



# **EMPLOYEE HANDBOOK**

**FOR THE EMPLOYEES OF THE DIOCESE OF  
TUCSON**

**JULY 1, 2011**

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**PREFACE**

Letter from the Bishop of the Diocese of Tucson

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# *Diocese of Tucson*

## **EMPLOYEE HANDBOOK**

### **INTRODUCTORY STATEMENT**

This handbook provides you with information about working conditions, employee benefits, and some of the policies that affect your employment at the Diocese of Tucson and affiliated organizations. It also addresses many of your responsibilities as an employee. You should read this handbook carefully so that you will understand its contents and be able to comply with the policies as described. To review the complete copy of the guidelines, please refer to the Personnel Policy Guidelines and Procedures Manual.

No employee handbook can anticipate every circumstance or question about every one of our policies. Further, there may be situations where the need arises for the Diocese to revise, add, or cancel policies. Therefore, the Diocese of Tucson reserves the right to add new policies, and to change or cancel existing policies at any time. The only exception is that the Diocese's employment-at-will policy will not be changed or cancelled. The employment-at-will policy permits you or the Diocese of Tucson to end the employment relationship at any time for any reason or for no reason. Your supervisor will notify you of any changes to the handbook as they occur.

### **SECTION 1.1 PURPOSE**

The purpose of the Employee Handbook is to provide important information so that management and employees can better understand what is expected of them and what they can expect as employees.

### **SECTION 1.2 AUTHORITY AND DISTRIBUTION OF THE EMPLOYEE HANDBOOK**

The Employer is the final authority on the establishment, application and interpretation of the personnel policy guidelines and procedures for the Diocese of Tucson. The Bishop has delegated certain responsibilities for the establishment, application, and interpretation of personnel policy guidelines and procedures to the Diocese of Tucson Department of Human Resources (DOTHR), which is responsible for the contents, updating, and distribution of the Personnel Policy Guidelines and Procedures and this handbook.

Copies of this handbook will be provided to regular employees. This handbook **is not an agreement or a contract of employment**. It supersedes any prior manual, handbook, or unwritten policy guidelines promulgated by the Diocese of Tucson. This handbook describes policies and practices in general terms. Any questions concerning any of the information presented in this handbook should be directed to the DOTHR or an employee's immediate supervisor.

We ask your cooperation in keeping the handbook up-to-date when changes are made and communicated.

### **SECTION 1.3 APPLICABILITY OF POLICIES AND PROCEDURES**

Separate policies and procedures may apply to the employment of Women Religious and Men under contracts with the Diocese of Tucson and their religious orders and to priests who perform religious functions and ministry for or on behalf of the Diocese of Tucson.

### **SECTION 1.4: POLICY GUIDELINE CHANGES**

The DOTHHR will communicate changes in established personnel policy guidelines and procedures approved by the Bishop of Tucson to all workplaces, which in turn are expected to inform all employees.



## **SECTION 2 NON-DISCRIMINATION AND HARASSMENT**

### **SECTION 2.1: EQUAL EMPLOYMENT OPPORTUNITY**

The Employer strives to be an equal employment opportunity employer. Notwithstanding the foregoing, as a Roman Catholic Religious Organization the Employer reserves the right to give preference in certain employment areas to individuals who are practicing Roman Catholics and who are in full communion with the Roman Catholic Church. The Employer will investigate, or cause to be investigated, all complaints. At the option of the Employer, the investigator may be someone who is independent of the Employer. An eligible employee may invoke the Conflict Resolution and Grievance Procedure to register informal and formal complaints as provided in Section 4

### **SECTION 2.2: REASONABLE ACCOMMODATION**

In compliance with the Americans with Disabilities Act (ADA), reasonable accommodation will be made for the known physical or mental limitations of a qualified applicant or employee with a disability to enable them to perform essential job duties, unless such accommodation would impose an undue hardship on the operation of the workplace or entail an exorbitant expense. The Diocese Director of Human Resources serves as ADA coordinator for the Diocese and will inform employees and applicants of decisions made on accommodation requests.

### **SECTION 2.3: HARASSMENT/SEXUAL HARASSMENT**

The Diocese of Tucson is committed to creating and maintaining work environments in which all persons are treated with dignity and mutual respect in accord with Christian principles and the social teachings of the Church. An employee who commits an act of harassment, whether directed toward a person of the opposite or same sex, based on race, color, sex, religion, national origin, age of 40 or older, disability, or any other protected activity or class under the discrimination laws is subject to corrective action up to and including termination of employment.

Harassment includes, but is not limited to:

- Comments and racial, ethnic “jokes” that are offensive; threats to personal safety, employment, wages, or other working conditions; requests to engage in illegal, immoral or unethical conduct.
- Display of offensive materials such as derogatory, demeaning, or inflammatory posters, cartoons, written words, drawings, or gestures.
- Unwanted physical contact, assault; deliberate impeding or blocking of movement; or any intimidating interference with normal work or physical movement.
- Unwelcome sexual advances, requests for sexual favors; display of sexually offensive materials; and other physical, verbal, or visual conduct.

If an employee thinks a person in the workplace is harassing him/her, the employee should, whenever reasonable to do so, tell the person that the behavior is unwelcome and offensive and to stop. If the

behavior does not stop, the employee should report the behavior to a management level supervisor, or to the Diocese Director of Human Resources, who will initiate an investigation.

Any employee who knowingly makes false charges, who refuses to cooperate in an investigation, who participates in any form of unlawful retaliation, or who knowingly breaches the confidentiality of an investigation will be subject to corrective action up to and including termination.

## **SECTION 2.4: SEXUAL MISCONDUCT WITH MINORS AND ADULTS**

The Diocese of Tucson and its Affiliated Organizations will not tolerate sexual misconduct. The Diocese of Tucson, in accordance with the teachings of the Catholic Church, expects all employees to live moral lives, respecting in all ways the sanctity of every human being in general and the gift of sexuality in particular. Sexual misconduct abuses the power and authority of the pastoral or educational role of those who work for the people of God and serve them. Sexual misconduct is contrary to Christian moral and the moral strictures of many other religious belief systems and societal standards, and often violates civil law.

Sexual misconduct includes a broad range of acts and behaviors that is defined in Section IV of the Diocese of Tucson “Guidelines for the Prevention of and Response to Sexual Misconduct.” Sexual misconduct by an employee violates human dignity, accepted professional standards of conduct, the moral teachings of the Roman Catholic Church, and policy guidelines. To protect children, adolescents, and adults from sexual misconduct, the Diocese of Tucson promulgated the “Guidelines for the Prevention of and Response to Sexual Misconduct, and the Summary Statement” and the “Diocese of Tucson Code of Conduct” both of which must be read and adhered to by all employees.

**Any violation of this policy will be subject to corrective action up to and including termination as provided in Section 4.**

## **SECTION 3 EMPLOYMENT PRACTICES**

### **SECTION 3.1: EMPLOYMENT AT WILL**

Employment with the Diocese of Tucson and its Affiliated Organizations is voluntary. All employees are free to resign at any time with or without cause. Similarly, the Diocese of Tucson may terminate the employment relationship at any time with or without notice or cause as long as there is no violation of applicable federal or state law.

The policies summarized in this handbook are not intended to create a contract, and should not be construed to constitute contractual obligations of any kind or a contract of employment between the Diocese of Tucson and any employee. The provisions of the handbook have been developed at the discretion of the Diocese of Tucson and, except for the policy of employment at will, may be amended or cancelled at any time at the sole discretion of the Diocese of Tucson.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Bishop of the Diocese of Tucson, or without the express written approval of the chief executive officer and Board of Directors of any Affiliated Organization that has adopted these guidelines.

### **SECTION 3.2: IMMIGRATION REFORM AND CONTROL ACT**

It is the policy of the Diocese of Tucson to fully comply with the Immigration Reform and Control Act of 1986. The Employer will hire only those who have the legal right or authorization under Federal Law to work in the United States.

### **SECTION 3.3: EMPLOYMENT RECRUITMENT AND SELECTION**

The Diocese of Tucson and Affiliated Organizations strive in its recruitment and selection processes to obtain the best-qualified personnel available. Primary consideration is given to maintaining the highest standards of performance and conduct. A total assessment of each candidate's qualifications should be performed during the selection process for all open positions.

