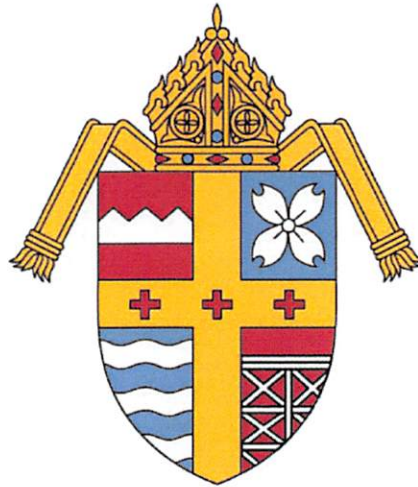


THE DIOCESE OF KNOXVILLE
LAY EMPLOYEE HANDBOOK
POLICIES AND PROCEDURES



EFFECTIVE JULY 1, 2020

Promulgated By:

Most Reverend Richard F. Stika
Bishop of Knoxville

Date

July 23, 2020

Attested By:

Deacon Sean K. Smith
Chancellor

Date

July 23, 2020



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THE MISSION, VISION, AND OPERATING PRINCIPLES OF THE DIOCESE OF KNOXVILLE

MISSION

To continue the saving ministry of Jesus Christ, we serve and guide the Catholic parishes, schools, hospitals and agencies within the 36 counties of the Diocese of Knoxville.

VISION

In carrying out our mission, we seek to be compassionate professionals who are valued for our faith, service, and integrity.

OPERATING PRINCIPLES

We seek to give glory and honor to God and build trust in Christ's Church, following the guidance of the Holy Father and the Bishop of Knoxville. We challenge each other to make the most of the gifts God has given us and strive to recognize and reward excellent performance. We treat each other and those whom we serve fairly, with dignity and with honor, holding ourselves accountable for our commitment to service. We are dedicated to a culture of collaboration, innovation, and inspiration.

IN OUR SERVICE AT THE DIOCESE, WE CONTINUALLY ASK OURSELVES:

Am I giving glory and honor to God?

Am I serving Christ and His Church?

Am I honoring and respecting those I serve and those with whom I serve?





WELCOME AND INTRODUCTION

The Diocese of Knoxville ("Diocese") welcomes and values all of its employees. The Diocese employs a dedicated group of men and women, clergy, religious, and lay people who are dedicated to living the Gospel Message of Jesus Christ and proclaiming the Good News of Salvation. Our employees are the face of Jesus to those who depend on them. The Diocese is grateful for your willingness to serve the people of East Tennessee.

The Diocese provides a positive work environment that contributes to genuine human development. The Diocese constantly strives to recognize achievement and promote employee growth to reach new levels of success and foster teamwork in service to the people of the Diocese. Successful employee contribution is integral in achieving the goals of and fulfilling the mission of the Diocese and the Roman Catholic Church ("Catholic Church").

Employees want to know what they can expect from the Diocese and what it expects from them. This Employee Handbook ("Handbook") acquaints employees with the current policies, practices, benefits, and conditions of employment with the Diocese. This Handbook is applicable to all employees at our parishes, schools, Chancery, and Catholic Charities of East Tennessee ("Catholic Charities"). Employees are encouraged to keep this Handbook handy as a reference guide and employees are also to ask questions of supervisors about it. Supervisors will be happy to answer questions and help clarify needed information.





PURPOSE OF THE EMPLOYEE HANDBOOK

This Handbook is designed to acquaint employees with the Diocese and to provide a reference for answers to questions regarding employment with the Diocese. This Handbook constitutes only a summary of the Human Resources policies, employee benefits, employment regulations, and conditions of employment in effect at the time of publication and is not meant to be all-inclusive or to explain every employment situation.

Other than the “at-will” agreement contained in the Employee Acknowledgment employees are expected to sign, this Handbook is not meant to create any kind of employment contract or promise of continued employment for a definite term. The Diocese reserves the right to revise, modify, add or rescind any of the provisions of the policies, benefits, regulations, and other working conditions at any time in its sole and absolute discretion.

Employment at the Diocese is “at-will;” therefore, employment may be terminated at any time by the employee or by the Diocese “with or without cause.” This Handbook should not be construed to alter the “at-will” nature of the employment. Nothing in it creates or is intended to create a promise or representation of continued employment for a definite term. Only the Bishop or his designee has the authority to enter into or authorize any agreement that modifies the “at-will” employment or supplant this Handbook. Any such agreement must be in writing and signed by the Bishop or his designee and the employee.

This Handbook supersedes all prior Handbooks and any and all written documents, summaries, or understandings including oral representations that contradict the “at-will” nature of the employment. This Handbook also supersedes all announcements, website posts, notices, and advertisements that may refer to the “at-will” nature of the diocesan employment.

The end of this Handbook contains a copy of the Employee Handbook Receipt and Acknowledgment form. Please carefully read and review this document. All employees must return a copy of this document to his/her supervisor within three (3) days of receiving this Handbook. Contact a supervisor or the site Human Resources representative with any questions regarding this form and/or this Handbook.





EMPLOYEE RELATIONS PHILOSOPHY

Every employee presents the face of the Diocese to the people it serves. The Diocese relies on the loyalty, commitment, and continued efforts of all of its employees in fulfillment of its mission.

The Diocese believes that communication is key to a successful employment relationship. The Diocese has developed a sound employee relations program which includes providing and maintaining good working conditions, fair and just wages and benefits, open communication, and opportunities for positive employee involvement. Employees of the Diocese are in service to the Catholic Church and the world in which we live. Employee initiatives, creativity, and ideas to improve the delivery of services to the East Tennessee community are welcomed contributions to the working environment.

From time to time questions concerning an employee's job or this Handbook may arise. These issues should be discussed with the employee's supervisor and/or the site Human Resources representative. Concerns that are not shared with the appropriate parties cannot be addressed.

The supervisor is the person responsible for the immediate work area and is in the best position to answer questions or give help. With the exception of complaints over harassment, discrimination and reasonable accommodations for a disability, questions, concerns, and problems should be addressed first to the immediate supervisor. When the immediate supervisor cannot or has not satisfactorily resolved concerns presented, he/she should be referred to the senior site manager (e.g., pastor, principal, president, administrator, executive director, or department director). Employees may contact directly the diocesan Human Resources Department if they feel their concerns have not been addressed locally.

Complaints of harassment, discrimination, or lack of workplace accommodation are dealt with in other sections of this Handbook that cover those policies.

The Diocese takes employee concerns seriously. Best efforts are made to address and resolve issues as soon as possible. The Diocese does not tolerate threats or reprisals against employees who raise concerns.





RESPONSIBILITIES AS AN EMPLOYER

The Diocese follows all applicable civil and canon laws pertaining to the employment of Catholic Church personnel. Specifically as canon 231 provides:

"Lay persons who permanently or temporarily devote themselves to special service of the Church are obliged to acquire the appropriate formation required to fulfill their function properly and to carry out this function conscientiously, eagerly, and diligently (W)ith all the prescripts of civil law having been observed, lay persons have the right to decent remuneration appropriate to their condition so that they are able to provide decently for their own needs and those of their family. They also have a right for their social provision, social security, and group health plan benefits to be duly provided."

"AT-WILL" EMPLOYMENT

All employment with the Diocese is "at-will." This means that the employee and/or the Diocese have the option to terminate employment at any time, with or without cause. Only the Bishop or his designate has the authority to modify the "at-will" nature of the employment relationship. The Bishop or his designate may make such modifications only if they are in writing and signed by both the Bishop or his designate and the employee.

EQUAL EMPLOYMENT OPPORTUNITY

The Diocese is an equal opportunity employer. All employees and applicants are treated without discrimination relating to race, color, national origin, genetic information, age, physical or mental disabilities or conditions, veteran status, military affiliation or obligation, marital status, or on-the-job injuries. As a religious organization; however, the Diocese retains its right to make employment decisions considering its religious beliefs and practices in accord with the teachings and laws of the Catholic Church.

The Diocese recognizes the right of employees to address legitimate complaints of discrimination. Employees who believe that they have been subjected to any form of unlawful discrimination should immediately advise their immediate supervisor, the site Human Resources representative, or the senior site supervisor. Employees should submit a detailed written statement at the time of their complaint.

Supervisors and site Human Resources representatives are required to report any instances or complaints of discrimination, whether directed at them or other employees, to their senior site manager and to the diocesan Human Resources Department within one (1) business day. A timely and thorough investigation will be conducted. When it is determined that an offense has been committed, effective remedial action will be taken commensurate with the severity of the offense. The Diocese prohibits and will not tolerate any form of retaliation by management or co-workers against an employee who has filed a discrimination complaint.

ADA COMPLIANCE AND REQUESTS FOR ACCOMMODATION

It is the policy of the Diocese to comply with the Americans with Disabilities Act of 1990 (ADA) and the ADA Amendments Act of 2008 (ADAAA) protecting qualified individuals with disabilities. The Diocese provides reasonable accommodations for known physical or mental disabilities to qualified individuals to the extent required by law, provided that the requested accommodations do not create undue hardships for the Diocese and/or do not pose direct threats to the health or safety of the requesting



individuals and others in the workplace including parishioners, students, clients, and others served by the Diocese.

If an accommodation is required to perform the essential functions of one's job, the Human Resources Department must be notified. The Human Resources Department will then work with the employee and the senior site supervisor to identify possible accommodations enabling performance of the essential functions of the job. Disabled employees and applicants are invited to identify any reasonable accommodation that would enable them to safely perform the essential functions of the position. Information regarding any disability and any other medical information will be kept confidential in accordance with the ADA. Equal opportunity is extended to qualified persons with disabilities in all aspects of the employer-employee relationship, including recruitment, hiring, training, promotion, transfer, compensation, benefits, leaves of absence, discipline, and termination of employment.

Instances of non-compliance with these policies noted by the employee should be immediately referred to the immediate supervisor, the site Human Resources representative, or senior site manager and/or the diocesan Human Resources Department. The Diocese prohibits and will not tolerate any form of retaliation by management or co-workers against an employee who submits an ADA compliance request.

Definitions

Person with Disability: Any person who has or who acquired a physical or mental impairment, or who has a record of such an impairment, or who is regarded as having an impairment which substantially limits one or more major life activities, such as self-care, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of a major bodily function, including functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, and reproductive functions. The determination of whether an impairment substantially limits a major life activity will be made without regard to the ameliorative effects of mitigating measures beyond ordinary eyeglasses or contact lenses.

Physical or Mental Impairment: Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, including neurological, musculoskeletal, special sense organs (including speech organs), respiratory, cardiovascular, reproductive, digestive, genitor/urinary, immune, circulatory, hemic and lymphatic, skin and endocrine; or any mental or psychological disorder, such as an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Qualified Person with a Disability: A person who can perform the essential functions of the position with or without reasonable accommodation. Individuals who currently engage in the illegal use of drugs are specifically excluded from the definition of a "qualified individual with a disability."

Reasonable Accommodation: Adjustments made for the known disability of an employee or applicant by structuring the job or the work environment in a manner that will enable the person with a disability to perform the essential functions of a job. Reasonable accommodation includes, but is not limited to, modifying written or oral examinations; making facilities accessible; providing unpaid leave; adjusting work schedules; restructuring jobs; providing assistive devices; and providing interpreters or readers.

Essential Job Functions: Those activities of a job that are the core to performing said job for which the job exists and cannot be modified.



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Undue Hardship: An action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include but are not limited to the nature and cost of the accommodation, the overall size and financial resources of the Diocese and in particular the respective parish, school, or Catholic Charities where the employee is employed, and the effect or impact on expenses, resources, employees, parishioners, operations, etc.

Direct Threat to Safety: A significant risk to the health or safety of the individual or others that cannot be eliminated by reasonable accommodation. The determination that an individual poses a direct threat will be based on an individualized assessment of the individual's present ability to perform the essential functions of the job based upon a reasonable medical judgment and/or on the best available objective evidence. The factors to be considered include the duration of the risk, the nature and severity of the harm, the likelihood that the potential harm will occur and the imminence of the potential harm.

Regarded as: An individual meets the requirement of being regarded as having an impairment if the individual has been subjected to an action prohibited by the ADA because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity. A transitory and minor impairment with an actual or expected duration of six (6) months or less cannot qualify as a disability.

POLICY AGAINST HARASSMENT

The Diocese strictly prohibits all forms of workplace harassment including those based on race, religion, color, sex, gender, gender identity, sexual orientation, national origin, ancestry, citizenship status, uniform service member status, marital status, pregnancy, protected medical condition, genetic information, disability, or any other category protected by applicable law. This policy applies to all employees in their dealings with each other as well as in their dealings with parishioners, students, clients, others we serve as well as vendors, independent contractors, and others doing business with us. In addition, the Diocese does not tolerate parishioners, students, clients, vendors, independent contractors, and others doing business with the Diocese to harass employees.

Forms of harassment include: verbal, physical or visual conduct that creates an offensive, hostile or intimidating work environment. It also includes such conduct that results in unreasonable interference with the ability to do one's job. Additionally, offensive or unwelcome jokes or pranks, racial or ethnic slurs or other conduct predicated upon one or more of the protected categories identified in this policy are prohibited.

POLICY AGAINST SEXUAL HARASSMENT

Sexual harassment is prohibited by the moral teachings of the Catholic Church as well as state and federal law. The Diocese strictly prohibits sexual harassment. The term sexual harassment encompasses a broad spectrum of prohibited conduct.

