



CODE OF MINISTERIAL CONDUCT

DIOCESE OF WORCESTER

Revised April 2021

INTRODUCTION

Bishops, priests, deacons, religious, seminarians, pastoral ministers, administrators, lay employees, officers, directors, trustees, members, and volunteers (collectively, "Church Personnel") in our parishes, agencies, schools and organizations sponsored by the Diocese of Worcester ("Diocese") must uphold Christian values and are responsible for complying with (i) all applicable federal and Massachusetts laws, rules and regulations, (ii) the Code of Canon Law, (iii) this Code of Ministerial Conduct ("the "Code") and (iv) all other applicable policies of the Diocese. The Code provides a set of standards for conduct in certain situations and is designed to deter wrongdoing and to promote honest and ethical conduct.

The public and private conduct of Church Personnel can inspire and motivate people, but that conduct can also scandalize and undermine people's faith. Church Personnel must at all times be aware of the responsibilities that accompany their work. The faithful discharge of these responsibilities requires constant and prayerful reflection since all of us must be sustained by God's goodness and grace.

Responsibility for adherence to the Code is not optional and rests with each individual. Church Personnel who disregard or violate the Code will be subject to remedial action. This action can take several forms, from an oral or written warning, to canonical penalties, to removal and termination of employment or services, depending on the nature and circumstances of the offense.

GENERAL PRINCIPLES OF ETHICS AND INTEGRITY

As representatives of the Diocese and regardless of the pressures inherent in conducting Church affairs, all Church Personnel must act responsibly and in a manner that will reflect favorably on the Diocese. Accordingly:

- Church Personnel will conduct themselves in a manner that is consistent with the teachings of the Roman Catholic Church as enunciated by the Holy Father and the Bishops in communion with him; more specifically, Church Personnel shall, in all such matters, accept, rely upon and defer to the teaching authority of the Bishop in all matters of faith and morals.
- Church Personnel will exhibit the highest Christian ethical standards and personal integrity.
- Church Personnel will continually and objectively examine and evaluate their own actions and intentions to ensure that their behavior promotes the welfare of the Diocese

and exemplifies the moral traditions of the Church.

- Church personnel will always be in compliance with applicable law.
- Church Personnel will establish clear, appropriate boundaries with anyone with whom they have a ministerial, business, professional or social relationship.
- Church Personnel will provide an environment that is free from physical, psychological, sexual, emotional, written or oral intimidation or harassment.
- Church Personnel will conduct their relationships with others in a manner that is free of deception, manipulation and/or exploitation.
- Church Personnel will not take unfair advantage of a counseling relationship for their personal benefit.
- Church Personnel will not use their position to exercise unreasonable or inappropriate power, influence or authority.
- Church Personnel are never to offer or accept inducements or gratuities that can subject them or the Diocese to criminal or civil penalties.

- Personal loans from the Diocese to any committee or board members are strictly prohibited.
- Church Personnel may never authorize payment knowing that any part of the payment will be used for any purpose other than what is described in documents supporting the payment.
- Church Personnel will be responsible stewards of the resources, human and financial, of the Diocese, observing both canon and civil law, and making decisions concerning the disposition of resources that reflect Catholic social teaching.
- Church Personnel will not make false accusations against another or reveal the faults and failings of others to anyone who is not in a position that necessitates a need to know.
- Church Personnel will share concerns about suspicions of inappropriate behavior with the appropriate supervisory or management representative.

STANDARDS FOR WORKING WITH MINORS AND VULNERABLE ADULTS

A. ESTABLISHING APPROPRIATE CONDUCT WITH MINORS AND VULNERABLE ADULTS

Church Personnel working with minors and vulnerable adults must be aware of their own vulnerability and that of any minor or vulnerable adult with whom they may be working. Church Personnel should avoid situations where they are alone with a minor or vulnerable adult. When it is not feasible to have another individual present Church Personnel should meet with the minor or vulnerable adult in as public a place as possible, such as a room with the door open or with a clear window in the door.

Church Personnel are prohibited from speaking to minors or vulnerable adults in a way that is or could be construed by any observer as being threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Church Personnel are expected to refrain from using profane language in the presence of minors or vulnerable adults and must never use any discipline that frightens or humiliates minors or vulnerable adults. Church Personnel are prohibited from using physical discipline including but not limited to spanking, slapping, hitting, or any other physical force. If a minor or vulnerable adult exhibits uncontrollable or unusual behavior, Church Personnel should notify

the appropriate supervisor and a parent or guardian of the minor or vulnerable adult.

