocese prohibits unlawful discrimination against any job applicant, employee, or unpaid intern by any employee of the Diocese, including supervisors and co-workers. Except as permitted by law, employment decisions are made on the basis of qualifications that meet the needs of the Diocese, and not on the basis of a legally protected classification. There are certain positions at the Diocese for which it is necessary to be Catholic, and some positions for which preference in hiring shall be given to people who are Catholic and who evidence an understanding of the Catholic faith and a commitment to living that faith. Such preference is permitted under state and federal law and does not constitute an illegal act of discrimination.

Pay discrimination between employees of the opposite sex or between employees of another race or ethnicity performing substantially similar work, as defined by the California Fair Pay Act and federal law, is prohibited. Pay differentials may be valid in certain situations defined by law. Employees will not be retaliated against for inquiring about or discussing wages. However, the Diocese is not obligated to disclose the wages of other employees.

Reasonable Accommodation

The Diocese fully supports equal employment opportunity for qualified persons with disabilities. The Diocese will make reasonable accommodations 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 results. If you require accommodation to perform the essential functions of your position or to have equal access to employment benefits, then you must notify the Human Resources Department, preferably in writing, to discuss the need for such an accommodation. The Human Resources Department will engage in an interactive process with you to identify possible accommodation, if any, that will help you perform the job.

An applicant, employee or unpaid intern who requires an accommodation of a religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) should also contact the Human Resources Department, preferably in writing, to discuss the need for such an accommodation. If the accommodation is reasonable and will not impose an undue hardship, then the Diocese will make the accommodation.

Anti-Retaliation

The Diocese will not retaliate against you for filing a good faith complaint or participating in any workplace investigation or complaint process and will not tolerate or permit retaliation by

management, employees, or coworkers.

The Diocese will also not retaliate against you for requesting a reasonable accommodation and will not knowingly tolerate or permit retaliation by management, employees, or co-workers.

Complaint Process

The Diocese is committed to providing equal employment opportunities and a workplace free from discrimination, harassment, and retaliation. The Diocese encourages all individuals to report any incidents of discrimination, harassment, or retaliation immediately so complaints can be quickly and fairly resolved. Any employee who believes he or she has been subjected to unlawful harassment, discrimination, or retaliation in violation of this policy, or who has any knowledge of that kind of behavior must report his or her complaint immediately, preferably in writing, to the Division/Department Director or the Pastor/Parochial Administrator/Parish Life Director and to the Director of Human Resources at the Chancery. If the complaint involves the Division/Department Director or the Pastor/Parochial Administrator/Parish Life Director, the employee must report his or her complaint immediately to the Director of Human Resources at the Chancery. If the complaint involves a member of the clergy, then the employee must report his or her complaint immediately to the Chancellor. The report of the complaints should be specific, identify the names of the individuals involved, any known witnesses, and describe the specific conduct. Complaint may be verbal or written. After a verbal complaint, the Diocese may request the complaint be put in writing to conduct an investigation.

The Director of Human Resources (or, where applicable, the Chancellor) will review and investigate or coordinate the investigation of the complaint promptly. The Diocese will maintain confidentiality to the extent possible. However, the Diocese cannot promise complete confidentiality, as the investigation and disciplinary process may require the disclosure of information to individuals who have a need to know. After completion of the investigation, the Human Resources Department (or, where applicable, the Chancellor) will recommend appropriate action to the BAC for the resolution of the complaint. If the investigation finds discrimination, harassment, or retaliation in violation of this policy has occurred, then the Diocese will take appropriate disciplinary action, up to and including termination, with regard to the person found to have engaged in inappropriate conduct consistent with this policy. The employee who brought the complaint will be given appropriate information concerning the resolution of the matter. Any employee who is not satisfied with the resolution of the matter must comply with the Dispute Resolution Process via the Director of Human Resources prior to making a legal complaint.

In addition to notifying the Diocese about harassment or retaliation complaints, affected employees may also direct their complaints to U.S. Equal Employment Opportunity Commission EEOC, which has the authority to conduct investigations of the facts. One can contact the nearest EEOC office by checking the federal government listings in the local telephone directory. Civil Rights Department (formerly the California Department of Fair Employment & Housing)

All employees are to receive form DFEH 185 at time of hire. (See Appendix D-17)

Additional Employment

Before accepting a second job from a different employer, employees must consult with Human Resources to discuss the potential for a conflict of interest. Employees should provide notice in writing to the Diocese of any additional employment outside of their employment at the Diocese.

Employees are expected to meet the demands of their position at the Diocese and the employee's time while at work or on duty is expected to be devoted to the business of the Diocese and not to other matters, endeavors, or activities. If the employee's off duty activities have an adverse effect on his or her ability to perform the duties of his or her position at the Diocese or those off duty activities begin to create a conflict of interest with respect to the Diocese, then, at the Diocese's discretion, they may be subject to disciplinary action, including and up to termination of employment.

This policy is not intended to prevent or discourage employees from participating in any protected activities. Provided the employee's public speech or activity in such protected activities does not conflict with the Catholic faith.

Confidentiality

Much of the information received and disseminated from the parish or chancery is private in nature. In order to maintain professional confidentiality persons working in parishes or the chancery must refrain from discussing parish or Chancery business (including individuals, incidents and situations) which is personal or private in nature with any individual inside or outside the parish or Chancery staff unless that discussion pertains to or is necessary for the conduct of one's assigned work. Breach of confidentiality is a serious matter and therefore subject to disciplinary action up to and including termination. All employees are required to sign the confidentiality agreement which will be maintained in the employee's personnel file. (See Appendix D-9)

Injury on the Job

An employee injured at the job site or on a job related duty should request a form to report the injury known as DWC-1 form. Site supervisors should also provide a DWC-1 form when they learn of an employee's job-related injury. Site supervisors will then report the injury to the Diocesan Benefits Office. Injuries or illnesses arising out of or occurring in the course of employment are normally covered by workers' compensation insurance.

An employee injured at a job site or on a job-related duty will either be referred by the Diocese to an appropriate medical facility for treatment or he or she may treat with his or her personal physician if he or she previously designate his or her personal physician to treat him or her in the event of a worker's compensation injury. An employee must have previously completed a Worker's Compensation Treatment Form in order to treat with their personal physician. (See Appendix D-19)

The Diocese supports the practice of bringing injured employees back to work, if possible, as soon

as they are medically able. If the employee's physician has provided work restrictions for the employee, then the employee's supervisor and Human Resources will work with the employee to determine whether the Diocese is able to reasonably accommodate those work restrictions.

Injuries that occur during an employee's voluntary participation in any off-duty recreational, social or athletic activity arranged by the Diocese are not injuries arising out of or occurring in the course of employment and will not be covered by workers' compensation insurance.

The Diocese has zero tolerance for workers' compensation fraud. Workers' compensation fraud is a punishable crime, and offenders will be prosecuted.

If an employee notes any potentially dangerous conditions at the Chancery, parishes, or other Diocesan sites, then these conditions should be reported to the Division/Department Director or the Pastor/Parochial Administrator/Parish Life Director. At the Chancery, a written report on any such conditions should be sent to the Facilities Planning and Services Department.

Public Statements

Outside of the Bishop, the Vicar General, and the Director of Communications, only those persons with direct authorization of the Bishop may speak on behalf of the Diocese. Only those Parish staff members with direct authorization of the Pastor/Parochial Administrator may speak on behalf of the Parish. Employees of the Diocese who speak on a community or political matter must make it clear they are speaking on these issues as an individual, and not as a representative of the Diocese.

Employment of Relatives

A family member (i.e., spouse, child, parent, grandparent, sibling, or in-laws) of an employee of the Diocese or other individual whose close association with the employee is the equivalent of a family relationship may be hired by the Diocese only if there is no reporting relationship between the two individuals (i.e., one family member cannot supervise the other family member). Employees cannot be transferred into such a reporting relationship. The employment of relatives in the same area of an organization may create employee morale concerns and allow for personal conflicts from outside the work environment to be carried into day-to-day working relationships. As such, if the work performance of the related employees' declines, or staff morale is adversely affected by the joint employment, then the parties may be separated by reassignment or one or both the employees may be terminated from employment. If the relative relationship is established after employment, and there is an available position, then the individuals concerned will decide who is to be transferred. If that decision is not made within 30 calendar days, then management will decide which individual to transfer. The decision of who to transfer will be based on the needs of the Diocese.

Children and Family Members in the Workplace

Employees are expected to devote their time and energy to Diocesan work when at their place of

employment. Bringing children or other family members to the workplace is not permitted when an employee is scheduled to work.

Smoking Policy

All Chancery buildings are 100 percent smoke-free. All Parish offices are also 100 percent smoke-free. Smoking tobacco or tobacco related products, including vaping or e-cigarettes, is prohibited within 25 feet of all windows and doors.

Lactation Accommodation Policy

Lactating employees are permitted reasonable periods of leave while at work to express breast milk. Employees should provide a schedule of anticipated break periods needed to their supervisor. This assists in coverage of the employee's work station while on a lactation break. The Diocese will accommodate the schedule unless it presents an undue hardship and will engage in an interactive process to address such issues.

Break time shall run concurrently with any break time already provided to the employee, is possible. Lactation breaks for non-exempt employees that do not run concurrently with that employee's authorized rest breaks will be unpaid. Lactation breaks shall run concurrently with any other break time provided to the employee if possible

Lactation rooms will be provided at the Chancery and other sites, consistent with applicable law.

Lactation facilities will be:

- A private room- other than a bathroom- that allows a nursing employee to express milk in private. (This may include the employee's office, if it otherwise meets all requirements.)
- Be in close proximity to the employee's work area, shielded from view, and free from intrusion while expressing milk;
- Have a place to sit while pumping.
- Be safe, clean, and free of hazardous materials;
- Contain a surface to place a breast pump and personal items;
-
- Have access to electricity in order to operate an electric or battery-powered breast pump.

Locations shall provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee's workspace. If a refrigerator cannot be provided, locations may provide another cooling device suitable for storing milk, such as an employer-provided cooler. Where a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over the other uses, but only for the time it is in use for lactation purposes.

The Diocese will not tolerate discrimination or retaliation against employees who request time to express milk at work and/or who lodge a complaint related to lactation accommodation. If you

believe you have been denied reasonable break time or adequate space to express milk or have been otherwise denied your rights related to lactation accommodation, you have the right to file a complaint with the Labor Commissioner.

Dress Code and Personal Appearance

Employees represent the Diocese of Oakland. Therefore, they should maintain a professional appearance and observe good habits and personal hygiene. Suitable business attire must be worn at Diocesan locations / worksites, and offsite while conducting Diocesan business. These standards also apply when working remotely, especially when an employee's image is visible on remote platforms (Zoom, Teams etc.)

Supervisors are responsible for ensuring that employees adhere to the dress code and take steps necessary to remind and counsel staff regarding violations of the dress code. Violations of the dress code may result in disciplinary violations and/or the employee being asked to go home and change clothing.

Employees are expected to be mindful of scents and perfumes used as other employees or visitors may suffer from allergies or sensitivities which can become exacerbated by strong scents.

Pay Advances and Loans

The Diocese does not grant pay advances unless the payday falls during the employee's vacation period. An employer is not permitted to loan money to an employee then deduct it from a later paycheck.

Weapons Policy

No employee, volunteer or visitor may possess a weapon, concealed or not, on Diocesan property (Chancery, School or Parish campus or building) at any time.

"Weapon" as utilized in this policy shall include all firearms, including but not limited to pistols, all knives having blades longer than 2 ½ inches, folding knife with a blade that locks into place, razors with an unguarded blade, taser, stun guns, dirks, daggers, ice picks, screwdrivers or other instruments with sharp points or blades, and object that propels metallic objects, such as a BB or pellet, CO2 pressure, spring action, or any spot marker gun.

Possession of a firearm in a school zone, defined by Penal Code § 626.9, as being within 1000 feet of a public or private school (K-12), is also a crime and punishable as either a felony or misdemeanor.

If an employee, volunteer, or visitor is lawfully in possession of such a weapon, and transports such weapon in his or her vehicle, the weapon must remain locked in the trunk of that person's vehicle, or in other non-visible location within the vehicle, throughout the time such person is

present on and not opened while on the Diocesan property. The location where the weapon is stored may not be opened while on the Diocesan property.

Drug and Alcohol Policy

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescription or over-the-counter medications. Some medications may have an effect on an employee's fitness for duty and ability to work safely, and the employee must promptly disclose any work restrictions to his or her supervisor. Once disclosed, the supervisor will then determine if the employee's work restrictions can be reasonably accommodated or not. Violation of this policy will be grounds for disciplinary action, including up to termination.

IV. RECRUITMENT AND HIRING

Hiring Philosophy

The primary goal of hiring is to find persons interested in promoting the Catholic faith in the ministry of the Diocese of Oakland. Applicants should be evaluated for their commitment to the ministry.

Selection of Staff

Chancery

When an opening occurs for a new or replacement position in the curia, the BAC must give written approval to proceed with the hiring process. (See Request to Hire form in Appendix D-22.) A new or replacement position must be posted within the Diocesan system prior to external recruitment unless such notice has been waived by the BAC. The Division/Department Director, with the support of the Director of Human Resources, is responsible for the selection of new employees. The offer of employment must be made in writing by the Department Director and the Director of Human Resources setting forth the position, salary, and beginning date of employment. No other terms and conditions of employment will be recognized except those matters contained in the written offer of employment and in the Diocese of Oakland Personnel Policies manual. (Appendix D-6; Application: Appendix D-1)

Parishes

When an opening occurs, the Department of Human Resources should be notified, and the position posted as appropriate for both internal and external recruitment. The posted job description must have salary classification. The Pastor/Administrator/Parish Life Director (and appropriate Business Manager, Director, etc.) is responsible for the selection of new employees. The Director of Human Resources of the Diocese is available for consultation and support. The offer of employment will be made in writing by the Pastor/Administrator setting forth the position, salary,

and beginning date of employment. No other terms and conditions of employment will be recognized except those matters contained in the offer of employment and in the Chancery/Parish Personnel Policy manual. (Appendix D-6)

Employment of Minors

Federal and state laws provide additional protection for employees under the age of 18 years old (“minors”). The Diocese does not employ individuals under the age of 16 years old. Minor employees must present a valid work permit prior to performing any work for the Diocese, and a copy of the minor’s work permit must be kept on file at the location where the minor works and also with the Department of Human Resources. Generally, a work permit can be issued by an authorized individual at the minor’s school or, during the summer months, can be issued by the superintendent of the school district where the minor resides. The location which hires the minor must pay for workers’ compensation insurance for the minor. Restrictions do exist with regard to the number of hours a minor can work per day and vary depending on whether school is in session. Please contact the Department of Human Resources for further information.