Only the responsible Hiring Authority may make final hiring decisions. "Hiring Authority" is defined as follows: Pastoral Center, The Bishop of Tucson; Parishes, Pastor; Schools, Principal and pastor or chairman of Board of Directors, Other Affiliated Organizations, Department Director or Executive Director. The Hiring Authority may delegate hiring authority to another responsible manager within the organization.

Potential new employees must undergo screening, including a criminal history and background check. Any offer of employment is contingent upon the truthfulness and accuracy of information provided by the candidate during the application and interview process. An employment offer may be revoked if

any falsification or omission of material facts is discovered. If falsification or omission is discovered after a candidate has been hired, he/she will be subject to immediate discharge.

### **REINSTATEMENT/REHIRE OF FORMER EMPLOYEES**

Former employees reinstated/rehired within ninety (90) days following their termination date are not considered new hires. Length of service and benefit status remain the same. Former employees reinstated/rehired on or beyond the ninety-first (91) day following their termination date are considered new applicants subject to competitive hiring practices.

### **TRANSFER/PROMOTION**

Employees who have completed the probationary period of the current position and whose performance rating is “good” or above, may be eligible to apply for transfer/promotion to another position or location. All transfers are on a competitive basis and are not guaranteed. An employee is expected to communicate with the immediate manager or supervisor as soon as possible prior to the application. The employee will not be subject to reprisal or restraint in any form if applying for any open position. Upon completion of a transfer, the transfer-in employee will be subject to a new probationary period in that new position. An employer, due to the needs of the organization, may require that an employee transfer to another position or department within the organization

### **SECTION 3.4: EMPLOYMENT OF RELATIVES**

In order to avoid the possibility of favoritism, conflicts of interest, or impairment of efficient operations, relatives will be prohibited from working in a manager/subordinate relationship, and under certain circumstances may be prohibited from working as co-workers in the same workplace. Relatives are defined as individuals related to each other by blood or marriage. Applicants who withhold information on their family relationship with an employee and who are subsequently employed will be subject to immediate termination.

If during the course of employment circumstances change, creating a situation in conflict with this guideline and procedures, management may affect a transfer of one of the employees. If a transfer is not feasible, management may take such action as best meets business needs, including termination.

### **SECTION 3.5: PERSONNEL RECORDS**

A personnel file must be maintained for each employee. All files must be kept strictly confidential and will be made available only to authorized persons. Files remain the permanent property of the Employer. The file will contain required personnel documentation. Active employees may review their personnel file under the supervision of management with adequate notice of the request. Employees may request a copy of their personnel file documents. Copies of any documents will be provided in response to valid subpoenas.

During the employment process, the hiring authority may review an employee’s personnel file, including performance appraisals, salary information, and any current corrective action documentation. Information provided on former employees is limited to hire date, termination date (if applicable), and

position held. Information such as salary or prior performance evaluations can only be provided with the express written consent of the former employee.

### **SECTION 3.6: EMPLOYEE CENSUS**

To enable the Diocese of Tucson to accurately and properly administer benefits and to respond to legal requirements related to employment matters, the DOTHHR will conduct an ongoing Employee Census. It is the responsibility of each employee to give written notice to his/her supervisor of any changes in personal status.

### **SECTION 3.7: WORK AT HOME**

Because of concerns for employee safety and other aspects of an employee's employment such as worker's compensation, overtime pay, hours worked, and other considerations, work at home by both exempt and non-exempt employees is not allowed, except with the express authorization of management.

## **SECTION 4 PERFORMANCE MANAGEMENT**

### **SECTION 4.1: JOB EVALUATION**

To better accomplish its mission and to strive for consistency in the treatment of employees, the Employer, through the Diocesan Director of Human Resources, should develop a written job description for every position that will include a description of the duties and responsibilities for each current job title and/or all current job classifications. The Diocesan Director of Human Resources shall collaborate with any Affiliated Church Organization that seeks help or guidance in this regard.

The job description should relate only to the required duties of the position and should never be tailored to any individual. It is impossible for job descriptions to cover every task or responsibility assigned; therefore, they do not limit the manager's right to assign additional duties as needed.

### **SECTION 4.2: PROBATIONARY PERIOD**

The Probationary Period of ninety (90) calendar days is an opportunity for the employee to become acquainted with the position and its responsibilities and to demonstrate the ability to meet the requirements of the job. All new employees and employees who are rehired, transferred, or promoted are required to complete a Probationary Period of at least ninety (90) calendar days. The Probationary Period itself is not a guarantee of employment for any period of time, and completion of the Probationary Period is not a guarantee of continued employment. The Probationary Period may be extended when an employee, because of circumstances beyond his/her control, has not been able to demonstrate the ability to meet the requirements of the job or when an adequate evaluation of the employee's job performance was not possible.

### **SECTION 4.3: PERFORMANCE EVALUATION**

The Performance Evaluation is an on-going process that presumes on-going communication between the employee and the supervisor, as well as interim reviews regarding job performance. The Performance Evaluation includes the immediate supervisor's assessment, employee input, and, where applicable, feedback from those served by the work of the employee, and, if necessary, a plan for continued satisfactory performance. The evaluation provides the basis for compensation and other actions such as promotion, layoffs, etc.

Managers and employees should work together on mutually-agreed upon standards of performance or goals to be accomplished during the performance evaluation period. Employees should receive, at minimum, one (1) performance review and one (1) performance evaluation during each twelve (12) month period. Employees on probation should be evaluated at the end of the probationary period to determine whether or not the employee is to be retained in the position. The probationary period may be terminated prior to the ninety (90) days based on the individual's failure to comply with performance or other requirements.

#### **SECTION 4.4: PROGRESSIVE CORRECTIVE ACTION**

Progressive Corrective Action is a process designed to identify and correct the conduct and/or performance of an employee who does not meet the standards set forth by the Diocese of Tucson Personnel Policy Guidelines and Procedures. Corrective action may include, but is not limited to, informal verbal counseling, formal written corrective action, suspension, and termination of employment. The implementation of Progressive Corrective Action does not alter the employment at will relationship that exists between the Diocese of Tucson its employees.

#### **SECTION 4.5: CONFLICT RESOLUTION AND GRIEVANCE PROCEDURE**

An employee who disagrees with management actions or who has other work-related concerns can express his/her concern through the Conflict Resolution and Grievance Procedure. All regular employees are covered under this policy guideline. Employees can present a concern within five (5) working days of the date of the incident that gave rise to the complaint to their immediate manager or supervisor, who should review the concern and within a reasonable time inform the employee of any action to be taken. If the employee is dissatisfied with the results, the employee can appeal to the next level of management. If the employee is dissatisfied with the decision of the next-level of management, an appeal should be made in writing to the Standing Grievance Panel. *Any final determinations and actions taken by the Grievance Panel should be reviewed by diocesan legal counsel.*

#### **SECTION 4.6: STANDING GRIEVANCE PANEL**

The Diocese of Tucson has established a Standing Grievance Panel. The purpose of the Standing Grievance Panel is to review an employee's complaint and to render an unbiased, final, and binding decision on the grievance. The Standing Grievance Panel consists of individuals who are independent of any workplace personnel matters so as to be able to render an unbiased decision based on the facts of the case.

#### **TERMINATION OF EMPLOYMENT**

Termination can occur with or without Progressive Corrective Action. The following acts or behaviors may warrant immediate termination.

- Continued Unsatisfactory Job Performance.
- Possession of a weapon on any workplace property or at employer related function.
- Vandalism of any workplace property or theft of any kind.
- Use or possession of illegal substances, or being under the influence of alcohol while on the job on any workplace property or at employer-related function.
- Falsification or omission of records or information.
- Harassment of any type; threatening or causing bodily harm, or other coercive and/or intimidating actions.

- Willful and repeated acts of insubordinate behavior towards management. This includes demeaning or disparaging remarks towards management and refusal to follow management direction
- Sexual misconduct or other behavior resulting in discredit to the organization.
- The espousing publicly, of positions contrary to the teachings of the Church.



