

**CATHOLIC DIOCESE
OF
DALLAS**



EMPLOYEE POLICY MANUAL

March 2009

**Diocese of Dallas
Employee Policy Manual**

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Introduction

Work is not only good in the sense that it is useful or something to enjoy; it is also good as being something worthy, that is to say, something that corresponds to man's dignity that expresses this dignity and increases it. If one wishes to define more clearly the ethical meaning of work, it is this truth that one must particularly keep in mind. Work is a good thing for man—a good thing for his humanity —because through work man not only transforms nature, adapting it to his own needs, but he also achieves fulfillment as a human being and indeed, in a sense, becomes "more a human being".

- From encyclical letter “Laborem Exercens”

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The Catholic Church teaches that the work we do in this world has more than a visible, tangible purpose and effect. It also changes and transforms us and is one of the principal means by which we respond to God’s grace and become co-workers with Christ in his work of redeeming the world and perfecting his creation. Through the work we do, the Lord fashions and shapes us in his image and likeness. This is true of all human work. It is especially true of the work we do together in the church, building up the Body of Christ, making a return to the Lord for all the good he has given to us and supporting the efforts of our brothers and sisters to respond to gospel and grow as people of faith.

In the Catholic Church the mission of Jesus to go and make disciples of all the nations was entrusted to his Apostles before the Ascension (Matthew 28: 18-20). The bishops as the successors of the Apostles carry on that mission and oversee the growth and development of the many and varied gifts given to the members of the church for the sake of that mission (1 Corinthians 12:7). As co-workers with the bishop, and with the priests who share in his ministry, the lay staff in the pastoral center, parishes and

other diocesan entities employ their expertise and talents in assisting the bishop to teach, sanctify and administer the temporal goods of the diocese for the sake of the whole church and for the sake of the broader community in which we live.

Since this mission is always carried out in the world and in the cultural reality of our day, the following policies and procedures are provided to support the careful coordination and collaboration of the work of church employees and to assure that all who work in the service of the church receive fair treatment and just compensation for their work, since the workers deserve their pay (Luke 10:7). These policies also support good stewardship on the part of all in their use of their time, their talents, and in the use of the material resources at their disposal for accomplishing their work successfully.

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Purpose

It is our belief that all benefit when those who are involved in carrying forward the mission of the church understand not only that mission, but also the rights and duties that come into play when carrying it out. Hence, the purpose of this manual is to set forth the specific policies that govern the relationship of all employees to their Employing Entity. These entities fall under the juridic authority of the Bishop of the Diocese of Dallas, exercising that authority under the Canon Law of the Roman Catholic Church. The manual does not purport to apply to other entities that might be located within the diocese, but which are not directly supervised by the bishop or his delegates. Acceptance of employment implies acceptance of the policies by parties, the diocese and the employee. This includes all organizations under the juridical authority of the Diocese of Dallas to include: the employees working at the Pastoral Center, parishes, Holy Trinity Seminary and other employing entities.

These policies cannot and are not intended to cover every possible situation nor are they absolute in and of themselves, nor are they intended to create contractual rights. The Bishop or Vicar General shall be the final approval and interpreter of the policies contained herein. These policies will continue to be updated as needed by the Policy Review Committee appointed by the Bishop of the Diocese of Dallas.

In general, all employees of employing entities are subject to the policies contained in this manual. The supervisors are responsible for the implementation of these policies. It is the responsibility of all supervisors to facilitate a consistency in the application of these policies.

Neither the Diocese of Dallas (the "Diocese") nor any of the employing entities have created an employment contract with any of its employees by issuing this Policy Manual or by any of the policies contained herein. The employment of each employee remains at will. Should Canon Law or individual written contracts establish otherwise, the provisions of Canon Law or the individual contract will be followed.

It is our hope that setting forth these policies will safeguard rights, clarify expectations, and in general, promote a harmonious and efficacious furthering of the mission of the Diocese of Dallas.

Message from the Bishop

Dear Brothers and Sisters,

I am very grateful for the efforts of all who work with me in the service of the Church of Dallas. One of my principal concerns as bishop is to assure that all who work in the service of the church in our diocesan parishes and institutions have clear policies and procedures for guiding their work. As our work is at the service of the gospel it must be marked by the principles of the gospel, especially the principle of justice. The same policies and procedures apply to all professional staff members and employees and are designed to assure that principles of justice and good stewardship are the hallmarks of our work. My hope is that they will enable us to work closely with one another and offer excellent service to our brothers and sisters in the church. This is especially important since the encounters others have with those who work in the church affects their relationship with the Catholic Church as a whole.