Eligibility to Work

Only United States citizens and individuals who have the appropriate visa status, which includes eligibility to work in the United States, are allowed to work for any location.

The Federal Immigration Reform and Control Act (IRCA) requires employers to verify employees are eligible to work. [In January 2020, the Department of Homeland Security issued an updated mandatory I-9 form necessary to verify employment eligibility of all new hires. This new form is the only valid form for current use and has OMB No. 1615-0047 printed in the top right corner of the form. This form is currently scheduled to expire on October 31, 2022.] Please check the United States Citizenship and Immigration Services (USCIS) website for the most current version of the I-9 form (<https://www.uscis.gov/i-9>).

For every new employee, parishes or the Chancery must:

- have the employee fill out section 1 of Form I-9
- require the employee to provide identification and authorization documents
- fill out section 2 of Form I-9

These forms must be filled out within 3 days of beginning work. If the employee is to be employed for less than 3 days, then the form must be filled out at the time the employee begins work.

The I-9 form is to be updated each time an employee’s form of verification changes or expires.

Original I-9 forms are to be kept in the employee’s personnel file. The Department of Homeland Security may request to inspect I-9 Forms. If the Department of Homeland Security makes such a request, then I-9 forms are required to be made available within 3 business days of the date of the request. The Department of Homeland Security should not have access to personnel files of employees.

New Hire Information

Prior to starting employment, each employee is required to complete and/or sign the following:

- Employee Information Sheet (Appendix D-3);
- W-4 Income Tax Withholding form (Appendix D-4);
- I-9, required by Immigration Reform and Control Act (Appendix D-5);
- Fingerprinting clearance;
- Child Abuse Reporting form (Appendix D-8);
- *Protecting God's Children* online training or a Safe Environment workshop;
- Other forms required by state and federal law.

California Criminal Background Check and Fingerprinting

Following an offer of hire, and as a condition of an offer of employment, the Diocese may conduct a background check on an applicant's suitability for employment. As a part of that background check, all persons offered employment are required to meet the requirements of the Diocese of Oakland for criminal records verification prior to commencing their employment.

The following may not be considered: 1) an arrest that did not result in a conviction, with limited exceptions; 2) referral to participation in a pretrial or posttrial diversion program; or 3) convictions that have been dismissed or expunged. Questions should be referred to the Director of Human Resources.

This requirement involves being fingerprinted through the Livescan method approved by the California Department of Justice. If an employee moves from site to site, the new employer should call the Safe Environment Office to verify the employees' clearance record is on file and have a certificate sent to the new site. The Safe Environment Office also receives Subsequent Arrest Notification, so the employee does not need to be re-fingerprinted if the information is already on file.

Prospective employees will be expected to have Criminal Records Verification [Fingerprinting] done prior to beginning work. The Department Director or Parish employer is to contact the Safe Environment Office [510-267-8343] to request the necessary forms and information and to inform the Department of the name of the prospective employee. The Safe Environment Office will in turn advise the site of hire of clearance to begin work.

Cost of the fingerprinting process [fingerprinting rolling fee, Department of Justice "DOJ" and FBI clearances] is borne by the site of employment. The Safe Environment Office will invoice the site of hire for the DOJ/FBI costs at the time of notification of clearance. The notification should be placed in the employee's personnel file. [The cost of Livescan screening done at the Diocese is generally less than \$90.00.]

Hiring Interviews

Hiring interviews should focus on the applicant's ability to perform the job, such as education,

training, prior employment, and the job duties of the particular position. Questions that seek to identify how and why an applicant seeks to work for the Diocese of Oakland, and their commitment to promote the Catholic faith are always appropriate. This is especially true for leadership positions.

In contrast, questions regarding an applicant's personal life, if they have children or plan to have children should be avoided. If the concern is regular work attendance, a better question would be: "Is there anything that would interfere with your regular attendance at work?". Questions asking about where an applicant was born, or the origin of their parents should be avoided. If there is a concern about the applicant's eligibility to work, a better question is "Are you legally eligible to work in the United States?" or "Will you have authorization to work in the United States when this job begins?".

Finally, questions about the applicant's financial history such as asking about any past bankruptcy or credit problems, or wage garnishment is rarely appropriate. To the extent such questions are a bona fide occupational qualification for certain positions responsible for handling parish finances, a better way to proceed is to obtain the applicant's written authorization for a credit check. Then consult with Diocesan Human Resources regarding the process, which must comply with the Fair Credit Reporting Act.

Social Media: There are limits on how social media may legally be used in the hiring process. An applicant may be asked to identify any social media accounts. Publicly available information can be viewed; however, applicants should not be asked to provide passwords to view private areas of their social media accounts. Moreover, it is illegal to use "false pretenses" to "friend" an applicant's social media account to obtain information not publicly available.

Personnel Records

State law requires employers to keep personnel records during employment, and for at least four years after termination of employment. A file must be established for each parish employee at the time of hire and kept on record in an appropriately designated, secure place. At the Chancery, these records are maintained by the Human Resources Department. The supervisor or his or her designee may maintain a separate file for departmental use which should be kept in a locked file. In the parishes, these files should be kept in a locked file and only the Pastor/Parochial Administrator/Parish Life Director or parish staff person responsible for personnel should have access to the files. The personnel files should be reviewed at least annually, generally prior to the employee's performance appraisal, to ensure proper information is updated as appropriate. Personnel records are confidential records and must not be reviewed or disclosed to persons other than the employee without written authorization of the employee or court order.

Files should include the following:

- Full name of employee
- Employee's current address and phone numbers
- Emergency form [updated yearly]
- Position held

- Yearly record of vacation and sick leave accrual
- Application/resume on file
- Insurance/retirement enrollment forms or waiver forms (for employees working more than 25 hours per week)
- Copies of degrees [as appropriate]
- Criminal records verification
- Position job description (signed by employee)
- Salary adjustment statements
- Professional growth certificates
- Commendations
- Disciplinary action statements
- Performance appraisals (done yearly after the 6-month probationary appraisal)
- Employees' written responses to performance appraisals, commendations on their request, or disciplinary personnel action statements
- I-9 form on file and updated, as needed
- Child abuse reporting form (for those employees who work with minors [under 18 years of age] and/or who are mandated reporters)
- Signed Letter of Agreement
- Signed Confidentiality Agreement
- Signed Chancery/Personnel Policy Acknowledgement
- Safe Environment signed Policy of Expectations
- Signed Safe Environment training certificate
- California driver's license and proof of insurance if you drive for this site and expect reimbursement for mileage

The Department of Human Resources, in its capacity as stewards, will visit parishes when a new Pastor/Parochial Administrator/Parish Life Director is appointed to review files with the Pastor/Administrator or parish staff person responsible for personnel. Parishes will be notified prior to visits, usually with at least a month's notice of the visit. This visitation is mandatory.

Access to employee personnel files is limited to the Division/Department Directors and the staff of the Human Resources Department at the Chancery and Pastor/Parochial Administrator/Parish Life Director and the employee's immediate supervisor at the parish sites. Employees or former employees who make a written request are entitled to review their personnel file within 30 calendar days after the (Director of Human Resources at the Chancery or the Pastor/Parochial Administrator/Parish Life Director at the parish site) receives the written request. The review may be monitored by a Human Resources Department staff person at the Chancery or the Pastor/Parochial Administrator/Parish Life Director, or his/her designee, at the parish sites. Employees who disagree with materials contained in their personnel files are encouraged to provide a written statement reflecting their view of the situation, which will be placed in the file.

Social Security Number Privacy for Pay Stubs

California law prohibits the use of more than four digits of social security numbers on pay stubs.

Subpoenaed Employee Records Protection

California law provides for a procedure for employees to obtain a protective order to prevent the disclosure of their employment records in a civil lawsuit.

The law requires parties in civil litigation seeking to subpoena an employee's personnel records to certify the employee was previously notified about the subpoena or else provide the employee's written authorization to release the personnel records. The law also provides a procedure for employees to object to the subpoena and to obtain a protective order from the court preventing the employer from complying with the subpoena and disclosing the records.

The employee should contact his/her own legal counsel in this matter.

When a subpoena is received, the site must contact Human Resources for advice in following this legal order. No records should be produced pursuant to the subpoena without approval of the Director of Human Resources or Diocesan legal counsel.

Medical Related Files

Personnel files should not contain medical information regarding an employee. Medical information should be maintained in a separate file labeled: Name of Person – Medical. Any medical information, such as medical diagnosis, absence, return to work slips from doctors which contain medical information or diagnoses, and EDD or private disability records should be kept in this file. Co-mingling of information in a personnel file is a violation of Diocesan policy.

References and Verification of Employment

The Diocese respects employee privacy rights and strives to ensure confidential information is not released, either within the Diocese or to external sources. All requests for employment and compensation histories, credit checks, home addresses and telephone and email shall be handled only by the business manager or similar employee at each location as follows:

Non-Diocesan individuals and entities: Only dates of employment and job titles will be provided unless the employee gives written authorization to release additional information, or a lawful subpoena has been issued.

Diocesan locations when inquiring about a job applicant with a need to know: Accurate, factual based performance information may be given, without malice, including whether the individual is eligible for rehire or other service.

Requests for references and verification of employment concerning employees working at the Chancery must be referred to the Director of Human Resources. Parishes with questions about references and what information can be disclosed should consult the Director of Human Resources.

V. COMPENSATION

Compensation Policy

When positions are posted for applicants, a pay scale will be provided for the position, either a salary range, or an hourly pay range, depending on the position. A pay range must be one that is reasonably expected to be paid for the job. This will typically depend on multiple factors, including the nature of the position and its responsibilities as well as the level of experience required to perform the duties of the position. In addition, employees may ask for the salary range for their current position.

The Diocese will not advance salaries or loan future compensation to employees. The Diocese will also not advance vacation or sick leave.

Position/Job Descriptions

Position descriptions are developed for each position in the Diocese. Position descriptions summarize the basic purpose of each position at each individual site, the organizational reporting relationship, the duties and responsibilities of the position, and qualifications required to fill the position. It is impossible for job descriptions to cover every task or responsibility assigned; hence, they do not limit the supervisor's right to assign additional duties as needed.

Position descriptions are reviewed for accuracy whenever significant changes in job duties occur and when annual employee performance appraisals are conducted. Employees are encouraged to review and suggest changes to their position descriptions. The Diocese reserves the right to transfer duties from one position to another, as well as to transfer employees to other positions to meet the needs of the Diocese. A suggested template to be used in creating a position description is found in Appendix D-2.

[Each employee is to be given a copy of the position description, which will include the approved Diocesan classification. A copy signed by the employee is to be placed in the employee's personnel file.]

Brief descriptions of various positions are found in Appendix E.

Chancery

At the Chancery, Department Directors determine what duties are assigned to each specific position.

Parishes

In Parishes, the Pastor/Parochial Administrator/Parish Life Director, in consultation with the supervisor, will determine what duties are assigned each specific position.

Employment Status: Exempt and Non-Exempt

Each employee is classified as either exempt or non-exempt in accordance with federal and state wage/hour laws.

Exempt Employees: Exempt employees are paid on a salary basis and hold administrative, executive, or professional positions that require the regular exercise of discretion and independent judgment. In order to be exempt, an employee **must** meet two tests: the salary test and the duties test.

The first step is to determine whether the employee meets the salary test.

The “salary” test: The employee must be paid a salary at least equivalent to two times the minimum wage for full-time employment (regardless of how many hours the exempt employee works per week). Full-time employment is defined in Labor Code Section 515(c) as 40 hours per week for 52 weeks. (In 2024 this figure is \$66,560 per year.) The state minimum wage is subject to change please visit the Department of Industrial Relations to confirm the minimum wage at: (https://www.dir.ca.gov/dlse/faq_minimumwage.htm).

Check the local city in which the place of employment is located to determine if that city has a minimum wage exceeding the state minimum wage.

If the employee meets the salary test, then the next step is to determine whether the employee meets the duties test.

The “duties” test: Employees who spend the majority of their time performing these duties are exempt:

Administrative: to pass the administrative job duties test, employees must perform non-manual work, manage general business operations and have decision-making authority on significant matters. Examples: An office manager but only if he/she is entrusted to make significant, independent business decisions.

Executive: To pass the executive job duties test, the employee must manage a team, supervise two or more employees and have authority to hire and fire.

Creative Professional: To pass the creative job duties test, the employee must perform work requiring invention, imagination or talent in an artistic or creative field.

Do not rely on salary levels or job titles alone to determine if an employee meets the duties test. Employees are presumed to be non-exempt. Only if the employee satisfies both the salary test and the duties test can the employee be classified as exempt.

Non-exempt Employees: All other employees are non-exempt and are often those employees in clerical and support service positions. Non-exempt employees must receive at least minimum wage. As of January 2024, the California Minimum Wage is \$16.00 per hour. Minimum wage may vary depending on the city where the employee works. Please speak to the Department of Human Resources if you have any questions.

Employees are informed of their exempt or non-exempt status at the time of hire. Changes in job duties or assignments can result in a change in status. Employees should address questions about their status to their Division/Department Director or Pastor/Administrator/Parish Life Director or to the Diocesan Department of Human Resources.

Work Schedule

Regular attendance in the office is an essential function of the job. Remote work is only permitted by prior approval of the department supervisor or the Pastor/Parochial Administrator or the Diocesan Director of Human Resources.

Chancery

The Diocesan offices operate on a 37.5-hour workweek, 8:30 a.m. to 5:00 p.m. Monday through Friday. All employees ordinarily are expected to be present and work during these regular office hours. Regular attendance is an essential function of all positions. Exceptions to this norm and adaptation to an alternative work week schedule may be adopted, at the Diocese's discretion, in accordance with the Labor Code.