**SECTION 5  
COMPENSATION**

**SECTION 5.1: EMPLOYEE DEFINITION**

An employee is defined as any person who receives direct compensation from the Diocese of Tucson for any service performed for which the Diocese has the legal right to manage or control both the method and result.

**SECTION 5.2: EMPLOYEE STATUS DESIGNATIONS**

Employees are classified into various groups by defining their status. All provisions of the Federal Labor Standards Act (FLSA) apply and are to be complied with.

<b>Employee Categories</b>	<b>Description</b>
Regular	Those employees who have satisfactorily completed the probation period in a position that is expected to continue.
Regular Full-time	Those employees who work 30 or more hours per week and who maintain continuous regular employment status.
Regular Part-time with benefits	Those employees who work 20 – 29 hours per week and who maintain continuous regular employee status.
Regular Part-time without benefits	Those employees who work less than 20 hours per week.
On Call	Those employees hired on an “as needed” basis. They do not have a set work schedule or number of hours per week, nor do they necessarily work every week.
Temporary	Employees who have been hired for a defined period of time not to exceed one year.
Contract Principals and Teachers	Lay principals and teachers are the only employees whose employment is personally contractual. Contracts for principals and teachers are for one year only at the discretion of the pastor or principal. New contracts are to be offered in accordance with School Policies and Procedures.

**EXEMPT AND NON-EXEMPT STATUS:** Each employee is classified as either exempt (salaried) or non-exempt (hourly) in accord with the provisions of the Fair Labor Standards Act (FLSA). Generally, exempt employees are paid on a salary basis and are not eligible for overtime pay. Non-exempt employees are eligible for overtime pay for hours worked over forty (40) hours in a workweek. Changes in job duties or assignments can result in a change of status.

### **SECTION 5.3: CONDITIONS AND HOURS OF WORK**

The following terms and their definitions are important payroll and bookkeeping information used in the calculation of employee compensation:

- Standard Work Week - begins at 12:00 a.m. Sunday and ends at 11:59 p.m. Saturday night.
- Hours worked - all the time an employee must be on duty and includes any additional time the employee is required to work.
- Work Day - consists of the regular business hours during which workplaces are normally open as determined by management at the workplace.
- Meal Breaks - consist of an unpaid meal break of at least thirty (30) minutes if the employee works a minimum of six (6) hours a day. An employee cannot choose to work during an unpaid meal break in order to be paid for it, to have a shorter workday, or to “make up” time that may have been missed.
- Rest Periods - Short rest periods taken for necessity and as allowed or scheduled by the workplace.

### **SECTION 5.4: FLEXTIME**

All employees are expected to be at work during the regular work hours set by management unless a flexible work schedule (Flexitime) is approved. Flexitime allows an employee, with the approval of management, to vary the work schedule. Under Flexitime, the time of arrival and departure should not differ from the standard operating hours by more than two (2) hours. Employees whose presence is critical may not be eligible to participate in the Flexitime program. Exempt employees must depart from any Flexitime schedule to meet the requirements of their positions. Non-exempt employees may be asked to work overtime regardless of the Flexitime schedule.

### **SECTION 5.5: PAY AND DEDUCTIONS**

The Diocese of Tucson and Affiliated Organizations comply with all state, federal, and local wage regulations. Every effort is made to compensate employees in a fair and equitable manner. Deductions from pay are made to meet legal requirements and to provide for voluntary deductions authorized by the employee.

### **SECTION 5.6: TIME KEEPING**

Records of hours worked by employees must be kept and monitored through time cards to comply with wage and hour laws and to ascertain benefit eligibilities. Employees should record all regular and overtime hours worked, paid holidays, paid holy days, and hours used for approved leaves of absence

(with or without pay), including paid vacation and paid family and sick leave. Any modifications to timecards must be signed or initialed by both the employee and the supervisor.

### **SECTION 5.7: OVERTIME**

Non-exempt employees are required to be available to work overtime (past their regular scheduled hours) as required by and authorized by management. As required by law, overtime pay at the rate of one-and-one-half times regular pay in excess of 40 hours in one week is based on actual hours worked. Any authorized absence will not be considered hours worked when performing overtime calculations.

There is no provision for compensatory time off in lieu of overtime pay.

Authorized overtime of non-exempt employees who work in excess of forty (40) hours in a given week will be paid at the rate of one and one half (1.5) times the employee's regular rate of pay. Overtime pay is to be included in the employee's paycheck in the pay period in which it is earned.

With the immediate supervisor's written authorization, in place of overtime pay, the Diocese may adjust the work schedule of a nonexempt employee who works more than eight (8) hours in one workday so that the number of hours for that work week totals forty (40) hours or less.

### **SECTION 5.8: PAY DURING VACATION**

Employees should make necessary arrangements in advance of their vacation for the disbursement (direct deposit) of any paychecks during the period of vacation.

### **SECTION 5.9: TRAVEL AND OTHER BUSINESS EXPENSE PAY**

Employees should be reimbursed for all travel related reasonable and actual expenses in connection with authorized business. Employees are expected to exercise prudent business judgment in relation to all expenses covered by this policy guideline. Obtaining the lowest reasonable cost should prevail as the key requirement over personal preferences in the selection of means and class of travel, specific carriers, or lodging. Expenses will normally be reported on the Travel Expense Report form. Estimated expenses are prohibited as is the substitution of expenses.

### **SECTION 5.10: SEPARATION PAY**

Severance pay may or may not be provided, at the discretion of the Employer. An employee who is involuntarily separated or laid off should be paid all wages due and any accrued vacation on the last day of duty if possible, but in no case later than three (3) working days after the last day of duty.

**SECTION 6  
BENEFITS**

**SECTION 6.1: BENEFIT ELIGIBILITY AND ENROLLMENT**

In order to attract and retain highly qualified employees, a number of employee benefits are provided. Eligibility depends on the minimum number of hours for which an employee is paid each week and length of continuous employment. Eligibility for benefits and/or enrollment in any benefit does not guarantee continued employment.

BENEFIT	MINIMUM # OF HRS PER WORKWEEK	EFFECTIVE DATE LENGTH OF EMPLOYMENT
Holidays	20	Date of Hire (DOH)
Holy Days	20	DOH
Vacation	20	90 days
Sick Leave	20	90 days
Medical Insurance	30	90 days
Dental Insurance	30	90 days
Vision Plan	30	90 days
Employee Benefit Premium (IRS Section 125)	30	90 days
Life/AD&D Insurance	30	90 days
Long-Term Disability Insurance	30	Two years
Employee Assistance Program	30	Included with medical
COBRA	30	.90 days
403 (b) Employee Contribution	20	DOH
403 (b) Match 25%, Max. \$1,000	20	Two years
<i>Diocese of Tucson 403(b) Retirement Plan – Employer Discretionary Contribution</i>	20	<i>Two Years; enrollment dependent on DOH; DOH must be on or after 01/01/2007. Vested: Two years.</i>
Lay Employee Pension Plan	20	<b>DOH must be prior to 01/01/2007.</b> Vested: five years

Employees are to be enrolled in and are to receive benefits at the time of eligibility in accord with the policies and procedures for each benefit, except as noted elsewhere in this handbook or mandated by law or contract.

**SECTION 6.2: PAID HOLIDAYS**

The following are recognized as paid holidays: New Year’s Eve; New Year’s Day; Martin Luther King Jr. Day; Good Friday; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Friday after Thanksgiving; Christmas Eve; and Christmas Day. When a designated holiday falls on Sunday, it will be observed on the following Monday; when a holiday falls on Saturday, it will be observed on the preceding Friday.

## **WORK ON A HOLIDAY**

Non-exempt employees who work forty (40) or more hours *in a* week and are required to work on a holiday will be paid one and one half (1.5) times their regular rate for all hours worked on that day. Exempt employees required to work on a holiday, or for whom a holiday falls on a weekday day off, may be compensated with a day off of the employee's choice, at the option of management.

