

# CATHOLIC DIOCESE *of* RALEIGH

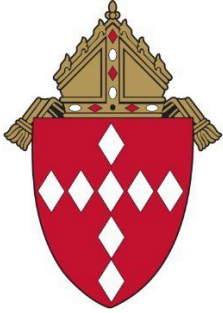
## Employee Handbook

Revised July 22, 2024

A handwritten signature in blue ink that reads "+ Luis R Zarama".

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† Luis Rafael Zarama, J.C.L.  
Bishop of Raleigh



# CATHOLIC DIOCESE *of* RALEIGH

Dear Brothers and Sisters in Christ,

Greetings in the Lord! I wish to thank you for joining me in service to the people of the Diocese of Raleigh. No matter where we serve, our goal is to share the Gospel of Jesus Christ, building up the Kingdom of God in our midst and accompanying each other on this pilgrimage of life.

In this handbook, you will find the various responsibilities and expectations of the Diocese and its employees. It is our hope that this will give you the tools you need to do your ministry and work well, while informing you of the policies and procedures of our Diocese and various ministries.

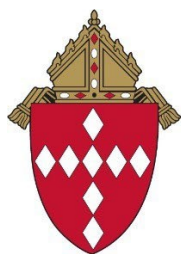
The offices in the Catholic Center exist to assist our priests, principals, teachers, parish, and school staff members, and all who are involved in our various ministries and organizations. If you have any questions, recommendations, or concerns about anything related to your work or the Diocese, please do not hesitate to contact the Human Resources Department.

More than anything, please know how grateful I am for your presence among us, and how honored I am to serve alongside you. Let us serve with humility, joy, and the blessed assurance that we are doing the work of the Lord!

In Christ,

A handwritten signature in blue ink that reads "Luis R. Zarama". The signature is written in a cursive style and is underlined.

† Luis Rafael Zarama, J.C.L.  
Bishop of Raleigh



# CATHOLIC DIOCESE *of* RALEIGH

## Employee Handbook

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## INTRODUCTORY STATEMENT

This handbook is designed to acquaint employees with the Roman Catholic Diocese of Raleigh and provide them with information about working conditions, employee benefits, and many of the policies affecting their employment. Employees must read, understand, and comply with all provisions of this handbook. It describes many of the responsibilities of an employee and outlines the programs developed by the diocese to benefit employees. One of the diocese's objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or policy question. As the diocese continues to grow, the need may arise to change the policies described in the handbook. The diocese, therefore, reserves the right to revise, supplement, or rescind any policies or portion of the handbook at any time as it deems appropriate, in its sole and absolute discretion. Employees will be notified of such changes as they occur.

Employees must sign and return the receipt of the handbook form.

## DEFINITION OF UNIVERSAL AND LOCAL POLICIES

Note that each policy has a (U) or an (L) after the name of that policy. The policies with a (U) are universal policies and apply to all employees. Policies with an (L) are local policies and are designed primarily for employees of the Catholic Center. By default, policies marked with an (L) are to be utilized by parishes, schools, and agencies, unless they are modified, depending on local practice.

**Pastors and Principals must notify the diocesan Director of Human Resources if they decide not to adopt any local policies, or if they wish to adopt them with modification. If the Director of Human Resources is not notified, it will be understood that the local policies have been adopted by the parish, school, or agency.**

Parishes and schools must refrain from rewording or restating diocesan policies within their own handbooks to eliminate risk of inadvertently altering the meaning or application of the policy.

Please see the pastor, pastoral administrator, principal, or director, if there is a question regarding local practices in following the policies marked with an (L).

# **BEGINNING EMPLOYMENT**

## **Nature of Employment (U)**

This handbook is intended to provide employees with a general understanding of the diocese's employment policies. Employees are required to familiarize themselves with the contents of this handbook, for it will answer many common questions concerning employment with the diocese. However, it is important to remember that this handbook cannot anticipate every situation or answer every question about employment.

Nothing in this handbook alters the employment-at-will relationship. Employees may be terminated at any time, with or without cause and with or without notice. The diocese retains the right to establish, change, and delete its policies, practices, rules, and regulations at any time. The only recognized deviations from the stated policies are those authorized in writing by the bishop.

## **Equal Employment Opportunity (U)**

The diocese is strongly committed to providing a work environment that is free from harassment, discrimination, and inequality. The diocese recruits, hires, compensates, trains, promotes, disciplines, and terminates employees without regard to race, age, sex, national origin, citizenship, marital status, veteran's or other military status, disability, or genetic information.

The diocese values each employee and strives to make employment at the diocese enjoyable and satisfying. As part of this commitment, the diocese will not tolerate any form of discrimination or harassment toward employees, applicants, vendors, or visitors. Everyone should be treated equally and with respect regardless of race, age, sex, national origin, citizenship, veteran's or other military status, disability, or genetic information.

The diocese will be proactive in monitoring our employment practices and policies on an ongoing basis. The diocese expects employees to be aware of their work environment as well and to be sensitive and respectful to all individuals around them. If an employee is subject to, or witnesses discrimination or harassment, they must contact their manager or diocesan Human Resources immediately.

Clergy, principals, and supervisors are required to immediately report any knowledge or awareness of discrimination to diocesan Human Resources.

Note: The Equal Employment Opportunity Act of 1972 expanded Title VII's coverage to include both public and private educational institutions. It did, however, grant exemption to religious institutions, including religious educational institutions. The exemption applies only to positions that pertain to carrying on the religious activities of the institution or where faith and worship participation are required as essential for fulfilling the position. Religion is a bona fide occupational qualification in those circumstances that involve religious activities and hiring an individual on the basis of religion, in that circumstance, is permitted.

If further clarification of this policy is required, contact diocesan Human Resources.

### **Employment Reference Checks (U)**

To ensure that individuals who join the organization are well-qualified and have a strong potential to be productive and successful in a specified role, it is the policy of the diocese to check the employment references of all individuals before the start of employment.

If an employee/candidate has worked for another location within the diocese, the pastor or hiring manager should reach out to the former supervisor.

All requests for information about current or former diocesan employees from potential outside employers should be referred to diocesan Human Resources. Responses to such requests will confirm only dates of employment and position(s) held. Requests for wage and salary information must be accompanied by written authorization by the former employee.

### **Employment Applications (U)**

The diocese relies upon the accuracy of information contained in the employment application as well as the accuracy of other data presented throughout the hiring process. The diocese reserves the right to verify all information given. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the diocese's exclusion of the individual from further consideration for employment or, if the person has been hired, may result in disciplinary action up to and including dismissal.

### **Disclosure of Previous/Current Diocesan Employment (U)**

Upon application to any agency of the diocese, employees must disclose whether they are currently, or ever have been, an employee of another agency of the diocese. This includes parishes, schools, early childhood centers, Catholic Charities, The Foundation, and its initiatives. Failure to do so may affect benefits status and/or hiring potential.

### **Criminal Background Checks (U)**

The diocese has established uniform policies and procedures regarding criminal background information checks to review the fitness of all employees.

Any individual who accepts a paid position with a diocesan parish, school, or agency will be required to submit to a criminal background check. Criminal background checks will be conducted at regularly scheduled intervals every five years on all current staff as a condition of their continued work on behalf of the agencies, parishes, and schools of the diocese.

An individual may not begin work as an employee until their background check has been successfully completed and approved by either the Office of Child and Youth Protection or diocesan Human Resources.

If criminal background information is revealed for any new or current employee, that information shall be referred to the Office of Child and Youth Protection for review and consultation with the diocesan Director of Human Resources. The diocesan Director of Human Resources will make a final determination as to whether a position will continue to be made available to the individual.

Although the diocesan Director of Human Resources is responsible for making the final decision as to whether a person will continue to be employed in that position, the director may consult with the pastor and/or principal or agency director and other appropriate diocesan executive staff members as necessary.



### **Employment of Minors (U)**

The diocese may only employ individuals aged 18 years and older. Those under the age of 18 cannot be employed in any capacity or for any duration (including part-time and summer employment) nor may they be paid via stipend for any work performed.

The two primary reasons for this restriction are that criminal background checks cannot be completed on individuals under the age of 18 and that two-deep adult supervision would likely need to be maintained at all times, which is not possible under many work circumstances, in keeping with the charter of the US Conference of Catholic Bishops (USCCB).

### **Employment of Relatives (U)**

Relatives of persons currently employed by the diocese may be hired provided no direct reporting or supervisor-to-subordinate relationship exists. That is, no employee is permitted to work within “the chain of command” when one relative’s work responsibilities, salary, hours, career progress, benefits, or other terms and conditions of employment could be influenced by the other relative. The reporting relationship is not to be manipulated so that the chain of command is circumvented to eliminate one relative reporting to another.

To ensure the correct implementation of this policy, when a family member is hired, no matter for what position, the diocesan Director of Human Resources must approve the hire.

For the purposes of this “Employment of Relatives” policy only, a relative is defined to include spouses, parents, grandparents, children, siblings, nieces, nephews, stepsiblings, brothers- and sisters-in-law, fathers- and mothers-in-law, stepparents, stepbrothers, stepsisters, and stepchildren, and family members otherwise considered *in loco parentis*.

### **Immigration Law Compliance (U)**

In accordance with the Immigration Reform and Control Act of 1986, the diocese employs only those individuals who are authorized to work in the United States. All individuals who are offered employment are required to submit documentary proof of their identity and employment authorization within three business days of the first day worked. Individuals to whom an offer has been made will be required to complete, and sign under oath, U.S. Citizenship and Immigration Services Form I-9. This form requires that employees attest that they are authorized to work in the job for which they have been hired and that the documents submitted to establish this right are genuine.

The diocese participates in E-Verify, a system that compares information from an employee’s I-9 to data from US Department of Homeland Security and Social Security Administration records to confirm employment eligibility.

Employees authorized to work in the U.S. for a limited time must maintain their legal status and will be required to update their Form I-9 with appropriate documentation before the expiration of the authorized employment period. Regardless of one’s citizenship status, the diocese is an Equal Opportunity Employer and does not discriminate on the basis of national origin or citizenship.

**Outside Employment (U)**

An employee may hold a job with another organization, provided they satisfactorily perform their job responsibilities with the diocese to the standards and expectations of the role. All employees will be judged by the same performance standards and will be subject to the diocese's scheduling demands, regardless of any existing outside work requirements.

If the diocese determines that an employee's work is not being performed satisfactorily or the outside employment is affecting the employee's ability to meet the requirements of the diocese as they are modified from time to time, the employee may be asked to terminate the outside employment if they wish to remain employed with the diocese. Outside employment will present a conflict of interest if it has an actual or potential adverse impact on the diocese.

## **DURING EMPLOYMENT**

### ***EMPLOYEE CONDUCT AND DISCIPLINARY ACTION***

#### **Attendance and Punctuality (U)**

To maintain a productive work environment, the diocese expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the diocese.

Subject to approved leaves of absence and other approved accommodations, employees are expected to attend work on all days on which they are scheduled to work. An employee must give their supervisor as much notice as possible when they realize that they will be absent or arriving later than their scheduled arrival time. Failure to notify one's supervisor in a timely fashion may result in disciplinary action.

Employees must contact their supervisors directly and, in any event, no later than their scheduled report time.

Acceptable forms of communication of tardiness or absence are limited to the following: text, phone call, voice mail, or email. Unless there are extreme circumstances, notice from an employee's family member or friend will not be accepted. Repeated unexcused tardiness, with or without notice, is unacceptable and will result in disciplinary action up to and including dismissal.