Church Personnel must not use or supply alcohol (excepting sacramental wine in Mass) and/or illegal or recreational drugs when working with minors or vulnerable adults or while participating in a youth activity. Moreover, Church Personnel must not be under the influence of alcohol or marijuana or impairing drugs (including prescription medication not used as directed) while working with minors or vulnerable adults.

Church Personnel must not provide any sexually explicit, inappropriate, or offensive material to minors or vulnerable adults. Church Personnel are prohibited from possessing or viewing any sexually oriented or morally inappropriate websites such as pornography or viewing or sending such electronic mail messages/texts on church property or in the presence of minors or vulnerable adults.

Church Personnel are prohibited from engaging in any sexually-oriented conversations with minors or vulnerable adults. However, it is expected that from time to time youth ministry and educational lessons and discussions for teenagers may address human sexuality issues related to dating and sex. Moreover, it is expected that minors or vulnerable adults may raise issues relating to sexuality during counseling sessions or during confession. Lessons and counseling must convey the Church's teaching on these topics. If those being taught have further questions not answered or addressed, they should be referred to their parents or guardians for clarification or counseling. In addition, Church Personnel are prohibited from discussing their own sexual orientation, activities, practices, or history with minors or vulnerable adults.

B. MAINTAINING APPROPRIATE BOUNDARIES

Physical contact with minors or vulnerable adults beyond a handshake or a "high-five" can be misconstrued and should not occur except under appropriate public circumstances. The following are examples (not an exclusive list) of behavior in which Church Personnel should never engage with minors and vulnerable adults: Inappropriate or lengthy embraces; kisses on the mouth; holding minors on the lap; intentionally touching bottoms, chests, legs or genital areas; showing affection while in an isolated location; wrestling, tickling or giving piggyback rides; giving massages; or paying compliments that relate to physique or body development.

Church Personnel must not go on vacations or overnight trips with minors or vulnerable adults other than their own children unless another adult is present. They must not share beds with minors or vulnerable adults other than their own children nor share sleeping quarters with minors or vulnerable adults except when necessary and when another adult is present. Church Personnel must not provide overnight accommodations in rectories or other personal residences for minors or vulnerable adults unless they are accompanied by a parent or legal guardian. Church Personnel should never be nude in the presence of minors or vulnerable adults in their care and should avoid situations where minors or vulnerable adults are nude while in their care. If monitoring is necessary, two or more adults should be present at all times. Changing and showering facilities or arrangements for adults should be separate from facilities or arrangements for minors or vulnerable adults. If there are not separate facilities, then times should be posted to reserve facilities for adults separate from minors and vulnerable adults.

C. SUPERVISING PROGRAMS INVOLVING MINORS OR VULNERABLE ADULTS

Parents are encouraged to be a part of any and all services and programs in which their children are involved in the Diocese. Parents have an open invitation to observe programs and activities in which their children are involved. However, parents who wish to participate actively in their child's programs (e.g. chaperones or drivers) will be required to participate in Safe Environment Training and submit to a C.O.R.I. review.

At the close of services or activities, Church Personnel should release minors or vulnerable adults in their care only to parents, legal guardians, or other person(s) designated by parents or legal guardians. In the event that Church Personnel are uncertain of the propriety of releasing a minor or vulnerable adult, they should immediately locate or contact their supervisor before releasing them.

Minors or vulnerable adults should never be transported without written permission from a parent or guardian. Church Personnel should transport minors and vulnerable adults directly to their destination and no unauthorized stops should be made. Church Personnel must require all minors and vulnerable adults to wear seatbelts or, when appropriate, be strapped into car seats.

D. USE OF SOCIAL NETWORKING IN MINISTRY

Social networking sites (e.g., Facebook, LinkedIn, etc.) should be used for effective communications for ministry and education rather than for befriending people or socializing. Every effort must be made to provide a safe and secure environment and these sites are not recommended for groups that include students younger than high school age. See Guidelines for the Use of Social Networking in Parish Programs for further details.

STANDARDS FOR INTEGRITY IN MINISTRY

SEXUAL CONDUCT

Church Personnel must not exploit the trust placed in them by the faith community. Church Personnel who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.

Those who provide pastoral counseling or spiritual direction services must avoid developing inappropriate relationships with minors or vulnerable adults, other staff, or parishioners. Church Personnel must behave in a professionally supportive manner at all times. Church Personnel shall never exploit another person for sexual purposes.

Allegations of sexual misconduct will be taken seriously and reported to the appropriate civil and ecclesial authorities according to the policies and procedures of the Diocese. Church Personnel should review and understand the contents of the child abuse regulations and reporting requirements for the Commonwealth of Massachusetts and should follow those mandates.