Non-exempt employees who work twenty (20) to thirty-nine (39) hours per week receive holiday pay proportionate to their full time equivalence. Work on a designated holiday should not be allowed except with prior management approval. . Employees who work less than twenty (20) hours per week are not eligible for holiday pay.

If a holiday falls on a weekday on a non-exempt employee's day off, the employee will not be compensated.,. An employee who is on paid vacation or on paid sick leave when a holiday occurs will be paid for the holiday and not be charged accrued vacation or paid sick leave hours on the holiday.

## **SECTION 6.3: PAID HOLY DAYS**

The following three (3) paid holy days are observed: Assumption of the Blessed Virgin Mary, August 15; All Saints Day, November 1; and the Immaculate Conception, December 8. Certain employees may not be able to observe all three (3) holy days due to operational or mission requirements. In such situations, the holy day will be considered an optional day to be taken at the employee's choosing with the approval of management. [Holy Day pay is not applicable if it falls on a non-scheduled workday or if the Holy Day is abrogated.](#)

Employees who work twenty (20) hours or more per week who are required to work on a paid holy day should be allowed a day off of their choosing, at the convenience of the Diocese and with the approval of management.

Non-exempt employees who work twenty (20) to thirty-nine (39) hours per week receive holy day pay proportionate to their full time equivalence. Non-exempt employees shall not work on a holy day except with prior management approval.

## **SECTION 6.4: PAID VACATIONS (EXEMPT AND NONEXEMPT)**

Paid vacation is paid time off provided in recognition of eligible employees' length of continuous service. The length of vacation time will vary depending on length of service. Exception: Catholic school teachers are not eligible for Paid Vacation.

- Employees accrue (earn) Paid Vacation hours based on the number of weekly standard hours and computation formula. Accrual is based upon a forty (40) hour workweek. Employees who work less than forty (40) hours, but in no event fewer than twenty (20) hours, earn vacation in proportion to the actual hours paid in the computation of accrued vacation, e.g., an employee on a standard work week of twenty (20) hours will earn one-half of the allowance that an employee on a standard work week of forty (40) hours earns. Employees may begin to use paid vacation hours after completion of ninety (90) calendar days of employment. Employees should

be paid all unused accrued vacation at the time of separation of employment. Even if the employee is being rehired within the Diocese of Tucson.

**COMPUTATION FORMULA FOR VACATION HOURS ACCRUED EACH WORK WEEK**

Divide the number of hours the employee is paid each by week by forty (40). Multiply that result by the Accrual Rate for the Employees Time of Service (see formula below). That result is the number of Paid Vacation hours the employee accrues for that week.

Months of Service Formula begins at the date of hire.

Months of Service	Weekly Accrual Rate	Annual Accrual Limit	Maximum Carry Forward Limit
0 – 60	1.54	10 days	20 days
61 – 180	2.31	15 days	30 days
181 +	3.08	20 days	40 days

**VACATION SCHEDULING**

Employees are expected to give their supervisor at least two (2) weeks notice when they plan to take Paid Vacation. Time is granted based on the needs of the Diocese. If a paid holiday or holy day falls during an employee’s scheduled vacation period, that day will not be charged against the employee’s accrual of Vacation hours.

Employees may carry forward any unused vacation from the previous year to the next anniversary year. The maximum amount authorized to be carried forward will be equal to two (2) times the annual accrual limit. Employees will not accrue vacation while on leave without pay.

Vacation must be taken in the increments agreed to by management. Because of the potential impact to work requirements, the taking of a pre-planned series of days off is not permitted. An example of this is where an individual requests to take a series of one-half days or a series of Fridays or Mondays.

The donation of vacation from one employee to another is not permitted. The solicitation of donation of vacation from one employee to another is not permitted.

**SECTION 6.5: PAID SICK LEAVE**

Beginning with the initial date of employment, eligible employees will be granted thirteen (13) days sick leave per year based upon a forty (40) hour workweek, or at a rate of two (2) hours per week according to the following provisions:

- The “borrowing” of sick leave hours is not permitted. Similarly, the transfer of sick leave is not permitted.
- Employees do not receive sick leave during leaves of absence without pay.

- Sick leave cannot be used during the first ninety (90) calendar days of employment, except for an industrial injury, nor can it be used in lieu of vacation.
- In the event of an industrial injury, the employee must use sick leave during the first seven (7) calendar days of an absence.
- An employee cannot use sick leave if he/she receives Workers' Compensation.
- An employee absent three (3) or more consecutive work days due to personal illness or injury may be required to furnish a physician's statement to substantiate a claim for sick time, as well as to assure that the employee can safely return to work. If the employee does not provide the requested physician's statement, the supervisor will regard the absence as leave without pay.
- Unused sick days will be carried over into the next employment year up to a limit of 720 hours. Employees are authorized to use up to 90 calendar days of leave for short-term disability.
- Accumulated sick time will not be paid upon termination of employment.

## **SECTION 6.6: HEALTH INSURANCE BENEFIT**

Group Medical, Group Dental, and Group Vision plans are available for all participating organizations and their eligible employees and dependents. Participation in all plans is voluntary.

### **OPEN ENROLLMENT**

Open Enrollment, conducted from May 1 through June 30 of each year with an effective date of July 1, is the only time of the year that an employee can change his/her health benefits, unless a "qualifying event" occurs. Examples of such an event include marriage, birth of a child, etc. Enrollment must be for a period of twelve (12) months.

### **GROUP MEDICAL COVERAGE**

- Medical, Dental, and Vision Plan coverage is offered to employees who regularly work thirty (30) or more hours per week. Enrollment in the plan will be on the first day of the month following the ninety (90) days from the date of hire. Employees who are rehired within ninety (90) calendar days of their termination date are eligible and effective the first of the month following their date of hire.
- Contract teachers are eligible and effective the first of the month following (30) calendar days from the date of hire.
- Dependent coverage must take place at the time of the employee's eligibility period unless a "qualifying event" occurs.
- The employer pays 100% of the medical insurance premium for the employee. The employee will pay 100% of the monthly premiums for dependent coverage, if elected, through payroll deduction. If an eligible employee does not desire to participate, he/she must sign a waiver of coverage to acknowledge that the benefit was offered and for the refusal to be valid.
- The employee will pay 100% of the monthly premium for Group Dental and Vision Plan coverage if elected.
- There is no future guarantee of continued payment of the employee's Medical Insurance Plan by the Diocese.

## **SECTION 6.7: EMPLOYEE BENEFIT PREMIUM ONLY PLAN (IRS Section 125)**

The Diocese provides this benefit to all employees eligible for Medical, Dental, and Vision coverage. It enables the employee who pays for dependent health, dental, and vision coverage to pay these monthly premiums with pre-tax dollars through payroll deduction. Enrollment is automatic once the employee has satisfied the conditions for coverage under the group medical plan. The employee can elect not to participate.

## **SECTION 6.8: HIPAA**

All current and retired employees enrolled in the Diocese of Tucson employee group health plans are entitled to receive a Notice of the Privacy Policies and Procedures adopted by the Diocese of Tucson in compliance with Title 2 of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the federal regulation adopted to implement HIPAA provided by the DOTHR. The employee will receive all required notifications from the Diocese of Tucson insurance carrier upon enrollment.

## **SECTION 6.9: COBRA CONTINUATION HEALTH COVERAGE**

COBRA is the voluntary continuation of medical benefits by an employee upon termination of employment. An employee must have been enrolled in the Group Medical Insurance Plan to be eligible at the time the termination occurs. Provisions of COBRA must be in accord with the official governing language of the provider's contract with the Diocese of Tucson. Participation is to be offered to an employee upon termination of employment. The employee will receive a COBRA packet from the employer.

## **SECTION 6.10: EMPLOYEE ASSISTANCE PROGRAM (EAP)**

Employees enrolled in the Group Medical Insurance Plan may participate, on a voluntary basis, in the EAP. Through the EAP, meaningful assistance for employees with problems ranging from medical and family matters to personal legal, financial and emotional, that may affect job performance can be provided.

Employees may request employee assistance by calling the insurance provider. No employee will have his or her job security jeopardized solely because of the need for diagnosis, treatment or help. Absences needed for drug or alcohol treatment may qualify for FMLA leave.