Examples of Prohibited Sexual Harassment

By way of illustration and by no means exhaustive, the following are examples of unlawful and unacceptable behavior:

- unwanted verbal or physical sexual advances;
- offering an employment benefit in exchange for sexual favors, including the promise of increased compensation, promotion or career assistance in exchange for sexual favors;



- threatening adverse employment actions such as termination, demotion, reduction in hours, or disciplinary action for an employee's resistance to engage in sexual activity;
- visual conduct which may include leering, sexual gestures, displaying sexually suggestive objects, pictures, cartoons, or posters including electronic media;
- verbal abuse of a sexual nature which may include graphic commentaries about a person's body, using sexually degrading words to describe an individual, suggestive or obscene letters, notes, or invitations including emails or internet links to offensive sites;
- physical contact including touching, assault, impeding, or blocking movements;
- physical or verbal abuse concerning a person's gender or the perception of the person's gender; and
- verbal abuse concerning a person's physical characteristics in relationship to his/her gender and/or size or shape of a person's body or body parts.

Other Discriminatory Harassment

Other discriminatory harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, religion, national origin, age, disability, or other protected discriminatory factor, when such conduct (1) has the purpose or effect of creating an intimidating, hostile, or offensive working or study environment; (2) has the purpose or effect of unreasonably interfering with an individual's work or academic success; or (3) otherwise adversely affects an individual's employment or academic success.

Examples of discriminatory harassing conduct include, but are not limited to, using epithets, slurs, negative stereotyping, threatening, intimidating or hostile acts or words, or showing, exhibiting, or creating written or graphic material that denigrates or shows aversion or hostility toward an individual or group because of race, color, religion, national origin, age, disability, or other protected factor.

All employees must avoid any action or conduct that might be viewed as discriminatory harassment. Approval of, participation in or acquiescence in conduct constituting such harassment will be considered a violation of this policy.

Reporting and Complaint Procedures

Any incident of harassment to which one has been subjected or which has been observed should immediately be reported to one's supervisor. If the supervisor is the offender, or the employee is otherwise uncomfortable reporting the harassment to the supervisor, the employee should immediately notify the next level supervisor or the site Human Resources representative. The supervisor and/or site Human Resources representative receiving the complaint or observing harassing conduct is to immediately inform the senior site manager who is obliged to report the incident to the diocesan Human Resources Department within twenty-four (24) hours of receiving the complaint. A prompt and thorough investigation is to be initiated.

If the response of the supervisor, senior site manager or site Human Resources representative is unsatisfactory, one may call the diocesan Human Resources Department directly. Every reported complaint of harassment is taken seriously and will be acknowledged and thoroughly investigated in a timely and professional manner. No form of retaliation against an employee for making a good-faith complaint or for cooperating with the investigation of the complaint will be tolerated by the Diocese.



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Discipline

If the investigation reveals that the harassment complaint is valid, the Diocese will take prompt and effective remedial action designed to immediately stop the harassment and prevent its recurrence. Disciplinary action available to the Diocese for a violation of this policy ranges from oral to written warnings, up to and including, immediate termination of employment, depending upon the severity of the actions. Reasonable corrective action will be pursued by the Diocese in cases involving acts of harassment by non-employees.

Sexual Harassment Prevention Training

The Diocese does not tolerate sexual and other harassment and provides and requires specialized training for all employees in compliance with laws regarding prevention of workplace harassment. Failure to participate in this training may lead to disciplinary action up to and including termination of employment.

EMPLOYEE CLASSIFICATIONS

Full-Time Employees

Employees regularly scheduled to work at least thirty (30) hours per week are classified as full-time employees. Full-time employees are eligible for all applicable diocesan benefits as outlined in this Handbook.

Part-Time Employees

Employees regularly scheduled to work a minimum of twenty (20) hours but less than thirty (30) hours per week as determined by the Diocese are classified as part-time employees. Part-time employees are eligible for all applicable diocesan benefits as outlined in this Handbook.

Short-Hour Employees

Employees regularly scheduled to work less than twenty (20) hours per week as determined by the Diocese are classified as short-hour employees. Short-hour employees are eligible for workers' compensation and social security benefits.

Temporary Employees

Temporary employees are employed to work on special projects or on a "fill-in" basis for short set periods of time, usually not exceeding six (6) consecutive months. No one may be a temporary employee for a period that exceeds one (1) year. Temporary employees are eligible for workers' compensation and social security benefits.

On-Call Employees

An individual hired to work on an as-needed basis is classified as on-call. An on-call employee is hired as needed for a short duration of time, less than twenty (20) hours per week. When an on-call employee works twenty (20) or more hours per week for a period in excess of six months, the employee is to be re-classified to the appropriate status. On-call employees are eligible for workers' compensation and social security benefits.



Employees Providing Professional Services in Liturgy

Music and choir directors, musicians, cantors, organists, and wedding coordinators who are compensated for their services should generally be on the parish payroll as full-time, part-time, short-hour, or on-call employees.

Employee Status Change

Circumstances affecting the delivery of services (e.g., lower enrollment in schools or discontinuance of a ministry or program or service) may result in loss of full-time status and consequently loss of eligibility for the group health plan. In these cases, within thirty (30) days' notice of cancellation, the party may apply for continuation of insurance coverage.

EMPLOYEE CATEGORIES

Non-Exempt Employees

Non-exempt employees include those employees who perform duties other than those classified as executive, administrative, or professional as defined by the Federal Fair Labor Standards Act ("FLSA"). All non-supervisory office and support positions fall into this category. Non-exempt employees are entitled to the premium pay or "overtime" provisions of the FLSA; therefore, receiving premium pay (overtime) for work in excess of forty (40) hours in a single workweek.

Exempt Employees

Exempt employees include those employees in executive, administrative decision making positions or certain professional capacities (e.g., department director, school administrator, teacher, licensed clinical social worker or CPA). Exempt employees are normally ineligible for the overtime provisions of the FLSA.

WORK SCHEDULES

Standard Workweek

The standard workweek for administrative offices, schools and parishes is Monday through Friday. The standard workweek for 24 hour residential facilities is Sunday through Saturday.

Hours of Work

Work hours vary by location and department. The senior site manager will establish work hours.

MEAL PERIODS

Hourly non-exempt employees who work more than six (6) hours in a day are required to take a thirty (30) minute duty-free meal period. A second meal period must be provided no later than the end of an employee's twelfth hour of work (unless the first meal period is taken and the second meal period is waived). An employee who works over twelve (12) hours in a day is required to take a second thirty (30) minute duty-free meal period. Only in very limited circumstances, as discussed below, can meal periods be waived.

Employees are completely relieved of their job responsibilities during their meal periods. Employees may not alter or falsify any timekeeping records.



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Neither the supervisor nor any diocesan senior site manager may instruct, require, or approve foregoing a meal or rest period. Any instruction or approval to miss a meal period must be reported immediately to the site Human Resources representative or the diocesan Human Resources Department.

On-Duty Meal Period

There is a limited exception to the unpaid thirty (30) minute meal break where the employee has a workplace environment that provides ample opportunities to rest or take appropriate breaks. Any request to except a particular employee from the required thirty (30) minute meal break must be directed to the diocesan Human Resources Department. Only if the nature of the employee's job duties allows it, and the employee and the Diocese have agreed to an on-duty meal period in writing, will the employee be permitted to take an on-duty meal period. In this situation, the employee's on-duty meal period will be paid and treated as hours worked.

REST PERIODS

Senior site managers, at their discretion, may allow employees two (2) rest breaks during each workday. One break may be allowed in the morning and the other in the afternoon for a period not to exceed fifteen (15) minutes each. These rest breaks are a privilege and not a right and should be taken at times that do not interfere with service to parishioners or the public. If an employee chooses not to take advantage of rest breaks, this time may not be accumulated and added to lunch periods or any type of leave. A rest break may not be used to alter arrival or departure time or used in conjunction with the lunch hour.

JOB DESCRIPTIONS

Supervisors are to give a clear written description of job duties including the expected levels of performance at the time of being hired. Supervisors review individual job descriptions annually with the employee to ensure all expectations are clearly delineated and that the written description of job responsibilities remains current and accurate. This process is used to maintain open communication and productive collaboration.

PERFORMANCE APPRAISALS

All diocesan employees deserve to know that their efforts are appreciated, what the standards of their expected performance are, and how they are measuring up to those standards. The best way to accomplish sharing goals and objectives is through a system of annual performance appraisals. Therefore, the performance of each employee is to be reviewed at least once per year based upon job related criteria. Job related criteria include the written job description as well as mutually agreed upon standards of performance or goals to be accomplished during the performance review period.

The annual performance review is part of the continuing process of performance management. It is based on a foundation of ongoing communication between employee and supervisor regarding job performance. The annual performance review process includes self-assessment, supervisory assessment, and, where applicable, feedback from those served by the employee with a view to formulating a plan for continued excellence and growth in performance.

The diocesan Human Resources Department will provide general instructions and model instruments for use in the annual performance review. For school employees, faculty appraisals will be conducted according to the school's administrative policies and procedures promulgated by the diocesan Catholic Schools Department.



Normally, the written appraisals are prepared in duplicate, signed by the employee and the supervisor. The original is placed in the employee file and the employee retains a copy. The signature of the employee on the written appraisal is an indication that the appraisal has been received and reviewed and is not an indication of agreement with its content. In cases of disagreement, the employee may submit a separate written response within ten (10) days of receiving the written performance appraisal. The written response must also be placed in the employee file.

PROMOTIONS, TRANSFERS, AND REHIRES

Whenever possible, applications for new and vacant positions will be offered to existing and qualified diocesan employees in accordance with the following procedures.

Promotions

Diocesan employees who have been in their current position for a minimum of six (6) months may be considered for promotion based on their qualifications and merit as determined by their senior site manager. If no qualified candidates are found from within the employment site, qualified outside applicants may be considered.

Transfers

Transfers from one location or department to another may be requested by the employee or the immediate supervisor or senior site manager. Employees may request a transfer after completing a minimum of six (6) months of employment. A request to transfer will be accepted when the senior site manager and the diocesan Human Resources Department agree that the transfer is in the best interest of the employee and of the Diocese. Employees are to complete a transfer request form available from the Human Resources Department. The supervisor may seek to delay a transfer in order to allow a reasonable period of time to find a suitable replacement.

Transfers of faculty from one Catholic school to another must be approved by the diocesan Catholic Schools Department Superintendent.

Effects of Transfer on Benefits

Benefit eligible employees transferring to another benefit eligible position do not lose or have an interruption in benefits as a result of the transfer. Transfer to another benefit eligible position does not reduce one's benefit accrual rate. The benefit accrual rate is based on the new work schedule. Vacation benefits, if any, are paid by the corresponding entity from which the employee was transferred at the time of transfer to the new post. Sick leave benefits and retirement vesting benefits, if any, transfer to the new location if the employee remains benefit eligible.

Guidelines

Employees have the right to inquire without prejudice regarding the appropriate requirements for promotions, new positions or transfers, prior to notifying one's supervisor.

Once it has been decided that a location is interested in interviewing an employee from another location, the senior site manager should reach out to the senior site manager where the employee is currently working.



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Rehire Provisions

Employees who terminate their “at-will” employment with the Diocese and are rehired by the Diocese within ninety (90) days, retain their original employment anniversary date as well as the associated accrual rate for vacation and sick leave.

Rehire after a separation of employment with the Diocese in excess of ninety (90) days will result in new anniversary and benefit eligibility dates. These provisions do not apply to approved leaves of absence as further described in this Handbook.

EMPLOYMENT AT MORE THAN ONE LOCATION

Concurrent employment at more than one diocesan location must be coordinated by the diocesan Human Resources Department to ensure compliance with applicable employment and benefit laws and Diocese policies and procedures.

In the case of concurrent employment involving schools, the approval of the diocesan Catholic Schools Department will be required. Employees and their supervisors must notify the Human Resources Department of each corresponding entity of the concurrent, dual or multiple, employment.

EMPLOYEE FILES

Personal information not generally available to the public will be considered private and confidential. That private and confidential information is normally maintained in individual employee files. Access to one’s employee file is limited to that individual and those with proper authorization, including those who respond to criminal or civil subpoena. No documents will be released from an employee file without the employee’s consent, except pursuant to legal process.

Employees may review their own employee file upon reasonable notice with an authorized representative of the diocesan Human Resources Department present. Copies of all documents previously signed or received and to which the employee is entitled by law are available upon request. Personal information contained in the employee file may be corrected or clarified by the employee. Employees have the right to respond in writing to items on file they consider to be false. Written responses of the employee are to be maintained in the employee file.

SUPERVISORY TREATMENT

The Diocese requires all supervisors to treat employees they supervise with dignity and respect. Serious, continued or deliberate violations of this policy by any supervisor, at any level, shall be grounds for disciplinary action, including termination of employment.

It is incompatible with diocesan employment policy that supervisors:

- publicly reprimand or criticize subordinate employees;
- make unreasonable demands which cannot humanly be met;
- retaliate against any subordinate employees who exercise their right to file work-related claims with a government agency, file claims for workers' compensation or relate grievances to the Human Resources Department or to higher levels of management; and
- communicate in ways that can be construed as haranguing or harassment.



All supervisors are expected to listen with courtesy and empathy to the concerns of their employees and provide adequate opportunity for employees to seek counsel or advice in connection with their work.

All supervisors are expected to communicate clearly their expectations for their employees and the responsibilities for which the employees will be held accountable. They are also expected to cooperate with and assist employees who seek to clarify responsibilities, expectations or instructions by asking questions, or by submitting a written summary of such instructions for the supervisor's confirmation and approval. Supervisors are supposed to allow employees to give, without undue interruption, their side of any dispute regarding their work.

Whenever necessary, correction or reprimand of an employee is to be administered privately and confidentially. Direction and criticism are to be given respectfully and courteously, without belittling or demeaning the employee.

Employees being treated by their supervisor in a manner that violates this policy are encouraged to address the treatment with their supervisor for resolution. If the employee does not receive a satisfactory response, they should report the treatment to the senior site manager or site Human Resources representative.



COMPENSATION AND BENEFITS

The Diocese provides employees with reasonable compensation and specific benefits designed to sustain employees and their families against undue financial hardship. In addition to a fair and just wage, the Diocese offers employee benefits that may be modified as necessary.