Non-exempt employees will generally take a paid 15-minute rest break mid-morning and a paid 15-minute rest break mid-afternoon. Non-exempt employees will generally take their meal period during the observed lunch hour as scheduled from 12:00 noon to 1:00 p.m. to the extent this is practical. This lunch hour shall be duty free and unpaid. Depending on the department's need and with written approval from the employees' supervisors and the Director of Human Resources, non-exempt employees may shorten their workday by reducing their lunch period to no less than 30 minutes. In order to do so, non-exempt employees must sign a written waiver.

Exempt employees may take rest breaks and their meal period as needed.

Parishes

Parishes establish regular work hours appropriate to the needs of their site.

All employees ordinarily are expected to be present and work during these regular office hours. Regular attendance is an essential function of all positions. Exceptions to this norm and adaptation to an alternative work week schedule may be adopted, at the Diocese's discretion, in accordance with the Labor Code.

Non-exempt employees will generally take a paid 15-minute rest break mid-morning and a paid 15-minute rest break mid-afternoon. Non-exempt employees will take their meal period as scheduled by their supervisor, and based on the needs of the parish, but must take their lunch break prior to their fifth hour of work. This lunch hour shall be duty free and is non-paid. Depending on department need and with written approval from the employees' supervisor, and the Director of Human Resources, non-exempt employees may shorten their workday by reducing their lunch period to no less than 30 minutes. In order to do so, non-exempt employees must sign a written waiver.

Exempt employees may take rest breaks and their meal period as needed.

Eligibility for Benefits

Exempt employees and non-exempt employees who work 25 or more hours a week are eligible for benefits. For eligible employees who elect not to take health insurance benefits through the Diocese, health insurance waiver verification must be included in the employees' file.

Time Sheets and Recording of Time Worked

Non-exempt employees are required to complete contemporaneous timesheets which accurately reflect the time worked, and the meal and rest breaks taken, for each day worked. Non-exempt employees are not permitted to perform work off the clock, and the Diocese does not accept time worked as a donation. Non-exempt employees are to be paid for all time worked. Failure to accurately record time worked may result in disciplinary action. Any overtime to be worked by non-exempt employees must be pre-approved in writing by Parish Pastor/Parochial Administrator, or Division/Department Director.

The time sheet (See Appendix D-9) must be approved in writing by the Division/Department Director and submitted to the Human Resources Department at the Chancery and to the Pastor/Administrator/Parish Life Director and/or the person responsible for payroll in the parishes each month. Time sheets are to be filled out by the individual employee and signed by the employee. The employee's signature on his or her time sheet is a verification of the truthfulness and accuracy of the information recorded on the time sheet by the individual employee.

These timekeeping policies also apply to those employees approved to work remotely. The individual employee is responsible for accurately completing his or her timesheets to reflect his or her start and end times, all meal and rest breaks, overtime, and to account for any time not worked during their scheduled hours.

Recording of Time Off

All employees must accurately record vacation, sick leave and any other type of leave taken.

The record of paid time off (See Appendix D-11/12) must be approved in writing by the Division/Department Director and submitted to the Human Resources Department at the Chancery and to the Pastor/Administrator/Parish Life Director and/or the person responsible for payroll in the Parishes each month. Time sheets are to be saved for five years. The employee must inform the supervisor in writing when requesting to take time off. These requests must be signed by the supervisor. Accurate recording by the employee is necessary to track use of vacation and all types of leave. Failure to accurately record vacation and leave by an employee may be grounds for disciplinary action.

Meal and Rest Break Policy

Meal Period: Non-exempt employees who work more than five hours a day are to receive a meal period of no less than 30 minutes before the beginning of their 5th hour of work. The meal period is to be unpaid and duty free. Non-exempt employees who work six hours or less may waive, in writing, the meal period by mutual consent of employee and employer. Any non-exempt employee seeking to waive any meal or break period must obtain written permission from his or her supervisor. When a non-exempt employee works for a period of more than 10 hours, a second meal period must be provided no later than the end of the employee's tenth hour of work. (In other words, no later than the start of the employee's eleventh hour of work.)

At the Chancery, meal periods generally occur during the lunch hour, between noon and 1PM. At the parishes, meal periods are scheduled by the employee's supervisor, and based on the needs of the parish. Meal periods are generally one hour long. However, depending on department need, non-exempt employees may shorten their workday by reducing their lunch period to no less than 30 minutes. In order to do so, non-exempt employees must sign a written waiver and obtain written approval from the employees' supervisors and the Director of Human Resources.

Rest Breaks: Non-exempt employees are to receive a rest break of at least 10 minutes if they work at least three-and-a-half hours per day, and two rest breaks of at least 10 minutes if they work more than six hours a day. Rest breaks are to be paid. Non-exempt employees will generally take a rest break mid-morning and a rest break mid-afternoon. The timing of rest breaks is dependent on department needs and may be scheduled by the employee's supervisor.

Failure to appropriately take meal periods and rest breaks may result in disciplinary action, including and up to termination.

Overtime Policy

Diocesan employees sometimes must work more than their normally scheduled hours. When this situation is necessary, non-exempt employees must have the prior approval of their supervisors to work the additional hours.

Only those employees who are classified as non-exempt from the overtime provisions of 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 the overtime requirement, the employee or supervisor should contact the Department of Human Resources for clarification.

Exempt Employees:

Exempt jobs generally are designed to require between 37.5 and 40 hours of work a week, often on a flexible schedule. Sometimes exempt employees may need to work more than 37.5 and 40 hours in order to address the demands of their jobs. Exempt employees are not eligible for overtime pay or compensatory time off even if they work more than 8 hours a day or 40 hours per week. In the event an employee works a considerable amount beyond a normal workweek (for example, a parish employee who works significant overtime at Christmas) then the pastor may, at

his discretion, grant additional time off.

Non-Exempt Employees:

Non-exempt employees are eligible for overtime pay. An employee may not waive the right to overtime compensation.

Non-exempt employees will receive overtime pay for hours worked between 8 and 12 hours in one workday or for hours worked in excess of 40 hours in one workweek. Overtime pay is one-and-a-half times the non-exempt employee's regular hourly rate.

A non-exempt employee will receive double time pay for those hours worked over 12 hours in one workday or work in excess of 8 hours on the seventh day of a workweek.

Non-exempt employees must receive prior written approval from their supervisors in order to work overtime. Failure to obtain approval prior to working overtime may result in disciplinary action, including and up to termination.

Overtime pay and double-time pay are included in the employee's paycheck in the pay period in which it is earned. If it is earned after the notification deadline for that pay period, then it is included in the next paycheck.

Exceptions to overtime pay may apply to an employee working an alternative workweek adopted pursuant to the Labor Code.

An employee working on a legal holiday observed by the Diocese must receive a day off in lieu of the legal holiday, within the same pay period, or must be paid at a double time rate.

Non-exempt employees who need to miss work due to personal obligations may make up the work without incurring overtime, subject to the following conditions: (1) the make-up work must be done during the same workweek as when the work was missed, (2) the employee must voluntarily submit a signed, written request to make up the work, and (3) the employee's supervisor must approve the employee's request to make up the work.

Requests for increasing or decreasing a non-exempt employee's regular weekly work hours must be approved by the Division/Department Director, Pastor/Parochial Administrator/Parish Life Director. Parish and Chancery Office needs will take precedence in consideration of requests for flexible scheduling or for increasing or decreasing work hours.

All work sites must post yearly the California and Federal Employment Notices. This notice may be obtained by contacting the California Chamber of Commerce at 1-800-331-8877 and requesting the Employer Poster Set. These sets can be purchased in both Spanish and English.

Holidays

Part-time employees (those working less than 25 hours per week) receive the holiday if it falls on a regularly scheduled workday for the employee.

Chancery

Chancery employees will observe the following legal public holidays:

- New Year's Day (January 1)
- Martin Luther King Jr. Day (Third Monday in January)
- Presidents Day (Third Monday in February)
- Memorial Day (Last Monday in May)
- July Fourth (July 4)
- Labor Day (First Monday in September)
- Veterans Day (November 11)
- Thanksgiving (Fourth Thursday in November)
- Christmas Day (December 25)

Legal holidays are transferable. When a legal public holiday falls on a weekend, the holiday observance will be moved to either the Friday preceding (if the holiday falls on a Saturday) or the Monday following (if the holiday falls on a Sunday) the holiday. Employees may take the holiday on the day listed or another day within the same week, and with consultation and approval of the Department Director.

In order to extend the religious and family celebrations surrounding certain holidays, Chancery employees will also observe the following days:

Good Friday

The day after Thanksgiving

Christmas Eve (December 24)

New Year's Eve (December 31)

These holidays are not transferable.

Parishes

The following nine federal holidays are the required minimum holidays for Parish employees.

- New Year's Day (January 1)
- Martin Luther King, Jr., Day (Third Monday in January)
- Presidents' Day (Third Monday in February)
- Memorial Day (Last Monday in May)
- July Fourth (July 4)
- Labor Day (First Monday in September)
- Veterans Day (November 11)
- Thanksgiving (Fourth Thursday in November)
- Christmas Day (December 25)

In honor of the religious nature of the day, offices will be closed from noon on Good Friday.

Legal holidays are transferable. For example, when a legal public holiday falls on a weekend, Parish offices will be closed. The holiday observance will be moved to either the Friday preceding (if the holiday falls on a Saturday) or the Monday following (if the holiday falls on a Sunday) the holiday.

Expense Reimbursement

Mileage

Employees are responsible for submitting mileage reimbursement within 30 days after the month of the business-related travel. If not submitted within this time period, it may be rejected.

Work related travel, when using a personal vehicle, will be reimbursed at the prevailing IRS mileage rate. Work-related travel does not include an employee's normal commute to and from work. Mileage should be recorded on the standard form (Appendix D-13), approved by the Division/Department Director at the Chancery and the Pastor/Parochial Administrator/Parish Life Director at parishes and submitted for reimbursement monthly.

- Commute miles are those driven between your home and primary place(s) of business. They are **not** subject to reimbursement.
- Mileage reimbursement is provided for business related travel to and from the chancery or your "OFFICE" (should it be located at a parish, school, or other Diocesan facility) to your ministry or business-related destination. Reimbursable mileage may not include commute miles.
- However, if the distance from your home to the location where the diocesan business is to be conducted is shorter than traveling from your primary place of business, then you may request mileage reimbursement for the business-related travel to and from your home to the business-related destination.

Employees may claim full mileage reimbursement for work related weekend travel between home and the place of appointment.

Mileage reimbursement requires copies of a current California State driver's license and proof of insurance on file with the Diocesan Insurance and Benefits Office for Chancery employees and with the parish business office for parish staff.

Cell Phone Expenses

Employees will be paid a monthly stipend for use of their personal cell phones for work. This stipend will reflect a reasonable percentage of the monthly fee attributable to use for work. It is a reimbursement and is not taxable income. It may be paid monthly or quarterly. The exact stipend amount may vary, depending on the employee's position and duties.

Other Expenses

Employees may be reimbursed for approved travel and communication expenses. (See following sections.) Additionally, employees may be reimbursed for other expenses, approved in advance, incurred in the course of doing business. Such expense reimbursements will be within the limits of

approved parish or Chancery department budgets.

Expense reimbursement requests will be paid only with the signed approval of the employee's supervisor (the Division or Department Director at the Chancery, or the Pastor/Parochial Administrator/Parish Life Director at parishes).

Travel Policy

Out of the Area Travel (Chancery):

The Diocese encourages employees' continuing education and their participation and leadership in professional associations and ministry networks which sometimes requires travel outside the Diocese.

In considering the benefits of such travel, employees and their supervisors should also consider the costs involved both in direct financial outlay and in time away from ordinary job responsibilities. Accordingly, Chancery Department and Division Directors will ensure adherence to the following protocols:

- Before employees accept organizational leadership positions requiring travel, they will consult with their supervisor, noting the benefits as well as the costs of participation, and specific approval of both the Department and the Division Director must be obtained.
- Prior to arranging business travel, employees will complete an out of area travel request form (See Appendix D-14) and receive their supervisors' written authorization.
- On return from business travel, employees will brief their supervisors in writing on activities and/or benefits of the trip.
- Out of area travel expenses will be kept within approved department budgets.

Travel Arrangements

Chancery personnel should make travel arrangements themselves. Reservations should be made as far in advance as possible in order to achieve maximum savings.

Air Transportation

Employees should fly economy class or other lowest fare available. Any upgrade in class will be at the employee's own expense. The Diocese will cover the cost of any flight cancellation or change penalties incurred for valid work-related reasons. However, one's supervisor must approve such changes in flight arrangements.

If an employee extends his or her itinerary for personal reasons, he or she will be responsible for paying the added cost. This additional cost will be determined by subtracting the best round-trip fare to the business destination from the cost of the full itinerary.

The Diocese will reimburse the employee for mileage to and from the airport and for airport parking while away, or for taxi or shuttle fare between the employee's home or office and the airport. The employee should choose the least expensive alternative for transportation and parking.

Lodging

Employees traveling on organizational business should choose moderate accommodations. When attending conventions or meetings, it is appropriate to stay at the “official” hotel of the gathering. Single occupancy or shared accommodation are acceptable. Additional costs for premium accommodation will be at the traveler’s own expense.

When family members or friends accompany the employee on a business trip, charges beyond the cost for single occupancy accommodations must be borne by the employee.

Meals and Incidental Expenses

The approved average daily meal and incidental expenses allowance is \$66. This allowance includes meals, laundry, dry cleaning, room service, and fees and tips for meal service and baggage handling. In exceptional circumstances, supervisors may approve a higher average daily meal allowance.

Ground Transportation

With approval of one’s supervisor, an employee traveling on Diocesan business may rent a car when a less expensive means of transportation is unavailable or when such rental will facilitate the carrying out of Diocesan business. Lower price rental alternatives should be chosen. Because the Diocese carries automobile liability insurance, additional insurance should be waived.

Charges for the use of taxis, shuttles, buses, and other means of transportation are reimbursable.

Non-Reimbursable Expenses

Expenses not related to the business activity are not reimbursable. Examples of non-reimbursable expenses include the cost of movies or other entertainment, charges for alcoholic beverages, the cost of personal reading materials, meal expenses of personal guests, and losses due to theft or misplacement.

Expense Reporting for Reimbursement

Accurate and complete travel expense reports with itemized receipts are required for all reimbursable travel expenses. Credit card statements in lieu of original receipts are not sufficient for reimbursement. Expense reports require the signed approval of one’s supervisor.