An absence for more than three consecutive days without notification to an employee's supervisor may constitute abandonment of that employee's position or may be considered a voluntary resignation without notice.

#### **Personal Appearance (U)**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the professional image employees present to visitors. During work hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

Appropriate professional attire is the norm that is expected for all employees.

Employees should consult their supervisors or department heads if they have questions as to what constitutes appropriate attire.

#### **Sexual and other Unlawful Harassment (U)**

A cornerstone of diocesan philosophy is based upon a fundamental commitment to treating employees with dignity and respect. An atmosphere of tension created by unwelcome non-work-related conduct or comments, including ethnic, racial, sexual, or religious remarks, animosity, unwelcome sexual advances, or requests for sexual favors or other such conduct does not belong in our workplace and will not be tolerated. Such conduct will result in disciplinary action, up to and including dismissal.

Harassment of employees or applicants by other employees, agents of the diocese, or third parties is prohibited. Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of the individual's race, color, religion, sex, national origin, age,

veteran's or other military status, disability, or that of the individual's relatives or associates, and:

- Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise adversely affects the individual's employment opportunities.

Harassing conduct includes, but is not limited to the following:

- Epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts, that relate to race, color, religion, sex, national origin, age, veteran's or other military status, or disability; or
- Written or graphic materials that denigrate or show hostility or aversion toward an individual or group because of race, color, religion, sex, national origin, age, veteran's or other military status, or disability and are placed on walls, bulletin boards, desktops, or elsewhere on diocesan premises or in the workplace.

All individuals in supervisory roles have the explicit responsibility to prohibit and prevent the occurrence of harassment and to take immediate action to correct any harassment of which they become aware.

While all forms of harassment are prohibited, the diocese wants to especially emphasize that sexual harassment is a violation of state and federal law and diocesan policies. Sexually harassing conduct that interferes with an individual's job performance, creates an intimidating, hostile, or offensive work environment, or is the basis of any term or condition of employment, regardless of the source, is illegal and will not be tolerated. This includes, but is not limited to, the following:

- Unwelcome sexual flirtations, advances, propositions, or attention (such as jokes);
- Verbal comments of a sexual nature, no matter what the context;
- The display of sexually suggestive objects or pictures;
- Retaliation against an employee(s) for complaining about behavior related to sexual harassment; and
- Employment decisions such as advancement, compensation, or any other condition of employment based on refusal to condone any form of sexually harassing behavior.

### ***Handling a Harassment Grievance***

In the event an employee feels any form of harassment has taken place, the diocese will make every effort to resolve the situation as quickly as possible. The following are guidelines for the resolution of these issues:

Any employee with a grievance or observation of harassment should raise the issue with management so appropriate action may be taken. Employees may initiate a grievance by following the appropriate chain of command, as follows:

- Contact their supervisor;
- Contact their department head;
- Contact any supervisor outside of the chain of command in whom they have confidence, if the situation involves an individual in the chain of command; or

- Contact the diocesan Director of Human Resources.

In no instance is any employee required to report harassment to the harasser. No one shall be punished for bringing an issue to management's attention in good faith, even if the employee does not have all of the facts. Investigations of harassment complaints will be kept confidential to the extent possible, subject to the diocese's obligation to fully investigate the complaint and remedy any harassment.

No employee will be retaliated against for complaining in good faith about harassment or for participating in the investigation of any complaint of harassment. Retaliation should be reported to HR immediately. Retaliation is a serious violation of this policy and will lead to disciplinary action, up to and including dismissal.

Any determined violation of the stated Harassment Policy is subject to disciplinary action, up to and including dismissal.

### **Threatening or Violent Behavior (U)**

No employee, including supervisors, executives, or clergy, shall be allowed to harass any other employee or member of the general public by exhibiting behavior including, but not limited to, the following:

- Verbal threats toward persons or threats to damage property;
- Verbal intimidation or exaggerated criticism; or
- Any physical assault such as hitting, pushing, kicking, restraining, impeding, or blocking the movement of another person.

The prohibitions apply not only to the workplace during work hours, but also to all work-related social functions, whether on or off diocesan property, and also to work-related travel and electronic media including e-mail, social media, and voice mail.

Under no circumstances are the following items permitted on diocesan property, including parking areas: all types of firearms; air guns; switchblade/automatic knives and knives with a blade longer than five inches; dangerous chemicals; explosives including blasting caps, chains and other objects used for the purpose of injuring and/or intimidating.

Employees, without fear of reprisal, have the responsibility to bring any form of intimidation, threats, or harassment to a member of management's attention. Upon knowledge or request, the diocese will investigate the circumstances and review the results of the investigation with the person making the complaint.

Disciplinary action, up to and including dismissal, will be taken against any employee engaging in harassment, threats directed at other employees, or behavior of a threatening, violent, or intimidating nature.

The diocese reserves the right to involve law enforcement in the resolution of a threatening situation and may find it necessary to obtain legal restraining orders to prevent individuals from coming onto diocesan property.

### **Solicitation (U)**

Persons not employed by the diocese may not solicit or distribute literature or any other items in the workplace at any time for any purpose.

The diocese recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty). In addition, the posting of written solicitations on bulletin boards or common areas is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- Employee announcements
- Internal memoranda
- Job openings
- Organization announcements
- Payday notice
- Workers' compensation insurance information
- State disability insurance information
- Federally or state-mandated postings

### **Meeting Emergency Childcare Needs (L)**

In the case of an emergency situation, such as an unexpected school closing, or last-minute daycare problems, the employee may remain home, without loss of pay, for up to two days, to care for their child. The employee's supervisor must recommend approval to the department head. It is the responsibility of the employee to make the necessary provisions for the child following the emergency. Children are not to be brought to the workplace for more than a brief visit.

It should be underscored that this policy is for emergent, one-time situations only and should not be abused. Should there be any questions regarding this policy, employees should contact their department head or the diocesan Director of Human Resources.

### **Business Ethics (U)**

Employment by the diocese carries with it a responsibility to be constantly aware of the importance of ethical conduct. Employees must refrain from taking part in or exerting influence in any transaction in which their personal interests may conflict with the business interests of the diocese.

Exactly what constitutes a conflict of interest or an unethical business practice is both a moral and a legal question. The diocese recognizes and respects the individual employee's right to engage in activities outside of their employment that are private, in nature, and do not in any way conflict with or reflect poorly on the diocese.

Management reserves the right, however, to determine when an employee's activities represent a conflict of interest and may take whatever action is necessary to resolve the situation – including disciplinary action up to and including dismissal.

It is not possible in a general policy statement of this sort to define all the various circumstances and relationships that would be considered unethical.

The list below suggests some of the types of activities that would reflect negatively on an employee's personal integrity or that would limit their ability to discharge job duties and responsibilities ethically:

- Simultaneous employment by another organization if the other organization is a competitor or supplier;
- Carrying on diocesan business with an organization in which the employee, or a close relative of the employee, has a substantial ownership or interest without proper bidding process;
- Holding a substantial interest in, or participating in the management of, a firm from which the diocese makes purchases;
- Sales of outside products at the workplace (e.g., cookies, wrapping paper, popcorn); or
- Personal interest: business/products as part of vending to parish or school without proper bidding process.

An employee should notify their supervisor before accepting any gift(s) from vendors or potential vendors that exceed a cash value of \$50. If an employee has any influence on transactions involving purchases, contracts, or leases, they must disclose to their supervisor, as soon as possible, the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

### **Intellectual Property (U)**

Intellectual property is a valuable asset of the diocese. Intellectual property includes patents, copyrights, trademarks, domain names, confidential information, business methods and processes, computer software, written materials (including paper or electronic form), inventions, graphics, photographs, audiovisual works (including audio files, videos, slideshows, etc.) and communications networks and information systems.

All inventions, works and other intellectual property conceived in the course of employment with the diocese on diocesan premises or with the use of diocesan equipment, data, or property or which are within the scope of the diocese's interests, are the exclusive property of the diocese and all rights therein are waived by the employee. Employee acknowledges and agrees that the diocese shall be entitled to all of the benefits, profits, or other interests arising from or incidental to all of employee's work and services for the diocese, and any such works prepared by employee, to the extent applicable, shall be deemed to be "works made for hire." In the event that any such works are later deemed not to be works made for hire, the employee shall assign and hereby does assign, to the diocese all rights, title, and interest in and to any and all ideas, trade secrets, inventions, patent rights, trademark rights and copyrights, together with all goodwill associated therewith, that employee may conceive, develop, or acquire while an employee of the diocese that are reasonably related to the business or activities of the diocese.

Upon announcement of resignation, employees shall not delete nor destroy documents/files created while employed by the diocese.

Employees found to be destroying intellectual property may be subject to disciplinary action up to and including dismissal.

Employees are prohibited, during their employment and thereafter, from divulging the diocese's proprietary or confidential information and intellectual property such as inventions and strategic plans without written permission from the diocese.

Employees are prohibited from seeking or applying for a patent or asserting other types of protection of intellectual property, in relation to an invention, work, or other intellectual property developed by them or conceived during or after working hours in the course of their function with the diocese, or which is within the purview of the diocese's interests. Moreover, employees should not make use of such intellectual property for their personal benefit.

Employees must immediately disclose to their supervisors any intellectual property developed or conceived by them during or after working hours in the course of their employment with the diocese.

### **Open Door Policy (U)**

It is the policy of the diocese to encourage open communication. Employee concerns or problems are important to the diocese and have a direct bearing on an employee's performance and well-being. However, an employee must make someone aware of their concern or problem for the issue to be resolved.

An employee should use the following procedure in presenting a concern or problem:

The employee's immediate supervisor should be given the courtesy of knowing about the concern and have a chance to engage collaboratively with the employee to resolve it. They work more closely with the employee than any other member of management and are most likely in the best position to resolve the issue.

If the employee's immediate supervisor cannot resolve the issue to the employee's satisfaction, if the employee feels they did not get a reasonable hearing by their immediate supervisor or feels the supervisor is the source of the problem, the employee may take the issue to the supervisor's manager.

If, after following the procedures above, the issue has still not been resolved, they may escalate concerns to diocesan Human Resources, who will try to assist the employee in finding a fair and satisfactory resolution.

There will be no disciplinary action or penalty as a result of an employee using this process. It is the sincere belief of the diocese that the prompt and proper handling of employee issues and concerns will help to maintain the desired positive and productive working environment.

### **Employee Reporting Policy (U)**

If an employee has a concern about any of the following matters set forth below, the employee is required to promptly report these circumstances to the diocesan Director of Human Resources:

- Perceived violations of federal, state, or local laws or regulations.
- Gross mismanagement, waste, fraud, embezzlement, or neglect of duty.
- Actions that violate diocesan policies.
- Actions that threaten or are viewed as harmful to the health, safety and/or welfare of others.

Actions of gross mismanagement of funds, fraud, or embezzlement should also be reported to the diocesan Chief Financial Officer.



Failure by an employee to report any of the above circumstances could result in disciplinary action, up to and including dismissal.

All persons who, in good faith, report matters pursuant to this policy shall be protected from disciplinary action and workplace retaliation.