COMPENSATION

Compensation is commensurate with one's qualifications, job description, and expected level of performance taking into account the financial capabilities of the Diocese and the employment site.

The Diocese motivates and rewards excellence and dedicated commitment by reviewing both performance and compensation on an annual basis. This review does not guarantee a modification of an employee's compensation. Wage increases based on merit or annual cost of living adjustment are implemented for qualified employees and pursuant to diocesan policies and procedures in effect, and may vary depending upon the financial resources of the employment site.

Changes in employment status (e.g., due to a promotion or transfer), may require adjustment of the rate of compensation in accord with the new responsibilities. A wage increase is determined by factors including the financial condition of the Diocese and/or the corresponding entity where one is employed, job requirements of the new position, educational level, experience, attendance, and performance history.

Compensation for licensed faculty and administrators at Catholic schools is determined by local parishes and/or regions. Compensation rates and increases for faculty and administrators are administered pursuant to the approved rate currently in effect for each Catholic school.

Compensation Administration

All non-exempt employees are paid on an hourly basis calculated on actual hours worked. Exempt employees are paid on a salary basis. All methods of payment will be administered in strict compliance with wage and hour laws and regulations.

Unless otherwise notified, non-exempt employees will be required to accurately record the hours they worked for the Diocese using the approved timekeeping system. The timekeeping system for recording the hours worked will be explained and demonstrated on the first day of employment. Accurate recording of the hours worked is required to assure payment in accord with the law. "Off-clock" work cannot be permitted and will not be compensated under any circumstance. No supervisor may require, request, instruct, or otherwise expect an employee to work unpaid hours. If any employee is instructed to perform "off-clock" work, he or she should immediately report this policy violation to the Human Resources Department. In addition, the diocese will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the investigation of such reports. Retaliation is unacceptable. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge.

"Hours worked" is defined by the FLSA as all the time an employee is subject to the control of an employer and includes all the time that an employee is knowingly permitted to work, whether or not required to do so.



Any changes or corrections to the record of one's time worked must be approved in writing by the employee and his/her supervisor. Under no circumstances may one employee record another employee's time.

"Overtime" refers to work in excess of forty (40) hours in a single workweek. Only non-exempt employees are eligible for compensation for "overtime." "Overtime" hours must be pre-approved by one's supervisor. Employees are obliged to accurately record all "overtime" hours worked. Working beyond one's regularly scheduled work hours, including "overtime" and off schedule hours without one's supervisor's approval prior to working those hours may result in discipline, up to and including employment termination.

The Diocesan entity where one is employed may periodically schedule "overtime" or weekend work in order to meet the needs of parishes, schools, agencies and centers for special liturgical, educational or community events or projects. Employees may be required to work these "overtime" hours and will be given as much advance notice as possible. Non-exempt employees who work these "overtime" hours will, of course, be compensated pursuant to the overtime provision of the FLSA.

Suggestions Program

The Diocese encourages employees to share their ideas, initiatives and creativity regarding more efficient and productive ways of serving parishioners, students, clients and other constituents. Suggestions that will enhance our services and their delivery to our constituents, regarding our effectiveness or that might reduce expenses, should be presented in writing to a supervisor who is to forward them to the appropriate senior site manager.

EMPLOYEE BENEFITS

The Diocese offers a group health plan (medical, dental, vision), long-term disability insurance, and life and accidental death and dismemberment insurance to benefit eligible employees. The Diocese also offers a voluntary 403b retirement savings plan as well as a lay employee retirement pension plan. Additionally, although not an employer-paid benefit, employees have the opportunity to purchase an individual long-term care policy at their own expense but at a discount.

A benefit eligible employee is one who:

- Works at least 20 hours per week
- Benefits fully paid by your parish, school, or other institution on your behalf

include:

- Contribution to the lay employee retirement pension plan
- Premiums for life insurance in the amount of \$50,000
- Accidental death and dismemberment and long-term disability insurance premiums

Benefits whose contributions are shared by the employer and employee include:

- Medical, dental, and vision insurance
- 403b retirement savings plan



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For a full summary of employee benefits, go to the diocesan website or contact the site Human Resources representative. Information in this Handbook is for general guidance only; in the event of a conflict between the plan and this information, the plan documents govern.

WORKERS' COMPENSATION BENEFITS

The Diocese provides workers' compensation insurance. It requires employees to share the responsibility for personal safety and the safety of others. It is the policy of the Diocese to comply with all obligations under the state Workers' Compensation laws, including the provision of a panel of three physicians not associated together in practice for selection by an injured employee, and timely notification of claims to its insurance carrier.

Coverage

Pursuant to state law, the Diocese pays the entire premium amount for Tennessee workers' compensation insurance coverage that provides benefits to employees who experience injury or illness arising out of the course and scope of their employment. State law governs workers' compensation benefits entitlements.

Reporting Requirements

It is the duty of each employee to report immediately to one's supervisor any incident, injury, or unsafe condition. The supervisor is responsible to correct or sequester unsafe conditions to avoid accidents immediately and to report unsafe conditions to the senior site manager. All work related accidents and injuries must be reported directly to the injured employee's supervisor no matter how minor the injuries may appear. If the injury requires medical attention, the immediate supervisor or the site Human Resources representative should provide the employee with the three (3) approved physicians or medical clinics from which the employee may choose a provider. The diocesan Human Resources Department maintains a list of the acceptable clinics. If the injury is life threatening or appears serious, 911 Emergency Services is to be immediately called. Employees and supervisors must comply with all reporting procedures and timelines required by law and by the workers' compensation insurance carrier.

False or Fraudulent Claims

It is a crime under state law to knowingly file a false or fraudulent claim for workers' compensation benefits.

Policy of Non-Retaliation

The Diocese maintains a strict policy against discharging or threatening to discharge an employee for filing or making known the intention to file a claim for workers' compensation benefits. When an employee is convinced of being discriminated against in violation of this policy, please contact the diocesan Human Resources Department.

SOCIAL SECURITY BENEFITS

The Diocese, under the Federal Insurance Contributions Act, more commonly known as the Social Security Act, is required to deduct a percentage of employee wages, matched with an equal amount paid by the Diocese, to be deposited with the Social Security Administration. A more complete explanation of disability, survivor and retirement benefits provided under Social Security is available from your local Social Security Administration office.



TIME AWAY FROM WORK BENEFITS

The Diocese offers time away from work benefits to facilitate and foster a supportive working environment. The Diocese offers these benefits, many of which are not required by state law. All are subject to eligibility requirements as outlined in this section.

Holiday Leave

Full or part-time employees will receive the following specific holidays off with pay any time they fall on a normally scheduled work day:

- New Year's Eve
- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Good Friday
- Monday after Easter
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve
- Christmas Day

Each calendar year, the Diocese will distribute a schedule of the year's paid holidays. The Diocese retains the right to change the schedule or eliminate paid holidays with or without notice. Paid holidays must be taken when they occur. They do not accumulate or otherwise accrue. The appropriate manager may select an alternate date for a paid holiday when necessary. Employees are required to record holiday leave in the regular timekeeping method in order to be paid. Paid holidays will be pro-rated for part-time employees.

Bereavement Leave

Full or part-time employees may receive up to four (4) days of paid bereavement leave in the event of the death or funeral of a member of one's immediate family (e.g., one's spouse, children, stepchildren, grandchildren, siblings, parents, grandparents, or spouse's parents). Employees are required to record bereavement days in the regular timekeeping method in order to be paid.

Jury Duty

The Diocese encourages employees to fulfill their civic responsibilities by serving on jury duty when the employee is called by the courts. If an employee is called to serve on jury duty for more than three (3) hours on a given day (including travel time) the employee will be excused from work for that day. The Diocese will pay the difference between the employee's straight time regular pay for time actually spent



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on jury duty (including travel time) and the monies paid by the court system. If the employee is called to serve on jury duty for less than three (3) hours (including travel time), the employee should report to work immediately for the remainder of the workday. It is the responsibility of each employee on jury duty to obtain a signed attendance statement verifying the dates of jury service and showing the total amount of compensation received for jury duty, and to submit this statement to the site Human Resources representative.

Employees who receive a summons for jury service are required to take it to their supervisor immediately so that arrangements can be made for the absence.

Vacation Leave

The Diocese provides paid vacation time to all benefit eligible employees with the exception of Catholic schools faculty and administrators who have entered into faculty/administrator employment agreements. In those cases, their agreements will provide the conditions of paid vacation time, if any.

Eligibility

A benefit eligible employee regularly working twenty (20) or more hours per week may apply for accrued vacation days after the first ninety (90) days of employment.

Accrual

Vacation benefits start accruing from the time an employee becomes benefit eligible. Vacation days do not accrue during any leave of absence. Vacation time accrues at a rate of 2.31 (35-hour schedule) or 2.62 (40-hour schedule) hours per week for a total of 17 days each fiscal year. Part-time employees accrue vacation leave based upon the proportion of time worked. Your pay stub will display your accrual rate, hours taken, if any, and your leave balance.

Except in unusual circumstances, you are expected to have already accrued at least the number of vacation hours you wish to take. Absences that will result in a negative balance must be approved in advance by your supervisor.

Accrual Maximum

The maximum accrual that can be carried forward at the end of the calendar year will be one (1) week. Any unused hours over one (1) week will be forfeited at the end of the calendar year. Employees are encouraged to use vacation every year.

If you terminate your employment with a positive accrued vacation balance, you lose the hours and no cash payout will be made. If you terminate employment with a negative balance, the Diocese will deduct the value of the negative balance from your final paycheck to the extent allowed by law.

Requests to Use Vacation Leave

It is required to request vacation time in writing to one's supervisor with sufficient advance notice for planning the work schedule; this may be no less than three (3) weeks prior to beginning the vacation period. Vacation requests will be accommodated taking into account department operations and staffing needs.



Payment

Vacation payment is made based on the vacation time accrued on the day the vacation begins. Employees are required to record vacation leave in the regular timekeeping method in order to be paid. Payment of vacation benefits in lieu of taking time off is normally not permitted. The following are exceptions:

- During leaves of absence: Accrued vacation benefits during any approved leave of absence, in the event of an extended illness, injury, or disability when sick leave is exhausted or in an integrated manner with workers' compensation benefits.
- Transfer or termination of employment: In the event of a transfer to another location, or a reduction of hours that excludes benefit eligibility or terminates employment for any reason, accrued vacation hours will be lost and no cash payout will be made.
- Illness while on vacation: In the event of illness while on vacation incapacitating the employee for three (3) or more days, the employee may request to use accrued sick leave benefits instead of vacation pay. Verification from a healthcare provider must be submitted.

Sick Leave

In order to help reduce the economic hardship benefit eligible employees might face from short-term illness, injury or medical emergencies, the Diocese offers sick leave benefits which may also be used for your medical appointments or for you to accompany members of your immediate household to medical appointments that cannot be scheduled outside of work hours or for medical emergencies. You may use up to one-half of your sick leave days per year to care for an ill child, spouse, parent, or member of your immediate household.

Eligibility

Benefit eligible employees who regularly work twenty (20) or more hours per week may apply for sick leave.

Accrual

Sick leave benefits start accruing from the time an employee becomes benefit eligible. Sick leave days do not accrue during any leave of absence. Sick leave time accrues at a rate of 1.62 (35-hour schedule) or 1.84 (40-hour schedule) hours per week for a total of 12 days each fiscal year with the exception of Catholic schools faculty and administrators who have entered into faculty/administrator employment agreements. In those cases, their agreements will provide the conditions of paid sick time. Part-time employees accrue sick leave based upon the proportion of time worked to a full-time position. Your pay stub will display your accrual rate, hours taken, if any, and your leave balance.

Accumulation Maximum

Sick leave benefits are subject to a maximum accumulation at any time of 65 days. When one reaches this maximum accumulation allotment, one will not accumulate additional sick leave hours or days until the accumulated time has been reduced below the maximum. Because of the interrelationship of sick leave and long-term disability, contact the site Human Resources representative prior to applying for long-term disability.



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Notification of Need for Sick Leave

Employees are expected to notify their supervisor of the need for sick leave as soon as possible on the first day they become ill, usually within thirty (30) minutes of the regularly scheduled start time. Employees must check in with their supervisor on a daily basis whenever possible unless they have notified their supervisor that they will be out for several days or are on an approved leave of absence.

Verification

Employees may only use sick leave benefits in the event of incapacitation or to care for an ill family member. The Diocese reserves the right to require a written statement from a licensed health care provider verifying the need and length of the sick leave if the absence extends longer than three (3) days.

Payment

Sick leave payment is made based on the available sick leave accumulated. Employees are required to record sick leave in the regular timekeeping method in order to be paid. Employees may be paid sick leave for full or partial day increments. Employees may also use available sick leave benefits to supplement state disability or workers' compensation benefits as appropriate. Upon termination of employment, all unused sick leave is forfeited.

Catholic Schools Breaks

School calendars provide several breaks throughout the year when classes are not in session. With the exception of faculty, these breaks are unpaid, unless specifically scheduled as vacation or sick leave.





LEAVES OF ABSENCE

The diocesan employment policy provides eligible employees with periods of absence from work. These include both paid and unpaid leaves of absence. A leave of absence may be granted for time away from work exceeding one (1) week for reasons such as extended injury or illness, child birth, adoption, care of a seriously ill immediate family member, personal necessity, or military services. Employees who leave for unauthorized purposes will be subject to discipline up to and including termination of employment.

Policies Applicable to All Leaves of Absence

Diocesan policy regarding leaves of absence is not intended to expand or diminish federal and state law requirements.

Eligibility

Employees are eligible for a specific leave of absence according to their employment status.

Notification

Employees must request a specific leave of absence through notification to the appropriate supervisor in writing at least 30 days in advance when possible. The following information must be included in the written request:

- the reason for requesting the leave of absence (e.g., for a medical leave), the nature of the medical condition does not have to be identified;
- the anticipated duration of the leave of absence indicating the precise beginning and conclusion; and
- the documentation required for each specific leave of absence as indicated below.