HARASSMENT

Church Personnel must not engage in physical, psychological, written, or verbal intimidation or harassment of any person at any time.

Church Personnel must not engage in sexual harassment or any inappropriate behavior of a sexual nature toward any person.

Church Personnel must not discriminate against any individual on the basis of race, color, national origin, gender, religion, sexual orientation, age, physical or mental disability, pregnancy, or military or

veteran status, except where such status is a legitimate occupational qualification in accordance with civil and Church law.

While it is not possible to list all behavior that is considered to be harassment or sexually inappropriate, prohibited conduct includes, but is not limited to: slurs, epithets, derogatory comments; unwelcome jokes, comments, and teasing; inappropriate physical contact or gestures; sexual advances and emphasis on sexual or racial identity; displaying written materials, pictures, or other items that are offensive or sexually suggestive; viewing sexually suggestive or otherwise inappropriate written materials, websites, electronic mail messages, or other items while on Church property or while performing duties or engaged in ministry for the Church; other conduct that has the purpose or effect of unreasonably interfering with an individual's performance at work or creates an intimidating, hostile, or offensive working environment.

Harassment can occur as a result of a single severe incident or a pattern of conduct that results in the creation of a hostile, offensive, or intimidating work environment. Harassment can be indirect and can take place even when the offender does not intend to offend, intimidate, or otherwise do harm. Whether conduct is considered to be harassment is based, in part, on whether a reasonable person under the circumstances would view the conduct as creating a hostile, offensive, or intimidating work environment.

Church Personnel are required to report harassment, including sexual harassment, in accordance with the reporting policy contained in this Code. Church Personnel are prohibited from retaliating against individuals who make good faith reports of harassment.

STANDARDS FOR SPIRITUAL AND PASTORAL RELATIONSHIPS

RESPECTING THE RIGHTS AND WELFARE OF THOSE COUNSELED

Church Personnel who conduct counseling for families, individuals or groups must respect the individual rights of those counseled and work to advance the welfare of each person.

Church Personnel providing counseling are expected to avoid situations in which conduct in fact

or in appearance takes advantage of anyone in order to further the personal, religious, political, or business interests of the provider.

Church Personnel shall not overstep their competence in counseling situations and shall refer to other professionals when appropriate. Professional services offered by Church Personnel must not be beyond those dictated by their training and/or certification from a recognized professional association of peers or licensure from the Commonwealth of Massachusetts.

MAINTAINING APPROPRIATE BOUNDARIES

Church Personnel shall set, communicate, and maintain clear, appropriate boundaries in all counseling and counseling-related relationships.

Church Personnel must never engage in sexual intimacies with those they counsel. This includes consensual sexual contact, forced sexual contact, and sexually explicit conversations not related to counseling issues.

Church Personnel shall not engage in sexual intimacies with counselee's relatives, friends or other individuals close to the counselee. Church Personnel should presume that a potential for exploitation or harm exists in such intimate relationships.

Physical contact with the counselee can be misconstrued. Great care should be taken in any physical contact beyond a handshake.

Sessions should be conducted in appropriate settings at appropriate times and should not be held at places or times that would tend to cause confusion about the nature of the relationship for the counselee. No sessions should be conducted in private living quarters. Church Personnel should keep a log of the times and places of sessions with each counselee.

CONFIDENTIALITY

Many people who come to the Church for help expect that Church Personnel will refrain from disclosing personal and sensitive information they share with Church Personnel. Church Personnel therefore must maintain their confidentiality, except as required by law or as set forth in the paragraphs below.

Church Personnel must comply with all reporting requirements mandated by Massachusetts law and the reporting requirements contained in the Policies and

Procedures for the Protection of Children and Youth regarding the reporting of sexual abuse of a minor.

In accordance with Canon Law the sacramental seal of confession is inviolable, and it is absolutely forbidden for a confessor to betray the confidence of a penitent in any way or for any reason. This is applicable whether the penitent is living or dead. Violation of the sacramental seal of confession is considered a grave delict (a serious crime) against Canon Law.

Information obtained in the course of counseling sessions shall be confidential, except as required by law, or as required by the reporting requirements in the Policies and Procedures for the Protection of Children and Youth or as required by this Code. Church Personnel are also bound to safeguard the confidentiality of any notes, files, or computer records pertaining to professional contact with individuals to the extent consistent with the obligation to report abuse or prevent harm or as required by Massachusetts law.

All records and information of the Diocese ("Diocesan Information") are considered confidential. Therefore, Church Personnel must treat all Diocesan Information accordingly. No Diocesan Information, including, without limitation, documents, notes, files, records, oral information, computer files or similar materials may be removed, copied, or forwarded from the premises of the Diocese without permission from an appropriate supervisory or management representative or except in the ordinary course of performing duties on behalf of the Diocese.