### **Drug and Alcohol Use (U)**

The unlawful manufacture, possession, distribution, transfer, purchase, sale, use, or being under the influence of alcoholic beverages or illegal drugs while on diocesan property, while attending business-related activities, while on duty, or while operating a vehicle or machine leased or owned by the diocese, parish, or school is strictly prohibited and may lead to disciplinary action, up to and including dismissal. When appropriate, the diocese/parish/school/agency may refer the employee to approved counseling or rehabilitation programs.

Employees may use physician-prescribed medications, provided that the use of such drugs does not adversely affect job performance or the safety of the employee or other individuals in the workplace.

### **Discipline and Dismissal (U)**

It is the policy of the diocese to recruit, employ, and retain individuals who will demonstrate exemplary conduct and superior performance. The diocese is also committed to providing a work environment that supports and encourages professional growth and career development. When an employee's conduct or performance fails to meet requirements or the legitimate expectations imposed by the job, it is the responsibility of the supervisor to address the employee's deficiencies or inappropriate conduct in an objective and timely manner.

Discipline may include verbal counseling, written counseling, performance improvement plans, suspension from employment, or dismissal. Although the diocese and its agencies may choose to use some or all of these disciplinary methods before dismissing an employee, the diocese reserves the right to dismiss any employee at any time, with or without cause, and with or without notice, even if there has been no previous discipline.

Diocesan Human Resources must be consulted before issuing a written warning and/or dismissal of an employee.

## ***EMPLOYMENT STATUS AND RECORDS***

### **Employment Categories (U)**

It is the goal and intent of the diocese to clearly define employment classifications so that employees understand their employment status and benefits eligibility.

Each employee is designated as either *non-exempt* or *exempt* in regard to federal and state minimum wage and overtime requirements, under the Fair Labor Standards Act and NC Wage and Hour Act.

- *Non-exempt* employees are entitled to minimum wage and overtime pay under the specific provisions of federal and state wage and hour laws.
- *Exempt* employees are excluded from these specific provisions of federal and state wage and hour laws.

In addition to the above designation, each employee is classified into one other employment category:

#### ***Regular Full-Time***

Employees who are regularly scheduled to work 30 hours per week or more. These employees are eligible for the diocese's full benefits package, subject to the terms, conditions, and limitations of each benefit program. If an employee's position only requires them to work for 10 months of the year, they are still eligible for regular full-time benefits.

#### ***Regular Part-Time***

Employees who are regularly scheduled to work between 20 and 29 hours per week consistently. Regular part-time employees are eligible for **some** benefits sponsored by the diocese, subject to the terms, conditions, and limitations of each benefit program. [Refer to the **Benefits** section for more information.]

#### ***Part-Time***

Employees who are not assigned to a temporary status and who are regularly scheduled to work **fewer than** 20 hours per week. While they do receive all legally mandated benefits (such as workers' compensation insurance coverage), they are ineligible for the diocese's other benefit programs.

#### ***Temporary***

Employees who are hired as interim replacements, to temporarily supplement the workforce, or to assist in the completion of a specific project, regardless of the number of hours per week they work. Employment assignments in this category are of a limited duration. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance), they are ineligible for the diocese's other benefit programs.

Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change.

#### ***Multiple Locations***

Employees who work for the diocese in more than one parish, school, or agency **may** qualify for some or all of the aforementioned benefits, depending on how many total combined weekly hours they work on a consistent basis. [Refer to **Shared Employees** in the **Benefits** section for more information.]

### ***Employment Contracts***

Only regular full-time and regular part-time principals, assistant principals, and teachers are eligible for employment contracts without the express written consent of the bishop. All employees who do not have an employment contract are classified as “at-will” employees.

### ***Independent Contractors***

It is expected that most people working for the diocese will be considered employees and may not be classified as independent contractors. Whether a person is an independent contractor, or an employee depends on the specifics of each case. Consult with diocesan Human Resources for further clarification.

### **Employee Files: Access to Employee Records (U)**

Employee files are the property of the diocese, and access to the information they contain is restricted. Information contained within an employee file is strictly confidential and only officials and representatives of the diocese who have a legitimate reason to review information in a file are allowed to do so.

No additional document/documentation may be submitted to an employee file without the knowledge/awareness of the employee.

Any employee who would like to request to view their employee file may submit a request to the pastor, principal, or diocesan Human Resources. In no event may records be removed or copied from the employee’s file without the expressed consent of diocesan Human Resources.

### **Employee Personal Data Changes (U)**

It is the responsibility of each employee to promptly notify diocesan Human Resources of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times.

### **Name Change (U)**

Notification of Legal Name Change (i.e. marriage, divorce, etc.) should be submitted to diocesan Human Resources as soon as possible after the change. Authorized proof/documentation of legal name change must be submitted with the request for data change before records may be updated.

### **Performance Evaluation (U)**

Supervisors and employees should discuss job performance and goals on an informal, frequent, and regular basis, preferably monthly.

Additionally, formal performance reviews are to be conducted at least annually, to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage, and recognize strengths, and discuss positive, purposeful approaches for meeting goals. The performance of all employees is to be evaluated according to an ongoing 12-month cycle, which should be conducted at the end of the fiscal year. A positive performance evaluation does not universally infer or guarantee an increase in an employee’s rate of pay.

Supervisors seeking guidance on best practices and formats for conducting performance evaluations and reviews should contact diocesan Human Resources.

## ***EMPLOYEE BENEFITS PROGRAMS***

### **Employee Benefits Status (U)**

Eligible employees in the diocese are provided with a range of benefits. Several benefit programs, such as workers' compensation insurance coverage, cover all employees in the manner prescribed by law. Eligibility for other benefits is dependent upon a variety of factors, including employment classification.

Employees working 30 hours or more per week on a regularly scheduled basis (Regular Full-Time) are generally eligible for medical, prescription drug, vision, dental, life insurance, long-term disability insurance, 403(b)\* retirement plan, paid vacation, paid sick leave, flexible spending accounts, and workers' compensation. This includes employees who, by design, work ten months per year.

Employees working 20 to 29 hours per week but not scheduled for full-time hours (Regular Part-Time) are eligible for the 403(b) retirement plan\*, paid vacation, paid sick leave, and workers' compensation.

\*Regular Full-Time and Regular Part-Time employees are automatically enrolled in the 403(b) retirement plan at a default contribution amount of 5% which is matched at 50% by the diocese up to the maximum of 2.5% of annualized pay. An employee may elect to opt out of the 403(b) retirement plan, if they wish, by notifying the Benefits Administrator.

Employees working fewer than 20 hours per week may elect to participate in the 403(b) retirement plan for employee contributions only and are covered under workers' compensation.

Detailed information regarding benefits may be found at [www.dioceseofraleigh.org/benefits](http://www.dioceseofraleigh.org/benefits)

### **Shared Employees (U)**

Employees who work for more than one parish, school, or agency of the diocese, and whose schedule when combined equals or exceeds 30 hours per week for ten or more months of the year, are considered benefits-eligible even if they do not work sufficient hours to be considered benefits-eligible at any one location. Each location is responsible for a pro-rata share of all employer costs for employee benefits.

When applying for additional positions within the diocese, employees must disclose that they work for other locations.

### **Waiver of Benefits/Special Enrollment (U)**

Eligible employees may waive enrollment in the healthcare benefits at the time of hire. To enroll in the healthcare plans at a later time, the employee must have a qualifying life event that allows them to enroll through a special enrollment. Open enrollment is held at the same time each year to allow employees who have not experienced a qualifying life event to enroll. A Waiver of Benefits may not be translated to an increase in income.

### **Medical, Vision, and Dental Insurance (U)**

All regular full-time employees are eligible for coverage under the medical and dental insurance plans offered by the diocese. Medical insurance includes prescription drug and vision coverage. Benefits are in effect the first day of the month following date of hire or qualifying status change

event; unless the hire date is the first of the month, then benefits are effective that day. Employees who choose to participate in the medical and/or dental plans may elect coverage for Employee Only, Employee plus Spouse, Employee plus Children, or Employee plus Family, under group rates provided by the diocesan health insurance carrier. Employees are required to contribute towards the cost of employee and dependent coverage. All premiums are paid through payroll deduction. Employees who do not qualify for healthcare benefits under the medical and dental insurance plans cannot purchase the benefit independently from the diocese.

### **Life Insurance (U)**

All regular full-time employees are covered under the Basic Life and Accidental Death & Dismemberment Insurance plan of the diocese at no cost to the employee. A basic life insurance benefit of two times annual salary rounded up to the next thousand dollars is provided, subject to reduction beginning at age 70. Supplemental employee and dependent life insurance is not available under the Life Insurance plan of the diocese. Coverage under the diocesan life insurance policy ends on the last day of active employment.

### **Long Term Disability Insurance (U)**

All regular full-time employees are covered under the Long-Term Disability Insurance plan of the diocese at no cost to the employee. Long-term disability benefits are provided for eligible employees after an elimination period of 90 consecutive calendar days of total disability and approval of the claim by the diocesan long-term disability insurance carrier subject to the terms and conditions of the long-term disability policy.

### **403(b) Retirement Plan (U)**

The diocese provides a 403(b) retirement plan for all regular full-time and regular part-time employees.

Enrollment in the 403(b) retirement plan is automatic for eligible employees classified as regular full-time or regular part-time. The diocese will make an employer-paid core contribution in an amount equal to 4% of eligible compensation beginning with the employee's hire date. In addition, the diocese will implement an auto-deferral of 5% of eligible employees' salary (contributory) beginning on the first of the month following their date of hire (or as soon as administratively feasible) and will provide an employer-matching contribution in an amount equal to 50% of the first 5% contributed by an employee. Employees may increase, decrease, or opt out of the auto-deferral feature at any time.

Employee contributions must abide by certain maximum limitations on salary deferral contributions made to the plan. These limitations are set by the Internal Revenue Service (IRS) each year. If an employee has attained or will attain age 50 by the end of the calendar year, the employee may contribute more, up to a separate IRS limit.

Employees are always 100% vested in their employee contributions and the employer matching contributions plus any earnings they generate. Vesting on the employer's core contributions, plus earnings they generate, is based on a five (5) year vesting schedule of 20% per year.

### **Workers' Compensation Insurance (U)**

The diocese provides workers' compensation coverage to all paid employees at no cost to employees. This plan covers disability incurred through accident or occupational disease—arising

out of, and in the course and scope of, employment—that requires medical, surgical, or hospital treatment. Employees who sustain a work-related injury or illness must inform their supervisors immediately and file a claim per instructions in the benefits section of the diocesan website (under Workers’ Compensation.)

**Flexible Spending Accounts (U)**

The diocese offers the optional benefit of Flexible Spending Accounts (FSA) to all regular full-time employees. Flexible Spending Accounts allow eligible employees to use pre-tax dollars, subject to the IRS annual limits, to reimburse out-of-pocket healthcare expenses for employees and their dependents, or to reimburse for expenses related to the care of eligible dependents while the employee and their spouse, if applicable, work. Eligible employees are not required to be enrolled in the healthcare benefits sponsored by the diocese to participate in the FSA plans.

## ***TIMEKEEPING/PAYROLL***

### **Timekeeping (U)**

Accurately recording time worked is the responsibility of every employee. Federal and state laws require the diocese to keep an accurate record of time worked in order to calculate employee pay and benefits, including, but not limited to medical/dental plan, leave associated with the Family Medical Leave Act (including paid FMLA), vacation and sick time, and the 403(b) retirement plan. Time worked is all the time actually spent performing assigned duties. Offsite work and work from home must be pre-approved by the employee's direct supervisor. Employees should document all actual time worked, including all work offsite and work from home.