Employees are expected to provide periodic updates to their supervisor regarding the status of their leave of absence. Any change to the duration of the leave of absence must be reported to one's supervisor immediately.

Approval

Subject to any applicable restrictions in the law or these policies, requests for leaves are considered on the basis of various factors, such as benefit eligibility, length of service, responsibility level, reason for the request, needs of the location, and other requirements as listed in this Handbook.

Employee Responsibilities

Failure to comply with the specific requirements of the leave of absence or failure to return to work on the next regularly scheduled workday after the expiration of the leave, implies that the employee has chosen to terminate employment.



Group Health Plan Benefits

The Diocese maintains the group health plan benefits for a limited period of time during an approved leave of absence with the same terms as if one was continuously employed. Refer to the specific leave of absence for additional information. The employee continues to be responsible for the payment of group health plan insurance premiums as follows:

- any share of a premium which was paid prior to taking the leave will continue to be the responsibility of the employee during the leave of absence;
- timely payment of dependent medical premiums during the leave of absence are the responsibility of the employee. Payments must be received by the first of each month in order to ensure continuation of coverage; and
- notification of an increase in insurance premiums will be communicated to the employee who will be responsible to pay his/her share of the premium increase.

Job Protection

Job protection is provided for certain types of leaves by the Family and Medical Leave Act (FMLA) and applicable state mandated leaves of absence. Reasonable efforts will be made to hold an employee's position for the duration of an approved leave of absence not covered by the FMLA, or other state mandated programs.

Pay Status

A leave of absence generally is not paid. Partial salary replacement during a leave of absence may be available. Accrued sick leave first and then vacation leave must be used for the leave of absence.

Benefits

Vacation leave and sick leave benefits do not accrue during a leave of absence. Retirement benefits do not accrue during a leave of absence with the exception of military service leave or FMLA leave, which is applied after the employee returns to work. Employees are ineligible for holiday pay during a leave of absence.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

The Family and Medical Leave Act ("FMLA") provides eligible employees an opportunity to take unpaid, job-protected leave for certain specified reasons. The maximum amount of leave an employee may use is either twelve (12) to twenty-six (26) weeks within a twelve (12) month period depending on the reason for the leave.

Employee Eligibility

Eligibility for FMLA requires the employee:

- work at least 1,250 hours for the Diocese over the twelve (12) months preceding the date leave would commence; and
- be currently working at a location where there are at least 50 employees within 75 miles.



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Conditions Triggering Leave

FMLA leave may be taken for the following reasons:

- birth of a child, or to care or to bond with a newly-born child;
- placement of a child with the employee for adoption or foster care or to care or to bond with the child;
- to care for an immediate family member (e.g., spouse, child or parent) with a serious health condition;
- serious health conditions that render an employee unable to perform his/her job;
- to care for a covered service member with a serious injury or illness related to certain types of military service (see: Military-Related FMLA Leave for more details); or
- to handle specific qualifying exigencies arising from one's spouse, son, daughter, or parent being on duty, under a call or order to active duty in the uniformed services, up to twelve (12) weeks (see: Military-Related FMLA Leave for more details).

The maximum amount of leave that may be taken in a twelve (12) month period for all reasons combined is twelve (12) weeks, with the following exception: for leave to care for a covered service member, the maximum combined leave entitlement is twenty-six (26) weeks, with leaves for all other reasons constituting no more than twelve (12) of those twenty-six (26) weeks.

Definitions

A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that:

- prevents one from performing job functions;
- prevents a qualified family member from participating in school;
- causes an incapacity of more than three (3) full calendar days and two (2) visits to a health care provider; or one (1) visit to a health care provider with a continuing regimen of care;
- causes an incapacity caused by pregnancy or prenatal visits;
- results in a chronic condition;
- results in a permanent or long-term condition; and
- requires absences due to multiple treatments.

Other situations may meet the definition of continuing treatment.

A "covered service member" is a member or veteran of the Armed Forces, including 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.



The term “serious injury or illness” means an injury or illness incurred by the member in the line of duty while on active duty in the Armed Forces that renders the member medically unfit to perform the duties of the member's office, grade, rank, or rating, or a condition that existed before the beginning of active duty and was aggravated by service in the line of duty while on active duty. With regard to veterans, the injury or illness manifests itself before or after the individual assumed veteran status.

“Qualifying exigencies” include activities such as short-notice deployment, military events, arranging alternative childcare, making financial and legal arrangements related to the deployment, rest and recuperation, counseling, and post-deployment debriefings.

Identifying the Twelve (12) Month Period

The Diocese measures the twelve (12) month period in which leave is taken by the “rolling” twelve (12) month method, measured backward from the date of any FMLA leave with the following exception: for leave to care for a covered service member, the Diocese calculates the twelve (12) month period beginning on the first day the eligible employee takes FMLA leave to care for a covered service member and ending twelve (12) months after that date. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within twelve (12) months of the birth or placement.

Using Leave

Eligible employees may take FMLA leave in a single block of time, intermittently (in separate blocks of time), or by reducing the normal work schedule when medically necessary for the serious health condition of the employee or immediate family member, or in the case of a covered service member, his/her injury or illness. Eligible employees may also take intermittent or reduced-scheduled leave for military qualifying exigencies. Intermittent leave is generally not permitted for birth of a child, to care for a newly born child or for placement of a child for adoption or foster care, and must be taken in at least two-week increments. Employees who require intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt their workplace operations.

Use of Accrued Paid Leave

Depending on the purpose of the requested leave, the Diocese may require, or the employee may choose, to use accrued paid leave (e.g., sick leave or vacation leave) concurrently with some or all FMLA leave. In order to substitute paid leave for FMLA leave, the Diocese requires compliance with the normal procedures for the applicable paid leave policy (e.g., call-in procedures or advance notice).

Maintenance of Group Health Plan Benefits

Participants in the diocesan group health plan maintain coverage during the FMLA leave on the same terms as if one had continued to work. If applicable, arrangements can be made to pay one's share of the group health plan premiums while on leave. In some instances, the Diocese may recover premiums it paid to maintain group health plan coverage or other benefits for the employee and his/her family. Use of this leave will not result in the loss of any employment benefit that accrued prior to the start of this leave.



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Notice and Medical Certification

When seeking FMLA leave, the employee must provide:

- thirty (30) days advance notice of the necessity to take FMLA leave, if it is foreseeable, or notice as soon as practical in the case of unforeseeable leave and in compliance with the diocesan normal call-in procedures, absent unusual circumstances;
- medical certification verifying the necessity for leave due to a serious health condition affecting the employee or immediate family member within fifteen (15) calendar days of the diocesan request to provide certification (additional time may be permitted in some circumstances). Failure to provide certification may delay the commencement of leave, withdraw any designation of an FMLA leave, or result in the denial of FMLA leave, in which case the leave of absence would be treated in accordance with standard leave of absence and attendance policies. Second or third medical opinions and periodic re-certifications may be required;
- periodic reports as deemed appropriate during the leave regarding one's status and intent to return to work; and
- medical certification of fitness for duty before returning to work, if the leave was due to a serious health condition. The Diocese requires this certification to verify the ability of the employee to perform the essential functions of the position.

Failure to comply with the foregoing requirements may result in the delay, denial of leave, or disciplinary action, up to and including termination of employment.

Diocesan Responsibilities

To the extent required by law, the Diocese informs employees of their eligibility under the FMLA provisions for leave. When an employee is eligible, additional information required, as well as ones rights and responsibilities, will be furnished by the Diocese. If employees are not eligible, reasons for the ineligibility will be provided by the Diocese. The Diocese will also inform employees when leave is designated as FMLA leave, and note the amount of leave counted against leave entitlement to the extent possible. Notice will be given by the Diocese when the leave is not FMLA protected.

Job Restoration

Upon returning from an FMLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

Failure to Return after FMLA Leave

Any employee who fails to return to work as scheduled after FMLA leave or exceeds the twelve (12) week FMLA entitlement (or in the case of military caregiver leave, the twenty-six (26) week FMLA entitlement), will be subject to the diocesan standard leave of absence and attendance policies. This may result in termination of employment if no other diocesan provided leave is available that applies to a continued absence. Likewise, following the conclusion of FMLA leave, the obligation of the Diocese to maintain group health plan benefits ends.



Fraud

Providing false or misleading information or omitting material information in connection with FMLA leave will result in disciplinary action, up to and including immediate termination of employment.

Employers' Compliance with FMLA and Employee's Enforcement Rights

FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA, or discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

FMLA regulations require that the Diocese advise employees that a complaint may be filed with the U.S. Department of Labor or that they may bring a private lawsuit against their employer.

The provisions of the FMLA do not affect any federal or state law prohibiting discrimination or supersede any state or local law which provide greater rights for family or medical leave.

Limited Nature of This Policy

This policy should not be construed to confer any express or implied contractual relationship or right to any employee not expressly provided for by the FMLA. The Diocese reserves the right to modify this or any other policy as necessary, at its sole discretion to the extent permitted by law. State or local leave laws may also apply.

MILITARY-RELATED FMLA LEAVE

FMLA leave may also be available to eligible employees in connection with certain service-related medical and non-medical needs of family members. There are two forms of such leave. The first is military caregiver leave, and the second is qualifying exigency leave (detailed below).

Military Caregiver Leave

Unpaid military caregiver leave allows eligible employees to care for certain family members who have sustained serious injuries or illnesses in the line of duty while on active duty. The family member must be a "covered service member," which means: (1) a current member or veteran of the Armed Forces, National Guard or Reserves, (2) who is undergoing medical treatment, recuperation, or therapy or, in the case of a veteran, who was a current member of the Armed Forces, National Guard or Reserves within five years prior to the treatment for which an eligible employee requests; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, (3) for a serious injury or illness that may render current member medically unfit to perform the duties of the member's office, grade, rank, or rating. Military caregiver leave is not available to care for service members on a permanent disability retired list.

To be eligible for military caregiver leave, the employee must be a spouse, son, daughter, parent, or next of kin of the covered service member. "Next of kin" means the nearest blood relative of the service member, other than the service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the service member has specifically designated in writing another blood relative as his/her nearest blood



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relative for purposes of military caregiver leave. The employee must also meet all other eligibility standards as set forth within the FMLA leave policy.

An eligible employee may take up to twenty-six (26) workweeks of military caregiver leave to care for a covered service member in a single twelve (12) month period. The “single twelve (12) month period” begins on the first day leave is taken to care for a covered service member and ends twelve (12) months thereafter, regardless of the method used to determine leave availability for other FMLA-qualifying reasons. If an employee does not exhaust his/her twenty-six (26) workweeks of military caregiver leave during this “single twelve (12) month period,” the remainder is forfeited.

Military caregiver leave applies on a per-injury basis for each service member. Consequently, an eligible employee may take separate periods of caregiver leave for each and every covered service member, and/or for each and every serious injury or illness of the same covered service member. A total of no more than twenty-six (26) workweeks of military caregiver leave; however, may be taken within a “single twelve (12) month period.”

Within the “single twelve (12) month period” described above, an eligible employee may take a combined total of twenty-six (26) weeks of FMLA leave including up to twelve (12) weeks of leave for any other FMLA-qualifying reason (e.g., birth or adoption of a child, serious health condition of the employee or close family member or a qualifying exigency). For example during the “single twelve (12) month period,” an eligible employee may take up to sixteen (16) weeks of FMLA leave to care for a covered service member when combined with up to ten (10) weeks of FMLA leave to care for a newborn child.

An employee seeking military caregiver leave may be required to provide appropriate certification from the employee and/or covered service member and completed by an authorized health care provider within fifteen (15) days. Military caregiver leave is subject to the other provisions in our FMLA leave policy (requirements regarding employee eligibility, appropriate notice of the need for leave, use of accrued paid leave, etc.). Military caregiver leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

Qualifying Exigency Leave

Eligible employees may take unpaid “qualifying exigency leave” to tend to certain “exigencies” arising out of the duty under a call or order to active duty of a “covered military member” (e.g., the employee's spouse, son, daughter, or parent). Up to twelve (12) weeks of qualifying exigency leave is available in any twelve (12) month period, as measured by the same method that governs measurement of other forms of FMLA leave within the FMLA policy (with the exception of military caregiver leave, which is subject to a maximum of twenty-six [26] weeks of leave in a “single twelve [12] month period”). Although qualifying exigency leave may be combined with leave for other FMLA-qualifying reasons, under no circumstances may the combined total exceed twelve (12) weeks in any twelve (12) month period (with the exception of military caregiver leave as set forth above). The employee must meet all other eligibility standards as set forth within the FMLA policy.

Persons who can be ordered to active duty include active and retired members of the Regular Armed Forces, certain members of the retired Reserve, and various other Reserve members including the Ready Reserve, the Selected Reserve, the Individual Ready Reserve, the National Guard, state military, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard, Air Force Reserve, and Coast Guard Reserve.



A call to active duty refers to a federal call to active duty; state calls to active duty are not covered unless under order of the President of the United States pursuant to certain laws.

Qualifying exigency leave is available under the following circumstances:

- Short-notice deployment. To address any issue that arises out of short notice (within seven [7] days or less) of an impending call or order to active duty.
- Military events and related activities. To attend any official military ceremony, program, or event related to active duty or a call to active duty status or to attend certain family support or assistance programs and informational briefings.
- Childcare and school activities. To arrange for alternative childcare; to provide childcare on an urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meetings with staff at a school or daycare facility.
- Financial and legal arrangements. To make or update various financial or legal arrangements; or to act as a covered military member's representative before a federal, state, or local agency in connection with service benefits.
- Counseling. To attend counseling (by someone other than a health care provider) for the employee, the covered military member, or for a child or dependent when necessary as a result of duty under a call or order to active duty.
- Temporary rest and recuperation. To spend time with a covered military member who is on short-term, temporary rest, and recuperation leave during the period of deployment. Eligible employees may take up to five (5) days of leave for each instance of rest and recuperation.
- Post-deployment activities. To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to ninety (90) days following termination of the covered military member's active duty status. This also encompasses leave to address issues that arise from the death of a covered military member while on active duty status.
- Mutually agreed leave. Other events that arise from the close family member's duty under a call or order to active duty, provided that the Diocese and the employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

An employee seeking qualifying exigency leave may be required to submit appropriate supporting documentation in the form of a copy of the covered military member's active duty orders or other military documentation indicating the appropriate military status and the dates of active duty status, along with a statement setting forth the nature and details of the specific exigency, the amount of leave needed and the employee's relationship to the military member, within fifteen (15) days. Qualifying exigency leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within the policy should be construed to be inconsistent with those regulations.