For employees not enrolled in the Group Medical Insurance Plan, the workplace may recommend that the employee contact Catholic Community Services of Southern Arizona to inquire about supportive resources.

## **SECTION 6.11: RETIREMENT**

The Diocese of Tucson provides eligible employees with a Defined Benefit Plan, the Lay Employees Pension Plan (LEPP), and a voluntary, tax deferred retirement plan, the 403 (B), that allows employees to reduce their gross taxable income and to save for retirement.



***Employees hired on or after January 1, 2007 will be eligible for enrollment in the Diocese of Tucson 403 (b) Retirement Plan***

Management should be consulted for details regarding the pension plans available, participation, and pension plan payouts.

**SECTION 6.12: LONG-TERM DISABILITY INSURANCE**

The Employer pays 100% of employee long-term disability insurance for all eligible employees working thirty (30) hours or more per week. Enrollment is automatic on July 1 after completing two (2) years of continued employment from their date of hire.

**SECTION 6.13: LIFE/ACCIDENTAL DEATH AND DISMEMBERMENT (AD&D) INSURANCE**

The Employer provides Life and AD&D insurance for employees who work thirty (30) or more hours per week, beginning on the first day of the month following ninety (90) days of continuous employment. The coverage, paid by the Employer, cannot be waived. No dependent coverage is available.

**SECTION 7  
AUTHORIZED LEAVES OF ABSENCE**

<b>LEAVE OF ABSENCE</b>	<b>MINIMUM # OF HRS PER WORKWEEK</b>	<b>EFFECTIVE DATE LENGTH OF EMPLOYMENT</b>
Family & Medical Leave (FMLA) Unpaid	1,250 hours during the twelve (12) month period immediately preceding the commencement of leave.	Twelve (12) months
Temporary Disability Leave (TDL) Unpaid	20 or more	End of Probationary Period
Long-Term Disability Insurance Paid	30 or more	Two (2) years
New Child Leave - Paid	20 or more	End of Probationary Period
Bereavement Leave – Paid	No minimum	DOH
Military Leave – Unpaid	No minimum	DOH
Educational Leave - Unpaid	30 or more	One (1) year
Jury/Witness Duty – Paid	No minimum	DOH
Voting – Either Paid or Unpaid	No minimum	DOH
Court Appearances & Legal Matters Unpaid	No minimum (work related)	DOH
Personal Leave - Unpaid	No minimum	End of Probationary Period at option of employer
Emergency Leave – Either paid or unpaid	20 or more	End of Probationary Period at option of the employer

**SECTION 7.1: FAMILY AND MEDICAL LEAVE**

Employees are covered by the Federal Family and Medical Leave Act of 1993 (FMLA) with amendments to the FMLA by the National Defense Authorization Act for 2008 (NDAA). The following information is general in nature; official regulations of the FMLA shall prevail in all instances.

Under FMLA, eligible employees are entitled to take unpaid leave for up to twelve (12) weeks during a twelve (12) month period for Parental Leave, which would be for the birth of a child or the placement of a child with the employee for adoption or foster care, or Medical Leave, which includes the need to care for an employee’s spouse, child, parent, or the employee’s own serious health condition.

FMLA may also be requested for a period of up to 26-weeks of unpaid leave during a single 12-month period to care for a parent, son, daughter, spouse or next of kin who is a Covered Servicemember,

regardless of whether the employee has taken leave for another FMLA qualifying reason in the past 12-months.

Any leave taken under one or more of these circumstances will be counted against the employee's total entitlement to FMLA leave for that Leave Year.

To be eligible for leave, an employee must have been employed for at least twelve (12) months before requesting the leave, and have worked for at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of leave. An employee must provide written notice of the intent to take FMLA covered leave. When the need is foreseeable, the request must be submitted at least thirty (30) days prior to the desired beginning of the leave of absence. For additional details regarding FMLA including notice requirements, leave certification, pay during leave, return to work and health insurance, you are encouraged to consult your immediate supervisor.

## **SECTION 7.2: TEMPORARY DISABILITY LEAVE**

Temporary Disability Leave (TDL) is offered to all eligible employees who work twenty (20) or more hours per week. To be eligible, an employee must have satisfactorily completed his/her Probationary Period before the beginning leave date. Employees are authorized to use up to ninety (90) calendar days unpaid leave of absence for the employee's own short-term disability. TDL allows an eligible employee to fulfill the ninety (90) calendar day eligibility period for Long Term Disability. For additional details regarding Temporary Disability Leave, employees are encouraged to consult their immediate supervisor.

If the employee meets the requirements for leave under FMLA, the FMLA leave is considered to be concurrent with the TDL, whether or not FMLA leave has been requested.

## **SECTION 7.3: LONG-TERM DISABILITY LEAVE**

Employees who work thirty (30) hours or more per week, who are employed for at least two (2) years, and who are unable to perform the essential functions of their job beyond ninety (90) days are eligible for Long Term Disability benefits. Enrollment for an eligible employee takes place on the 1<sup>st</sup> of the month following two (2) years of service.

## **SECTION 7.4: NEW CHILD LEAVE**

Care for new children is an important responsibility for parents. In support of this responsibility five (5) consecutive workdays with pay may be granted to an eligible mother or father employee when a child is born, legally adopted or placed for foster care. To be eligible, an employee must have satisfactorily completed his/her Probationary Period before the beginning leave date. Depending on the circumstances and eligibility, the FMLA or Temporary Disability Leave (TDL) may become a consideration for either the mother or father.

New Child Leave is considered to run concurrent with FMLA or TDL, whether or not FMLA or TDL leave has been requested. Any time spent on New Child Leave counts as part of an employee's FMLA or Temporary Disability Leave.

A male employee, upon the birth of his child, may use five (5) days of New Child Leave, after which accrued vacation will be used and if applicable leave, without pay under FMLA which runs concurrent with vacation leave. The employee requiring leave for adoption or foster care is required to provide his/her supervisor with related supporting documentation.

#### **SECTION 7.5: BEREAVEMENT**

Bereavement leave up to a maximum of five (5) consecutive working days may be granted to eligible employees when a death occurs in an employee's immediate family. The immediate family includes only the employee's spouse, children, parents, brother or sister, or parents-in-law, siblings, grandparents, or other close family members residing in the employee's household.

#### **SECTION 7.6: EMERGENCY LEAVE**

Emergency leave is granted to eligible employees when an unforeseen emergency occurs in an employee's immediate family. To be eligible, an employee must work twenty (20) or more hours per week and have satisfactorily completed his/her Probationary Period before the beginning leave date.

For emergency leave, the immediate family includes only the employee's spouse, child, parents, brother or sister, parents-in-law, siblings, grandparents, or other close family members residing in the employee's household.

If an employee is to provide care for an immediate family member who is dying, FMLA may become a consideration. If an employee takes Paid Vacation to be with or attend to a member of the immediate family who is dying and that member should die, Bereavement Leave may be applied to the employee's absence.

#### **SECTION 7.7: MILITARY LEAVE**

All the provisions of the Uniformed Services Employment and Re-Employment Act (USERRA) will be adhered to and abided by and military leave will be granted to all eligible full-time and part-time employees. Employees are eligible on their date of hire with no required minimum number of hours of work per workweek.

An employee summoned by the government for duty, training, or to undergo an examination for fitness will be granted unpaid Military Leave. These leaves may last from a few hours to a maximum of five (5) years, unless extended in accordance with federal law. Individuals will not be fired, refused to be hired, disciplined or otherwise be discriminated against because they are in the service.

For detailed information regarding a call to active military service, the employee should consult his/her immediate supervisor.

#### **SECTION 7.8: EDUCATIONAL LEAVE**

With management approval, Educational Leave may be allowed for continuing education related to the employee's position or the mission of the workplace. Educational Leave is unpaid and is granted at the convenience and need of the workplace. Employees must be employed thirty (30) or more hours per week for at least one (1) year prior to being granted leave and be within two (2) years of completing their undergraduate or master's degree.

Employees on Educational Leave will not accumulate sick and vacation leave during the leave of absence. In addition, there is no guarantee that the employee will be reinstated into his/her position upon return.