May God bless you and your families and make your work in the service of the Church of Dallas fruitful and a source of satisfaction for you.

Faithfully in Christ,

**Most Reverend Kevin J. Farrell
Bishop of Dallas**

Section 100

Employment Practices

101. Equal Employment Opportunity

The Diocese of Dallas assures equal employment opportunity in all its employment policies and practices. These policies and practices are administered without regard to race, color, national origin, age, gender, marital status, political affiliation, veteran status, or mental or physical disabilities not affecting one's ability to perform the essential functions of one's job. All employment in the diocese requires compliance with moral standards acceptable to the Catholic Church. There are certain positions in the diocese for which it is necessary to be Catholic, and some positions for which preference in hiring shall be given to people who are Catholic and who evidence an understanding of the Catholic faith and a commitment to living that faith. Such preference is allowed under state and federal law, and does not constitute an illegal act of discrimination. In furtherance of the equal employment opportunity policy, the Diocese of Dallas will be diverse in its hiring practices.

102. Employment-At-Will

All employees are employed for an indefinite period of time at the discretion of the employing authority. Managers/supervisors are not to suggest, through their actions or communications that there exists any form of contract with any employee concerning the terms and conditions of employment. The Diocese of Dallas and all employing entities are employers-at-will. There are employees in the diocese under a defined time certain contract which will apply in lieu of the Employment-At-Will Policy.

103. Diversity Policy

The Church of Dallas is composed of and enriched by people of diverse national, ethnic and cultural backgrounds. In order to serve all members well, the diocese promotes staffing in parishes and other institutions that reflects this diversity and supports the inclusion of the gifts of all the members of the church in its pastoral life.

The diocese also promotes programs that help employees understand and serve people from diverse cultures and backgrounds.

104. Safe Environment

All employees and volunteers as identified by our Safe Environment Policy must complete and be cleared through the Diocesan Safe Environment Program at the time they are hired (See Diocesan website, www.cathdal.org , for the Safe Environment Policy). They must successfully complete the required ongoing training as a condition of continued employment.

105. Employment of Family Members

An individual will not be placed in a position that would result in a direct supervisor/subordinate relationship with a relative.

Applications received from family members will be processed according to the same procedures and given the same consideration as afforded all other external applicants for positions.

106. Re-Employment

Former employees may be considered for rehire if the employee record indicates good performance, behavior, and attendance during their prior employment and if their termination/resignation occurred under favorable circumstances. The business manager, pastor and or the human resource manager must always be contacted to obtain background information on individuals formerly employed with another parish or other employing entity.

If a former employee has been gone for a period of time less than the time they were employed at the diocesan entity they will get credit for the time they were with the employing entity before they left, otherwise they will be treated as a new hire. The maximum number of years a person can be gone is five years; if more than five years the employee will be treated as a new hire. This credit applies to all benefits.

Applications received from former employees will be processed according to the same procedures and given the same consideration as afforded all other external applicants for positions.

107. Transfers From Within the Diocese

Any employee who transfers from one employing entity to another will be recognized as having continuous service within the diocese.

108. Employment References

A candidate's employment history, academic preparation and references shall be checked prior to being offered a position.

109. Volunteers

Volunteers are a vital part of parish and diocesan life, providing a variety of services otherwise unavailable. Although they are not employees a certain relationship is established, and it is important for both the employing authority and the volunteer to understand the policy aspects of this relationship.

Because volunteers are not employees, they are not covered under the diocesan benefit plans. There is no right to be a volunteer. Whether or not someone is or remains a volunteer is a matter within the sole discretion of any employing authority within the diocese.

Volunteers may be required to sign a confidentiality agreement based on the nature of the work they will be performing. They will also be responsible for adhering to the diocesan Safe Environment Policy

If a volunteer is also a non-exempt employee of the employing entity he/she may not volunteer within the scope of his/her work or work more than the normal working hours (40 hours) that have been established without incurring overtime pay. One may volunteer outside the scope of his/her job for other church activities.

110. New Employee Orientation

An orientation program is organized to acquaint employees to their new work situation. The program includes information relative to the history, philosophy, purpose and objectives of the diocese and the employing entity, its administrative policies and procedures, fire and safety program, and facilities and grounds.