MILITARY LEAVE OF ABSENCE

Employees who require time off from work to fulfill military duties will be treated in accordance with applicable requirements of state and federal laws. Employees are required to notify the Diocese of upcoming future military duty by providing their supervisor with a copy of applicable orders as soon as possible. In addition, spouses and immediate family members of military personnel who are home on leave during a period of military deployment may be qualified for up to ten (10) days of unpaid leave.



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Prior to utilizing a military leave of absence, the employee should review the pertinent policies with the site Human Resources representative or the diocesan Human Resources Department.

OTHER LEAVES OF ABSENCE

Other leaves of absences are available. The diocesan Human Resources Department will provide information, as needed, for leaves not enumerated in this Handbook.





RESPONSIBILITIES OF THE DIOCESAN EMPLOYEE

Diocesan employees are in service of the Catholic Church. Therefore, employees are expected to conduct themselves in a manner that is compatible with and supportive of the teachings of the Catholic Church, the Diocese, and in compliance with civil and canon law. Although not all positions within the Diocese require an employee be a baptized practicing Roman Catholic, employment with the Diocese is conditioned upon all employees demonstrating respect for Catholic faith, the mission of the Diocese, and the magisterium of the Catholic Church. As a religious organization, the Diocese retains its right to consider religion as a factor in employment-related decisions.

The following policies provide basic rules that may not be violated under any circumstances. Violation of any of these basic rules, the policies in this Handbook, or any other policy of the Diocese may lead to discipline, up to and including immediate termination of employment. Questions about the basic rules or expectations of employees may be addressed to one's immediate supervisor, senior site manager and/or the site Human Resources representative.

These rules do not alter the "at-will" nature of employment with the Diocese. Both the Diocese and the employee retain the right to terminate employment, at any time, with or without cause or notice.

ABSENTEEISM AND TARDINESS

Each employee is expected to be at his/her workstation on time each day and to remain there throughout the scheduled hours. Absenteeism or tardiness, even for good reasons, is disruptive of operations and interferes with the ability to serve parishes, schools, parishioners, students, clients, and co-workers. Absenteeism or tardiness can result in discipline, up to and including termination of employment.

Employees must personally notify one's supervisor as far in advance as possible when it is foreseen that they will be late or absent from work. It is understood that situations may arise in which prior notice cannot be given. In those circumstances, employees are expected to notify their immediate supervisor as soon as possible and not later than thirty (30) minutes after the employee's start time. The same requirements apply when an employee must leave work early. When absence is due to illness, appropriate medical documentation may be required.

Although employees may be terminated at any time for failing to report to work without contacting the Diocese, if any employee fails to report for work or call in for three (3) consecutive calendar days he/she will be considered to have abandoned his/her job and his/her employment will be terminated.

ALCOHOL AND DRUG-FREE WORKPLACE POLICY

The use of illegal drugs or unauthorized controlled substances or the unauthorized consumption of any alcoholic beverage is strictly prohibited during work hours. The consumption of alcohol by school personnel is strictly prohibited at all times while on duty, whether on or off school premises.

Diocesan employees are prohibited from manufacturing, cultivating, distributing, dispensing, processing or using illegal drugs (including marijuana) or other unauthorized or mind-altering or intoxicating substances while on diocesan properties (including parking areas and grounds), or while otherwise performing their work duties away from the Diocese. Lawful controlled substances which have been illegally or improperly obtained are included in this policy. This policy does not prohibit the possession and proper use of lawfully prescribed drugs taken in accordance with the prescription as long as the employee's performance and concern for the safety of him/herself and others is not impaired.



Employees are also prohibited from having any illegal or unauthorized controlled substances in their system while at work (including marijuana) and from having excessive amounts of otherwise lawful controlled substances in their systems. This policy does not apply to the authorized dispensing or possession of legal drugs where such activity is a necessary part of an employee's assigned duties. Dispensing alcohol, illegal drugs, and otherwise lawfully prescribed drugs without proper medical authorization to students and minors is strictly prohibited and is grounds for immediate termination of employment.

Employees are prohibited from distributing, dispensing, possessing, or using alcohol while at work or on duty. Furthermore, off-duty alcohol use, while generally not prohibited by this policy, must not interfere with any employee's ability to perform the essential functions of one's job.

Notification of Impairment

Employees observing or having knowledge of another employee in a condition which impairs the employee in the performance of his/her job duties, or who presents a hazard to the safety and welfare of others, or who is otherwise in violation of this policy, have the strict responsibility to promptly report that fact to one's immediate supervisor or senior site manager.

Drug and Alcohol Testing

Employees may be required to submit to drug/alcohol screening whenever the Diocese has a reasonable suspicion that they have violated any of the rules set forth in this policy. Reasonable suspicion may arise from, among other factors, supervisory observation, co-worker reports or complaints, performance decline, attendance or behavioral changes, results of drug searches or other detection methods, or involvement in a work related injury or accident.

Additionally, employees in safety sensitive positions or who work directly with students and other minors may be tested on a random basis. Various job classifications are categorically subject to random drug testing to the extent permitted by applicable state and federal laws.

Discipline

Violation of this policy or any of its provisions may result in discipline up to and including termination of employment.

Enforcement of the Alcohol/Drug Free Policy

In order to enforce this policy and its procedures, the Diocese may investigate or cause to be investigated potential violations and require personnel to undergo drug/alcohol screening, including urinalysis, blood tests or other appropriate tests and, where appropriate, searches of all areas of the diocesan physical premises, including, but not limited to work areas, personal articles, employees' clothes, desks, work stations, lockers, and personal and diocesan vehicles. Employees will be subject to discipline up to and including discharge for refusing to cooperate with searches or investigations, to submit to screening or for failing to execute consent forms when required by the Diocese.

When a supervisor or senior site manager has a reasonable suspicion that an employee has violated the substance abuse policy, the supervisor, or designee, may inspect lockers, work areas, desks, purses, briefcases, and other locations or belongings without prior notice in order to ensure a work environment free of prohibited substances. An employee may be asked to be present and remove a personal lock. Locked areas or containers do not prevent the Diocese from searching that area, thus



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employees should have no expectation of privacy for personal belongings brought on diocesan premises. Where the employee is not present or refuses to remove a personal lock, the Diocese may do so for him/her, and compensate the employee for the lock. Any such searches will be coordinated with a representative of management. The Diocese may use unannounced drug detection methods to conduct searches.

Measures Taken for an Employee Testing Positive for Prohibited Substances

Employees testing positive for prohibited substances will be subject to discipline, up to and including termination of employment. Any employee found in possession of controlled substances for distribution and/or sale will be subject to immediate termination of employment.

BACKGROUND SCREENING

The Diocese reserves the right to conduct sufficient background screening including fingerprinting, drug testing and/or credit checks on all applicants and employees. Background screening is viewed as a sound business and safety practice. It is not done as a reflection on the character of any particular employee.

The Diocese requires the effective and prudent practice of background screening of applicants and employees because it:

- ensures employees of the Diocese are qualified with a strong potential to be productive and successful;
- helps the Diocese maintain a safe and productive work environment free of any form of violence, harassment or misconduct; and
- assists in determining one's eligibility for promotion, re-assignment or retention.

The Diocese requires that all employees submit to a safe environment background screening in compliance with the standards of the Department of Justice guidelines for screening of employees working with children, the elderly or dependent adults.

Additional information regarding the diocesan background screening process is available from the diocesan Human Resources Department.

BULLETIN BOARDS

Work locations may maintain bulletin boards as a source of employment related information. A bulletin board is to be used solely to post information approved by the Diocese regarding policies, governmental regulation, and other matters of concern to all employees and related to the employee's employment by the Diocese. No information may be placed on bulletin boards without the prior approval of the site Human Resources representative or senior site manager.

CELLULAR PHONES AND OTHER HANDHELD DEVICES POLICY

Employees are expected to exercise the same discretion in using personal cellular phones and other handheld devices as is expected for the use of all diocesan supplied devices and equipment. These devices are collectively referred to as handheld devices. Personal use of handheld devices during the workday interferes with employee productivity and is distracting to others. Employees should refrain from personal calls and emails, personal text messages, instant messages, Twitter, Instagram, Facebook, and other electronic social media and means of electronic communications during work time. Employees should limit the use of handheld devices for personal use during working hours and ensure



that friends and family members are aware of this policy. Meal and rest periods are appropriate times to take care of personal matters. Flexibility will be provided in circumstances demanding immediate attention. The Diocese is not liable for the loss of personal handheld devices brought into the workplace.

Personal Use of Diocesan Provided Handheld Devices

The Diocese may issue a business-owned handheld device to an employee for work-related communications. These handheld devices must be used in accordance with this policy. The Diocese reserves the right to deduct from the employee's paycheck any charges incurred for unauthorized use of the handheld devices.

Recording Devices

The Diocese prohibits unauthorized photography and audio or video recording of its employees or confidential documents. This prohibition includes the use of cell phones equipped with cameras and audio/video recording capabilities. Employees may not use a cell phone, camera phone, or any other handheld device in a manner that violates the following policies: harassment, safe environment, equal employment opportunity, or any other policy of the Diocese. All employees are strictly prohibited from using personal handheld devices to photograph, video record or otherwise record any minor for any reason. Employees may not use a cell phone, camera phone, or any other handheld device in any way that may be seen as insulting, disruptive, obscene, offensive, or harmful to morale. Employees are strictly prohibited from taking any unauthorized photographs or videos using any handheld device on diocesan premises, including all schools. Employees who violate this policy are subject to discipline, up to and including immediate termination of employment.

Safety Issues for Handheld Devices

Under no circumstances are employees allowed to place themselves or anyone else at risk to fulfill employment requirements. Employees are required to refrain from using their handheld devices while driving in connection with their job duties. All employees driving vehicles are required to pull over to the side of the road and safely stop the vehicle before using handheld devices. If one needs to make a call while driving, one must use a hands-free device in a safe manner that does not impair your driving ability. Employees may not use an electronic wireless communications device to write, send, or read any text-based communication, including text messages, instant messages, and/or email messages while driving.

Employees charged with traffic violations resulting from the use of handheld devices while driving bear sole responsibility for all liabilities that result from such action. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Special Responsibilities for Supervisorial and Managerial Staff

Supervisory and management employees are expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities to comply with this policy.

COMPUTERS, E-MAIL, VOICE MAIL, AND THE INTERNET POLICY

The following policy governs the use of all employer owned computers as well as personal computers used for diocesan business, e-mail and voice mail systems, and internet access via diocesan computers and/or data lines. Personal computers used in working for the Diocese or corresponding entity include



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laptops or home computers that are connected with the Diocese or corresponding entity and/or its network on a regular or intermittent basis. This policy may not be changed except in a written document issued by the Diocese.

Employer provided computers, e-mail and voice mail facilities, and internet access accounts are the property of the Diocese or corresponding entity. Information temporarily or permanently stored, transmitted or received with the aid of employer provided computers, e-mail (including personal password-protected web-based e-mail), and internet remains the sole and exclusive property of the Diocese. Employees are required to know and understand that they have no expectation of privacy in connection with their access and use of such equipment and systems.

Employees should not use or access computers, voice mail, e-mail, or internet systems of the Diocese or corresponding entity in any manner that is unlawful, inappropriate, wasteful of Church resources, or contrary to the best interest of the Diocese and its mission.

Employer Property

All software that is installed on employer-provided computers and personal computers used for diocesan business remains the property of the Diocese and may not be used for any non-business, unlawful, or improper purpose. All data temporarily or permanently received, collected, downloaded, uploaded, copied, and/or created on Diocese or other computers used for diocesan business is subject to monitoring by the Diocese, is the exclusive property of the Diocese and may not be copied or transmitted to any outside party or used for any purpose not directly related to the business of the Diocese. All messages composed, sent or received, including attachments, are and remain the property of the Diocese. They are not the private property of any employee regardless of the intended recipient.

Upon termination of employment, an employee shall not remove any software or data from employer-provided computers and shall completely remove all data collected, downloaded, and/or created on personal computers used for diocesan business that relate in any manner to the diocesan business. Upon request of the Diocese, a terminating employee shall provide proof that such data has been removed from all personal computers used for diocesan business.

Proper Use

Diocesan employees are strictly prohibited from using diocesan computers, e-mail and voice mail systems, internet access accounts, or personal computers used for diocesan business for any improper purpose. The diocesan Equal Employment Opportunity Policy and policy against unlawful harassment and discrimination extend to the use of diocesan computers, e-mail, voice mail, and internet systems and personal computers used for diocesan business. Use of diocesan computers, e-mail, voice mail and internet systems in violation of these policies will subject the offending employee to discipline, up to and including immediate termination of employment.