All expense reports for travel must be submitted within 30 days of the return from the trip. Any expense reports not submitted by an employee to a supervisor for approval within this time period may be rejected. Any expense reports lacking proper supporting documentation will be processed;

however, charges without supporting documentation will not be paid until such documentation is furnished.

Travel Advances

Although reimbursement is preferred, employees may request a travel advance, if needed. Employees who have received cash advances must submit a detailed expense report with receipts upon the completion of travel. The report must have the signed approval of the employee's supervisor. Unexpended funds due the Diocese are payable at this time.

Honoraria

The Diocese acknowledges the gifts of our lay employees and encourages them to be open to sharing those gifts with parishes, schools, other Diocesan sites, and non-Diocesan Catholic entities as well.

An employee needs the permission of his/her supervisor before taking work time to give presentations, in-services, or retreats that do not relate to this individual's job description. Such presentations, in-services or retreats should not adversely affect the regular work of an employee.

Employees of the Chancery or Diocesan sites who give presentations, in-services or retreats within their roles, experience or job descriptions will be compensated by their usual pay for the presentation, in-service, or retreat. As such, if payment from the hosting organization is received for presentations, in-services, or retreats, then it should be turned in to the employee's supervisor of the site of employment.

An exempt employee who gives presentations, in-services or retreats unrelated to his/her work for the Diocese, on his/her non-work time, is invited to keep whatever honorarium he or she is given.

Gifts

Employees and volunteers with the Diocese are expected to act in an ethical and moral manner. Employees and volunteers cannot accept any payment or gifts, except for those received in the course of authorized Diocesan business. These rules do not, of course, include birthdays or Christmas remembrances, business meals of reasonable value, or other gifts of nominal value.

Staff Development (Chancery) and Continuing Education (Parishes)

Attendance at conferences, institutes, and workshops or retreats shall be authorized in advance by a Division/Department Director or Pastor/Parochial Administrator/Parish Life Director on an individual basis. Requests for professional development opportunities should be directly related to the position held and sponsored and certified by a credible agency. The budget and the benefit of participation to both the employee and to the Diocese will be considered in approving or disapproving staff development and continuing education requests which may include registration

fee, lodging, etc. When approved by the supervisor, the employee may attend in-service opportunities during work hours.

Suggested minimums to be budgeted whenever possible are noted below:

- Chancery
 - Exempt employees: \$1,500
 - Non-exempt employees: \$500
- Parishes
 - Ministry staff: \$400 – 550
 - Support staff: \$200 - 350

VI. COMMUNICATIONS

Cell Phones/Tablets/iPad

The Diocese will not purchase or reimburse employees for the purchase of cell phones, tablets, or iPads. However, Division Directors at Chancery and Pastors/Parochial Administrators/Parish Life Directors at parishes will reimburse employees for a reasonable percentage of the monthly service fee for the use of cell phones, tablets, or iPads for those employees whose jobs require they be accessible at all times, that spend much of their time at out of office appointments, or that participate frequently in evening meetings. Such payment will be within the limits of approved parish and Chancery department budgets.

Employees whose jobs do not require cell phone, tablet, or iPad use, but who own cell phones, tablets, and iPads and who sometimes use them for business purposes, may submit copies of their personal bills for reimbursement of business calls or other business uses. In this case, it is expected professional use will be quite limited, and reimbursement will be charged to the approved telephone budget. The Diocese will reimburse these employees for a reasonable percentage of their bills.

Cell phones, tablets or iPads should generally not be used in the workplace, except for business use or in the case of a personal emergency.

Chancery

Employees whose business use of cell phones, tablets or iPads has been approved will be paid a monthly stipend for use of their personal cell phones for work. This stipend will reflect a reasonable percentage of the monthly fee attributable to use for work. It is a reimbursement and is not taxable income. It may be paid monthly or quarterly. The exact stipend amount may vary, depending on the employee's position and duties.

Private Phone Calls

- Employees may need to make and receive private phone calls during business hours. These calls are to be kept to a minimum, should occur during the employee's meal

period or break time (except in the case of an emergency), and any long-distance calls made from business phones need to be reimbursed.

- Employees are to use cubicle or workplace voice etiquette while using the phone.

Computer and Internet Use Policy

The Diocese of Oakland provides various electronic communication and technology resources to its employees to assist them in performing their job duties. Occasionally, some employees may also use their own electronic communication and technology resources for Diocesan business purposes. Employees using the Diocese's electronic communication and technology resources, and those employees who use their own electronic communication and technology resources in the course of their work for the Diocese, must do so in accordance with the terms and conditions of this policy, the Technology/Social Media Policy, and all other applicable policies. Failure to follow Diocesan policy regarding use of electronic communication and technology resources may lead to disciplinary measures, up to and including termination of employment. These policies apply regardless of whether an employee is working onsite or working remotely.

Definition of Electronic Communication and Technology Resources. Electronic communication and technology resources consist of all electronic devices and means of electronic communication including, but not limited to, computers and related hardware and peripheral devices, computer software applications and associated files and data, the Internet, electronic mail, telephones, voicemail, tablets, iPads, and cell phones.

Ownership and Authorized Use. All electronic communication and technology resources provided to employees by the Diocese are owned by, or licensed to, the Diocese of Oakland. The Diocese grants access to its electronic communication and technology resources at its discretion, generally granting access when the resources in question will assist an employee in performing his or her job.

Employees may generally use Diocesan electronic communication and technology resources only for the purpose of conducting Diocesan business. Employees may make incidental use of Diocesan electronic communication and technology resources (consisting of brief and occasional personal communications, and brief personal use of the Internet during mealtimes or other breaks) for personal purposes if such use does not impair their performance of their job duties and does not otherwise violate any Diocesan policy.

At the conclusion of their employment, employees must return to the Diocese all electronic communication and technology resources provided to them by the Diocese which were not returned previously.

Improper Uses. Employees cannot use Diocesan electronic communication and technology resources in any manner which is inconsistent with the law, Diocesan policy, or the best interests of the Diocese. Under no circumstances may an employee use the Diocese's electronic communication and technology resources to transmit, receive, or store any information in violation of any Diocesan policy as contained in the Employee Personnel Handbook.

Company Access to Electronic Communication and Technology Resources; No Right of

Privacy. All data, information and messages sent, received, or stored on the Diocese of Oakland's electronic communication and technology resources is the property of the Diocese, regardless of content. As such, the Diocese reserves the right to access all data, information and messages sent, received, or stored on its electronic communication and technology resources at any time and for any reason, with or without notice to employees.

Certain of the Diocese's electronic communication and technology resources can be accessed by a user only after entering a password. Passwords are intended to prevent unauthorized access to information. Passwords do not confer a right of privacy upon any employee, however. As a result, even though employees may maintain passwords for accessing electronic communication and technology resources, employees must not expect any information maintained on those resources, including electronic-mail and voicemail messages, is private. Employees have no right of privacy with respect to any data or information sent, received, or stored on Diocesan electronic communication and technology resources, including personal information or messages. Employees must not share passwords and must not access coworkers' systems without express written authorization.

The Internet. The Diocese provides certain employees with access to the Internet. Employees may generally use the Internet only for the purpose of conducting Diocesan business, except employees may make incidental use of the Internet for personal purposes during mealtimes or other breaks if such use does not impair their performance of their job duties and does not otherwise violate any Diocesan policy.

Employees may not access, download, or distribute material or information that violates any Diocesan policy. This Diocese may, in its discretion, use a filtering or other system to limit access to inappropriate materials and web sites.

Software Use. Employees are prohibited from installing or deleting software on Diocesan computers without the prior permission of the Diocese. Employees are not permitted to make copies of software owned by the Diocese or give Diocesan software to other persons. Software owned by employees may be used for Diocesan business purposes only if approval is first obtained from the Diocese and the license and proof of purchase are kept at the employee's workstation and a copy given to the employee's supervisor.

Confidential Information. The Diocese of Oakland is committed to the protection of confidential information. Any confidential information transmitted via electronic communication and technology resources should be marked with the following confidentiality legend:

"This message contains confidential information and is intended only for the individual named. If you are not the named addressee, you should not disseminate, distribute, or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient, you are notified disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited."

Security. The Diocese of Oakland has installed a variety of programs and devices to ensure the safety and security of its electronic communication and technology resources. Employees must not tamper with, alter, disable, or remove any security devices or software on Diocesan electronic communication

and technology resources. When working remotely, the employee is responsible for taking additional precautions to ensure equipment is secure and that others do not have access to the employee's equipment. The employee should also take precautions when working remotely outside of the home to ensure any internet usage is secure from outside parties.

Use of Electronic Communication and Technology Resources Owned by Employees. The Diocese recognizes employees may possess certain electronic communication and technology resources and may occasionally use such resources in the performance of their job duties. Employees who utilize their own electronic communication and technology resources in the course of their work for the Diocese must do so in a manner consistent with Diocesan policies.

All data, information and messages sent, received, created, or stored by an employee in the course of his or her work for the Diocese and loaded onto any computer owned by the employee must be deleted from the employee's computer at the conclusion of the employee's employment with the Diocese of Oakland.

Technology/Social Media Policy

Policy Statement: The Diocese of Oakland and its affiliates recognize in today's environment employees will use the internet to conduct ministerial work and to communicate with associates and friends. In using the internet and social media, employees are expected to exhibit the same values, ethics, and adherence to policies as they do in the physical workplace. An employee's responsibility to the Diocese does not end when they are off the clock. This policy provides guidance for employees' use of work related and personal social media and internet use, which should be broadly understood for purposes of this policy to include blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that permit users to share information with others in a contemporaneous manner.

Social media and internet use should not interfere with employee's responsibilities at the Diocese and Diocesan computer systems are to be used for business purposes only. When using Diocesan computer systems, use of social media and internet for business purposes is allowed (ex: Facebook, Twitter, Diocesan blogs, and LinkedIn), but personal use of the internet, social media sites, or personal blogging of online content is discouraged and could result in disciplinary action, including termination.

In their use of social media and the internet, employees are expected to refrain from conduct, which is inappropriate, unprofessional, unlawful, or otherwise harmful to the Diocese of Oakland, to demonstrate a public life consistent with the teachings of the Catholic Church, and to refrain from taking a public position contrary to the teachings of the Catholic Church. Failure to comply with this policy may result in disciplinary action, including termination of employment.

Guidelines

The following principles apply to professional use of social media and internet on behalf of the Diocese as well as personal use of social media and internet.

Appropriate Representation: Employees are expected to know and adhere to Diocesan policies when using social media and the internet. Employees should be aware of the effect their actions may have on their images, as well as the image of the Diocese. The information employees post or publish may be public information for a long time.

If an employee is talking about work related matters within their job responsibilities, then they must disclose their affiliation with the Diocese. However, unless an employee has been specifically authorized, in writing, to speak on the behalf of the Diocese, then the employee must state the views expressed are their own by indicating “**The views expressed on this website are mine alone and do not necessarily reflect the views of my employer.**” Even with this notice, any information that causes or has the potential to cause embarrassment to the Diocese of Oakland should be avoided. Failure to do so may result in disciplinary action, including termination.

Right to Review: Those individuals utilizing the Diocese of Oakland computer equipment and network should not have an expectation of privacy. These computers are the property of the Diocese of Oakland and are provided for business-related purposes only. These computers may be monitored or searched as necessary to ensure they are being used in a professional and prudent manner.

If a personal computer is being used for Diocesan related business, then the employee should not have an expectation of privacy. Such personal computers may be monitored or searched if there are reasonable grounds for believing this policy, or any other policy, of the Diocese of Oakland is being violated through the personal computer. The Diocese may observe content and information made available by employees through social media.

Subject to applicable law, online activity that violates Diocesan policies or which is contrary to the teachings of the Catholic Church may subject an employee to disciplinary action, including termination.

Confidential and Proprietary Information: Employees, clerics, and volunteers are prohibited from publishing, posting, or releasing any information considered confidential, proprietary, or non-public. If there are questions about what is considered confidential, employees should check with Human Resources.

Trademarks and Logos: Employees may use Diocesan or trademarks or logos on personal social media accounts, with prior written approval of the Diocese, only in ways that clearly promote or call positive attention to Diocesan events, websites or organizations associated with the trademark or logo. Employees may not use Diocesan or trademarks or logos on their personal social media accounts in any way that could reasonably suggest Diocesan sponsorship or agreement with any views expressed.

Protection of Children: Employees are forbidden to post or distribute personal identifiable information which includes full name, photos, home address, email address, telephone number, or any information that would allow someone to identify or contact a child. Employees are also forbidden to post or distribute pictures of any child under the age of eighteen without verifiable consent of a parent or guardian. Verifiable consent can take the form of a release/permission form that includes use of photographs, or an email from a parent or guardian. Employees are to comply with the *Children’s Online Privacy Protection Act* or the *Diocesan Code of Conduct Involving*

Interaction with Minors in the Diocese of Oakland in their use of the internet and social media.

Inappropriate Language and Images: Prohibited social media conduct includes, but is not limited to, posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, obscene, offensive, scandalous, could create a hostile work environment, or which discredit or cause embarrassment to the Diocese of Oakland or its employees, vendors, partners, agencies, schools, and others.

Diocesan Social Media Accounts

The Diocese of Oakland supports the use of social media as a means to conduct ministry. Prior to using social media as a means to conduct ministry on behalf of the Diocese, an employee must receive written permission from his or her supervisor. Employees must keep Diocesan-related social media accounts separate from their personal accounts.

Social media postings on behalf of the Diocese must abide by copyright, fair use, and applicable IRS financial disclosure regulations. Employees should get appropriate permission before they refer to or post images of current or former employees, volunteers, parishioners, and other such individuals.

Passwords and names of the social media sites must be kept by the Pastor/Parochial Administrator/Parish Life Director and/or the Director of Human Resources. Site administrators must be over the age of 18 years old.

Enforcement

All employees and volunteers are required to comply with the Technology/Social Media Policy. Failure to comply with any of the provisions of this policy will be grounds for discipline. Discipline for employees or clerics may be up to and including termination, while discipline for volunteers may be up to and including removal from their position. Reports of alleged infractions or questions regarding content can be made to the Director of Human Resources at the Chancery or the Diocesan Communications Director.