#### **SECTION 7.9: JURY/WITNESS DUTY**

Employees are encouraged to fulfill their duty as citizens to their community. An employee summoned for jury duty will be excused from work for the period of time served whether or not the employee is selected. The employee is required to notify his/her supervisor as soon as the summons is received. The employee is required to present evidence of fees paid for income derived from jury duty. The Diocese can pay a non-exempt employee either the difference between regular straight time pay, and any jury duty pay received, or the employee can sign over the check received for jury duty and receive his/her regular pay. Exempt employees will have their pay reduced by the amount of jury fees received.

#### **SECTION 7.10: VOTING**

Eligible employees are encouraged to vote in federal, state, and local elections. As prescribed by law, workplaces will allow employees to take time off if there are less than three (3) consecutive hours between the opening of the polls and the beginning of their shift or less than three (3) consecutive hours between the ending of their shift and the closing of the polls.

An employee will be permitted to take time off from work without loss of pay to vote if he/she cannot vote outside of office hours, as prescribed by law. However, the supervisor may specify the period that the employee can be absent, either at the beginning of the work day when the polls open or at the end of the work day before the polls close. To be considered for a paid absence, an employee must notify his/her supervisor at least one (1) day in advance of the election date.

#### **SECTION 7.11: COURT APPEARANCES AND LEGAL MATTERS**

If an employee must appear in court or attend to legal matters not related to work, the non-exempt employee may be given time off without pay or the employee may use Paid Vacation hours. Exempt employees who are absent from work for attendance as a witness will have their pay reduced by the amount of payment they receive in the form of witness fees. An employee will not be retaliated against for taking leave.

The workplace may be flexible in the scheduling of the employee's workday or workweek for the reasonable accommodation of needs related to legal matters. Time spent on court appearances and attendance at legal proceedings related to work are paid hours.

## **SECTION 7.12: PERSONAL LEAVE**

Personal Leave covers any circumstances not specifically covered by the other types of leave for time off from work. Personal Leave is unpaid and may be granted at the discretion of the workplace for a maximum of thirty (30) calendar days.

## **SECTION 7.13: ELECTIVE LEAVE**

Employees are encouraged to exercise their privilege as a citizen to run for political office. It is expected, however, that if they exercise this privilege it be conducted strictly on the individuals' own time.

## **SECTION 8 STANDARDS OF CONDUCT**

### **SECTION 8.1: WORK SITE COURTESY**

The Diocese of Tucson and Affiliated Organizations are committed to the highest standards of moral, ethical, and professional conduct by those who serve and minister. All employees are expected to act in a professional, dignified, and Christian manner. Courtesy, consideration, respect, and cooperation are essential for effective program operations, quality care, and service. Employees are asked to supportively recognize the worth and dignity of every person with whom they come in contact. Unacceptable conduct/behavior, as described in Section 4, can result in corrective action up to and including termination.

### **SECTION 8.2: PERSONAL APPEARANCE**

Employees come in contact with many facets of the Church community and general public. For this reason, employees are expected to dress in a manner appropriate to their working environment and to the type of work performed. Employees are required to be neat, clean, well groomed, and dressed in a manner appropriate for their respective positions. Clothing will not be revealing or in any way detract from the working environment.

Management is responsible for establishing a reasonable dress code appropriate to the job. The norm for acceptability in attire in most office environments is “business casual” attire which usually does not include jeans, athletic attire (sweatshirts, sweat pants, gym shoes), T-shirts, shorts, cutoffs, tank tops, flip flops, etc.

The supervisor will advise an employee when a uniform or specific type of clothing is required. If an employee’s attire is brought into question, the supervisor will make a determination on appropriateness and take corrective action. An employee may be asked to leave the workplace until properly dressed or groomed. Under such circumstances, the time away from work will not be compensated.

### **SECTION 8.3: ATTENDANCE, PUNCTUALITY, AND DEPENDABILITY**

It is important to remember that excessive absenteeism, tardiness, and/or leaving early causes other employees within the workplace to have to bear the burden of filling in for the absent employee. To enhance the productivity of fellow employees as well as to fulfill the needs of the public we serve, any employee who will be absent from work or significantly late in arriving or who must leave early is required to notify his/her manager or supervisor. Failure to provide such notice or an excessive numbers of absences, late arrivals, or early departures could result in corrective action up to and including termination as provided in Section 4.5. Continued absence without notice or explanation for three (3) working days may be considered a voluntary resignation by the employee.

An employee must notify his/her supervisor not later than one half (1/2) hour past the employee’s scheduled starting time if he/she will be absent or significantly late. Not working scheduled overtime is considered an unexcused absence.

When reporting an absence, an employee is required to give the probable duration of the absence, the reason, and the estimated day or time of return to work. If a prolonged absence is anticipated, the employee will contact the workplace supervisor to be counseled on the appropriate leave of absence.

#### **SECTION 8.4: CONFIDENTIAL INFORMATION**

Employees are to respect the work and dignity of both their colleagues and those they serve and always be inclusive and respectful of the Church's rich cultural diversity. When differences or conflicts arise, appropriate channels should be utilized to resolve differences or share information. Information or communication shared in confidence must be respected and kept confidential at all times. Such practices as breaking confidentiality, gossiping, or disrespectful communications damage the spirit and morale of the work place. The obvious exceptions to confidentiality are the requirements by law to report child abuse and/or other criminal behavior or potential harm to others.

Employees must always take care to distinguish between statements they make and actions they take as individuals and those made as representatives of an organization. Without proper authorization, or outside the normal execution of their job responsibilities, employees are not to disclose any confidential matters that come to their attention as a result of their employment. Confidential information includes, but is not limited to, correspondence and contributions, personnel and payroll matters, and relationships between the Church and benefactors.

Employees should refer inquiries or requests for information from the news media (e.g., newspapers, television, or radio stations) to their immediate supervisor, who will consult with the Diocese of Tucson Director of Communications.

Disclosure to anyone of information without proper authorization may be cause for corrective action up to and including termination as provided in Section 4.

#### **SECTION 8.5: SOLICITATIONS AND DISTRIBUTION OF LITERATURE**

Active solicitation of funds and distribution of literature by employees during work hours is strongly discouraged. Passive solicitation and distribution of literature, such as placement of notices on bulletin boards, may be allowed with management approval in advance. Under no circumstances will non-employees be permitted to solicit or to distribute literature for any purpose on workplace property.

#### **SECTION 8.6: CONFLICT OF INTEREST, GIFTS AND STIPENDS**

Employees are expected to use good judgment, adhere to high ethical standards, and avoid situations that create an actual or perceived conflict of interest. With the exception of gifts of nominal value, employees will not accept personal gifts, services, travel, or entertainment from anyone with whom the employer does or is seeking to do business. To do otherwise may reasonably be perceived by others to affect their judgment or actions in the performance of their duties. No employee may solicit, offer or accept a payment, other than their regular salary, from any department of the Diocese of Tucson or any other Church organization without prior written approval of the Diocese of Tucson.



As this policy guideline is not comprehensive, employees are encouraged to seek assistance from their managers with any legal or ethical concerns. Employees may also contact the DOTHR to discuss matters that they cannot discuss with their supervisor.

### **SECTION 8.7: OUTSIDE EMPLOYMENT**

To avoid conflicts of interest and to prevent interference with the employee's position responsibilities, exempt employees are expected to not engage in outside employment.

### **SECTION 8.8: PERSONAL USE OF EMPLOYER ASSETS**

Employer property and employee working time are for the benefit of the employer. Therefore, employees are expected to use workplace assets or property for work purposes as follows:

- Personal telephone calls during business hours are discouraged and should be kept to a minimum, with the conversation brief.
- Receipt of personal mail at their work address is discouraged. This protects the employee's privacy and reduces the time necessary to process business mail.
- Diocesan letterhead, office stationary, and/or supplies and photocopies are to be used for workplace business only.
- Diocesan computers, Internet, e-mail, and voicemail are to be used for job-related communications only. These systems are not to be used to send or receive any communication or material that may reasonably be perceived as offensive, disruptive, discriminatory or harassing, or that disparages or ridicules any individual or entity.
- Anything sent, received, or shared on any workplace system is subject to being read, listened to, or copied by anyone.
- An employee who becomes aware of misuse of workplace assets or property should contact the supervisor.
- An employee has no right to privacy regarding an employer-assigned computer or other electronic device.