All lay employees, whether Exempt or Non-Exempt according to Fair Labor Standards Act tests, must accurately record the amount of time they work within the diocesan-wide time and attendance system. Furthermore, employees must meet submittal deadlines set by their managers and in keeping with the HR/Payroll submittal schedule.

The signing and submission of a digital time record indicates that an employee is attesting to the fact that the time reported is true and accurate. If a supervisor does not agree that the employee has worked the hours stated, they should not sign off on the time record, and should not send it to Payroll. Instead, the record in question should be sent back to the employee for further review/clarification/correction.

Tampering with, altering, or falsifying time records, or recording time on another employee's time record may result in disciplinary action, up to and including dismissal.

### **Overtime (U)**

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime. When possible, advance notification of these mandatory assignments will be provided. All overtime must be authorized by the supervisor prior to being worked. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Non-exempt employees are eligible for pay at a rate of time-and-one-half for any time worked over 40 hours in one seven-day work week (the diocese workweek runs Saturday through Friday).

For non-exempt employees, overtime work must always be approved by the supervisor before it is performed. However, it should be noted that overtime worked, even if not authorized in advance, must be paid. Repeatedly working unauthorized overtime is subject to disciplinary action, up to and including dismissal.

Non-exempt employees should report to work no more than ten minutes prior to their scheduled starting time and should depart within ten minutes after their scheduled stop time unless they have express, prior authorization from their supervisor.

As required by law, overtime pay is based on actual hours worked. Time off, such as holiday, sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of weekly overtime calculations.

**Paydays (U)**

Employees are paid biweekly on alternating Fridays. Each paycheck will include earnings from work performed through the end of the previous payroll period.

If a regularly scheduled payday falls on a federal or bank holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

**Advances in Pay (U)**

Employees shall be paid on the next scheduled pay date for hours worked within each specified pay period, according to the diocesan pay schedule issued by diocesan Payroll. Payment *shall not*, under any circumstances, be advanced to any employee.

**Pay Deductions (U)**

The law requires that the diocese make certain deductions from employees' compensation. Among these are applicable federal and state income taxes. The diocese also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The diocese matches the amount of Social Security taxes paid by each lay employee. Lastly, all covered wages are subject to Medicare tax at a rate of 1.45%. There is no wage limit nor employer match for Medicare taxes paid by each lay employee.

The diocese offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs.

Deductions for sums owed to the diocese or its associated agencies shall not be withheld from an employee's final paycheck without prior consultation and approval from diocesan Human Resources.

If an employee has questions concerning deductions and their associated calculation, they should contact diocesan Human Resources or Payroll for assistance.



## ***WORKSCHEDULE AND ENVIRONMENT***

### **Work Schedules (L)**

The normal work schedule for regular full-time employees is between 30 and 40 hours a week. Supervisors will advise all other employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

### ***Flex Time***

Flex time is the ability for employees to adjust their regular workday, in consultation with their supervisor and with the approval of their supervisor. An example of flex time would be an employee, with the approval of their supervisor, adjusting their work schedule from 8:30AM – 5:30PM time to 8:00AM - 5:00PM, or 9:00AM - 6:00PM. This type of flex time is permissible, with the approval of an employee’s supervisor, as long as it does not negatively impact the service provided by that individual, department, or division.

Employees of the diocese and its agencies, regardless of exemption classification, may not receive compensatory time in lieu of overtime pay.

### **Working Remotely (U)**

A request to work from home may be made subject to the following:

- Permission to work from home, including the hours, days, etc., is at the sole discretion of the Department Head and can be rescinded at any time.
- The work from home does not impair the operation of the division or does not require frequent, immediate interaction with other members of the department or other departments.
- Others do not have frequent need to interact directly with the person working from home.
- Goals, objectives, and timetables are clearly defined in advance.

Employees must adhere to all reasonable and practical organizational policies and procedures while working from home.

Employees must limit the performance of assigned duties to the designated, approved home location. Failure to comply with this provision may result in disciplinary action up to and including dismissal.

### **Children in the Workplace (U)**

Children may, with advance notice and supervisor approval, visit the workplace of their parent/grandparent, but the visit is expected to be brief so as to minimize disruption to other staff members. This policy is established to avoid disruptions in job duties of the employee and co-workers, reduce property liability, and help maintain the diocese’s professional work environment and Safe Environment guidelines.

Employees who work with children as a function of their employment shall not be permitted to bring children in their care to work unless they are enrolled as students of the program or school.

### **Safety (U)**

Each employee is expected to obey safety rules and exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate

safety standards; who cause hazardous or dangerous situations; or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including dismissal.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees must immediately notify their supervisor and file a claim per instructions in the benefits section of the diocesan website (under Workers' Compensation). Such reports are necessary to comply with state and federal laws and initiate insurance and Workers' Compensation benefits procedures.

### **Smoking and Vaping/Use of E-Cigarettes (U)**

To protect the health and well-being of all employees and visitors, the diocese shall be entirely smoke free and vape free. Smoking and vaping are prohibited in all enclosed areas within the worksite without exception. This includes common work areas, classrooms, conference and meeting rooms, private offices, elevators, hallways, employee lounges, stairwells, restrooms, employer-owned or leased vehicles, and all other enclosed facilities. Definitions: smoking refers to the use of traditional tobacco products. Vaping refers to the use of electronic nicotine delivery systems or electronic smoking devices. These are commonly called e-cigarettes, e-pipes, e-hookahs, and e-cigs.

Individuals who smoke outdoors are responsible for using outdoor ashtrays or other appropriate receptacles to discard their refuse and should not litter the grounds.

Any employee found smoking or vaping inside diocesan buildings will be subject to discipline, up to and including dismissal.

### **Fragrances in the Workplace (U)**

In order to accommodate employees who are medically sensitive to the chemicals in scented products, the diocese requests that all employees refrain from wearing heavily scented products, including but not limited to colognes, after-shave lotions, perfumes, deodorants, body/face lotions, hair sprays, or similar products. The diocese also asks employees to refrain from the use of scented candles, perfume samples from magazines, spray or solid air fresheners, room deodorizers, plug-in air fresheners, cleaning compounds or similar products.

### **Use of Diocesan Equipment and Vehicles (U)**

When using diocesan property, employees are expected to exercise care, perform required maintenance, and follow all associated operating instructions, safety standards, and guidelines.

An employee must notify their supervisor if any diocesan equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair or service. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Employees should ask their supervisors any questions about their responsibility for maintenance and care of equipment or vehicles used on the job. In the case of an accident, employees who use diocesan cars should do the following:

- notify the local police/authorities
- notify their supervisor

Employee(s) should request the name, address, telephone number, driver's license number and insurance company of the other involved party/parties.

The improper, careless, negligent, destructive, or unsafe use or operation of diocesan equipment or vehicles may result in disciplinary action up to and including dismissal. All traffic and parking fines are the sole responsibility of the employee.

### **Emergency Procedures (U)**

To protect the safety of all employees, evacuation procedures and diagrams, as well as storm-safe zones should be provided to each employee. Drills/practice of these procedures should be conducted on a routine basis.

### **Emergency Closings (U)**

Emergency conditions, such as severe weather, fire, flood, or earthquake, can disrupt operations and interfere with work schedules, as well as endanger employees' well-being. In the case of these conditions, employees should follow the procedure set by their pastor or principal at their location. If employees are unable to perform their work during the closing, time shall be coded within the payroll system as FACILITY CLOSURE.

As always, employees should use prudent judgment to ensure a safe commute. Individual circumstances such as commute distance, type of auto, ability to drive in ice/snow, etc. should always be considered.

## ***COMPUTER AND DIGITAL MEDIA USE/COMMUNICATIONS***

### **Computer and Email Usage (U)**

The diocese provides technology resources to enhance an individual's ability to advance the mission of the Church. All data stored, transmitted, or created on technology provided by or owned by the diocese to clergy, employees and volunteers is the property of the diocese and may be accessed by authorized diocesan representatives for review, storage, auditing, and monitoring without notice to or permission from any user or employee. The Catholic Center, parishes, schools, and agencies also reserve the right to audit or track communication transmissions via technology that is the property of the diocese.

Employees should not assume a right to privacy or confidentiality relating to electronic communications over the diocese's systems. Authorized Catholic Center, parish, school, and agency personnel have a right to inspect, monitor, disclose, disseminate, and delete any and all electronic communications, data files or documents. By signing the Receipt of Handbook acknowledgement, employees expressly consent to monitoring, auditing, review, and storage of any documents, files, or communications created, transmitted, or stored on any computer, smart phone, telephone, or other technology resources owned or supplied by the diocese.

Employees may not access, use, or disclose non-public personal or confidential information without appropriate authorization, in writing, from their supervisor and must take necessary precautions to protect confidentiality of non-public personal or confidential diocesan information in the performance of their duties.

The diocese strives to maintain a workplace that is free of harassment and is sensitive to our employees. Therefore, the diocese prohibits the use of computers and the email system in ways that are disruptive, offensive to others, harassing, or harmful to morale, or that violate any policies in this Employee Handbook.

It is prohibited to knowingly display, download, or email sexually explicit images and messages. Other examples of unacceptable computer usage include (but are not limited to) ethnic slurs, racist comments, offensive jokes, or anything that may be seen by another reasonable person as harassment or disrespectful.

Clergy and employees may not use email nor other diocesan communication networks to solicit others for commercial ventures or political causes.

Clergy and employees should notify their supervisor, the diocesan Director of Human Resources, or any member of management if they learn about a violation of this policy or discover inappropriate material being stored or transmitted by diocesan technology. Employees who violate this policy are subject to disciplinary action, up to and including dismissal.

### **Participation in Online Publications/Forums/Blogging/Social Media (U)**

There is no expectation of privacy about what any employee posts or communicates on a public space. Any use of social media, including, but not limited to, blogging/vlogging, Facebook, Instagram, Twitter, or TikTok that violates any diocesan policy, including the harassment policy, may lead to discipline up to and including dismissal. Employees are not authorized to speak on behalf of the diocese in any blog or online forum.

Therefore, employees should identify themselves when discussing the diocese and should include the following disclaimer in all of their postings to public forums:

“The views, opinions, and judgments expressed in this message are solely those of the author. The message contents have not been reviewed or approved by the Roman Catholic Diocese of Raleigh.”

Employees should note that, even with a disclaimer, a connection with the diocese exists, and a statement could be imputed to the diocese. Therefore, employees should not rely on disclaimers as a way of insulating the diocese from the comments and opinions they contribute to forums. Communications must not reveal information about the diocese’s confidential information.

*Note: Employees who, with the approval of the bishop or an authorized diocesan official, are writing or responding on behalf of the diocese, regarding diocesan approved business, through the use of these media are exempted from this policy.*

### **Link to Minors’ Social Media (U)**

Employees of the diocese who work with minors shall maintain separate, non-personal social media accounts for the purposes of communicating with minors for educational- and extracurricular/school-related matters. Under no circumstance shall a teacher, coach, or adult connect with, friend-request, or direct message a student or minor via a personal social media account. Failure to adhere to this policy may result in disciplinary action up to and including dismissal.

### **News Media Relations (U)**

Diocesan employees may not grant interviews to the media without prior approval of the diocesan Director of Communications or the Bishop of Raleigh. With respect to diocesan matters which are appropriate for public knowledge, it is the policy of the diocese to cooperate with news media inquiries and communicate truthfully with the media.