Resources

The Diocese of Oakland acknowledges the *Social Media Guidelines* of the United States Conference of Catholic Bishops, which can be found at <http://www.usccb.org/committees/communications/social-media-guidelines>.

The Diocese of Oakland gratefully acknowledges the generosity of the Dioceses of Baltimore and Cincinnati in granting the use of its social networking policies and guidelines as a resource in the development of this policy.

VII. CODES OF CONDUCT



CODE OF CONDUCT INVOLVING INTERACTIONS WITH MINORS IN THE DIOCESE OF OAKLAND

PREAMBLE

As leaders in the Church founded by Christ, priests, deacons, and lay ministers within our parishes and institutions must always seek to uphold Christian values and conduct. In addition to following the Gospel and its mandates, all are expected to act properly at all times, especially when in contact with young people. This Code of Conduct establishes general guidelines and boundaries when ministering to minors. Many items mentioned in this document are applicable to ministry with adults, but this Code addresses explicitly proper contact with persons under 18 years of age or older individuals whose ability to perform normal activities of daily living is impaired due to a mental illness, long-term physical or developmental disability, and/or is protected by the State of California Adult Protective Services. Further guidance and advice can be sought from the Chancellor of the Diocese of Oakland or the Coordinator of Safe Environment, as needed.

This Code is applicable to all persons who work or volunteer in any of the parishes and institutions in the Diocese of Oakland. This group includes, but is not limited to priests, religious (men and women), deacons, pastoral coordinators, school/program administrators, teachers, catechists, youth ministers, support staff, custodial staff, coaches, school, parish and diocesan volunteers, seminarians serving internships, and lay theology students. This Code is not an attempt to anticipate every situation that might arise, but to provide a set of standards and appropriate behavior to guide all those individuals in pastoral ministry to children, young people, and vulnerable adults.

This Code of Conduct is to help create a safe, appropriate, and Christian environment for minors and vulnerable adults and their relationships with adults involved in Church ministry.

RESPONSIBILITY FOR COMPLIANCE

All who disregard this Code of Conduct will be subject to remedial action by the Diocese of Oakland. Corrective action may take various forms – including verbal or written warning, termination of employment, or removal from ministry – depending on the specific nature and circumstance of the offense. Those individuals who witness or who receive reports of suspected

abuse (except under the seal of confession) are required both legally and morally to report to the appropriate civil (e.g., Child Protective Services, local police, or sheriff) and pastoral authorities. If you are an adult who is responsible for children, you are a mandated reporter obligated by civil law to report any suspicious abuse or neglect of a minor to Child Protective Services immediately or as soon as practically possible.

EXPECTED BEHAVIORS WITH REGARD TO MINISTRY TO MINORS

MINORS ARE NOT INDEPENDENT INDIVIDUALS: All involvement with minors is to be approached from the premise minors should always be viewed – whether in a social or ministerial situation – as restricted individuals, that is, they are not independent. Minors are subject to specific civil laws in the State of California, which prohibit certain activities. They are not adults and are not permitted to make unfettered decisions.

TRAINING AND SCREENING: All those individuals in contact with young people in a ministerial role must complete Safe Environment training and be screened according to the requirements established by the Chancellor and the Diocesan Safe Environment Office.

ADULTS ARE NEVER TO BE ALONE WITH CHILDREN: Adults should avoid situations that place them in a position to be alone with a minor in the rectory, parish residence, school, or in a closed room other than a confessional.

MEETINGS AND/OR PASTORAL COUNSELING: In meeting and/or pastoral counseling situations involving a minor, the presence or proximity of another adult is encouraged. However, in those situations where the presence of another adult is not usual or practical (e.g., piano lessons, disciplinary meeting with an administrator, etc.) another adult should be informed the meeting is taking place. The meeting place must be accessible and visible with the door left open where the meeting is taking place unless there is a clear window built into the door.

SACRAMENT OF PENANCE/RECONCILIATION: The Sacrament of Penance/Reconciliation is normally to be celebrated in a place identified for that purpose, e.g., reconciliation chapel, confessional, or other areas with visibility. The location should be acceptable to the confessor and confessee.

RECTORY RESTRICTIONS: An unaccompanied minor is allowed only in the professional area of the rectory or parish residence, never in the living quarters.

Minors aged 16 and over are permitted to work in the professional area of the rectory, where there are two adults over 18 years of age present.

SACRISTY DOOR: The sacristy door is always to be unlocked whenever minors are present within the sacristy.

SUPERVISION AT SPORTS EVENTS AND GAMES: At least two adults, one of whom is to be the same gender as the participants, are to be present when a group of minors engages in organized games or sports activities. At the high school level (nine-twelve), one adult is sufficient. Sports leagues sponsored by parishes or Catholic schools from 8th grade and under must be under the supervision of the CYO Office.

BATHROOMS AND DRESSING FACILITIES WITH CHILDREN PRESENT: Adults must

avoid being the only adult in a bathroom, shower room, locker room or other dressing areas whenever minors are using such facilities.

TRANSPORTATION IN PRIVATE VEHICLES: Adults are prohibited from taking youth home or to another location, unless another adult is present in the vehicle.

UNACCEPTABLE TOPICS AND LANGUAGE: Comments of a sexual nature are not to be made to any minor except in response to a specific classroom or otherwise legitimate questions from a minor. Topics or vocabulary such as profanity, cursing and vulgar humor must not be used in the presence of a minor/minors.

YOUTH TRIPS AWAY FROM PARISH FACILITIES: At the elementary level, student group trips of any kind must have a minimum of two adult chaperones, at least one of whom should be of the same gender as the young people. (For larger groups, a ratio of one (1) adult to 10 students is recommended). At the high school level, one adult chaperone or driver per group is sufficient. Depending on the activity and the age of the participants, there must be sufficient adult chaperones present to adequately supervise the group at all times.

While on youth trips, the adults as well as the minors may not use alcohol or controlled substances and anyone under the influence of these substances may not participate in the event.

One (1) adult alone shall never engage in an overnight trip with a minor or minors. While on youth group trips, adults are never to stay alone overnight in the same motel/hotel room with a minor or minors. Any overnight trip for children or youth must include supervision around the clock. If adults are not rooming with the youth, there **MUST** be an adult (over the age of 18) on duty, in the hallways or outside of cabins at all times when youth/children are present in the rooms/cabins. This Supervision can be accomplished with live scanned and cleared volunteers, employees of the Diocese, or someone who is hired specifically for security.

PROHIBITED SUBSTANCES: It is absolutely prohibited adults serve or supply alcohol, cigarettes, inappropriate reading material, or controlled and illegal substances to minors. Alcoholic beverages will not be served or consumed at parish or school social activities intended primarily for minors. Minors may not serve alcohol at events. Event leaders should take all necessary action to ensure no one working with youth is either in possession of illegal drugs or under the influence of alcohol or illegal drugs.

AGE-APPROPRIATE MEDIA: Audiovisuals, music lyrics, and print resources used in programs must be screened prior to use to ensure their appropriateness for the participants. It is never appropriate to use an “R” rated movie or movies rated with an even stronger designation.

The Diocese of Oakland absolutely prohibits the acquisition, possession, and distribution of child pornography.

BOUNDARIES OF PHYSICAL CONTACT: Careful boundaries concerning physical contact with a minor (beyond a handshake) must be observed at all times and should only occur under public circumstances. Prudent discretion and respect must be shown before touching another person in any way.

SOCIAL MEDIA: The Diocese of Oakland prohibits any irresponsible use of technology both at

work sites and at home. All users will be held responsible for their published words. If they negatively affect the Diocese or any parish/school site in ways contrary to our mission, users will face disciplinary action up to and including termination. Employees and volunteers will be held accountable for using policies in place at their local parish or school site.

GUIDELINES AS APPLIES TO RELATIVES OF THE MINOR: Some adaptation in applying these guidelines when the minor is a relative ought to be the norm, but appearances in public nevertheless need to be maintained.

EXPECTED BEHAVIORS IN PASTORAL COUNSELING OF MINORS

SETTING: Pastoral counseling of a minor must only take place in the professional area of a rectory, never in the living quarters.

Offices or classrooms used for pastoral counseling of a minor must have a window in the door, or the door is to be left open during the counseling session.

SUPERVISION: Another adult should be in close proximity during any counseling session.

PARENTAL NOTIFICATION: Unless the subject matter precludes their presence or knowledge, parents or guardians of minors must be made aware of the counseling session. If counseling is expected to extend beyond one session, evaluation of the situation should be made with the parents or guardians.

INAPPROPRIATE ATTRACTION: The adult is responsible to recognize any personal and/or physical attraction to or from a minor. In such a situation, the minor must be immediately referred to another qualified adult or licensed professional. If the attraction is acted upon, the parents/guardians must be notified, and appropriate action taken.

ENFORCEMENT/REPORTING

Violations of the Code will be dealt with by the appropriate employing/appointing organization (e.g., the parish, the religious order, the diocesan bishop) in accordance with civil law and this Diocesan policy. Penalties may take various forms ranging from counseling to removal from ministry.

Violations of this Code must be reported immediately to the appropriate parish, Diocesan or civil authority.

Allegations of sexual misconduct by priests, church employees, or volunteers must be reported to the local authority (e/g. police or sheriff department, County Child Protective Services). In the cases involving priests or religious, the Office of the Chancellor of the diocese (510-267-8334) will be notified. In cases involving other employees or volunteers, the Office of Human Resources (510-267-8359) will be notified.

The Diocese of Oakland is committed to addressing allegations of sexual misconduct by priests, church employees and all in ministry, observing the prescriptions of civil and canon law. The Diocese has made a commitment to assist victims of sexual misconduct and to cooperate fully

with public authorities investigating such allegations.

IMPLEMENTATION

Additional policies and procedures may be adopted and enforced by the various ministries, parishes, institutions, and departments within the Diocese. Such policies must be congruent with the spirit and policies contained within this Code and must be approved in advance by the Bishop of the Diocese or designee.

General Code of Conduct

Volunteers and employees of the Diocese are to maintain the integrity of the teachings of the Catholic Church in all ministerial and professional relationships.

Employees and volunteers must disclose any personal intimate relationship with other employees or volunteers to the Pastor/Parochial Administrator/Parish Life Director if at a Parish or to Human Resources if at the Chancery. Employees and volunteers may not be in a reporting relationship with an individual with whom they have an intimate relationship, and the Diocese reserves the right to make personnel changes when there is an intimate relationship between two individuals who either work or volunteer at the Diocese. (See Employment of Relatives for more information.); Intimate contact between employees or volunteers and those in their care, such as parishioners, is a violation of the ministerial relationship and is, therefore, never permissible.

Employees and volunteers are to be good stewards of the Diocese and the Diocesan resources, and using one's position at the Diocese for personal financial gain is an ethical violation of the ministerial relationship.

If any employee has concerns about the behavior or actions of volunteers or employees, which could discredit the Diocese or Parish, they should promptly report such concerns to the Pastor/Parochial Administrator/Parish Life Director or the Diocesan Director of Human Resources. Prompt reporting is essential so those problems can be addressed and resolved quickly before they escalate. The Director of Human Resources will consult with the Vicar General or Chancellor, if necessary.

Violation of the Code of Conduct, or behavior which is contrary to Diocesan policies or the teachings of the Catholic Church, are subject to disciplinary action up to and including termination.

VIII. LEAVE POLICIES

Attendance and Notification of Absence

Employees are expected to maintain good attendance. Attendance is an essential function of job duties. While in office attendance is important, at times it may be necessary for an employee to perform remote work. In order to perform remote work, the employee must have access to a computer with the capacity to access the Diocese network in order to optimize work efficiency.

Remote work may only be performed with the written authorization of the employee's supervisor.

Excessive tardiness or absence is unacceptable and may be grounds for discipline, including and up to termination. When absent from work on a scheduled workday, an employee must provide written notification to his or her immediate supervisor of the reason for their absence. Notice should be given at the beginning of the workday to allow adjustments in staffing if necessary and should be given within the first hour of the working day. If the absence is to continue beyond the first day, the employee must provide written notification to the supervisor on a daily basis unless otherwise arranged. If the employee is absent for a reason that would qualify as family care or medical leave, the employee must provide written notification to the supervisor as soon as possible or within two days of return to work so the absence can be properly recorded.

All absences must be charged either to personal or other permitted leave, or vacation, whichever is appropriate. Vacation days must be approved in advance. Only after appropriate paid leave has been used may unpaid leave be granted. Employees will not be paid for unexcused leave. An absence is unexcused if not approved by the supervisor. If an employee is absent for another reason, which is permissible under state leave laws, then the employee must provide documentation justifying the basis for his or her absence within a reasonable time.

Excessive absenteeism is grounds for disciplinary action, up to and including termination of employment.

If an employee is working remotely, the above attendance policies are still in effect. An employee working remotely is still expected to:

- be accessible during agreed-upon work hours;
- stay in regular communication with team members;
- be available for video or teleconferences;
- attend in-person meetings as required when safe to do so; and
- accurately record all time worked in line with location policies.

Vacations

Eligibility: Employees regularly scheduled to work 25 hours a week or more are eligible for paid vacation. Employees regularly scheduled to work fewer than 25 hours a week are not eligible for paid vacation.

Accruals: Eligible employees begin to accrue vacation as soon as they begin employment. Eligible employees may begin to use accrued vacation 90 days after employment begins. Eligible employees who work more than 25 but fewer than 37.50 (or 40) hours per week will accrue vacation on a prorated basis, consistent with hours actually worked. Employees will not accrue vacation when they are on leave with pay.

40-hour workweek (Parishes only)

Vacation time accrual is determined by years of full-time employment with the Diocese of Oakland and its entities. Up to five (5) years of service with other Dioceses or with Catholic institutions listed in the Official Catholic Directory will be considered in calculating the rate of vacation

accrual. Employees who work 40 hours per week accrue paid vacation time as follows:

- 0 up to 6 years of service = 15 days per year = 1.25 days per month = 10.00 hours per month
- 7 up to 14 years of service = 20 days per year = 1.67 days per month = 13.36 hours per month
- 15 years and over = 25 days per year = 2.08 days per month = 16.64 hours per month

Employees who work from 25 to 40 hours per week accrue paid vacation time on a prorated basis. Employees working less than 25 hours per week are not eligible for paid vacation time.