The following conduct, though not an exhaustive listing, is strictly prohibited:

- transmitting, retrieving, downloading, or storing inappropriate messages or images relating to race, religion, color, sex, national origin, citizenship status, age, disability, or other status protected under federal, state and local laws;
- using diocesan computers, e-mail, and voice mail, and internet systems in any way that violates the policies of the Diocese regarding safe environment, sexual misconduct with a minor, unlawful harassment, and sexual harassment;



- making threatening or harassing statements to another employee, parishioner, or to a vendor, or other outside party;
- altering, transmitting, copying, downloading, or removing any proprietary, confidential, trade secret or other information belonging to the Diocese or to one of its constituents;
- altering, transmitting, copying, or downloading proprietary software, databases and other electronic files without proper and legally binding authorization;
- downloading, transmitting, or retrieving messages from multi-network gateways, real-time data and conversation programs including, but not limited to, instant messaging services (e.g., AOL Instant Messenger and Yahoo Messenger), internet chat rooms, and bulletin boards during work hours, unless such activity is necessary for business purposes;
- using or allowing another individual to use diocesan computers, e-mail, and internet systems for any purpose that damages or jeopardizes the reputation and mission of the Diocese or is detrimental to its interests;
- using diocesan computers, e-mail, or internet systems in any manner that violates the federal Anti-SPAM law;
- violating or failing to comply with any laws applicable to trademarks, copyrights, patents, and licenses to software and other electronically available information;
- sending, receiving, downloading, uploading, or copying software or other copyrighted or otherwise legally protected information through diocesan computers, e-mail, and internet systems without prior authorization;
- soliciting personal business opportunities or conducting personal advertising through diocesan computers, e-mail, or internet systems;
- engaging in gambling of any kind, monitoring sports scores, or playing electronic games through diocesan computers, e-mail, or internet systems;
- engaging in day trading or otherwise purchasing or selling stocks, bonds or other securities or transmitting, retrieving, downloading, or storing messages or images related to the purchase or sale of stocks, bonds or other securities through diocesan computers, e-mail, or internet systems;
- violating the Social Media, Online and Electronic Communication policy.

Unsolicited E-mail

The Diocese complies with the federal "CAN-SPAM" law. All employees are responsible for complying with the federal Anti-Spam regulations and therefore may not use diocesan computers, servers, network, or e-mail system to:

- transmit unsolicited commercial electronic mail promoting diocesan services without prior authorization from the diocesan Director of Communications or other appropriate manager;
- transmit unsolicited commercial electronic mail promoting the employee's personal business, goods, products, and services;
- initiate a transmission of a commercial e-mail message that contains or is accompanied by false or misleading information.



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Diocesan employees are required to refrain from using employer provided computers to access any websites not directly related to diocesan business. Employees are also required to delete unfamiliar or suspicious e-mail messages received from outside the diocesan system without opening the message or downloading any attachments.

Monitoring

Any information created, transmitted, downloaded, received, reviewed, viewed, typed, forwarded, or stored in diocesan computers or personal computers used for diocesan business, or on the diocesan voicemail system may be accessed by the Diocese at any time without prior notice. Employees should not expect any privacy or confidentiality in such data, messages, or information (whether or not password-protected), or that deleted messages are necessarily removed from the system.

To the extent permitted by law, the diocesan monitoring policy may include the physical inspection of an individual's hard drives, memory devices, and handheld devices. The Diocese retains the right to review content passing through the diocesan network, data lines, and other systems, review of personal e-mail (including personal web-based password-protected e-mail) and text messages accessed using diocesan computers and/or diocesan connections; key loggers and other input monitoring mechanisms; and use of screen monitoring software, hardware, and video drives or other lawful monitoring methods.

System Integrity

Employees may not use personal storage devices or copies of software or data in any form on any diocesan computer without both obtaining specific authorization from the appropriate manager and scanning the data for viruses. Any employee who introduces a virus into the diocesan system via use of personal software or data shall be deemed guilty of gross negligence and/or willful misconduct and may be held responsible for the consequences, including cost of repair and lost productivity.

Enforcement

Violations of this policy may result in disciplinary action, up to and including termination of employment. Employees who damage the diocesan computer system through its unauthorized use may additionally be liable for the costs resulting from such damage. Employees who misappropriate copyrighted or confidential and proprietary information, or who distribute harassing messages or information, may additionally be subject to criminal prosecution and/or substantial civil monetary damages.

CHANGES IN PERSONAL INFORMATION

Employees are required to promptly notify the site Human Resources representative of any change of name, address, phone number, number of dependents, emergency contact, or other relevant and pertinent information.

CONDUCT AND BEHAVIOR

Employment related activities must be conducted lawfully, ethically, and morally consistent with the teachings of the Catholic Church and the principles of professionalism, confidentiality, and loyalty. The Diocese does not tolerate unprofessional and disrespectful behavior. Employees failing to observe these standards will be subject to disciplinary action, up to and including immediate termination of employment.



Examples of Unacceptable Conduct

Examples of unacceptable conduct, which may lead to disciplinary action up to and including termination of employment, are provided below, though the list is not exhaustive:

- conduct unsupportive of or conflicting with the teachings and mission of the Catholic Church;
- dishonesty;
- unprofessional or immoral behavior;
- misconduct;
- conduct which does not support or which impedes the pastoral mission of the Diocese;
- commission of a felony or other crime involving violence or moral turpitude;
- criminal conduct whether or not work related;
- actual or threatened physical violence;
- violation of the firearms or weapon's policy;
- possession, distribution, sale, use or being under the influence of alcohol, illegal drugs and other controlled substances while on duty, on diocesan property, or operating a motor vehicle or other potentially dangerous equipment owned or leased by the Diocese;
- unlawful discrimination;
- harassment;
- use of profane, abusive or offensive language;
- sexual abuse of or sexual misconduct with a minor;
- failure to report sexual abuse of or sexual misconduct with a minor;
- inappropriate physical contact with students, parishioners, co-workers, volunteers or clients;
- failure to provide a safe environment for students, employees, volunteers or the public;
- insubordination on work related matters;
- unauthorized disclosure of confidential and/or protected information;
- falsification or material omission on diocesan financial records, student records, sacramental records, employment applications, timesheets, or any other diocesan record.

CONFIDENTIALITY

All records and files of the Diocese and all its locations are property of the Diocese. Unless the records are generally available to the public they are considered confidential. No employee is authorized to copy or disclose any confidential file or record. In the event of doubt regarding the confidential nature of a file or record, one is to consult his/her supervisor. Access to records does not authorize employees to disclose their contents.



CONFLICT OF INTEREST POLICY

Employees are required to behave always in the best interest of the Diocese and the mission of the Catholic Church. Employees are expected to use sound and loyal judgment in the performance of duties and avoid being swayed by personal interests. In the performance of duties as an employee of the Diocese, employees must avoid the fact or the appearance of a conflict of interest.

Conflicts of interest arise when a reasonable person would question whether one's motivations are aligned with the best interest of the Diocese and the people and ministries it serves. Questions of loyalty arise when an employee, in the course of business, uses diocesan information for private gain; becomes involved in activities that are in conflict with the teachings of the Catholic Church; uses spouses or relatives as vendors or suppliers; or accepts commissions, kickbacks, gifts, or gratuities from suppliers. Employees must refrain from involving themselves in such conduct that could result in a conflict of interest or the appearance thereof.

The Diocese recommends that employees be active in their communities and charitable organizations. Generally, volunteer activities do not require prior approval of the Diocese because their goals are not in conflict with the Catholic Church; nevertheless, there are occasions that compromise one's good judgment and prevent an employee from acting in the best interest of the Diocese or create an impression that one is objectively not doing so.

CONFLICT RESOLUTION POLICY

It is the policy of the Diocese to resolve conflicts between and among co-workers fairly and as informally as possible before such conflicts lead to a decay in work relationships, dissatisfaction with working conditions and declining efficiency. The Diocese takes the following steps when dealing with conflicts:

1. Employees in conflict should seek to resolve the matter on their own.
2. If they are unable to resolve the conflict on their own, each has an obligation to bring the matter to the attention of his/her immediate supervisor. When the immediate supervisor is involved in the conflict, the next level supervisor should be notified.
3. If there is no resolution following the meeting with the immediate supervisor or the next level supervisor, the matter should be brought to the attention of the senior site manager and/or the site Human Resources representative.
4. Conflicts involving employees and clergy should also be brought to the attention of the Chancellor for his assistance in the resolution process.

The Diocese strictly prohibits retaliation against any employee for initiating or participating in the conflict resolution process.

COPIERS, SCANNERS, AND FAX MACHINES

Employee use of diocesan copiers, scanners, and fax machines for non-work related purposes must be approved by one's supervisor. Employees may not use these machines for the purpose of transmitting, receiving or copying materials, which may be deemed offensive or insulting or are in conflict with the teachings of the Catholic Church. Receipt of such materials via facsimile transmission, the mail, or from any other source, should be reported immediately to one's supervisor.



COURTESY

All employees are expected to be courteous, polite, and friendly at all times in the performance of their duties. No employee should be disrespectful, use profanity or any other objectionable speech that injures the image or reputation of the Diocese.

DAMAGE TO PROPERTY

Deliberate or careless damage of diocesan property, as well as damage to the property of one's co-workers or client will not be tolerated.

DISCIPLINE

The Diocese addresses matters of discipline on a case-by-case basis in order to determine the best course of action for a particular incident (e.g., verbal and written warnings, probation, suspensions, demotion, and termination of employment). Employment with the Diocese is "at-will" and there is no guarantee that any particular form of discipline will be used prior to termination of employment. The employee or the Diocese may terminate the employment, at any time, with or without advance notice or cause.

DRESS AND PERSONAL APPEARANCE

Diocesan employees are required to use good judgment in their dress and personal appearance. Employees should present a modest and professional image at all times. Employees are required to use good habits of grooming, personal hygiene, and dress that are consistent with the responsibilities of one's position and service to the Catholic Church. Inappropriate attire includes, but is not limited to, jeans, athletic clothing, shorts, flip flops, t-shirts, inappropriate logos, immodest, revealing, and/or provocative attire and other unprofessional items of clothing. Employees who report to work in unacceptable attire may be requested to leave work and return in acceptable attire. Such time away from work will generally be without pay.

EXPENSE REIMBURSEMENT POLICY

Employees will be reimbursed for their reasonable business expenses. The Diocese will reimburse expenses for pre-approved attendance and participation in work related meetings, conferences, and workshops that employees have been requested to attend as part of their employment. If an employee is required to travel in the course of one's job, he/she will be reimbursed for authorized travel expenses. Documentation and receipts are required for reimbursement and must comply with the specific financial policies promulgated by the Diocese.

Employees may use private vehicles to conduct work-related business and may be reimbursed for mileage expenses upon submission of a copy of a valid driver's license, vehicle description, proof of automobile third party liability insurance coverage for bodily injury and property damage, and written approval of one's supervisor. Mileage is compensated at a rate designated by the Diocese for all authorized work-related travel. Transportation between residence and place of work is not reimbursable. When the Diocese or corresponding entity provides a vehicle for work-related use, use of one's personal vehicle will not be reimbursed.

If the Diocese or corresponding entity provides a gasoline credit card, use of the card is limited exclusively to work-related travel expenses. Contact the diocesan Financial Department for further information regarding the expense reimbursement policy.



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FIREARMS AND WEAPONS POLICY

The Diocese values a safe, healthy working environment, and makes adequate provisions for the safety and health of employees, parishioners and the public while on diocesan premises.

All diocesan employees, including those with valid handgun permits, are prohibited from possessing, carrying, trading or showing weapons of any kind, including firearms, fireworks, explosives, ammunition, bows and arrows, knives, etc. while on diocesan premises, or while operating diocesan vehicles or equipment. It is also prohibited to keep weapons in personal vehicles parked on diocesan premises, except in a manner fully compliant with Tenn. Code Ann. § 39-17-1313(a) which provides:

Transporting and storing a firearm or firearm ammunition in permit holder's motor vehicle.

(a) ... the holder of a valid handgun carry permit recognized in Tennessee may, unless expressly prohibited by federal law, transport and store a firearm or firearm ammunition in the permit holder's motor vehicle, as defined in § 55-1-103, while on or utilizing any public or private parking area if:

(1) The permit holder's motor vehicle is parked in a location where it is permitted to be; and

(2) The firearm or ammunition being transported or stored in the motor vehicle:

(A) Is kept from ordinary observation if the permit holder is in the motor vehicle; or

(B) Is kept from ordinary observation and locked within the trunk, glove box, or interior of the person's motor vehicle or a container securely affixed to such motor vehicle if the permit holder is not in the motor vehicle.

(d) A handgun carry permit holder transporting, storing or both transporting and storing a firearm or firearm ammunition in accordance with this section does not violate this section if the firearm or firearm ammunition is observed by another person or security device during the ordinary course of the handgun carry permit holder securing the firearm or firearm ammunition from observation in or on a motor vehicle.

Diocesan premises include any property owned by the diocese, a parish, school, or Catholic Charities.

An employee of the Diocese who violates this policy will be subject to disciplinary action, up to and including termination. Possession of a firearm or ammunition by an employee on diocesan property, including employee vehicles in diocesan parking lots [in a manner not fully compliant with § 39-17-1313(a)] will be grounds for termination.

FRATERNIZATION POLICY

The Diocese does not prohibit consensual relationships between employees that are not in direct conflict with the teachings of the Catholic Church, but it does impose the following restrictions:

- supervisors and managers are forbidden from engaging in amorous or sexual relationships with subordinates; the Diocese requires the supervisor or manager to disclose the existence of such relationship immediately. If such a relationship exists, supervisors and managers are required to take steps to resolve any potential conflict of interest or impropriety created by the relationship;
- employees who have influence or authority over participation in education, ministry, religious, athletic, or community programs offered or sponsored by the Diocese may not engage in amorous or sexual relationships with individuals who are participating or who may wish to participate in such programs;



- lay ministers and counselors are prohibited from engaging in amorous, sexual, or otherwise inappropriate relationships with any co-worker or individual they serve or may be called upon to serve;
- employees are forbidden from engaging in amorous or sexual relationships with other employees that create conflicts of interest, potential charges of sexual harassment, or discord or distractions that interfere with other employees' productivity;
- employees are expected to behave in a professional manner and avoid inappropriate displays of affection, etc., in the work environment.