Employees who violate these policy guidelines are subject to corrective action up to and including termination as provided in Section 4.

### **SECTION 8.9: VISITORS IN THE WORKPLACE**

To provide for the safety and security of employees and to avoid potential distractions and disturbances, only authorized visitors are allowed in the workplace. The presence of children, family members, and friends of employees should be brief and infrequent. Employees are responsible for the conduct and safety of their visitors.

### **SECTION 8.10: EMPLOYER-OWNED VEHICLE USAGE**

Personally assigned vehicles should be driven home by employees for the sole purpose of garaging and safekeeping the vehicles. Except with prior management approval, personal use of the vehicles by employees is prohibited.

Payment of any citations issued to an employee driving or in possession of an employer-owned vehicle is the sole responsibility of the employee. Failure to pay tickets prior to notification of the workplace by law enforcement agencies and any other abuse of this policy may result in corrective action up to and including termination for the employee driver as per Section 4.

### **SECTION 8.11: PERSONAL VEHICLES**

Employees who use their personal vehicles while transacting employer business must comply with Arizona State law regarding proof of insurance. If an employee has an accident in his/her personal vehicle while on employer business, the accident must be reported to the supervisor. Mileage reimbursement provided to employees for use in conducting business is intended to cover gasoline, insurance, and normal wear and tear of the vehicle.

### **SECTION 8.12: ELECTRONIC COMMUNICATIONS**

The Employer makes a variety of information systems available to employees to assist in the performance of their responsibilities. This includes personal computers, hardware, software, internal networks, e-mail, voice mail, texting online and interactive services such as the Internet and the World Wide Web (www), facsimile, other electronic data and communication systems, and any subsequent developments in electronic communication that are used in the workplace. The purpose of this policy is to ensure proper use of the systems by employees and other users. Employees who become aware of the misuse of any electronic communications system should promptly report it to their management.

The Diocese owns the computers, network, and information contained on the system. Use of any electronic communication system provided by the Diocese constitutes permission to the Diocese to access any such communications, whether password protected or not. Consequently, information on the number of messages sent to and from, the dates and times of messages, and the content of any message or file maintained on any electronic storage device may be monitored by the workplace at any time without prior notice to the employee.

- E-mail is intended for business communications. Personal use should be reasonable and prudent.
- E-mail usage for any outside business activities, outside organizations, political causes, or other non job-related use is prohibited unless authorized in advance by management.
- Playing computer or video games or participating in any other electronic entertainment activities during normal working hours are prohibited.
- Communication that employees have with the public or with other employees should be of the highest possible quality. Employees should take measures to ensure that the information contained in e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.
- Sexually explicit images, messages, or cartoons, and any ethnic slurs, racial epithets, or any other material which could be construed to be harassment or disparagement of others based on their race, national origin, gender, age, disability, or religious or political beliefs are prohibited.
- Every e-mail message or communication must conform to safe environment, harassment, and Code of Conduct policies adopted by the Diocese of Tucson and Affiliated Organizations.

- Sexually explicit images, messages, or cartoons, and any ethnic slurs, racial epithets, or any other material which could be construed to be harassment or disparagement of others based on their race, national origin, gender, age, disability, or religious or political beliefs are prohibited.
- Electronic communication systems vary in degree of privacy available. In particular, e-mail does not provide a high level of confidentiality, integrity, or proof of source. Due to the nature of work within the Church, all employees must be aware of the need for privacy and confidentiality and must exercise discretion in communications. Employees should disclose messages or information only to authorized persons.
- Access to computer systems should be protected by passwords. Although passwords do not create total security, they do increase the security available provided they are kept confidential and are changed frequently.
- Passwords should be memorized rather than written down, and screen savers should be password-protected when possible. Employees are expected to respect password-protected information and to not gain access or attempt to gain access to information so protected. Sharing passwords or using another's password is not acceptable.

### **SECTION 8.12.1 SOCIAL COMPUTING/NETWORKING**

The Diocese of Tucson Code of Conduct and applicable laws provide the foundation for the Diocese's policies and guidelines for electronic Communications including social networking, twitter, instant messaging, e-mail, text messaging and other methods of communication which are evident and a part of our current society. To some, these or a combination thereof are a preferred means of communication. Although the above provide a significant degree of flexibility and ease in communications, they can also be misused and care must be taken to ensure that all information displayed or communicated reflect the values of our Catholic Faith and are in accord with the teachings of the Church. The posting of certain comments and information may have a harmful effect on the Diocese of Tucson, parishes within the diocese, and employees and is prohibited.

### **SECTION 8.13: SOFTWARE AND HARDWARE**

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. To help ensure computer security, stability, and licensing compliance, management must pre-approve any new installation of software or hardware, including software that is free and /or downloaded from the Internet.

Employees may not install employer-purchased software on their home computer without prior management approval and compliance with software licensing agreements. Employees are also responsible for ensuring that the person sending any software material over the Internet has the appropriate distribution rights.

### **SECTION 8.14: SPAM AND VIRUS PROTECTION**

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses. A known risk associated with Internet e-mail is the receipt of unsolicited messages (SPAM) that may contain objectionable material. Employees are expected to take reasonable steps to prevent SPAM. If an employee believes that

unsolicited messages have become a problem or if the system administrator determines that an employee's e-mail address is receiving an unreasonable amount of SPAM, the workplace may change the employee's e-mail address.

#### **SECTION 8.15: USE OF HOME COMPUTER SYSTEMS**

Employees who use their home computer systems for Diocesan or other Church affiliated business must take all necessary steps to ensure that such use does not result in disclosure of confidential information to unauthorized parties, including family members. Upon leaving employment, employees must permanently remove all such information from their computer system.

#### **SECTION 8.16: EMPLOYEE ELECTRONIC COMMUNICATIONS RESPONSIBILITIES**

Employees, have a duty to exercise care in their communications. Employees must be truthful, accurate, and professional, as with any other written formal business communication on behalf of the workplace.

Resources should not be wasted. Wasteful conduct includes, but is not limited to, sending unauthorized mass mailings or chain letters and spending excessive amounts of time on the Internet for personal use. Access to systems must be password-protected. Passwords must be kept confidential. In addition, laptops or other computers or related equipment must not be left physically unsecured at any time.

Any employee who knowingly violates the standards of conduct, or guidelines regarding the use of electronic communications will be subject to corrective action, up to and including termination as provided in Section 4.5.

## **SECTION 9 EMPLOYEE SAFETY AND HEALTH**

### **SECTION 9.1: SAFETY AND HEALTH RESPONSIBILITIES**

Employee safety and health is a vital concern. In keeping with this concern and to insure a safe and healthy workplace for all employees, workplace compliance with all requirements of state and federal regulations is mandatory. Employees are expected to share in the responsibility for their safety and to advise management of any unsafe situation or working condition. Each employee is asked to maintain a hazard-free work area and to clean up after himself/herself in such common areas as employee dining areas, lounges, rest rooms, and kitchens. Employee violations of a safety rule of major significance could result in deduction of pay for both exempt and non-exempt employees and/or other corrective action up to and including termination as provided in Section 4.

### **SECTION 9.2: WORKERS' COMPENSATION**

Employees are eligible for Worker's Compensation Insurance from the day they begin work. Employees must report all accidents or illnesses arising from or during the course of employment, regardless of how minor, to their immediate supervisor. In the event that circumstances do not permit immediate reporting, a report must be made within twenty-four (24) hours of the incident.

For additional information regarding medical and wage replacement benefits, you are encouraged to consult your immediate supervisor.

### **SECTION 9.3: SMOKING**

To provide a healthier work environment and to be in compliance with state and local ordinances, smoking is not permitted in any workplace. The employer may designate certain outside areas for smoking as long as non-smoking employees and others will not normally come into contact with second-hand smoke. In the event of any dispute, the rights of non-smokers will prevail.