All vacation requests must be made in writing and must be pre-approved by the Pastor/Parochial Administrator/. Vacation requests will be considered in the order they are received. In determining whether or not the vacation request will be approved, the Diocese will take into account the desires of the employee, the workload of the parish, and the requests of other employees.

Authorized holidays falling within an employee's vacation period will not be charged as vacation. Vacation pay will generally not be given in lieu of vacation, except upon termination, although exceptions may apply.

Employees will not accrue vacation while on leave without pay.

37.5-hour workweek (Chancery and/or Parishes)

Vacation time accrual is based on years of full-time employment with the Diocese of Oakland and its entities. Up to five (5) years of service with other Dioceses or with Catholic institutions listed in the Official Catholic Directory will be considered in calculating the rate of vacation accrual. Employees who work 37.5 hours per week accrue vacation with pay as follows:

- 0 up to 6 years of service = 15 days per year = 1.25 days per month = 9.38 hours per month
- 7 up to 14 years of service = 20 days per year = 1.67 days per month = 12.50 hours per month
- 15 years and over = 25 days per year = 2.08 days per month = 15.62 hours per month

Employees working from 25 to 37.5 hours per week accrue vacation on a prorated basis. Employees working less than 25 hours per week are not eligible for paid vacation.

All vacation requests must be made in writing and must be pre-approved by Division/Department Director or the Pastor/Parochial Administrator/Parish Life Director at the parishes and by the Department Director at the Chancery. Vacation requests will be considered in the order they are received. In determining whether the vacation request will be approved, the Diocese will consider the desires of the employee, the workload of the department or parish, and the requests of other employees.

Authorized holidays falling within an employee's vacation period will not be charged as vacation. Vacation pay generally will not be given in lieu of vacation, except upon termination, although

exceptions may apply.

Employees will not accrue vacation while on leave without pay.

Vacation Accrual Caps

The maximum amount of vacation time any employee can accrue is 240 hours. Employees who work between 25-40 hours/week accrue their vacation cap on a prorated basis. For example, an employee who works 40 hours a week will have a vacation cap of 240, while an employee who works 37.5 hours will have a vacation cap of 225, and an employee who works 25 hours per week will have a vacation cap of 150 hours. Vacation caps are calculated by multiplying the average number of hours an employee works per week by 6. When an employee reaches the 240-hour cap, no additional vacation time will be earned until the accrued total drops below the 240-hour maximum.

Employees will be notified at least quarterly of their vacation balance.

Ten and eleven-month employees earn vacation on a prorated basis and their vacation cap is also accrued at a prorated basis. Please contact Human Resources with any questions regarding the vacation cap for ten and eleven-month employees.

Accrued Vacation Pay Out at Time of Termination from a Site of Employment

When an employee terminates employment at any site in the Diocese, he/she is to be paid for any accrued and unused vacation (even if moving to another site in the Diocese).

Sick Leave

This Diocese of Oakland provides paid sick leave for preventative care or the diagnosis, care or treatment of an existing illness, injury or health condition of an employee or family member, or employee who is the victim of sexual assault or stalking. Sick leave must always be utilized for legitimate illness and medical/dental appointments only. This paid sick leave policy applies both to exempt and non-exempt employees.

How an employee's paid sick leave is calculated is determined by the employee's classification as follows:

A. Probationary Full-Time Employees, Regular Full-Time Employees & Regular Part-Time Employees with Benefits, Temporary Full-Time Employees

Employees in these classifications working a 40-hour work week (parish) shall accrue paid sick leave at the rate of 8 hours per calendar month. Employees working a 37.5-hour work week (Chancery) shall accrue paid sick leave at the rate of 7.5 hours per calendar month.

Employees in these classifications shall be permitted to accumulate accrued and unused sick leave, up to a maximum amount ("cap"):

- 1) For 12-month employees working a 37.5-hour week, 450 hours.
- 2) For 12-month employees working a 40-hour week, 480 hours.
- 3) For 10-month employees is 375 hours.
- 3) For 11-month employees is 412.5 hours.
- 4) For employees working more than 25 but fewer than 37.5 hours per week, the cap is prorated; however, all employees shall be permitted to accumulate up to 72 hours of accrued but unused paid sick leave.

B. Regular Part-Time Employees without Benefits; Temporary Part-Time Employees

Effective January 1, 2024:

- Employers must provide 5 days or 40 hours of sick leave annually.
- The cap for unused sick leave increases from a minimum of 48 to 80 hours.

Note that these increases are probably not critical for full-time employees. However, for part-time employees, they may not accrue 40 hours annually if they work less than 30 hours a week annually. Employers with part-time employees who were previously utilizing the accrual method of 1 hour for every 30 hours worked should consider switching to the front-loading approach to minimize the risk those part-time employees will not accrue 40 hours annually.

As a reminder, employers can avoid accrual tracking and year-end carryover of paid sick leave by granting new hires at least 5 days or 40 hours (whichever is greater) of paid sick leave upon hire that is available to use by their 90th calendar day of employment, and then at the beginning of each new benefit year (i.e., anniversary of hire date).

Sick Leave Policies Applicable to All Classifications

Advance Notice: Employees are required to provide reasonable advance notification of the need to utilize paid sick leave as soon as practicable. Reasonable advance notice is defined as at least two weeks advance notice for planned medical appointments and at least two hours before the start of the workday in case of unanticipated illness or medical situation. Notification should be given in writing, when possible, by email, or if not, then by telephone to the employee's direct supervisor.

Appointments with doctors should be scheduled outside work hours whenever possible to avoid disruption of the employee's work duties. If this is not possible, time off for medical and dental appointments will be considered as paid sick leave. A one-hour time increment shall be the reasonable, minimum increment for use of paid sick leave for medical or dental appointments during work hours.

Termination of Employment: Employees will not receive pay in lieu of paid sick leave under any circumstances. Upon termination of employment, an employee will not be paid for any accrued and unused sick leave, nor can such sick leave be utilized for vacation. If the employee is rehired within 12 months of the date of separation from the Diocese of Oakland, previously accrued and unused sick leave shall be reinstated, consistent with the capping provisions of this policy. Employees who are transferred from one Diocesan site to another, without a break in employment, may transfer accrued and unused paid sick leave not exceeding the cap.

Multiple Work Locations: Employees working at multiple parishes will receive sick leave pursuant to this policy as if they worked at a single location. Employees working less than 25 hours a week will receive the frontloaded paid sick leave on the dates designated herein. Employees who work at a parish in the city of Oakland will also accrue for those hours worked at the parish located in the city of Oakland.

Waiting Period: Employees who have not worked previously at the Chancery or parish can use paid sick leave 30 days after the commencement of employment. There is no waiting period otherwise.

No Advances; No Paid Sick Leave During Leaves of Absence: Employees shall not accrue sick leave in advance of accruing it or receiving it by frontloading. Employees shall not accrue sick leave when they are on an unpaid leave of absence.

Recordkeeping: Employees shall be provided by the Chancery or parish where employed either a pay stub or written document on pay dates showing the number of paid sick days available to the employee.

Medical note: If the employee is taken off work by their physician, a doctor's note may be required before they return to work.

Donation of sick leave: In cases of serious, extended illness or incapacity due to injury, employees may extend their accrued sick leave benefits for up to 30 working days through donations of no more than 36 hours each from accrued sick leave of co-workers at the same site eligible to donate. An eligible co-worker must have 36 hours of sick leave available after the donation is made. This donation may be made only once in the 12-month period measured forward from the date of the donation. The employee accepting donations must have a proven need and must apply for state disability insurance. Any employee receiving State Disability Insurance benefits and paid sick leave will need to integrate those benefits, to no more than 100% of their salary. (See Appendix D-18)

[Sick pay and Family Medical Leave will comply with applicable COVID 19 pandemic rules to the extent those remain in effect.]

No Paid Time Off (PTO)

Diocesan policy is to treat vacation and sick leave separately. Personal time off (PTO) plans, which allow employees to take paid time off for any reason, including vacation or sick leave should not be offered because they do not correctly account for sick and vacation time off as legally required. Any locations choosing to offer PTO should be aware that California law considers PTO to be the same as vacation pay and may not be provided on a "use it or lose it" basis. Therefore, unused PTO must be paid by the location when the employee terminates and is the financial responsibility of that parish.

Family Care and Medical Leave Act and California Family Rights Act

The following policy applies to all employees of parishes, schools and Chancery of the Diocese of Oakland and is based upon the provisions of the federal Family and Medical Leave Act of 1993 (FMLA) and the California Family Rights Act of 1993 (CFRA). FMLA and CFRA provide up to 12 work weeks of unpaid family or medical leave within a 12-month period. This leave may be taken as 12 consecutive workweeks or may be taken intermittently.

Eligibility:

To be eligible for family care and medical leave under this policy, an employee must be employed by the Diocese for at least 12 months prior to the commencement of the leave at location where there are 50 or more employees within a 75-mile radius and must have worked at least 1250 hours during the 12-month period immediately preceding the commencement of the leave. (Employees who are not eligible for leave under this policy may request leave under the Diocese Personal Leave policy.)

Reasons for leave:

An eligible employee may request a leave for any of the following reasons:

- (1) For the birth of the employee's child and/or to care for the child after birth (FMLA/CFRA);
- (2) For placement with the employee of a child for adoption or foster care (FMLA/CFRA);
- (3) For incapacity due to pregnancy, prenatal medical care, or childbirth (FMLA only);
- (4) To care for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, relationships as defined by statute, who has a serious health condition. (FMLA/CFRA);
- (5) Because of the employee's own serious health condition that makes the employee unable to perform the essential functions of the employee's job (FMLA/CFRA);
- (6) To care for your registered domestic partner (CFRA only);
- (7) Because of a qualifying exigency arising out of the fact the spouse, son, daughter, or parent of the employee is on covered active military duty or called to covered active duty status;
- (8) Eligible employees may also take a special entitlement leave of up to 26 weeks of leave during a single 12-month period to care for a covered service member. A covered service member is either:

A current member of the armed forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list, for a serious injury or illness as defined by the FMLA in relation to current service members and veterans; or

A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the

eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness as defined by the FMLA in relation to current service member or veteran.

For additional information about eligibility for family/medical leave, please contact Human Resources.

Calculating the 12-Month Period:

For the purposes of calculating the 12-month period during which 12 weeks of family and medical leave or qualifying exigency leaves may be taken, the Diocese uses the calendar year.

Under most circumstances, leave under federal and state law will run at the same time, and eligible employees will be entitled to a total of 12 weeks of family and medical leave in the designated 12-month period.

For leave to care for a covered service member, the 12-month period begins on the first day of the leave, regardless of how the 12-month period is calculated for other leaves. Leave to care for a covered servicemember is for a maximum of 26 workweeks during a 12-month period.

Leave Procedures:

The following procedures shall apply when requesting family/medical leave:

- As soon as an employee learns of the need for family care or medical leave, the employee must notify the Division/Department Director and the Human Resources Department at the Chancery or the Pastor/Parochial Administrator/Pastoral Life Director at the parish and Human Resources to request a leave (See Appendix D-15).
- For foreseeable events (such as the birth, adoption, or foster care placement of a child or for planned medical treatment), at least 30 days' advance notice is required. The employee must consult with his or her supervisor regarding scheduling of any planned medical treatment or supervision to minimize disruption to the operations. Any such scheduling is subject to the approval of the employee's health care provider or the health care provider for his or her child, parent, or spouse.
- For unforeseeable events or emergencies, the leave request must be made as soon as possible.
- If the FMLA/CFRA request is made because of your own serious health condition, the Diocese may require, at its expense, a second opinion from a health care provider the Diocese chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by the Diocese. If the second opinion is different from the first opinion, then the Diocese may require you, at its expense, to obtain the opinion of a third health care provider designated or approved jointly by the employee and the Diocese. The opinion of the third health care provider shall be considered final and binding on the employee and the Diocese.

Certification:

The Diocese requires an employee to provide initial and subsequent written certification. The employee will have 15 calendar days from the Diocese's request for certification to provide it to the Diocese.

After the Diocese receives the initial written certification, the Diocese requires an employee to provide written re-certification from the employee's treating health care provider that there is a continuing need for medical leave, as well as any timeframe when the employee may be able to return to work, with or without accommodation. Recertification is generally required every 30 days, unless the employee's treating health care provider has indicated in a prior certification the minimum duration of the condition is more than 30 days, the employee has requested an extension of the leave, the employee's circumstances as described in a prior certification have changed significantly, or there is reason to doubt the employee's stated reason for the absence or continued validity of the certification. The failure to make a specific request for such subsequent written certification shall not be deemed a waiver of this requirement.

Any request for an extension of an approved leave must be made before expiration of the approved leave. Any request for an extension of medical leave must be supported by an updated certification from the health care provider. If the employee does not provide medical certification in a timely manner to substantiate the need for family and medical leave, then the Diocese may delay approval of the leave, or continuation thereof, until certification is received. If certification is never received, then the leave may not be considered family and medical leave.

A request for leave due to the serious health condition of the employee must be accompanied by a certification signed by a health care provider, which includes the following information:

- Date of commencement of the serious health condition;
- Probable duration of the condition; and
- The employee's inability to work at all or to perform any or more of the essential functions of his or her position because of the serious health condition.

If the employee is absent due to their own serious health condition, then the Diocese requires a medical release to return to work or a certification from the employee's health care provider that the employee is able to resume work. Failure to provide a release to return to work certification from the employee's health care provider may result in a denial of reinstatement until the certificate is obtained.

A request for leave due to the need to care for the employee's child, spouse or parent must be accompanied by a certification signed by the health care provider, which includes the following information:

- Date of commencement of the serious health condition;
- Probable duration of the condition;
- Estimated amount of time for care by the health care provider; and
- Confirmation of the serious health condition warrants the employee's participation.

Leave Related to Military Service:

A leave taken due to a “qualifying exigency” related to military service must be supported by a certification of its necessity. A leave taken due to the need to care for a service member must be supported by a certification by the service member’s health care provider or other certification allowed by law. Special certification requirements apply to leaves related to military service.

Duration of Leave:

An eligible employee may be granted family care and medical leave of up to 12 workweeks in a 12-month period (starting on the employee's anniversary of hire date), except to the extent of additional leave under applicable law.