If the request comes to a diocesan office, the reporter should be directed to contact the diocesan Director of Communications, who will contact the reporter to determine the topic and the suitability of granting the interview.

If the request comes to a parish, school or agency, the employee should ask the reporter for their name, the name of the publication, television or radio station, a telephone number, topic which the reporter wishes to discuss and the reporter’s deadline. The employee should inform the reporter that a return call/email will be forthcoming. The employee should contact the diocesan Director of Communications for instructions on how to proceed. Courtesy and common sense should always be used when dealing with reporters.

*Note: Nothing in this policy is intended to or will be applied in a manner to limit employee complaints or discourse otherwise protected by law.*

### **Computer Software Policy (U)**

The diocese recognizes that computer software written for all computers is intellectual property and is usually protected by copyright rules established by the United States. Further, the diocese recognizes that protecting the investment of companies who develop computer software also protects those companies and allows them to gain a fair return on their development costs, and thus allows those companies to continue to produce enhancements and advancements to the software.

The diocese also recognizes that it has a unique position of influence in the community and must make every effort to uphold the law and respect for property, including intellectual property.

The diocesan policy regarding the illegal duplication and use of pirated software requires all diocesan employees to comply with the law. Anyone who purchases a copy of software has the right to load that copy of software onto a single computer and make another copy for archival (backup) purposes only. It is illegal to use that software on more than one computer or to make or distribute copies of that software for any other purposes unless specific permission has been obtained from the copyright owner.

All diocesan employees are subject to United States copyright laws. Illegal reproduction of software by employees may result in their being personally liable in a civil suit for damages, facing criminal liability, and being subject to fines and/or jail terms.

Employees of the diocese who are found copying or found to have copied software for other than backup purposes, without the permission of the owner of the software, are subject to disciplinary action, up to and including dismissal. All multi-use software, such as software written for networks, must be used in accordance with the license agreement.

An employee must contact the diocesan Director of Information Technology in the following circumstances:

- When seeking permission from a software company to copy a piece of software.
- When seeking permission to copy software written by the diocese.
- When volunteers are asked to use their software on a parish or school computer system.
- When wishing to obtain a multiple copy or an educational discount license.
- When disposing of obsolete computer equipment.

Any employee who determines that there may be a misuse of software must notify the Pastor, Pastoral Administrator, Principal or Supervisor and the diocesan Director of Information Technology.

**TIME AWAY FROM WORK**

**Vacation For Non-School Employees (U)**

*(see also School Employees- Time Off, next section)*

Vacation leave with pay is granted to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classifications are eligible to use vacation leave as described in this policy:

Employee Type	Working Months Per Year	Qualifies for Vacation Policy?
Regular Full-time (30+ hours per week)	12	Yes; pro-rated to correlate with regularly scheduled weekly hours.
Regular Part-time (20-29 hours per week)	12	Yes; pro-rated to correlate with regularly scheduled weekly hours.

Employees who work fewer than 20 hours per week are not eligible for vacation. Vacation must be requested and approved in advance, in keeping with policy and operational needs of the location. Vacation is pro-rated according to the number of regular hours and days per week worked on a regular basis. Vacation time is paid at the employee’s base pay rate at the time the leave is taken. The amount of paid vacation time an employee receives each year increases with the length of their employment as shown in the following schedule.

**Vacation Granting Schedule**

Total Years of Eligible Service	Maximum Vacation Hours Monthly (first year)	Vacation Days Granted Yearly	Maximum Balance (with Carryover)
Less than 1 year*	Granted up to 6.67 hours per month worked in fiscal year (pro-rated)	Maximum 10 days	Maximum 15 days
After 1 fiscal year	n/a	Maximum 10 days	Maximum 15 days
After 5 fiscal years	n/a	Maximum 15 days	Maximum 20 days
After 10 fiscal years	n/a	Maximum 20 days	Maximum 25 days

\*May be taken after 3 months of employment or with prior approval of manager/supervisor.

Years of eligible service are calculated on the basis of a “benefit year,” which is the 12-month period that begins July 1 and ends on June 30 of the following calendar year. Milestone vacation balance will be granted on July 1 following the milestone anniversary.

Example: Employee whose fifth-year anniversary is November 1, 2024, will receive an additional week of vacation on July 1, 2025 up to the maximum allowable days per the Vacation Granting Schedule.

### ***Minimum Increment of Use, Requesting Vacation***

Paid vacation leave may be used in minimum increments of one-quarter hour. To take vacation, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Vacation requests may be denied by supervisors if the absence will disrupt or burden operations.

### ***Unused Vacation Rollover***

In the event that available vacation is not used by the end of the benefit year, up to the equivalent of one week will automatically roll over to the next benefit year. Vacation shall not be paid out in lieu of carryover to the next fiscal year.

### ***Status Change During Fiscal Year***

Employees who move from one benefits status to another (upward or downward in regular hours per week) will have their vacation time translated to the equivalent balance on their effective date. In the event that the employee is changing from regular full-time to regular part-time, vacation will be prorated, and the excess balance will be paid out to the employee.

### ***Length of Service and Eligibility***

Employee's eligibility for vacation is based on years of service in a benefits-qualifying category. That is, if an employee is working at least 20 hours per week on a regular basis, years of continuous service in that eligible category count toward total years of service. Years of service in positions working fewer than 20 hours per week are not counted toward total years of service for the purposes of calculating vacation. Employees returning to the diocese after a break in service of six months or more return to a new eligibility under new length of service.

### ***Vacation Balance at Termination of Employment***

Upon termination of employment, employees may be paid for unused vacation time. Employees must give and work a minimum of two weeks' notice, or the vacation balance will not be paid and will be forfeited. Holidays are not considered time worked for the purposes of this policy. Vacation time may not be used in lieu of days worked after notice is given.

### **School Employees – Time Off (U)**

Time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Most school employees have scheduled breaks incorporated into the year. School employees should plan most absences around scheduled school closures in keeping with the school calendar.

Personal days may be used to cover necessary, approved absences outside of school closure/holidays, with prior supervisory approval.



School Employees in the following employment classifications are eligible to use vacation leave as described in this policy:

School Employee Type	Working Months per Year	Qualifies for Vacation Policy?
<b>Principal</b>	12	Yes
<b>Assistant Principal</b>	12	Yes
<b>Preschool Director</b>	Varies, 10-12	Depends on how many months worked/whether they qualify for regular part-time minimum. *
<b>Preschool Director</b>	11-12	Yes
<b>Teacher</b>	10 (At least 20 hours per week)	No.** (see below) Scheduled holidays are incorporated into budget/rate of pay. Code as <i>Holiday</i> .
<b>Preschool Teacher</b>	10 (At least 20 hours per week)	No.** (see below)
<b>School 10-month (TAs, other staff who work only during school year)</b>	10 (At least 20 hours per week)	No.** (see below) Scheduled holidays are incorporated into budget/rate of pay. Code as <i>Holiday</i> .
<b>Non-teaching: <i>Some Administrative, Development, Maintenance, for example</i></b>	11 – 12 (At least 20 hours per week)	Yes. Scheduled holidays, if applicable, are paid and should be coded as <i>Holiday</i> .

\*Preschool Directors who are eligible for vacation time are NOT eligible for personal days.

\*\*Teachers who work at least 20 hours per week are granted **four** personal days each school year.

Unused personal days do not carry over to the next school year and are not paid out at end of employment.

Employees who work fewer than 20 hours per week are not eligible for paid time off.

Use of vacation and personal days must be requested and approved in advance, in keeping with policy and operational needs of the organization.

Vacation is pro-rated according to the number of regular hours worked each week.

Vacation time is paid at the employee's base pay rate at the time the leave is taken.

The amount of paid vacation leave an employee receives each year increases with the length of their employment as shown in the following schedule:

**Vacation Granting Schedule**

<b>Years of Eligible Service</b>	<b>Maximum Vacation Hours Monthly (first year)</b>	<b>Vacation Days Granted Yearly</b>	<b>Maximum Balance (with Carryover)</b>
Less than 1 year*	6.67 hours/month	Maximum 10 days	Maximum 15 days
After 1 fiscal year	-	Maximum 10 days	Maximum 15 days
After 5 fiscal years	-	Maximum 15 days	Maximum 20 days
After 10 fiscal years	-	Maximum 20 days	Maximum 25 days

\*May be taken after 3 months of employment or with prior approval of manager/supervisor.

*Years of eligible service* are calculated on the basis of a “benefit year,” which is the 12-month period that begins July 1 and ends on June 30 of the following calendar year.

***Minimum Increment of Use***

Paid vacation leave may be used in minimum increments of one-quarter hour. To take vacation, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Vacation requests may be denied by supervisors if the absence will disrupt or burden operations.

***Unused Vacation Rollover***

In the event that available vacation is not used by the end of the benefit year, up to five days will automatically roll over, based on the employee’s regular work schedule. Additional vacation time may not be granted. Unused vacation shall not be paid out during active employment.

***Leaves of Absence***

Individuals on an unpaid leave of absence, in keeping with the Unformed Services Employment and Reemployment Rights Act (USERRA) are not granted vacation time *until after they return from the unpaid leave of absence.* (See individual leave of absence policies for more information.)

***Length of Service and Eligibility***

Employee’s eligibility for vacation is based on years of service in a benefits-qualifying category. That is, if an employee is working at least 20 hours per week on a regular basis, years of continuous service in that eligible category count toward total years of service. Years of service in positions working fewer than 20 hours per week are not counted toward total years of service for the purposes of calculating vacation. Employees returning to the diocese after a break in service of six months or more return to zero balance.

### ***Vacation Balance at Termination of Employment***

Upon termination of employment, employees may be paid for unused vacation time that has been earned through the last day of work. Employees must give and work a minimum of two weeks' notice, or the vacation balance will not be paid and will be forfeited. Holidays are not considered time worked for the purposes of this policy.

### ***Vacation-eligible school employees***

Principals, Assistant Principals, and eligible Preschool Directors must give and work at least 30 days' notice to receive vacation payout.

### **Holidays (L)**

Holiday leave is granted to all Catholic Center employees on the holidays listed below:

New Year's Day  
Martin Luther King, Jr. Day (third Monday in January)  
Good Friday  
Easter Monday  
Memorial Day (last Monday in May) \*\*\*  
Independence Day\*\*\*  
Feast of the Assumption\*  
Labor Day (first Monday in September) \*\*\*  
Day before Thanksgiving  
Thanksgiving (fourth Thursday in November)  
Day after Thanksgiving  
Feast of the Immaculate Conception \*\*  
December 24th through December 31<sup>st</sup>  
\*\*\*\*Floating Holiday: President's Day,  
Juneteenth National Independence Day,  
Indigenous Peoples Day/Columbus  
Day, or Veteran's Day

\* Holiday will be celebrated only if the day is a day of obligation. Also, should this day fall on a weekend or other non-working day, the day off does not transfer to another day.

\*\* Holiday will be celebrated should it occur Monday through Friday.

\*\*\* The Catholic Center will be closed at 12 noon on the business day prior to this holiday.

\*\*\*\*Employees may elect one of the four (4) Federal Government Holidays listed to be used as a Floating Holiday.