When the Diocese receives a complaint or has reason to suspect that this policy may have been violated, it will conduct an investigation and take appropriate corrective action. Employees are required to cooperate fully and truthfully in such investigations. Failure to do so will result in disciplinary action up to and including termination of employment. Concealing information or making false or misleading statements in connection with an investigation will result in disciplinary action up to and including termination of employment.

FRAUD, DISHONESTY, AND FALSE STATEMENTS

Employees or applicants may never falsify any application, medical history record, invoice, paperwork, time sheet, time card, investigative questionnaire, or any other official document. Any employee found to have falsified or made material misrepresentations or omissions on these and other official documents will be subject to immediate termination of employment. Employees are required to report any such violations immediately to their supervisor or senior site manager. If the person altering the record is one's supervisor or senior site manager, the incident is to be reported to the diocesan Human Resources Department.

HONESTY

Diocesan policy, in accord with the teachings of the Catholic Church and the precepts of divine law, as well as applicable federal and state law, prohibits employees from making deceitful and disingenuous representations in the course of business. Employees are required to be honest in their dealings with others including supervisors, co-workers, and those served by the Diocese.

ILLEGAL OR IMMORAL ACTIVITY POLICY

Employees may not engage in any kind of illegal or immoral activity which is in contradiction of the faith, teaching and mission of the Catholic Church whether on duty or off the job which reflects detrimentally on the reputation of the Diocese. Violation of this policy is subject to disciplinary measures up to and including termination of employment.

IMMIGRATION LAW COMPLIANCE

All diocesan employees must provide proof of identity and eligibility to work in the United States pursuant to federal rules and regulations regarding immigration.

INSUBORDINATION

Employees must follow the lawful and ethical directions of a supervisor or management official and may not act in an insubordinate manner in any respect. Employees must fully cooperate with investigations of the Diocese into potential misconduct. Refusal to fully disclose information in the course of a



Employee Handbook

diocesan investigation constitutes insubordination and will not be tolerated. Failure to observe these provisions will lead to the application of disciplinary measures up to and including termination of employment.

KEYS AND ENTRY CARDS

A diocesan employee to whom a key and/or entry card is given is responsible for proper use of that key and/or entry card and will be required to sign for it. A lost or misplaced key and/or entry card must be reported immediately to one's supervisor. Duplicating or loaning a key and/or entry card to anyone for any reason is forbidden. All keys and/or entry cards must be returned to the Diocese upon separation from employment. Employees who take a leave of absence must turn in any keys and/or entry cards to their supervisor prior to beginning their leave.

MEETINGS

Individual or staff meetings may be held for the purpose of providing instruction, training, counseling, or to review diocesan operating policies. Employees are required to attend all meetings they are called upon to attend.

MISUSE OF PROPERTY

Employees may not misuse, or use without authorization, equipment, vehicles, or other property of the Diocese, clients, vendors, or other employees of the Diocese.

NEPOTISM (HIRING OF RELATIVES) POLICY

Employment of relatives or others that have the potential to cause problems of supervision, safety, security, appear to be a conflict of interest or negatively affect employee morale are prohibited. Employees may not supervise relatives or have any decision-making power with respect to his/her compensation, performance evaluation, promotion, assignment of job duties/responsibilities, or transfer. An employee may not make an offer of employment to a "relative."

The term "relative" includes but is not limited to both blood and legal relations (e.g., spouses, children, grandchildren, siblings, parents, grandparents, "in-laws," aunts/uncles and "step" relations). The application of this policy is not limited to familial relationships but extends to those personal relationships that the Diocese, in its sole discretion, has determined to result in actual or perceived nepotism or a conflict of interest.

Employment of related parties should be reviewed in advance by the site Human Resources representative to ensure that it is not in violation of this policy.

OFF-DUTY USE OF FACILITIES

Employees are prohibited from remaining on diocesan properties or using these facilities during non-working hours or when not on duty. Employees are expressly prohibited from using these facilities, property or equipment for personal use without appropriate advance supervisory authorization.

OUTSIDE EMPLOYMENT

All outside employment must be disclosed to a senior site manager and the site Human Resources representative in writing. Outside employment may be forbidden when it is determined that it interferes with fulfillment of diocesan employment duties. Additional work creating a potential conflict



of interest, as described in this Handbook, requires advance written approval from the senior site manager.

PARKING

Employees are required to park their vehicles in the areas designated for employee parking.

PERSONAL MAIL

Mail addressed to an employee at work may be opened by office personnel and routed to his/her department. When an employee does not wish to have personal correspondence handled in this manner, it is the responsibility of the employee to provide it being delivered elsewhere. Postage meters and diocesan letterhead may not be used for personal correspondence.

PERSONAL VISITS

Personal visits by friends or relatives during work hours generally are prohibited. Non-business related visits from friends or relatives should be limited to meal or rest periods and notification to one's supervisor. Non-employees generally are not permitted in restricted areas.

RECORDS RETENTION POLICY

The Diocese retains records in accordance with civil and canon law. Questions regarding records retention should be directed to one's supervisor and/or the diocesan Office of the Chancellor.

REFERENCES AND VERIFICATIONS OF EMPLOYMENT

Responses to post-termination of employment inquiries into a former employee's work history by potential future employers will be limited to the dates worked for the Diocese and the position(s) held. Any such inquiries must be forwarded or referred to the diocesan Human Resources Department.

SAFETY

Employees are urged to follow common sense safety practices and correct or report any unsafe conditions to their supervisor. Employees shall be instructed regarding the diocesan injury prevention program. Employees are to assist the Diocese in maintaining safe working conditions. All accidents, including those that do not involve serious injury, must be reported immediately to one's supervisor.

SOCIAL MEDIA, ONLINE AND ELECTRONIC COMMUNICATION POLICY

Employees should refer to the full version of the Diocesan Social Media, Online and Electronic Communication Policy that was signed upon employment for more detailed policies and procedures. Violation of this policy will result in disciplinary action up to and including termination of employment.

Diocesan employees must conduct themselves in a professional manner and exercise good, sound and moral judgment when using social media, social networking sites, and/or blogs. Employees are strictly prohibited from:

- listing their employee e-mail addresses or employer issued phone numbers unless the social media, social networking site, or blog is used solely for diocesan business and has been authorized by the employee's senior site manager;
- using any social media, social networking, blogs, or other forms of online publishing or discussion activities while on diocesan time, property, or business except if it is being done for diocesan business and with the written permission of the employee's senior site manager;



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- posting any material that is obscene, vulgar, defamatory, threatening, discriminatory, harassing, abusive, or hateful to another person or entity or in contradiction of the teachings of the Catholic Church;
- posting or using a picture or likeness of a student, parishioner, volunteer, co-worker, manager, supervisor, client, or vendor without that individual's express advance permission; and
- engaging in activity that reflects or may reflect negatively on the Catholic Church, the Diocese, its affiliates, employees, parishioners, students, clients, volunteers, or others served or contains any content prohibited by the diocesan policies and procedures or which contradicts the teachings of the Catholic Church.

Employees engaging in use of social media, social networking, and blogging activities are subject to all of the diocesan policies and procedures, including but not limited to the diocesan policies on safe environment and child and youth protection; protecting the confidentiality of diocesan information and personnel, safeguarding diocesan property, the prohibition against unlawful discrimination and harassment, and the use of the diocesan electronic systems.

The Diocese judiciously uses social media in limited circumstances for defined business and ministry purposes. Social media is a set of internet tools that aid in the facilitation of interaction between people online. Use of internet based programs such as Facebook, LinkedIn, and Twitter (this is not meant to be an exhaustive list) for business and ministry purposes must be carefully assessed. Employees should consult with their supervisor and/or the diocesan Office of Communications with specific questions about which programs the Diocese deems to be social media that may be used in furtherance of diocesan goals. Employees are required to obtain written authorization from their supervisor in order to use internet based programs to perform job duties. Authorization is limited to business and ministry purposes. Personal use of these tools during work hours is prohibited and can result in discipline up to and including termination of employment.

Employees are expected to remain respectful of the Church, the Diocese, managers, supervisors and co-workers, the diocesan services, affiliates, parishioners, students, clients, volunteers, and others we serve and shall not post any material that is obscene, vulgar, defamatory, threatening, discriminatory, harassing, abusive, hateful or embarrassing to another person or entity, and shall not engage in activity that reflects or may reflect negatively on the Catholic Church, the Diocese, its affiliates, employees, parishioners, students, clients, volunteers, and others we serve or contains any content prohibited by the diocesan policies and procedures and the teachings of the Catholic Church.

Employees should have no expectation of privacy while using online social media, social networking sites, and/or blogs while at work, on the diocesan networks or internet programs or using diocesan equipment. Employees should expect that any information created, transmitted, downloaded, exchanged, or discussed in online media, social networking sites and/or blogs may be accessed by the Diocese at any time without prior notice. Employees are personally responsible for the commentary they express and the material they post while engaging in online social networking and blogging activities.

Violations of this policy may result in disciplinary action, up to and including termination of employment.

SOLICITATION AND DISTRIBUTION

Employees are prohibited from making solicitations, advertising, and distributions in the workplace that interfere with normal operations or are deemed inappropriate by the Diocese.



THEFT

The Diocese reserves the right to inspect all purses, briefcases, packages, lockers, and vehicles on diocesan property. If employees must remove diocesan property from the premises, they must obtain written permission in advance from his/her supervisor.

TOBACCO FREE AND SMOKE FREE FACILITY

The use of all tobacco products is prohibited in diocesan buildings and vehicles as well as school parking areas and grounds. Employees who wish to smoke must limit their smoking to meal periods. Smoking is only permitted in designated outdoor smoking areas, away from entrances, exits and areas that are visible to children.

UNAUTHORIZED INTERVIEWS

Employees are not permitted to participate in interviews or questioning, not previously authorized, involving individuals not employed by the Diocese. Employees questioned about the Diocese or its current or former employees are to refer all such questions to the senior site manager.

The senior site manager will determine the advisability of granting an interview. Employees are also required to advise their supervisor immediately when they are aware of an unauthorized interview in progress.

All media requests for interviews should be referred to the diocesan Director of Communications.

USE OF EMPLOYEE IMAGE OR LIKENESS

The Diocese retains the right to photograph, audio/video record, film or broadcast gatherings in public places of worship or education, meetings, and social events. Employees may also be photographed or subjects of audio/video recording, filming, or broadcasting without prior notification. The Diocese may use its previously acquired photographs, film, or audio/video recordings in any form or in any medium for advertising and/or promotion of the mission of the Diocese.

Employees may request in writing to their supervisor that they do not wish to be photographed, filmed, broadcast, or audio/video recorded. Employees are not required to indicate a reason for their request. Such requests will not have an adverse effect on their employment.

WORK AREAS

Work areas must be maintained in a clean, healthy, and orderly fashion to prevent unsafe working conditions, potential accidents, and to maintain an orderly appearance in the Diocese. It is each employee's responsibility to ensure that his/her work area is clean, orderly, and presentable at the completion of each scheduled work shift and to maintain a presentable work area throughout the day.

WORKPLACE VIOLENCE ZERO-TOLERANCE POLICY

The Diocese does not tolerate violent acts or threats of violence against its employees or those served by the Diocese. All reported threats of violence will be thoroughly investigated. Those reporting these incidents may do so confidentially when circumstances permit. Weapons of any kind are strictly prohibited (unless the employee strictly complies with the Firearms and Weapons Policy). Acts of violence and threats of violence by an employee are grounds for immediate termination of employment, including discussions of the use of dangerous weapons, even in a joking manner.



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An employee who is the victim of or threatened with violence by a co-worker, customer or vendor, or is aware of another individual who has been the victim of or threatened with violence, is to immediately report this information to his/her supervisor as soon as possible. Law enforcement shall be called upon as deemed necessary for safety and protection.





SAFE ENVIRONMENT FOR CHILDREN AND YOUTH POLICY

POLICY AGAINST SEXUAL MISCONDUCT WITH MINORS

Sexual misconduct with minors is both a sin and a crime. The Diocese strictly prohibits inappropriate contact with minors. The Diocese will take appropriate decisive action on all accusations of sexual misconduct with minors in accordance with the applicable provisions of civil and canon law. Credible evidence of sexual misconduct with minors is grounds for immediate termination of employment and the appropriate authorities will be notified.

CMG Connect is a web-based platform that will assist us to ensure that all employees are trained to recognize behavior patterns of potential abusers and provide pro-active measures for preventing abuse in any context.

All employees, clergy, contracted school personnel, volunteers, members of groups and organizations over the age of 18 who work, volunteer or participate in any capacity are required to complete the Diocesan Safe Environment training and background check before they may begin employment, volunteer or participate with ministries, groups and organizations. In addition, the mandatory renewal training must be completed every five (5) years and a new background check submitted before the five (5) year expiration of prior training.

The Diocese of Knoxville Safe environment compliance training and renewal training is a condition of employment and for volunteering in the Diocese of Knoxville. Contact your Safe Environment Coordinator for information or the diocesan Human Resource Office.

Every employee of the Diocese is to receive a copy of the *"Policy and Procedures Relating to Sexual Misconduct."* Employees are expected to know this policy and abide by it whether they are a "mandated reporter" under state law or not. Failure to abide by any part of the diocesan Policy and Procedures Relating to Sexual Misconduct is grounds for immediate termination of employment.

SAFE ENVIRONMENT FOR CHILDREN AND YOUTH

The Bishop has committed his diligent efforts and faithful vigilance to the protection of children, youth, and dependent adults in the Diocese and to following the mandates of the June 2011 *United States Conference of Catholic Bishops Charter for the Protection of Children and Young People and Essential Norms*. Policies and procedures safeguarding youth are in place and it is the responsibility of each employee to strictly follow them as well as to immediately report any violation that one may observe or otherwise witness. A copy of the USCCB Charter is provided to each employee. The Charter may be accessed online at <http://www.usccb.org/issues-and-action/child-and-youth-protection/charter.cfm>.