If leave is due to the employee's own serious health condition or to care for an employee's child, spouse, parent or other specified by law who has a serious health condition, leave may be taken on an intermittent or reduced work schedule basis if medically necessary. The employee must make reasonable efforts to schedule leave so as not to disrupt operations. If leave is requested on an intermittent or reduced work schedule basis, the employee may be transferred to an alternative position with equivalent pay and benefits that better accommodates recurring periods of leave.

Any leave taken for the birth, adoption, or foster care placement of a child does not have to be taken in one continuous period of time. CFRA leave taken for the birth or placement of a child will be granted in a minimum amount of two weeks. However, the Diocese will grant a request for a CFRA leave (for birth/placement of a child) of less than two weeks' duration on any two occasions. The Diocese may also grant additional requests for leave lasting less than two weeks at its discretion. Leave to care for a newborn or newly placed child must conclude within one year of the birth or placement of the child.

Parents of a newborn or a newly placed child who are both employed by the Diocese are entitled to a combined total of 12 workweeks of leave to care for the newborn or newly placed child.

Leave granted under any of the reasons provided by state and federal law will be counted as family/medical leave and will be considered as part of the 12-workweek entitlement (26 workweek entitlement if leave is to care for a servicemember) in any 12-month period. No carryover of unused leave from one 12-month period to the next 12-month period is permitted.

Pay and Benefits During Leave:

Family care and medical leave is unpaid, except those employees on leave may elect to use all accrued paid vacation and paid personal days. Employees who are on leave due to the employee's own serious health condition must use all accrued sick leave in accordance with the Diocesan sick leave policy. Employees on leave due to their own serious condition may apply for state disability insurance (“SDI”) benefits and for benefits under the Diocesan group disability insurance plan. SDI and group disability benefits may be integrated with other paid time off.

If the employee is taking family/medical leave, then health insurance benefits will continue to be provided during leave to the same extent and under the same conditions as if the employee were

not on leave. If the employee contributes to their health insurance premiums, then they are expected to continue that contribution even when out on leave. Payment for the employee contribution is due when it is made by a payroll deduction. The total combined amount of employer-paid health insurance available to an employee on family/medical leave will not exceed 12 workweeks (or 26 workweeks if the leave is to care for a covered servicemember).

Employees on pregnancy disability leave will be allowed to continue to participate in the group health coverage for up to a maximum of four months of pregnancy disability leave (if such insurance was provided before the leave was taken) on the same terms as if the employee had continued to work. If the employee contributes to their health insurance premiums, then they are expected to continue that contribution even when out on leave. Payment for the employee contribution is due when it is made by a payroll deduction. The right to continued group health insurance coverage during pregnancy disability leave is a separate and distinct entitlement from the CFRA entitlement. Seniority and paid leave benefits, such as sick leave and vacation time, do not accrue during leave, except to the extent that paid time is used.

Returning to Work:

An employee who takes up to 12 workweeks of leave in a 12-month period under this policy will be reinstated to the same position or to an equivalent position unless the employee would not otherwise have remained employed for reasons unrelated to the leave. For example, if an employee's position has been lawfully eliminated in a layoff while the employee is on FMLA/CFRA leave, there is no right to reinstatement to an eliminated position.

An employee returning from leave taken because of the employee's own serious health condition must provide medical certification the employee can safely perform the essential functions of the employee's position before being permitted to return to work.

In contrast, once an employee has fully exhausted all FMLA/CFRA leave, if the employee remains medically unable to return to work, then a determination will be made if further unpaid leave is a reasonable accommodation, taking into account all the circumstances. This process will include assessment of the employee's duties, how those duties are being performed in the employee's absence, and further, anticipated time of return to work, however, indefinite leaves of absence after the FMLA/CFRA period is exhausted should not be expected, nor are they reasonable.

Pregnancy-Related Leave

Eligibility:

An employee who works for an employer with five (5) or more employees and who is unable to work because of pregnancy, childbirth or related medical conditions is eligible to take a pregnancy-related leave. There is no length of service requirement for pregnancy-related leave.

Duration of Leave:

Pregnancy disability leave is for any period caused by pregnancy, childbirth, or related medical conditions, up to a maximum period of four (4) months for each pregnancy. Four months means the number of days the employee would normally work within four months or 17 1/3 weeks. Leave availability for part-time employees is calculated on a proportional basis. (If there is a need for a leave of absence longer than four (4) months, the employee may request additional time off under the Personal Leave policy.) The four (4) months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical conditions. This period includes leave for severe morning sickness and for prenatal care, doctor-ordered bed rest, as well as other conditions. The employee's health care provider determines how much time an employee needs for her disability.

An employee does not have to take pregnancy disability leave in one continuous period. If medically necessary, an employee may take leave on an intermittent or a reduced work schedule basis, and the Diocese may transfer the employee to an alternative position with equivalent pay and benefits that better accommodates recurring periods of leave. Where the employee's health care provider certifies a transfer to a less strenuous or hazardous job or duties is medically advisable, the transfer will be made if it can be reasonably accommodated.

Coordination with Family Care and Medical Leave:

For employees who are eligible for leave under Family Care and Medical Leave, the first 12 workweeks of pregnancy disability leave are counted as medical leave under that policy for health insurance continuation purposes.

Pregnancy disability leave is not counted against the amount of leave provided under the California Family Rights Act, which means, in addition to the up to four (4) months of pregnancy disability leave, an eligible employee may take up to 12 workweeks of CFRA family care leave.

Requests for Leave:

An employee must notify the Division/Department Director at the Chancery and Human Resources or the Pastor/Parochial Administrator/Pastoral Life Director at the parish and Human Resources of her need for a pregnancy-related disability leave as soon as she knows, with reasonable certainty, the expected date on which her leave will begin and how long it is expected to last. If the need for a leave, reasonable accommodation, or transfer is foreseeable (such as the expected birth of a child or a planned medical treatment), the employee must provide at least 30 days advanced notice before the pregnancy-related disability leave or transfer is to begin. The employee is expected to consult with her supervisor regarding the scheduling of planned medical treatment to minimize disruption to the Diocesan operations, subject to approval of the employee's health care provider.

For emergencies, or events unforeseeable, the employee must notify the Diocese as soon as is practical after the employee learns of the need for leave.

Failure to comply with these notice requirements may result in a delay of pregnancy related disability leave, reasonable accommodation, or transfer.

If intermittent leave or leave on a reduced work schedule is medically advisable, the employee may, in some instances, be required to transfer temporarily to an available alternative position that meets her needs. The alternative position does not need to have equivalent job duties, but must have equivalent pay and benefits, and the employee must be qualified for the position. The position must better accommodate the employee's leave requirements than her regular job. Transfer to an alternative position can include altering an existing job to better accommodate the employees need for intermittent leave or a reduced work schedule.

A request for pregnancy disability leave, reasonable accommodation, or transfer must be accompanied by a certification signed by the employee's health care provider, which includes the following information:

- The date on which the employee became disabled due to pregnancy;
- The probable duration of the period of disability; and
- A statement that, due to the disability, the employee is unable to work at all or is unable to perform the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to others.

The certification must be returned no later than 15 days after it is requested by the Diocese. Failure to do so may in some circumstances delay pregnancy, disability leave, reasonable accommodation, or transfer. Any request for an extension of an approved leave must be made before expiration of the approved leave and must be supported by an updated certification from the health care provider.

Pay and Benefits During Leave:

Pregnancy disability leave is unpaid, except employees on leave are required to use all available sick leave and may elect to use accrued vacation time and personal days during leave. When an employee becomes disabled, she may apply for state disability insurance ("SDI") benefits and for benefits under the Diocesan Group Disability Insurance Plan. SDI and group disability benefits may be integrated with other paid time off.

For employees who are eligible for medical leave under Family Care and Medical Leave, health insurance benefits will continue to be provided for the first 12 workweeks of pregnancy disability leave to the same extent and under the same conditions as if the employee were not on leave. The total combined amount of employer-paid health insurance available for any combination of family care, medical and pregnancy disability leave will not exceed 12 work weeks within a 12-month period, after which the employee can elect to continue health insurance coverage under COBRA. Employees who are not eligible for medical leave under Family Care Medical Leave may also elect to continue health insurance coverage under COBRA.

Benefits do not accrue during leave, except to the extent that paid time is used. Employees on leave are not eligible for paid holidays that occur during leave.

Returning to Work:

Before returning to work, an employee must provide a statement from her health care provider

certifying the employee can safely perform the essential functions of her position.

An employee who takes up to four (4) months of pregnancy disability leave will be reinstated to the same position she held before her leave began unless the employee would not otherwise have remained employed for reason unrelated to her leave. If reinstatement to the same position is excused, the employee will be reinstated to a comparable position for which she is qualified, if available. An employee returning from a pregnancy related disability leave has no greater right to reinstatement than if the employee had been continuously employed.

Parent Leave Act

Employees who are new parents may be eligible for New Parent Leave, commonly known as the “Child Bonding” law.

Eligibility: Employees must have worked for more than one year and have worked 1250 or more hours in the most recent twelve-month time period. The location or worksite of the employee must employ at least 20 employees, full-time or part-time. Leave is available for parents regardless of gender. Leave is available for adopted or foster children, provided leave is taken within a year of the child’s birth. If both parents work for the same employer, they are both entitled to leave, but the employer may deny simultaneous leave for both parents.

Length of Leave: Up to 12 weeks within one year of a child’s birth. Bonding may be taken consecutively for up to 12 weeks or in separate two-week blocks. On two occasions the employee may take leave in smaller increments. At least 30 days’ advance notice should be given by the employee to his or her supervisor.

Paid/Unpaid Leave: New Parent Leave is unpaid leave. However, the employee may choose to use accrued vacation or sick leave. This is the employee’s decision. The employee may also apply to EDD for Paid Family Leave (PFL) and qualify for a portion of their regular income during the leave period. Employer-Paid health benefits will continue, on the same terms as if the employee was not on leave.

Returning to Work: This leave is job protected unless the employee’s position is eliminated for some lawful reason (such as layoffs) during the leave period.

Workers’ Compensation Leave

The Diocese provides workers’ compensation insurance for all employees injured in the course and scope of their employment.

Workers’ compensation insurance also is available when employees are injured remotely while working within the course and scope of their employment, or while performing work outside their location.

Eligibility:

Employees who believe they should be afforded workers' compensation coverage are expected to promptly report their injury to their supervisor and to request the form to report the injury (a DWC-1 form). Supervisors are responsible for providing the DWC-1 form to the employee and for completing the part of the DWC-1 form for the employer. The DWC-1 form should then be promptly sent to the Diocesan Benefits Coordinator to initiate the claim with the workers' compensation insurer. Supervisors are also responsible for assuring all medical documentation provided by either the employee, or the employee's treating doctor is maintained in a separate paper or electronic file, specific to that employee (not in the personnel file).

All employees are eligible for leave due to a work-related injury or illness. There is no length of service requirement for this type of leave.

Duration of Leave:

The employee may remain on work-related disability leave until one of the following circumstances occurs:

- (1) The employee is released to return to work without restrictions;
- (2) The employee is released to return to work with restrictions and work, which is consistent with those restrictions, is available and is offered;
- (3) Medical evidence establishes the employee is permanently disabled from returning to usual duties; or
- (4) The employee indicates the intent not to return to work (either by direct written communication to the employer or by actions inconsistent with the intent to return to work, for example, by moving out of the area or by accepting other employment).

The time taken for work-related disability leave will count as leave under the Family Care and Medical Leave policy for employees who are eligible for such leave.

Pay and Benefits During Leave:

Work-related disability leave is unpaid, except employees may receive benefits under the Diocesan workers' compensation program and may elect to use accrued vacation and personal days. Accrued sick leave will be used during a work-related disability leave in accordance with the Diocesan sick leave policy. Benefits will be coordinated so the employee will not receive more than 100 percent of regular pay.

For employees who are eligible for leave under the Family Care and Medical Leave policy, health insurance benefits will continue to be provided during the first 12 workweeks of work-related disability leave. For other employees and for leave that exceed 12 workweeks, health insurance benefits will continue to be provided to the extent required by law.

Vacation and other paid benefits do not accrue during leave, except to the extent accrued paid time is used. Employees on leave are not eligible for paid holidays that occur during leave.

Returning to Work:

An employee who is eligible for leave under the Family Care and Medical Leave policy and whose

leave does not exceed 12 workweeks within a 12-month period will be reinstated to the same position or to an equivalent position unless the employee would not otherwise have remained employed for reasons unrelated to the leave. For other employees and for leaves that exceed 12 workweeks, the employee will be returned to the same position if available or, if such position is not available, the employee will be offered a position for which the employee is qualified, if available.

An employee returning from work-related disability leave must provide medical certification the employee can safely perform the essential functions of the employee's position.

If an employee is released to return to work with restrictions, the site where the employee works will engage in a discussion with the employee and, where necessary, the employee's physician, about potential accommodations to determine whether the qualified injured employee can perform the essential functions of the job without creating an undue hardship for the location or creating a significant risk to the health and safety of the individual or others.

Personal Leave

An unpaid personal leave of absence may be available in circumstances where the reason for the leave is not covered by the Diocese's other leave policies or where the employee has exhausted all available leave under such policies and continues to have a need for leave. A request for Personal Leave may be approved or denied based upon the following considerations:

- (2) The reason for the leave request;
- (3) The needs of the Diocese;
- (4) The employee's job performance;
- (5) The employee's length of service; and
- (6) The employee's position/level of responsibility.

All leave requests may be granted or denied within the discretion of the Diocese. Granting an unpaid leave does not guarantee reinstatement to the same or a similar position. Re-employment is based on the needs of the Diocese.

Duration of Leave:

A personal leave may not exceed 12 months, which includes any time taken under the Family Care and Medical Leave and/or Pregnancy-Related Disability Leave policies.

Except as noted below, personal leave is unpaid, except employees must use all available accrued vacation and personal days as part of a personal leave. All accrued sick leave pay must be used if the leave is for medical reasons and the employee is not eligible (or the leave does not qualify) for disability leave under any other policy.

When discretionary leave is granted, the employee's paid health care benefits will stop, and the employee will be issued a COBRA notice. Employees may then decide whether to continue the group health insurance at their own expense.