According to applicable definitions, the employer will grant paid holiday leave to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) multiplied by the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- Regular full-time employees
- Regular part-time employees

Should the holidays of New Year's Day or Independence Day fall on a Saturday, the preceding Friday will be taken as the holiday. Should the holidays of New Year's Day and Independence Day fall on a Sunday, the following Monday will be taken as the holiday.

If a recognized holiday falls during an eligible employee's paid vacation, holiday pay will be provided. In order to receive Holiday pay, an employee must work the day before, the day of, in the event holiday warrants a half-day closure, and the day after holiday, unless specifically approved in advance. Additionally, Holiday pay will not be paid if an employee has given two-weeks' notice and holiday (day, or days) fall at the end of said notice. Employees required to work on holidays (for example, musicians, cantors, sacristans) may exchange the actual holiday for a day within the same work week to take off in lieu of the holiday. Holidays are paid at the employees' regular rate of pay and will not be counted as hours worked for the purposes of determining overtime for non-exempt employees.

Early departure for approved holidays should be recorded as 'holiday' time.

*Note: This policy does not apply to school employees. School employees should contact their principal or location administrator if they have questions.*

### **Sick Leave (U)**

The diocese provides paid sick leave to all eligible employees for short-term absence due to illnesses or injuries. Eligible employee classifications:

- Regular full-time employees
- Regular part-time employees

Eligible employees are granted equivalent hours to 30 days of sick leave at the beginning of their employment. If the sick leave balance drops below this amount, employees then accumulate hours equivalent to one-half of one sick day for each month of service up to the maximum of 30 days.

Paid sick time balance will be prorated for employees who work fewer than 40 hours per week.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday, whenever possible. Acceptable forms of notification include phone calls, voice mail messages, emails, and text messages. The direct supervisor must also be contacted by the employee prior to the scheduled start of the workday on each additional day of absence.

If an employee absence lasts four or more consecutive days due to illness or injury, the employee and site administrator must contact diocesan Human Resources to discuss whether they may qualify for Paid Employee Family Medical Leave (see "Leaves of Absence" policies).

Before returning to work from a sick leave absence of three days or greater, an employee will be required to present a physician's statement verifying the absence, and that they may safely return to work.

Sick leave rate of pay will be calculated based on the employee's base pay rate at the time of absence and normal hours worked.

Sick leave is intended solely to provide income protection in the event of illness or injury to the employee and/or to the care for a sick or injured child, spouse, or parent under their direct care. Sick leave may be used for the following types of appointments (for the employee, dependent minor child of the employee, or, in the case of incapacity, the employee's spouse): well-care/preventive care, dental appointments, or eye appointments.

**Sick leave may not be used for any other purpose.**

Repeated use of unscheduled sick time on or adjacent to weekends, holidays, or vacation, regardless of the number of consecutive days, may result in disciplinary action, up to and including termination of employment. In situations of a pattern or clear instance of abuse, a supervisor may require a doctor's note or other medical documentation to verify that an employee's use of paid sick leave was consistent with this policy, even if the use of paid sick leave was for less than three consecutive workdays.

Upon termination of employment, whether voluntary or involuntary, the separating employee shall not be entitled to any payment for any unused sick leave.

Sick leave may not be donated or transferred to another employee.

### **Inclement Weather (U)**

In the event that inclement weather results in the closure of the Catholic Center, parish, school, or agency, hours scheduled but not worked due to the closure shall be recorded as 'FACILITY CLOSURE,' correlating with the employee's regular start and/or end time.

A school whose closure will result in make-up days may opt to pay non-exempt employees for the inclement weather time, or to pay the employees only for the make-up time. Time worked must be paid.

If a location is open for business, but the employee is unable to get to the location because of inclement weather, they may use vacation or personal time to cover the absence.

### **Parental Leave for School Activities (U)**

Pursuant to North Carolina General Statute § 95-28.3, employees who are the parents, guardians or legal representatives of school-aged children shall be entitled to four hours per year of leave to attend or otherwise be involved at their child's school. The four hours do not have to be taken at one time but can cover several visits to a school. For purposes of this policy, a "school" includes public and private schools, preschools, and child day care facilities as defined by North Carolina law. This parental leave shall be subject to the following rules:

- Any employee requesting leave must submit a written request for leave to their supervisor at least 48 hours before the leave.
- The leave shall be at a mutually agreed time between the supervisor and the employee.
- The employee must furnish a written statement provided by the child's school verifying that the employee attended or was involved at the school during the time of leave.

### **Bereavement Leave (U)**

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify their supervisor immediately. Paid bereavement leave will be provided to eligible employees in the following classifications:

- Regular full-time employees
- Regular part-time employees

Bereavement pay is calculated based on the base pay rate at the time of absence. Bereavement leave will be granted as follows, and must be used within 30 days of death:

- Five Days - Spouse, parent/legal guardian, child, sibling
- Three Days – Other family members

Special consideration may also be given to any other person whose association with the employee was similar to any of the above relationships. These special requests must be recommended by the Division Director, Pastor, or Principal, and approved by the diocesan Director of Human Resources.

### **Time Off to Vote (U)**

The diocese encourages employees to fulfill their civic responsibilities by voting. If an employee is unable to vote in a national, state, or local election during their non-working hours, the employer will grant up to two hours of paid time off to vote.

Employees should request time off to vote from their supervisor at least three business days prior to election day, so that the necessary time off can be scheduled at the beginning or end of the workday in order to provide the least amount of disruption to the normal work schedule.

### **Jury Duty (U)**

The diocese encourages employees to fulfill their civic responsibilities by serving jury duty when required. Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day(s) of absence. Employee classifications that qualify for paid jury duty leave are:

- Regular full-time employees
- Regular part-time employees

Employees must show the jury duty summons to their supervisor as soon as possible to verify the reason for their absence. Early notice will also allow the supervisor to make arrangements to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits. Either the diocese or the employee may request an excuse from jury duty if, in the diocese's judgment, the employee's absence would create serious operational difficulties.

The diocese will continue to provide health insurance benefits for the full term of the jury duty absence.

Accrual for benefits calculations, such as vacation, sick leave, or holiday benefits, will not be affected during paid jury duty leave.

### **Witness Duty (U)**

If an employee has been subpoenaed as a witness by the diocese, they will receive paid time off for the entire period of witness duty.

Eligible Categories:

- Regular full-time employees
- Regular part-time employees

Eligible employees will be granted a maximum of 15 hours of paid time off to appear in court as a witness at the request of a party other than the diocese. Employees will be paid at their base rate and are free to use any remaining vacation leave benefits to receive compensation for any period of witness duty absence that would otherwise be unpaid.

The subpoena is to be shown to the employee's supervisor immediately after it is received to verify the reason for absence. Early notice will also allow the supervisor to make arrangements to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

## **Paid Employee and Family Medical Leave (U)**

The diocese provides location-paid employee and family medical leave to eligible employees as an enhancement to, and in compliance with, the Family and Medical Leave Act (FMLA). In general, the diocesan paid employee and family medical leave policy closely follows FMLA guidelines and regulations.

Employees must follow the specified guidelines and procedures to receive payment under this policy. If an employee does not follow the guidelines and procedure required to receive paid leave, in some circumstances, they may still qualify for unpaid FMLA leave. Paid employee and family medical leave, if approved, also counts as FMLA leave, up to the 12-week maximum. Paid employee and family medical leave entitlements will be measured on a rolling twelve-month basis.

Each leave case is unique and should be discussed with diocesan Human Resources to determine length and course of action.

### ***Eligibility for Paid Leave***

In keeping with the FMLA, employees are eligible for covered, paid, job-protected leave if they have worked for the diocese for at least 12 months and have worked 1,250 hours over the 12 months immediately prior to the start of leave.

### ***Basic Leave Entitlement***

Eligible employees may take a maximum of twelve (12) weeks paid, job-protected leave consistent with their regularly scheduled hours for the following reasons:

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

### ***Maximum Paid Benefit***

Maximum **paid benefit** not to exceed 12 weeks in a 15 month rolling period for the same qualifying event.

### ***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 either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

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

"Spouse" means a husband or wife. "Child" means biological, adopted, or foster child, a stepchild, legal ward, or a child being raised by the employee. The child must be either under 18 years of age,



or 18 and older and incapable of self-care because of a mental or physical disability for Basic Leave Entitlement; for Military Leave Entitlement, the child may be of any age. "Parent" means biological parent, or a non- biological parent who had primary responsibility for raising the employee. This term does not include "parents-in-law." "Next of kin" of a covered service member means the nearest blood relative other than the covered service member's spouse, parent, son, or daughter, unless the covered service member has designated a specific blood relative in writing for purposes of military caregiver leave under FMLA.

### ***Both Spouses Employed by the Diocese of Raleigh***

In certain circumstances, when two spouses work for the same entity (i.e., within the Diocese of Raleigh), certain FMLA leave balances must be split between the two spouses. Contact diocesan HR for more details.

### ***Military Family Leave Entitlements***

Eligible employees with a spouse, son, daughter, or parent who is a service member on covered active duty may use their 12-week entitlement to address certain qualifying exigencies. Covered active duty means: 1) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed forces in a foreign country; and 2) for service members of a reserve component of the Armed Forces or the National Guard in support of a contingency operation. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post deployment reintegration briefings.

### ***Paid Leave Period and Calculation of Pay***

Eligible employees may take a maximum of twelve (12) weeks paid employee and family medical leave consistent with their regularly scheduled hours during a "rolling leave year," defined as the 12-month period measured from the date an employee uses any leave under this policy. Leave must be certified by an appropriate, licensed health care provider.

Employees are entitled to up to 26 weeks of leave in a 12-month period measured forward for Military Caregiver Leave Entitlement. Up to 12 weeks of this may be paid leave. Additional leave may be taken up to 26 weeks, but will be unpaid, in keeping with FMLA regulations.

### ***Employee Responsibilities***

- Employees must provide 30 days' advance notice of the need to take paid employee and family medical leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the diocese's normal sick and absence call-in procedures.
- Employees must provide sufficient information for the diocese to determine if the leave may qualify for paid employee and family medical leave and FMLA protection, and to determine the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave.
- Employees must also inform the diocese if the requested leave is for a reason for which FMLA (paid or unpaid) leave was previously taken or certified within the past 12 months.

### ***Notification of Eligibility***

The diocese will inform an employee requesting paid employee and family medical leave whether the employee is eligible under the guidelines of the FMLA. If the employee is eligible, the notice to the employee will specify additional employee rights and responsibilities. In addition, the diocese will inform the employee if the leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employee is not eligible, the diocese will notify the employee that the leave is not FMLA-protected, and therefore not paid employee and family medical leave and provide a reason for the ineligibility.

### ***Medical Certification***

For leave for medical reasons, medical certification by the health care provider must be obtained and submitted within 15 calendar days of an FMLA request. Leave may be denied if the certification is not timely submitted, is incomplete, or insufficient. If the certification is timely received but is incomplete, an employee will be advised of information needed and given seven days to provide the required information to enable the diocese to make a decision. Leave may be denied if an employee does not provide this information. The diocese may request a second medical opinion and designate the health care provider if the certification is questionable. If the first and second medical opinions differ, the diocese may require a third opinion which will be final. Any required second and third certification expenses will be paid by the diocese.

Medical recertification may be requested every 30 days unless the original certification was for a longer period, or circumstances have changed significantly. In all cases, the diocese may request a recertification of a medical condition every six months in connection with an absence by the employee. Recertification may be requested under other circumstances as specified, in keeping with FMLA regulations.