PURPOSE OF OUR SAFE ENVIRONMENT POLICY

The purpose of this policy is to apply the laws of Church and state in these matters to this Diocese, doing all that is possible to create a safe environment within this Diocese for children and youth. This is a specific commitment of the United States Conference of Catholic Bishops, reprised in its 2011 document, *"The Charter for the Protection of Children and Young People"* (the "Charter") as well as the commitment of Bishop Richard F. Stika to protect children, youth and dependent adults in this Diocese.

The "Charter" requires that "Diocese/eparchies are to maintain 'safe environment' programs which the diocesan/eparchial Bishop deems to be in accord with Catholic moral principles. They are to be conducted cooperatively with parents, civil authorities, educators, and community organizations to provide education and training for children, youth, parents, ministers, educators, volunteers, and others about ways to make and maintain a safe environment for children and young people. Dioceses/eparchies are to



make clear to clergy and all members of the community the standards of conduct for clergy and other persons in positions of trust with regard to children.”

This policy is the fulfillment of the commitment and stated requirements of the “Charter” stated above for this Diocese.



Employee Handbook

POLICY

Any and all forms of conduct, as defined in the “Charter,” constituting sexual misconduct with minors is strictly prohibited. All inappropriate contact with minors is prohibited. Diocesan employees are prohibited from taking vacations, trips, and outings alone with non-relative minors whom they have been employed to teach, counsel, minister, direct, guide, supervise, or otherwise serve. No diocesan employee is to participate in field trips or other outings with minors without parents or additional authorized adults being present with appropriate consent forms having been submitted.

Diocesan employees in positions of trust with minors are to be trained regarding the prevention and identification of sexual abuse of minors, as well as responding to and reporting suspected cases of sexual abuse of minors. Some employees are considered “mandated reporters” in law. They are responsible for following the reporting procedures outlined in the Diocesan Reporting Requirements below.

For purposes of this policy, the term “sexual misconduct” refers to any conduct contrary to the teachings of the Catholic Church regarding the sixth commandment of the Decalogue as well as those matters specifically covered in pertinent legislation of state, civil and criminal law. Such misconduct includes, but is not limited to, sexual abuse, sexual assault, sexual battery, sexual exploitation, sexual molestation, and sexual harassment. Physical, verbal, written, telephonic, electronic, internet, text messaging, e-mail, voicemail, and other forms of social media attempts at such conduct are also included in this definition.

Failure to strictly abide by this policy is grounds for immediate termination of employment and the civil authorities will be notified. The full policy and procedures relating to sexual misconduct may be accessed online at <http://dioknox.org/creating-a-safe-environment/>.

DIOCESAN REPORTING REQUIREMENTS

All diocesan employees, “mandated reporters” or not, having knowledge of or possessing a reasonable suspicion of an incident of sexual misconduct with a minor by anyone (e.g., clergy, non-ordained religious, lay personnel or volunteer of the Diocese or someone not employed by the Diocese) shall comply with all applicable state reporting requirements. This includes notifying law enforcement and providing an immediate report of the incident to one’s senior site manager or the diocesan Human Resources Department. The incident must also be promptly and thoroughly reported to the diocesan Office of Child Protection. The “mandated reporter” is always responsible for filing a report. Supervisors and administrators may not impede or inhibit this reporting in any way.

Mandatory Child Abuse Reporting Requirements

All diocesan employees are responsible for compliance with Tennessee laws on mandatory reporting of child abuse and child sexual abuse. Please refer to the following website to find detailed information from the Tennessee Department of Children’s Services on how to identify and report child abuse and child sexual abuse: <http://www.tn.gov/youth/childsafety.htm>.

The following is a summary of key provisions of Tennessee law on mandatory reporting of child abuse and child sexual abuse.

Who Must Report

Tennessee law mandates reporting by any person who has knowledge of physical or mental harm to a child if: (1) the nature of the harm reasonably indicates it was caused by brutality,



abuse, or neglect; or (2) on the basis of available information, the harm reasonably appears to have been caused by brutality, abuse, or neglect.

Tennessee law also mandates reporting by any person who knows or has reasonable cause to suspect that a child has been sexually abused, regardless of whether it appears the child has sustained an injury as a result of the abuse.

The Tennessee mandatory reporting laws define a child as a person under 18 years of age.

How to Report

Call 911 if the situation is a life threatening emergency. In other cases, a report of child abuse or child sexual abuse must be made immediately to one of the following four authorities:

- The Tennessee Department of Children's Services (reports can be made by calling the Central Intake Child Abuse Hotline at 1-877-237-0004);
- The sheriff of the county where the child resides;
- The chief law enforcement official of the city where the child resides; or
- A judge having juvenile jurisdiction over the child.

Criminal Penalties for Failure to Report

Any person who knowingly fails to make a report of child abuse as required by Tennessee law commits a Class A misdemeanor.

Any person who knowingly and willfully fails to report known or suspected child sexual abuse, or who knowingly and willfully prevents another person from doing so, commits a Class A misdemeanor.

BACKGROUND SCREENING AND FINGERPRINTING

Adult employees of the Diocese having "regular and consistent" contact with children are subject to a criminal background check including a fingerprinting process. The Diocese is to be provided with subsequent arrest notification for all employees for the duration of employment with the Diocese.

It is the responsibility of the Safe Environment Custodian of Records at each corresponding entity to coordinate the fingerprinting and background check process with the employee. The corresponding entity is responsible for the expenses of these reports for employees and may also cover the expenses for volunteer reports.

Employees and applicants subject to this screening process may not work with or be around minors until successful completion of the screening process allowing them to work. Any employee or applicant subject to this policy refusing to be fingerprinted will not be employed.

SAFE ENVIRONMENT TRAINING

Safe Environment training must take place within thirty (30) days of employment.

The following is a partial list of employees and volunteers required to complete Safe Environment training:

- all individuals employed or volunteering in a Catholic school;



Employee Handbook

- parish directors/coordinators of religious education;
- youth Ministers;
- directors of Children's Liturgy of the Word and volunteers;
- directors of Catechumenate for children, all aides and volunteers;
- catechist for Catechumenate for children;
- catechist aides;
- volunteer catechists;
- volunteer facilitators, leaders, and aides;
- religious education/youth ministry office volunteers;
- parish business managers;
- parish secretaries/bookkeepers;
- parish office volunteers, unless not working with children/youth;
- parish janitors, maintenance, handy workers, gardeners;
- child care providers;
- altar server trainers/coordinators and assistants/sacristans;
- full-time/part-time liturgy, music, choir directors;
- quinceanera coordinators;
- Boy Scout/Girl Scout leaders;
- drivers and chaperones;
- coaches and assistant coaches of youth sports;
- Youth and Dependent Adult camp or day care counselors; and
- in-home classes' facilitators including the principal adult occupants of the home.

The diocesan Office of Child Protection may require other employees not listed above to complete Safe Environment training.

The diocesan Office of Child Protection is the appropriate office to provide additional information and answers to specific questions regarding this policy. Given the serious nature of these matters, employees should report their suspicions even when in doubt.



SEPARATION AND TRANSITION

Employment with the Diocese is “at-will” and may last for an unspecified duration. The Diocese or the employee can terminate employment with or without demonstrating cause or providing advance notice. The Diocese intends the transition process to be as smooth as possible for both the employee and the Diocese when employment is terminated either by voluntary resignation or by action of the Diocese.

VOLUNTARY RESIGNATION

When an employee decides to resign voluntarily from employment with the Diocese, the following steps will provide for a smooth and orderly transition and to protect one’s earned benefits and rights.

Notice of Resignation

Employees are expected to provide the Diocese with at least two (2) weeks written notice of resignation. During this period, the employee is responsible for returning diocesan property in their possession or for which they have been responsible.

Exit Interview

An employee terminating employment with the Diocese may be required to participate in an exit interview conducted by the employee’s immediate supervisor, the site Human Resources representative, or senior site manager.

Bridged Service

When an employee returns in ninety (90) days or less to resume employment with the Diocese, the original date of hire will be reinstated. An employee returning to work after ninety (90) days or more from the date of termination is considered a new hire.

TERMINATION OF EMPLOYMENT BY THE DIOCESE

All employees of the Diocese are “at-will” employees. The Diocese therefore may terminate its employees with or without cause. Nevertheless, some causes for termination of employment by the Diocese include but, are not limited to, poor job performance or misconduct; likewise, staff reductions necessitated by economic, organizational, or other factors are among those circumstances motivating termination of employment.

FINAL PAYCHECK

On termination of employment, the employee will receive all wages due for work completed through the last day worked. The final paycheck will be administered in strict compliance with FLSA and state laws and regulations.

TERMINATION OF BENEFITS

Health Insurance

Health plan coverage (medical, dental, vision) terminates on the last day of the month during which termination of employment occurs.



Employee Handbook

Continuation of Coverage

Individuals (employees and their dependents) participating in the diocesan group health plan may, under certain qualifying events (e.g., termination of employment, employee's death), continue their group health plan coverage (medical insurance only). It is important to note that the Diocese has not opted to implement the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) legislation, which exempts church organizations, but rather has opted to offer employees the opportunity to elect group health plan continuation coverage as a diocesan personnel practice. The diocesan group health plan continuation provisions differ considerably from federal COBRA legislation continuation coverage provisions. Employees should contact their site Human Resources representative or the diocesan Human Resources Department if they wish to elect continuation of coverage.

Long-term Disability Insurance

Long-term Disability insurance coverage terminates on the last day of employment.

Life Insurance

Life insurance coverage terminates on the last day of the month during which termination of employment occurs.

Accidental Death and Dismemberment Insurance

Accidental Death and Dismemberment insurance coverage terminates on the last day of employment.

403b Retirement Savings Plan

Employees no longer working for the Diocese may roll their plan over into another qualified Retirement Savings Plan or receive distributions from their retirement savings plan account. To begin the rollover or distribution process, employees must contact Wells Fargo at 866-640-5138.

Lay Employee Retirement Pension Plan

Employees will be entitled to a deferred vested benefit, if they have completed at least three (3) or more years of Vesting Service when employment ends. Payment of benefits will ordinarily begin on the employee's normal retirement date; however, the employee may elect to have a deferred vested benefit begin on the first day of any calendar month that coincides with or follows the date he/she reaches age 65. To begin the distribution process, employees must contact the diocesan Human Resources Department.

Vacation Leave

Unused vacation leave is forfeited at the time of termination of employment.

Sick Leave

Unused sick leave is forfeited at the time of termination of employment.



RETURN OF DIOCESAN PROPERTY

The employee and his/her supervisor are obliged to verify the return of all badges, keys, entry cards, cellular phones and other electronic devices, equipment, documents, and other diocesan property prior to the end of the employee's last day of work.



GO FORTH TO LOVE AND SERVE THE LORD

This Handbook highlights diocesan employee opportunities and responsibilities. It is intended to be a guide to one's successful future here. By always keeping the contents of this Handbook in mind, employees will be successful in their partnership with the Diocese in advancing the mission of the Catholic Church.

All employees must sign the following Employee Handbook Receipt and Acknowledgement form and provide it to their supervisor. Employees should retain a copy of the form for themselves.



EMPLOYEE HANDBOOK RECEIPT AND ACKNOWLEDGEMENT

EMPLOYEE HANDBOOK

I have received a copy, or elected to view a copy on-line, of the Employee Handbook for the Diocese. I understand this Handbook contains important information regarding policies as well as my privileges and obligations as an employee. I agree to read this Handbook within ten (10) days of receipt and to contact my supervisor, senior site manager, site Human Resources representative, or the diocesan Human Resources Department with questions I may have regarding the provisions contained in the Employee Handbook.

I acknowledge that it is my responsibility to read and become familiar with this Handbook and I agree to request clarification of any provision that I do not understand. If I elected to view the Handbook on-line, I understand I may request and keep a printed copy at any time. I further agree to follow all of the policies in the Handbook and any subsequent policies or policy changes communicated to me either verbally or in writing.

_____ Please initial to indicate you have read, understand, and agree.

AT-WILL EMPLOYMENT

I understand and agree that my employment at the Diocese is not for a fixed period of time, and that my employment can be terminated at the will of either myself or the Diocese at any time, with or without notice, and with or without cause.

I understand and agree that there are no agreements between anyone at the Diocese and me contrary to my at-will status. I further understand and agree that no senior site manager of the Diocese is authorized to alter my "at-will" status. The authority to modify "at-will" status of my employment must come directly from the Bishop (or his designee), and only in writing signed by either the Bishop (or his designee) and me. I understand and acknowledge that I should neither assume nor imply any promise of employment for any specified period of time except through such a signed writing. This "at-will" statement sets forth the entire agreement between the Diocese and me regarding the circumstances under which my employment may be terminated.

_____ Please initial to indicate you have read, understand, and agree.

HOURS WORKED

I understand that I am not to engage in any "off-clock" work, as that term is defined in the Employee Handbook. I further understand that it is my responsibility to verify that the hours recorded on my timesheets are a true and correct representation of the hours I have actually worked. I understand that if I feel the hours recorded in the computer system are different than the hours I actually worked, I must bring this to the immediate attention of my supervisor or the diocesan Human Resources Department.

_____ Please initial to indicate you have read, understand, and agree.

CONFIDENTIALITY

I understand and agree that information obtained in the course of employment, that is not generally available to the public, is considered confidential and should not be disclosed to anyone not authorized by the Diocese or who does not have a legal right to know.

_____ Please initial to indicate you have read, understand, and agree.

ILLEGAL OR IMMORAL ACTIVITY POLICY

Employees may not engage in any kind of illegal or immoral activity which is in contradiction of the faith, teaching and mission of the Catholic Church whether on duty or off the job which reflects detrimentally on the reputation of the Diocese. Violation of this policy is subject to disciplinary measures up to and including termination of employment.

_____ Please initial to indicate you have read, understand, and agree.

Name (Please Print Clearly)

Employee's Signature

Date

cc: Employee File