A department orientation to the specific work situation shall be conducted by the respective supervisor and/or delegated person. Each employing entity will have its own orientation program. (This policy must be implemented by January 1, 2010)

111. Job Descriptions

A job description is a written tool to assist employees in identifying the purpose of their jobs and to communicate job standards. Job descriptions shall be written, periodically reviewed, and revised by the supervisor and approved by the business manager/human resource manager of the employing entity. (This policy must be implemented by January 1, 2010)

112. Open Door Policy

An open line of communication should always be present between the employee and his/her immediate supervisor. The diocese encourages the employee to bring concerns and suggestions to the attention of the pastor and/or immediate supervisor.

Informal discussions between an employee and an immediate supervisor when an issue first develops can enable many problems to be cleared up without delay. Information concerning an employee problem, concern or suggestion will be received in strict confidence and will generally only be discussed with those involved in resolving the grievance.

Some misunderstandings are inevitable, and every real or imagined cause of an employee's personal dissatisfaction may not be removed by informal discussions with the immediate supervisor. In such circumstances, the following procedures will be used in resolving an employee's concern:

1. Initiate a discussion with immediate supervisor to see if a resolution can be found to the problem or concern.

2. If the above step is not appropriate or fails to resolve the matter, visit with the human resource manager/business manager/pastor to see what additional solutions can be developed to obtain a satisfactory resolution.
3. If the process fails after the above steps have been taken, you may request further review by the supervisor of the employing entity or the Human Resources Director at the Pastoral Center who in turn will consult with the appropriate authority.
4. Documentation should be kept at all levels.
5. It is understood that an employee's standing shall not be adversely affected in any way by use of the Open Door Policy.

113. Whistleblower Protection

The purpose of this policy is to protect those individuals who want to raise issues of illegal, dishonest, or unethical behavior with the assurance of not becoming a target of subsequent recrimination.

A whistleblower is defined by this policy as an employee of an employing entity who reports an activity that he/she reasonably believes to be illegal or dishonest or reports unethical behavior to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

“Dishonest” or “unethical” is defined as violating some objective and publicly identifiable standard of conduct, not merely the reporter's subjective opinion. Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; fraudulent financial reporting or accepting or giving bribes or kickbacks. Examples of dishonest and unethical behavior includes, but is not limited to, violations of employer policies in the respective Employee Policy Manual, Code of Business Conduct, Safe Environment Program, Computer and Internet Policy or similar published policies.

If an employee has knowledge of or a concern of illegal, dishonest, or fraudulent activity or of unethical behavior, the employee is to contact: his/her immediate supervisor/pastor/business manager/or Director of Human Resources for the Diocese.

An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination. Whistleblower protections are provided in two important areas – confidentiality and against retaliation. Whenever possible the confidentiality of the employee will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and employer policy and to provide accused individuals their legal rights of defense. The employer and associated entities will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments and threats of physical harm for making a report. Any whistleblower who believes he/she is being retaliated against must contact his/her immediate supervisor/Pastor/Business Manager/or the Director of Human Resources for the Diocese immediately either through written or verbal communication, i.e., signed written letter, in-person visit, etc. The right of a whistleblower for protection against retaliation does not include immunity from personal complicity in wrongdoing or any other misconduct.

114. Employment Contracts

Employment contracts are discouraged. However, if an employment contract is necessary it must be submitted in advance to the Director of Human Resources for the Diocese, who in turn will obtain necessary legal and ultimately Senior Staff approval. Contracts used by the schools will be initiated and approved by the Diocese of Dallas Catholic Schools Office. (Please see Section 800 for specific contract policies pertaining to schools.)

115. Inclement Weather

All employing entities have individualized inclement weather policies. Accordingly, all employees are to follow the inclement weather policy of the entity in which he or she works. When the entities are open, employees are expected to make reasonable and determined efforts to get to work. Decisions on the postponement of work due to inclement weather conditions should be left to the decision of the employing authority. (Please see Section 700 for the employing entities policy on Inclement Weather).

116. Work Schedules

A normal work week for non-exempt (hourly and salaried) employees consists of not more than 40 hours. The hours worked are established by the employing authority. Failure to follow established time requirements will subject employees to discipline up to and including termination.

Any non-exempt employee who is asked by his/her immediate supervisor to work more than 40 hours in a workweek will be paid 1.5 times his/her base rate for any hours worked over 40 hours in a workweek. The decision to have a non-exempt employee work more than 40 hours in a workweek must be in writing and the decision must be made by the supervisor who has budget authority for the area. Any workday that an employee fails to report for work will be charged as a full day of absence to the appropriate leave. In the event that paid leave has been exhausted, the employee will not be paid. Unexcused absences from work of any length shall be deemed job abandonment after the third consecutive day of absence and will lead to disciplinary measures up to and including termination.