Upon return, the employee must submit to diocesan Human Resources medical certification of their ability to return to work. The diocese may deny work to the employee if they fail to provide valid fitness for duty certificates. Employees taking paid employee and family medical leave must contact diocesan Human Resources monthly to report their intention to return to work. Any employee who decides he or she does not intend to return to work with the diocese at the conclusion of leave must immediately inform diocesan Human Resources. Payment for paid FMLA leave will end immediately upon the employee informing diocesan Human Resources he or she does not intend to return to work with the diocese at the conclusion of leave. The end of payment for paid FMLA leave will not affect any entitlement an employee may have to unpaid FMLA leave under federal law.

### ***Certification of Need for Military Leave***

The diocese will require certification of the need for Military Exigency Leave and Military Caregiver Leave. Employees requesting such leave must provide certification within 15 days, except under unusual circumstances. Failure to do so may result in delay or denial of paid employee and family medical leave.

### ***Intermittent Leave***

Leave may also be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees requiring intermittent or reduced leave for foreseeable medical treatment for their own or a family member's serious health condition may be temporarily reassigned during the leave period to a position with the same pay and benefits that better accommodates a reduced or intermittent schedule.

Employees may not take intermittent leave for the birth, adoption, or placement for foster care of a child.

### ***Benefits***

During paid employee and family medical leave, in keeping with FMLA regulations, the diocese will maintain health coverage under its group health plan on the same terms as if the employee continued to work. Upon return from leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

The employee will not accrue additional leave such as vacation or sick while on paid employee and family medical leave, but those days accrued by the employee up to the beginning of leave will not be lost.

### ***Status After Leave***

Employees who return to work before or on the business day following the expiration of the approved leave period will be returned to their job or an equivalent position with the same benefits and pay. However, employees on leave will have no greater right to reinstatement than if they had been actively employed. If the need for leave was due to the employee's own serious health condition, the diocese will require that the employee provide medical certification that they are able to return to work.

### ***Other Provisions***

Employees may not engage in gainful employment during any approved leave. This includes any work, whether full or part-time, for any parish, school, or other entity that is part of the diocese. Violation of this provision will result in dismissal. In addition, any intentional misrepresentation to obtain or continue a leave of absence constitutes grounds for dismissal.

### ***Miscellaneous Paid Employee and Family Medical Leave Information***

The following statement also applies to the diocese paid employee and family medical leave policy, in keeping with the FMLA: it is unlawful for an employer to interfere with, restrain, or deny the exercise of any right provided under the FMLA and discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to the FMLA. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

### **Americans with Disabilities Act (ADA) (U)**

The diocese is committed to equal opportunity in all aspects of employment for qualified individuals with a disability. In accordance with the Americans with Disabilities Act (ADA) and state law, and consistent with the diocese's Equal Employment Opportunity and Harassment-Free Workplace Policies, it is the diocese's policy to provide reasonable accommodations in employment to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the operation of diocese's daily business operations or would change the essential functions of the position. Retaliation against an individual with a disability for utilizing this policy is prohibited.

Each leave case is unique and should be discussed with diocesan Human Resources to determine length and course of action.

### **Unpaid Family and Medical Leave (U)**

*(As required by the Family Medical Leave Act)*

The diocese provides FMLA leave to eligible employees in compliance with the Family and Medical Leave Act. An employee may, in rare circumstances, qualify for FMLA as federally mandated leave, but *not* qualify for the diocesan paid leave program. All leave cases should be presented in a timely manner to diocesan Human Resources for full consideration.

Family/Medical Leave entitlements will be measured on a rolling twelve-month basis. For example, if an employee used four weeks of leave beginning March 1, 2011, four weeks of leave beginning June 1, 2011, and four weeks of leave beginning December 1, 2011, the employee would not be entitled to any additional leave until March 1, 2012. On March 1, 2012, the employee would be entitled to four weeks of leave and on June 1, 2012, the employee would be entitled to an additional four weeks of leave, and so on.

Employees are eligible for a covered FMLA job-protected leave if they have worked for the diocese for at least 12 months and have worked 1250 hours over the previous 12 months.

Note: *Qualified spouses working for the diocese may only take a combined total of 12 weeks for the birth, adoption, or placement of a child into foster child, or to care for a parent with a serious medical condition; or a combined total of 26 weeks to take leave to care for a covered service member.*

### ***Basic Leave Entitlement***

Eligible employees may take up to 12 weeks of unpaid, job protected leave for the following reasons:

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

## ***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 either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

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

"Spouse" means a husband or wife. "Child" means biological, adopted, or foster child, a stepchild, legal ward, or a child being raised by the employee. The child must be either under 18 years of age, or 18 and older and incapable of self-care because of a mental or physical disability for Basic Leave Entitlement; for Military Leave Entitlement, the child may be of any age. "Parent" means biological parent, or a non-biological parent who had primary responsibility for raising the employee. This term does not include "parents-in-law." "Next of kin" of a covered service member means the nearest blood relative other than the covered service member's spouse, parent, son, or daughter, unless the covered service member has designated a specific blood relative in writing for purposes of military caregiver leave under FMLA.

## ***Military Family Leave Entitlement***

Eligible employees with a spouse, son, daughter, or parent who is a service member on covered active duty may use their 12-week entitlement to address certain qualifying exigencies. Covered active duty means: 1) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed forces in a foreign country; and 2) for service members of a reserve component of the Armed Forces or the National Guard in support of a contingency operation. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member or veteran during a single 12-month period.

A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform their duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. Serious injury means an injury or illness that was incurred in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

A covered veteran is a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the

National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy. Serious injury or illness for a covered veteran means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

### ***Amount of Leave and Leave Period***

Eligible employees may take up to 12 weeks of FMLA leave during a "rolling leave year," defined as the 12-month period measured from the date an employee uses any leave under this policy.

Employees are entitled to up to 26 weeks of leave in a 12-month period measured forward for Military Caregiver Leave Entitlement.

### ***Employee Responsibilities***

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

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

### ***Notification of Eligibility***

The diocese will inform an employee requesting FMLA leave whether the employee is eligible under the FMLA. If the employee is eligible, the notice to the employee will specify additional employee rights and responsibilities. In addition, the diocese will inform the employee if the leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employee is not eligible, the diocese will notify the employee that the leave is not FMLA-protected and provide a reason for the ineligibility.

### ***Medical Certification***

For leave for medical reasons, medical certification by the health care provider must be obtained and submitted within 15 calendar days of an FMLA request. Leave may be denied if the certification is not timely submitted, is incomplete, or insufficient. If the certification is timely received but is incomplete, an employee will be advised of information needed and given seven days to provide the required information to enable the diocese to make a decision. Leave may be denied if an employee does not provide this information. The diocese may request a second medical opinion and designate the health care provider if the certification is questionable. If the first and second medical opinions differ, the diocese may require a third opinion which will be final. Any required second and third certification expenses will be paid by the diocese.

Medical recertification may be requested every 30 days unless the original certification was for a longer period, or circumstances have changed significantly. In all cases, the diocese may request a

recertification of a medical condition every six months in connection with an absence by the employee. Recertifications may be requested under other circumstances as specified in FMLA regulations.

Upon return, the employee must submit to diocesan Human Resources medical certification of their ability to return to work. The diocese may deny work to employees failing to provide valid fitness for duty certificates. Employees taking FLMA leave must contact diocesan Human Resources monthly. The employee is required to periodically report their intention to return to work.

### ***Certification of Need for Military Leave***

The diocese will require certification of the need for Military Exigency Leave and Military Caregiver Leave. Employees requesting such leave must provide certification within 15 days of absence in unusual circumstances. Failure to do so may result in delay or denial of FMLA leave.

### ***Intermittent Leave***

Leave may also be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees requiring intermittent or reduced leave for foreseeable medical treatment for their own or a family member's serious health condition may be temporarily reassigned during the leave period to a position with the same pay and benefits that better accommodates a reduced or intermittent schedule.

Employees may not take intermittent leave for the birth, adoption, or placement for foster care of a child.

### ***Substitution of Paid Leave (in cases of unpaid FMLA)***

Per federal law, FMLA leave is unpaid except for the following: employees will be required to take any applicable vacation for any unpaid FMLA leave (where allowed by law) and must take any accrued sick pay for leave involving their own illness. In addition, employees may be receiving workers' compensation benefits for a condition that also qualifies for FMLA leave under this policy. Any paid leave that qualifies under this policy will be designated FMLA leave and will run concurrently with it.

### ***Benefits***

During FMLA leave, the diocese will maintain health coverage under its group health plan on the same terms as if the employee continued to work. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

The employee will not accrue employment benefits such as vacation or sick pay while on unpaid FMLA leave, but benefits accrued by the employee up to the day on which the FMLA leave begins will not be lost.

### ***Status After Leave***

Employees who return to work within or on the business day following the expiration of the approved leave will be returned to their job or an equivalent position with the same benefits and

pay. However, employees on leave will have no greater right to reinstatement than if they had been actively employed. If the need for leave was due to the employee's own serious health condition, the diocese will require that the employee provide medical certification that they are able to return to work.

### ***Other Provisions***

Employees may not engage in gainful employment during any approved leave. This includes any work, whether full or part-time, for any parish, school, or other entity that is part of the diocese. Violation of this provision will result in dismissal. In addition, any intentional misrepresentation to obtain or continue a leave of absence constitutes grounds for immediate dismissal.

### ***Miscellaneous FMLA Information***

The FMLA makes it unlawful for an employer to interfere with, restrain, or deny the exercise of any right provided under the FMLA and discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to the FMLA. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

### ***More Details***

To apply for the leave, or for more details about this policy, visit the Family Medical Leave policy within the Benefits page, on the Diocese of Raleigh website - [Family/Medical Leave | Diocese of Raleigh](#)



**Military Leave (U)**

Employees who are voluntarily or involuntarily placed on extended active duty with the National Guard or the U.S. Armed Forces shall be placed on a leave without pay status in a manner consistent with applicable state law and the federal Uniformed Services Employment and Reemployment Rights Act (USERRA).

As much advance notice as possible must accompany requests for such leave.

Extended active duty is defined as a period of more than 30 calendar days. An employee on extended active duty military leave shall not accrue sick or vacation leave or other benefits.

The diocese recognizes that individuals serving in the National Guard and Reserve need time off from work sufficient to enable them to travel to the place of training and have a night of rest, before starting the training, so that they can perform the training in a safe and effective manner. The diocese will approve requests to be away from work on Friday, and particularly Friday afternoon, prior to inactive duty training on Saturday.

***Reemployment Rights***

An employee who has uniformed services reemployment rights shall be returned to the former position held or a comparable position at a comparable rate of pay as required by USERRA, contingent upon the availability of funds, unless circumstances make it impossible or unreasonable to do so.

***Continuous Service***

The period of active duty shall represent continuous diocesan service so long as the military service conforms to provisions as specified by applicable state law and USERRA.