CONFLICTS OF INTEREST

Church Personnel have special positions of trust, loyalty, and fiduciary responsibility to the Diocese, its parishes, and its members. Church Personnel are expected to act in the best interests of the Diocese and the entity they serve and respect the confidentiality of information gained in the course of performing duties on behalf of the Diocese. Church Personnel are expected to avoid advising on matters in which a conflict of interest may exist in fact, appearance, or both.

All Church Personnel must adhere to the Diocese's Conflict of Interest Policy.

VIOLATIONS OF THE CODE

REPORTING ETHICAL OR PROFESSIONAL MISCONDUCT

All Church Personnel are required to report any reasonably perceived violation of: (a) this Code; (b) Diocesan personnel policies; (c) Diocesan financial policies, including questionable or improper accounting or auditing matters; as well as gross mismanagement, waste, fraud, embezzlement, neglect of duty; and actions that threaten or are viewed as harmful to the health, safety and welfare of others and any other financial, legal or canonical concerns (hereinafter collectively referred to as "Concerns").

Reports of Concerns should be made to the pastor and/or principal related to the concern or to the Diocesan Vicar General (508-929-4345), and/or the Chancellor (508-929-4313). Reports made to pastors and principals are to be copied to the Vicar General and the Chancellor. All Concerns are to be reported as soon as possible. Reports of Concerns should include all relevant information about the suspected act, including any material evidence that exists.

Anyone reporting a Concern must act in good faith and have reasonable grounds for believing the information disclosed is reliable. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from their position with the Diocese. Such conduct may also give rise to other actions, including civil lawsuits.

Reports of Concerns, and investigations pertaining thereto, shall be kept confidential when permitted by law, consistent with the need to conduct an adequate investigation. Disclosure of Reports of Concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of the violator's position with the Diocese. Such conduct may also give rise to other actions, including civil lawsuits.

Church Personnel may confront an ethical issue where this Code or any other policy of the Diocese does not expressly provide an answer. Individuals should notify their appropriate supervisory or management representative or Diocesan Vicar General, and/or the Chancellor.

The Diocese prohibits retaliation against Church Personnel who, in good faith, report or participate in the investigation of any Concerns. If any Church Personnel believe that they or others are the subject of retaliation for reporting Concerns or participating in an investigation, he or she must report it to the Vicar General and/or the Chancellor.

All Church Personnel must cooperate completely in any investigation relating to the Diocese and must be

truthful at all times. Church Personnel may never interfere with or obstruct an investigation conducted by the Diocese or any government agency. In addition, Church Personnel may never disclose or discuss an investigation with unauthorized persons.

All reported violations of this Code will be investigated by the appropriate authority.

LEGAL NOTICE

This Code is not an employment contract. Adherence to the standards of the Code is, however, a condition of continued employment or other service to the Diocese. This Code does not give Church Personnel rights of any kind and may be changed by the Diocese at any time without notice.

Failure to comply with any responsibilities established by this Code may result in disciplinary action, up to and including termination of employment or service, as the case may be, as appropriate, and may also require restitution or reimbursement from the Church Personnel involved and referral of the matter to government authorities under the guidance of the Bishop, the Vicar General, the Chancellor or their respective delegate.

Decree

In the Name of God

Whereas the *Charter for the Protection of Children and Young People* issued by the United State Conference of Catholic Bishops stated that in each diocese/eparchy "there will be clear and well-publicized diocesan/eparchial standards of ministerial behavior and appropriate boundaries for clergy and any other church personnel in positions of trust who have regular contact with children and young people." (Article 6)

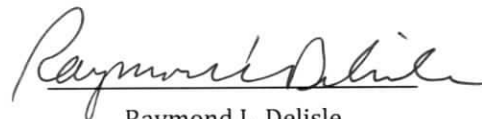
Whereas on October 11, 2005 I decreed the *Code of Ministerial Conduct* as particular law for the Diocese of Worcester, and I decreed the *Revised Code of Ministerial Conduct* on August 1, 2011;

I hereby promulgate this *Second Revision of the Code of Ministerial Conduct* as particular law for the Diocese of Worcester, effective March 1, 2021,
in accord with canons 8, §2 and 9 and 381, §1 and 391, §§ 1-2 of the Code of Canon Law.

Given at the Chancery of the Diocese of Worcester,
this first day of March in the Year of Our Lord, two-thousand twenty-one.



Most Reverend Robert J. McManus, S.T.D..
Bishop of Worcester



Raymond L. Delisle
Chancellor