Seniority and benefits do not continue to accrue during a Personal Leave, except to the extent accrued paid time is used. Employees on leave are not eligible for paid holidays that occur during leave.

Returning to Work:

If an employee is granted a personal leave, the employee will be informed of the circumstances concerning returning to work, including the period (if any) during which the employee will be guaranteed reinstatement to the same or an equivalent position. An employee returning to work from personal leave taken because of the employee's illness or injury must provide medical certification so the employee can safely perform the essential functions of the position to which the employee is assigned.

Paid Personal Days:

Regular employees working 25 hours or more per week may request up to five (5) paid personal days per calendar year for extraordinary personal, legal, business or family needs that cannot be dealt with during non-working time. Such requests must be made to the employee's direct supervisor and will be granted or denied in the supervisor's discretion, depending on all circumstances. Such paid personal days do not carry over from year to year and are not vacation days and will not be paid out on the employee's separation.

Bereavement

Eligibility: All employees are eligible. There is no waiting period.

Length of Leave: Employees may request bereavement leave following the death of certain family members for up to a maximum of five days. Those family members are defined as an employee's spouse, child, sibling, parent, grandparent, grandchild, parent-in-law. Bereavement leave for any of these family members shall be a maximum of five days. Employees may seek bereavement leave for the death of a person not defined as a family member, for up to two days. Employees are not required to take all bereavement leave at the same time but must complete bereavement leave during the three months after the death of the person for whom they are taking leave.

Unpaid Leave: Bereavement leave is unpaid leave though an employee may utilize other paid leave, including sick leave, vacation leave or paid personal leave.

Employees are not limited to taking five days of bereavement leave per year. If multiple family members die within the same calendar year, the five-day maximum applies to each person who died. If requested, employees may be asked to provide documentation of the family member's death. This is not required before taking leave, but within 30 days of the start of bereavement leave.

Other Leaves

Jury/Witness Duty

The Diocese provides leave to employees who are called to serve as jurors or who are summoned to appear as witnesses in a judicial proceeding, pursuant to a subpoena or other court order. Upon receipt of a jury summons or subpoena requiring an appearance in court, the employee must promptly provide the supervisor with a copy of such document. If the jury summons or subpoena would interfere with previously scheduled assignment or projects that have priority completion dates, the employee may be requested to attempt to defer the jury duty or reschedule the subpoena appearance. Jury duty absences must be recorded in the employee's timesheets.

The employee will be granted leave with pay for no more than one calendar week, and all additional leave time will be without pay. For the period of unpaid leave, non-exempt employees may use accrued, unused vacation time for leave taken under this policy. Following the week of paid leave, exempt employees will be paid their full weekly salary unless they are on leave for an entire workweek during which no work is performed. If so, they may use accrued, unused vacation time for leave taken under this policy.

The employee must provide his or her supervisor with a copy of the jury summons, subpoena or court order and keep his or her supervisor informed concerning the status of the judicial proceedings. If court is not in session for any reason between Monday – Friday, the employee is expected to be at work.

Voting Time Off

An employee will be permitted to take up to two hours from work without loss of pay to vote in a federal, state, or municipal election if he or she cannot vote outside of office hours. Employees wishing to take advantage of this time-off-to-vote privilege must notify their supervisors at least two working days in advance of the election date and may only take time off for voting at the beginning or end of their shifts. Notice will be posted in the workplace at least 10 days before a statewide election pursuant to California Election Code Section 14001.

Domestic Violence Victim, Sexual Assault, and Stalking Leave

Employees may take time off from work for purposes related to domestic violence, sexual assault, and stalking. This time off may be used to obtain assistance in order to protect the employee and his or her children's health, safety or welfare; to obtain a restraining order or other court order; to get medical attention or services from a domestic violence shelter, program or rape crisis center, psychological counseling; or receive safety planning related to domestic violence, sexual assault, or stalking, or other such related purposes.

Employees may use available vacation, personal leave, or accrued paid sick leave for their leave. If an employee does not have paid leave time available, then the employee may take unpaid leave. If possible, the employee should provide reasonable advance notice of his or her leave.

If an employee needs assistance or changes in the workplace to ensure safety, then the employee must provide a written statement, signed by the employee, to Human Resources Department certifying the request is for a proper purpose and demonstrating the employee's status as a victim of domestic violence, sexual assault or stalking. The Human Resources Department will engage in

an interactive process with the employees to identify possible accommodation, if any, available. Accommodation may include putting in locks, changing an employee's shift or phone number, transferring, or reassigning the employee, or helping with keeping a record of what happened to the employee. The employee is required to recertify his or her status as a victim of domestic violence, sexual assault or stalking every six months after the date of the previous certification.

Any documentation identifying the employee as a victim of domestic violence, sexual assault or stalking provided to the Diocese will be kept confidential and will not be disclosed except as required by applicable law or as necessary to protect the employee's safety in the workplace. The employee will be given notice prior to any authorized disclosure.

Notice will be posted in the workplace with regard to employee's rights under California Labor Code Section 230.

Crime Victims Leave

An employee who is a victim of a serious or violent felony or one related to theft or embezzlement, or an immediate family member, registered domestic partner or a child of a registered domestic partner of a victim to such crimes, may take time off work in order to attend judicial proceedings related to that crime.

Employees may use available vacation, personal leave, or accrued paid sick leave for their leave. If an employee does not have paid leave time available, then the employee may take unpaid leave. If possible, the employee should give reasonable advance notice of his or her leave and provide his or her supervisor with a copy of the notice of each scheduled proceeding. If advanced notice is not possible, then the employee should, within a reasonable time period, provide the Diocese with appropriate documentation evidencing the judicial proceeding.

The Diocese will keep confidential any records regarding the employee's absence from work due to his or her status as a victim of a crime or his or her relationship to a victim of a crime.

Organ Donor/Bone Marrow Donor Leave

In accordance with state law, employees who are organ donors or bone marrow donors are eligible for leave.

An employee who is an organ donor will be provided a paid leave of absence, not to exceed 30 business days in a one-year period and will also be provided an unpaid leave of absence, not to exceed 30 business days in a one-year period. The one-year period is measured from the date the employee's leave begins and shall consist of 12 consecutive months. As a condition of an employee's initial receipt of organ donation leave, the employee must take two weeks of earned, but unused sick leave or vacation time for organ donation.

An employee who is a bone marrow donor will be provided a paid leave of absence, not to exceed five (5) business days in a one-year period. The one-year period is measured from the date the employee's leave begins and shall consist of 12 consecutive months. As a condition of an employee's initial receipt of bone marrow donation leave, an employee must take up to five (5)

days of earned but unused sick leave, vacation, or paid time off for bone marrow donation.

Prior to being provided organ donor or bone marrow donor leave, the employee must provide written verification to Human Resources whether the employee is an organ or bone marrow donor and there is a medical necessity for the donation of the organ or bone marrow.

Any period of time during which an employee is required to be absent from the employee's position due to being an organ or bone marrow donor is not a break in the employee's continuous service for the purpose of the employee's right to salary adjustments, sick leave, vacation, paid time off, annual leave, or seniority. During any period, an employee takes organ or bone marrow donor leave, the Diocese will maintain and pay for health insurance coverage for the full duration of the leave, in the same manner the coverage would have been maintained if the employee had been actively at work during the leave period. Leave for organ or bone marrow donation is not to be taken concurrently with any leave under FMLA or CFRA.

Volunteer Civil Service/Emergency Responder Leave

In accordance with state law, employees who provide volunteer civil services or are volunteer emergency responders, such as volunteer firefighters, reserve peace officers, or emergency rescue personnel, will be provided unpaid time off work when they are required to provide emergency services.

An employee who performs duty as a volunteer firefighter, a reserve peace officer, or as emergency rescue personnel will also be permitted to take a temporary leave of absence, not to exceed an aggregate of 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training.

Civil Air Patrol Leave

In accordance with state law, the Diocese provides 10 days per calendar year of unpaid Civil Air Patrol leave to an employee responding to an emergency operational mission of the California Wing of the Civil Air Patrol. Civil Air Patrol leave for a single emergency operational mission cannot exceed a period of more than three (3) days, unless an extension of time has been granted by the governmental entity that authorized the emergency operational mission and the extension of the leave is approved by the Diocese.

The leave provided by the Diocese is unpaid. Further, an employee taking leave under this part is not required to exhaust accrued vacation leave, personal leave, sick leave, and any other leave that may be available to the employee in order to take Civil Air Patrol leave.

The employee shall give the employer as much notice as possible of the intended dates upon which the Civil Air Patrol leave will begin and end. The employee must provide certification from the proper Civil Air Patrol authority to verify the eligibility of the employee for the leave requested or taken. The Diocese may deny the leave to be taken as Civil Air Patrol leave if the employee fails to provide the required certification.

School Visits and Activities

In accordance with state law, each employee is allowed up to 40 hours off per year for the purpose of participating in school activities of his or her children in licensed day care facilities and kindergarten through grade 12. Ordinarily, this time off is unpaid, but employees may use personal leave days or vacation time, if available. The employee is limited to no more than eight hours off for this purpose in any one calendar month of the school year. Reasonable advance notice is required, and the employee may be required to provide documentation from the school concerning the employee's participation.

An employee who is the parent or guardian of a pupil is also permitted to take time off to appear in the pupil's school at the request of the pupil's teacher, if the employee, prior to taking the time off, gives reasonable notice to the employer he or she is requested to appear at the school. An employee may also take time off to find, enroll or reenroll his or her children in a school or with a licensed childcare provider.

Leave for Military Spouses/Others Specified by Law

In accordance with state law, any employee who is a spouse or other specified by law of a deployed military service member is entitled to take up to ten (10) days of unpaid leave when the service member is on leave from a military deployment, as defined by California law, provided eligibility, notification and other legal requirements are met.

Military Leave

In accordance with state law, employees who are members of the reserve corps of the Armed Forces of the United States, the National Guard or the Naval Militia will be provided an unpaid leave of absence, not to exceed 17 calendar days annually, while engaged in military duty ordered for purposes of military training, drills, encampment, naval cruises, special exercises or like activity as such member.

Military Service Leave

In compliance with Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and applicable state law, employees who are in the uniformed services include the Army, Navy, Air Force, Marine Corps, Coast Guard and the Reserves for each of those branches, Army National Guard, Air National Guard, commissioned corps of the Public Health Service, and any other category of people designated by the president in time of war or national emergency, are eligible for a leave of absence.

1. The Diocese will grant a Military Service Leave of absence for employees who are called for:
 - Must perform funeral honors
 - Active duty
 - Active duty for training
 - Initial active duty for training

- Inactive duty training
 - Full-time National Guard duty
 - Absences for examinations to determine fitness for active duty
 - Absences for the purpose of performing funeral honors duty
2. Military Service Leaves may last from a few hours to five (5) years or longer. The Diocese does not consider an applicant's military service status or obligations, including ROTC membership, as a negative factor in hiring decisions. Employees must provide advanced written or verbal notice of the need for military service leave, unless they are prevented from doing so by military necessity or providing notice is impossible or unreasonable.
 3. The Diocese generally will reinstate those on military leave if the cumulative length of their service was completed in less than five (5) years. The right to reinstatement/reemployment cannot be waived. Some exceptions apply to this five-year reinstatement limit. Please contact Human Resources with any questions or concerns. The Diocese may not reinstate those individuals returning from military service leave if business circumstances have changed so much re-employment is impossible or unreasonable, retraining or accommodating a disabled individual would pose an undue hardship, or the employment prior to the military leave was for a brief, non-recurrent period, and there was no reasonable expectation the employment would continue indefinitely or for a significant period.
 4. An individual returning from military leave must provide documentation establishing the individual has requested re-employment in a timely fashion, the individual hasn't exceeded the cumulative five (5) years of service; and the individual has not lost his/her entitlement to protection under USERRA due to dishonorable discharge or other factor.

Pay and Benefits for Employees on Military Leave:

- Generally, military leave is unpaid. However, employees may (but are not required to) use their paid vacation time or other paid time when they are on leave.
- Employees who are returning from military service are entitled to all the rights and benefits they would have had if they had remained continuously employed. The employee's level of seniority will be the same as if he or she had not been on leave.
- If the leave of absence lasts 30 or fewer days, health benefits continue. The employee remains responsible for paying a normal share of any premium.
- For leave of absences lasting longer than 30 days, USERRA provides COBRA-like continuation benefits for people who are absent from work to serve in the uniformed services. This coverage is available for up to 24 months. Other than the benefits specifically mentioned in this section, employees on military leave are entitled to the same benefits given to other employees who are on leave of absence.
- Pension contributions will continue to be made as in the past and service in the military is considered service with the employer for purposes of vesting and benefit accrual.
- If employees serve in the California National Guard or Naval Militia and become disabled for 52 weeks or less, employers may not terminate their health benefits, life insurance, disability insurance or seniority status.

Appendix D-16 is a sample Military Leave Acknowledgment form. When an employee requests military leave the employer should have the employee read and sign this form. Make two copies of the form. Please give one to the employee requesting leave and put one copy in their personnel file. (Appendix D-16)

Administrative Leave

Employees may be placed on administrative leave when situations occur that require investigation or inquiry and the Department of Human Resources determines placing employee(s) on leave pending investigation or inquiry is in the best interests of the Diocese and/or employee(s). Administrative leave can be with or without pay, depending on the circumstances. An employee placed on administrative leave will be informed of the basis for the leave, unless doing so would compromise any pending investigation or inquiry, will be informed of their pay status during leave, and will receive instructions regarding further communications with Human Resources.

IX. REVISION OF PERSONNEL POLICIES AND ACKNOWLEDGEMENT

Chancery

Personnel policies will be reviewed periodically by the Department of Human Resources. Revisions will be made with the approval of the Bishop after consultation with the BAC and disseminated in writing to all employees.

Parishes

Revisions will be made with the approval of the Bishop after consultation with the Presbyteral Council and disseminated in writing to all parishes through the Department of Human Resources.

A complete review of the document is done every three years. The next complete review will be completed in 2027.

Acknowledgement

This Handbook is accompanied by the following separate acknowledgement and signature pages which are to be signed and placed in the employee's personnel file:

- 1) Acknowledgement of receipt and review of handbook;
- 2) Acknowledgement of receipt and review of Dispute Resolution Policy; and
- 3) Acknowledgement of receipt and review of Mandated Reporting Policy