## **LEAVING THE DIOCESE/END OF EMPLOYMENT**

### **Termination (U)**

Employment with the diocese is at-will, and the diocese reserves the right to terminate employment at any time, with or without cause. Certain actions that will result in the immediate termination of employment include, but are not limited to:

- The employee fails to satisfactorily improve after having been counseled or otherwise disciplined or,
- The employee is determined to have engaged in ethical misconduct or committed a serious infraction of diocesan rules including, but not limited to:
  - Sexual abuse of a minor
  - Sexual abuse or harassment of an adult
  - Racial discrimination of any kind
  - Sexual or other unlawful discrimination or harassment of a fellow employee, or retaliation against an employee for reporting such conduct
  - Possession, distribution, sale, transfer of alcohol or illegal drugs to a minor, or on diocesan property, or while operating diocesan owned vehicles or equipment or while on duty
  - Violence or threatening violence on diocesan property
  - Possession of dangerous weapons on diocesan property
  - Theft or unauthorized use of diocesan property, possession of stolen materials, falsification of time keeping records or falsification of any diocesan documents
  - Working while under the influence of alcohol or drugs
  - Excessive absenteeism or insubordination
  - Behavior in violation of the Code of Conduct for Church Personnel for the Diocese of Raleigh
  - Personal conduct or lifestyle contrary to the moral and religious doctrines or teachings of the Roman Catholic Church as interpreted by the Bishop of Raleigh
- Or, when in the judgment of the diocese, other circumstances exist that require immediate termination.

In all cases, supervisors must consult with the diocesan Director of Human Resources before issuing written warnings, suspension of employees, or dismissal of employees.

### **Resignation/Giving Notice (U)**

For various reasons an employee may choose to voluntarily resign from the diocese. In such cases, the diocese expects the employee to provide a written notice of resignation to their supervisor and a copy to diocesan Human Resources at least two weeks before the anticipated departure date, unless they are a school employee who has a written contract. Principals, Assistant Principals, and Teachers must give at least 30 calendar days' notice of resignation. This professional courtesy allows the diocese to make arrangements to continue work without burdening co-workers and possibly to arrange for the training of new employees. For this reason, vacation and personal days may not be used after an employee gives a notice of resignation.

Employees who do not furnish a minimum of two weeks' notice (30 calendar days for Principals, Assistant Principals, and Teachers) will not be paid for earned unused vacation time when they leave the diocese. If the employee furnishes the minimum required notice, the diocese may elect to pay their wages for the remainder of the notice period and terminate their employment immediately.

Such wages will be calculated based on the average weekly base pay during the last six months of employment, excluding overtime or any other special forms of compensation paid to the employee. If the diocese elects to do this, it does not alter the fact of the employee's resignation and the employee will receive earned, unused vacation time.

If an employee does not provide the required advance notice as requested, the employee will be considered ineligible for rehire throughout the diocese.

### ***Exit Interviews/Return of Property***

In general, employees who voluntarily separate from the diocese may participate in an exit interview on or before the last day of their employment to discuss reasons for the separation and the effect of the separation on benefits. Prior to departure from the site, employees are required to return all items which are considered diocesan property, including but not limited to: keys, access cards, cell phones, computer equipment, manuals, business files and information, and any and all other diocesan documents (*see Payment of Final Paycheck*).

### **Post-Employment Healthcare (U)**

Upon termination of employment, employees enrolled in the diocesan healthcare benefits will generally be covered through the last day of the month in which employment ends.

For contract employees (principals, teachers, etc.), healthcare benefits are in effect through the end of the month in which their contract ends. Contract employees whose employment ends prior to the completion of their contract generally will maintain their existing healthcare coverage through the end of the month of their last day of work.

As a religious organization, the diocese is exempt from certain federal law requirements that generally apply to employee benefit plans, including the Employee Retirement Income Security Act (ERISA) and the requirement under the Consolidated Omnibus Budget Reconciliation Act (COBRA) that group health plans provide temporary continuation of health coverage; therefore, there is not an option to continue healthcare benefits through the diocese. Employees may explore healthcare coverage options by visiting [www.healthcare.gov](http://www.healthcare.gov).

### **Severance Pay Program (U)**

The diocese has established a discretionary severance pay program to assist eligible employees whose employment is terminated by the diocese through no fault of their own. An employee will not have any vested right to severance benefits unless and until the diocese awards such benefits to them and they satisfy all the conditions for receiving such benefits.

Eligibility for severance pay benefits is limited to:

- Regular full-time employees
- Regular part-time employees
- Teachers and Principals are eligible for up to two weeks' severance under this policy

An employee is not an eligible employee if they were hired as a temporary employee or if they were offered but refused to accept another suitable position with similar pay level and responsibilities with the diocese.

***Terminations Not Covered***

The diocese will not pay the severance benefits under this plan if:

- The employee retires, resigns, or otherwise voluntarily quits their employment;
- The employee is terminated for cause, unless the diocese determines, in its discretion, that the payment of benefits is appropriate; or
- The diocese otherwise determines, in its discretion, that the payment of severance benefits is not appropriate.

In addition, if an employee has a written employment or severance contract with the diocese, and the contract provides for the payment of severance, reemployment assistance or similar benefits following termination of employment, the employee will not be entitled to benefits under this plan unless the diocese determines that special circumstances warrant supplementing their benefits under the contract.

Any employee receiving severance pay shall not be eligible for payments under the Reemployment Assistance Plan until the severance pay benefits have been exhausted and then only if all eligibility rules and provisions set forth in the Reemployment Assistance Plan have been satisfied.

***Amount and Timing of Severance Pay***

Subject to the limitations set forth herein, the diocese has full and complete discretion to determine the amount, nature, and timing of severance benefits under this Plan, and the diocese may, in its discretion, determine that an otherwise eligible employee will receive no severance benefits upon the termination of their employment.

In most cases, severance pay will be provided to eligible employees according to the following schedule:

<b>Completed Years of Service</b>	<b>Weeks of Severance Pay</b>
Less than 2	2
2	6
5	10
10	12
15 or more	16

A week of severance pay is defined as the employee’s average weekly base pay during the last six months of employment, excluding overtime or any other special forms of compensation paid to the employee. Severance benefits shall be subject to applicable withholding, including withholding for federal, state, and local income taxes and for applicable employment taxes.

Any severance benefit awarded under the Plan will be paid or otherwise delivered to the employee in full by the Plan’s Payment Deadline. The “Payment Deadline” is the later of:

- March 15th immediately following the end of the calendar year in which employment is terminated; or
- The short-term deferral payment deadline described in Treasury Regulation section 1.409A-1(b)(4).

The diocese in its sole discretion may provide the benefit in biweekly installments.

403(b) deductions, including employee contributions, employer match, and core contributions are not included as a part of severance payment(s).

### ***Retention of Benefits During Severance Period***

The diocese will continue to pay the employer's share of an employee's group medical and dental premiums during the severance pay period. The employee is responsible for premium payments to continue spousal and/or dependent insurance premiums during the severance pay period. As a religious employer, the diocese is not required to provide COBRA coverage.

### **Reemployment Assistance Plan (U)**

*Note: This policy does not apply to contract employees. Contract employees should contact their principal or location administrator if they have questions.*

Because it does not participate in state unemployment insurance programs, the diocese provides a discretionary Reemployment Assistance Program which provides a weekly payment to eligible individuals whose employment is involuntarily terminated by the diocese through no fault of their own. An employee will not have any vested right to Reemployment Assistance payments unless and until the diocese awards such benefits to them, and they satisfy all the conditions for receiving such payments.

The Reemployment Assistance program is available to eligible individuals who are not currently receiving payments under the Severance Pay Program. Individuals who are receiving payments under the Severance Pay Program must wait for the length of such severance period before becoming eligible for the Reemployment Assistance Plan.

Eligibility for Reemployment Assistance Plan is limited to:

- Regular full-time employees
- Regular part-time employees

An employee is not considered eligible if they were hired as a temporary employee, a teacher, or if they were offered but refused to accept another suitable position with the diocese.

In addition, if an employee has a written employment or severance contract with the diocese, and the contract provides for the payment of severance, reemployment assistance or similar benefits following termination of employment, the employee will not be entitled to benefits under this plan unless the diocese determines that special circumstances warrant supplementing their benefits under the contract.

### ***Terminations Not Covered***

The diocese will not pay an employee Reemployment Assistance Payments under this plan if:

- the employee retires, resigns, or otherwise voluntarily quits their employment;
- the employee is terminated for cause, unless the diocese determines, in its discretion, that the reemployment payment is appropriate; or
- the employee does not satisfy the length of service requirements to receive such payments under the Plan.

***Benefit based on Length of Service (Maximum of 66.67% of Base Pay)***

Eligibility for and the amount of Reemployment Assistance Benefits is based on the employee's length of service with the diocese. However, the maximum weekly benefit shall not exceed \$750.00 per week.

**Re-employment Calculation**

<b>Length of Service with the Diocese</b>	<b>Reemployment Assistance Payment</b>
0 - 3 Months	Ineligible for Program
3 - 6 Months	22.22% of Base Pay
6 - 12 Months	44.44% of Base Pay
More than 1 Year	66.67% of Base Pay

403(b) deductions, including employee contributions, employer match, and core contributions are not included as a part of Reemployment Assistance Benefits payment.

An employee's Reemployment Assistance Benefits will continue until the first of the following events occurs:

- the date the employee is offered other employment,
- the date the employee becomes self-employed; or
- the employee receives 20 weeks of benefits under this Reemployment Assistance Program.

The employee must complete and submit the application form, and then must submit a Weekly Certification Form attesting that they have not found employment and remains eligible for benefits under this program. Forms may be obtained from the diocesan Human Resources section of the website. Failure to provide this information, or the falsification of any information will render the employee ineligible for payments.

To the extent applicable, this policy will be implemented in a manner so as to be exempt from Section 409A of the Internal Revenue Code of 1986. For purposes of Section 409A, Reemployment Assistance Benefits will be treated as separate payments and such payments shall not exceed two times the employee's annual compensation (or, if less, two times the Code Section 401(a)(17) limit). All payments shall be made no later than the end of the second year following the year of termination.

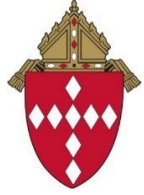
**Payment of Final Paycheck (U)**

Upon end of employment (termination) with the diocese, whether voluntary or involuntary, employees are to be paid their final pay on the next scheduled payday on or after their last day worked (*See Payment of Unused Vacation*).

Payment of unused vacation balance may, in some cases, be paid on the following scheduled pay day.

**Payment of Unused Vacation (U)**

Upon termination of employment, employees may be paid for unused vacation time that has been earned through the last day of work. Employees must give, and work, a minimum of two weeks' notice, or the vacation balance will not be paid and will be forfeited. Employees terminated for cause will not be paid out unused vacation balance.



# CATHOLIC DIOCESE *of* RALEIGH

## Receipt of Employee Handbook

I have been given access to the Roman Catholic Diocese of Raleigh's on-line employee handbook which outlines its policies and practices. I understand how to view the handbook online and have read and studied its contents. I agree to be guided by the policies and procedures contained in the handbook.

Since the information in this handbook is necessarily subject to change as situations warrant; and understanding that the most recently updated policies will be available on-line, it is understood that changes in policies may supersede, revise, or eliminate the policies as stated in the handbook. Changes may be made with or without advance notice. However, changes will only be made as authorized and approved by the Bishop of the Diocese of Raleigh.

***All employees*** must sign to acknowledge receipt of the most recent version of the employee handbook within thirty-days (30) of publication.

***New employees*** must read handbook and sign receipt prior to the end of the first week of employment.

**This signed document must be maintained in the corresponding employee file by the local parish, school, or agency of employment.**

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Employee Name (PRINT)

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Employee Signature

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Date of Hire

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Date of Signature