### **SECTION 9.4: DRUG AND ALCOHOL/SUBSTANCE ABUSE**

The Diocese of Tucson and Affiliated Organization is committed to maintaining a safe and healthy work environment which enhances the welfare and security of their employees. A drug and alcohol-free workplace, one which prohibits the unlawful manufacture, distribution, sale, purchase, possession, impaired influence, or use of a controlled substance during working hours, is a mandatory condition to provide a safe environment for employees. "Controlled substance" refers to narcotics or any other mind-altering substances, including any other substance prohibited by law. Any person accepting or continuing employment with the Diocese of Tucson gives consent to the testing set forth in this policy guideline and procedure.

Alcohol and/or drug dependency is recognized as an illness requiring appropriate intervention and treatment. Employees with such dependencies are encouraged to seek treatment before a problem

interferes with job performance either from the Employee Assistance Program (EAP), if eligible, or Catholic Community Services programs or other private provider.

The Diocese may require any employee to submit to a drug or alcohol screening when there is reasonable suspicion that the employee is under the influence of alcohol or a controlled substance. Any employee found to be under the influence of alcohol or controlled substances during working hours, whether on company premises or on company business at another work site, will be subject to corrective action up to and including termination as provided in Section 4.

If an employee is suspected of the sale or distribution, while on the job or on employer property, of alcohol, illegal drugs and/or other controlled substances, the workplace will conduct a full investigation. Employees who are found to be in violation of this policy guideline will be subject to corrective action up to and including termination as provided in Section 4.

The Diocese reserves the right to conduct an unannounced search of any company property, including but not limited to desks, cabinets, and vehicles. As a condition of employment, employees are expected to cooperate in the conduct of such searches. Failure to cooperate may result in corrective action up to and including termination as provided in Section 4.

Any illegal substance found will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

#### **SECTION 9.5: OSHA – HAZARD COMMUNICATION STANDARD**

Compliance with the Federal Hazard Communication Standard (better known as the Right to Know Law) as enacted by the Occupational Safety and Health Administration (OSHA), as well as any state/local regulations that may apply, is required for all workplaces with hazardous chemicals on site.

#### **SECTION 9.6: AIDS/HIV**

Protecting the physical and emotional health and well being of all employees is of prime importance, based on both legal compliance and Church-based values. According to the best medical evidence available, casual office contact with employees who have AIDS/HIV or who have been exposed to the AIDS-related virus will not result in the transmission of AIDS. Therefore, qualified persons who have AIDS/HIV will be employed as long as they are able to perform their job to established standards. Reasonable work accommodation will be provided for employee safety.

#### **SECTION 9.7: BUILDING SECURITY/EMERGENCY PROCEDURES**

Employees are expected to do everything possible to safeguard the workplace. Each employee can help prevent a disaster by observing all building security and emergency notification and evacuation procedures. Each workplace should have documented building security and emergency procedures in place to address emergencies such as natural or man-made disasters, fires, or bomb threats. The establishment of emergency procedures should be coordinated with local fire and police officials.

An employee who fails to follow building security and emergency procedures can be subject to corrective action up to and including termination as provided in Section 4.

## **SECTION 10 SEPARATION FROM EMPLOYMENT**

### **SECTION 10.1: VOLUNTARY AND INVOLUNTARY SEPARATION**

#### **POLICY GUIDELINE**

A framework is provided for the Employer to address voluntary and involuntary employment separations. Nothing contained in this policy guideline will be construed to constitute a contract of employment, either expressed or implied, or be construed to modify the employment at will relationship that exists between the employer and its employees.

Voluntary separations are those initiated by the employer. Examples include, but are not limited to, resignation, retirement, death, total permanent disability, and an unexcused absence that is unreported for a period of three (3) or more consecutive scheduled workdays without verifiable evidence of a reason to be absent from the workplace.

Involuntary separations are those initiated by the Employer. Examples include, but are not limited to, layoff, separation by mutual agreement, separation due to failure to return from approved leave of absence, separation due to exhaustion of approved leave of absence or release for inability to perform essential functions of the job after reasonable efforts have been made to assist the employee in meeting the standards expected by the employer, and discharge for conduct not in the best interest of the employer.

An employee should not be allowed to exhaust accrued vacation beyond the effective date of separation.

### **SECTION 10.2: EXIT INTERVIEW**

It is important to obtain feedback from separating employees concerning working conditions, policies, supervision, and other matters related to their employment. Exit interviews provide a way for management to identify problem areas so that improvements can be made. Whenever an employee separates from employment voluntarily, management or a management delegate will conduct a confidential exit interview. The separating employee is encouraged to provide input as requested.

## **GLOSSARY**

<b>TERM</b>	<b>DEFINITION</b>
Affiliated Church Organizations (Also known as Affiliated Organizations)	Separate entities serving the Diocese of Tucson such as parishes, schools, agencies and administrative and program offices, that have signed a service agreement with the Diocese of Tucson.
Diocese of Tucson	The Bishop of Tucson's Administrative Offices, including the Bishop Moreno Pastoral Center and St. Augustine Cathedral.
Employee	Any person who receives direct compensation from the Diocese of Tucson for any service performed for which the workplace has the legal right to manage or control the method and result of the services.
Employer	The Diocese of Tucson or affiliated organization that hires others to perform a service or engage in an activity in exchange for compensation.
Employment at Will	Under Employment at Will, either the employer or the employee may terminate the employment relationship at any time, for any reason or no reason and with or without prior notice.
403B	Section 403(b) of the Federal tax code regulates the Tax Deferred Retirement Program (TDRP). Similar to a 401(k) plan, the TDRP allows eligible employees to save pre-tax dollars for retirement. Deposits to the plan are not subject to Federal and State taxes at the time of deposit, and earnings on these deposits are deferred from taxes until withdrawn. Because taxes are paid on investments during retirement years when income is presumed to be lower, more wealth can be accumulated by saving on a pre-tax rather than an after-tax basis.
Involuntary Separations	Separations that are initiated by the employer.
Management	Any employee whose management activities include but are not limited to: interviewing; selecting and training employees; setting and adjusting rates of pay and hours worked; supervising, directing, and planning the work of employees; appraising employee's productivity and efficiency for the purpose of recommending promotions or other changes in status; handling employee complaints and grievances; disciplining employees; providing for the safety and security of



employees or property; planning and controlling the budget; and monitoring or implementing legal compliance measures. Examples include but are not limited to: pastors, principals, or agency and administrative directors/managers/supervisors.

Nominal Retail Value	The value of an object that does not exceed \$25.
On-Call Employee	An employee employed on an intermittent basis to work on special projects or events during peak work periods, to fill in for an absent employee, or for any other workplace-identified operational need. On-call employees are not guaranteed a minimum number of work hours per week, nor do they necessarily work every week.
100% Vested	Employees who are 100% vested can withdraw all of the funds that are set aside for them in their retirement fund.
Other Church Organizations	Separate entities serving the Roman Catholic Church, such as parishes, schools, agencies and administrative and program office, that have <b>not</b> signed a service agreement with the Diocese of Tucson.
Overtime	Any hours worked by a non-exempt employee in excess of forty (40) hours per week.
Qualifying Event	A change in an employee's personal life that may impact their eligibility or dependent's eligibility for benefits. As defined in the <u>IRS Irrevocability Rule</u> , employees experiencing a qualifying event can change certain benefits for a specified time period.
Regular Employee	Includes full-time and part-time employees, but excluding part-time on-call employees.
Reasonable Accommodation	Changes or adjustments made in a workplace, program or job that make it possible for an otherwise qualified employee or with a disability to perform the duties or tasks required.
Total Assessment	The use of multiple qualifying factors in the evaluation of all employment candidates to ensure that the process is legally sound and identifies the most qualified candidate for any open position.
Vesting Period	The period of time in which employees accrue non-forfeitable rights to employer contributions that are made to the employee's qualified retirement plan account.

Voluntary Separations

Separations that are initiated by the employee.

Workplace

The business establishment, to include the workplaces of Diocese of Tucson and Affiliated Organizations that have adopted these guidelines where people are employed and the work is done.