(Please see section 700 for the employing entity's policy on work schedules)

117. Safety on the Job

It is the responsibility of all employees, at all levels, to practice work habits that support and promote safe and healthful work conditions. Employees who intentionally break safety or health rules will be subject to corrective or disciplinary action up to and including immediate termination.

No employee should ever perform a task or work with equipment that he/she reasonably believes to be unsafe.

Employees must report unsafe conditions or practices to their immediate supervisor.

118. Recruiting & Hiring

Each employing entity seeks to hire the most qualified applicant. Generally, new positions for which the employing entity advertises will be posted for all current employees to see. The employing entity may, however, at its sole discretion waive this practice.

Reasonable efforts will be made to fill vacant positions with internal candidates. However, the employing entity may consider both internal and external candidates in order to hire the most suitable person available.

119. Computer Systems and Internet Use Policy

Please refer to Appendix A for specific details.

120. External Communications

The objective of our external communication policy is to communicate in a pastoral manner the position of the church. In using the news media to communicate, every attempt will be made to show compassion, concern, and willingness to extend the love of Christ to all parties involved.

Communication in Normal Situations:

- The Director of Communications for the Diocese shall serve as spokesperson.
- All media inquiries should be directed to the Director of Communications.
- The Director of Communications may designate staff members to be interviewed by media.
- Employees are encouraged to seek assistance from the Office of Communications in preparing public statements.
- When employees make statements in public expressing their opinions, they have the responsibility to be clear that their opinions are personal.
- The Office of Communications is responsible for providing some training for designated employees to respond effectively to the media.

All matters of the employing entity that require news releases or public statements must be reviewed and coordinated with the Director of Communications.

Communication in Crisis Situations:

- In the event where media inquiries are urgent or in a crisis situation, the Director of Communications will serve as spokesperson for the Diocese. The Vicar General acts as spokesperson when the Director of Communications is not available.
- In matters involving the schools of the diocese, the Diocesan Superintendent of Schools, if available, will be the first point of contact at the diocesan level when the Director of Communications is not available, unless another individual is designated.

No statement may be made on behalf of the diocese or any employing entity unless it has been approved by the Director of Communications of the Diocese.

121. Job Abandonment

It is the policy of the employing entity to consider that an employee who abandons his/her job has voluntarily resigned. Absences from work without proper notification to the employee's supervisor will be considered abandonment after the third consecutive day of absence. The effective date of termination will be the last day which the employee actively worked. If a position is abandoned, the employee will be paid only for each day actually worked.

122. Immigration Law Compliance

In compliance with the Immigration Reform and Control Act of 1986 all applicants when hired will be required to complete the Immigration and Naturalization Service Form I-9 to verify their identity and eligibility for employment in the United States.

While the diocese will sponsor certain applicants for religious worker visas and legal permanent residency status, it will not pay the fees associated with such sponsorship.

Section 200

Benefits and Compensation

201. Compensation Policy

The employing authority will not discriminate in the administration of salaries as it relates to employees based on race, sex, national origin, handicap conditions, marital status, age, veteran status, against women and men in religious orders, i.e. equal pay for equal work. Equitable compensation will be based on the position and its complexity as well as the qualifications of the individual and how the job relates to other positions in the employing entity.

Correspondingly, a salary structure will be maintained that recognizes variance in job requirements and performance.

The goal of a salary structure is to be competitive with other local, comparable organizations. The compensation program will be consistent with the approved budgets of the various employing entities. Salaries will be reviewed annually and will coincide with the Diocese fiscal year as well as annual performance reviews.

202. PTO (Paid Time Off)

The employing entities provide for periods of Paid Time Off (PTO) during the calendar year, so employees can be paid during short illnesses and/or can enjoy planned periods of rest and relaxation or attend to family matters, etc. Entities that currently do not have this PTO policy should adopt this policy no later than January 1, 2010.

PTO is in lieu of “vacation days” and/or “sick days.”

The days of PTO are determined by the cumulative length of service with the employing entities. Verification of type and length of service with another employing entity will be required in writing at the time of employment.

During the first partial calendar year of employment, the PTO is earned as follows:

<u>Month Of Hire</u>	<u>Days Earned During Remainder of Year</u>
December	0 days
November	1 day
October	2 days
September	3 days
August	4 days
July	5 days
June	6 days

May	7 days
April	8 days
March	9 days
February	10 days
January	11 days

PTO is based on years of service according to the following schedule:

<u>Full Calendar</u> <u>Years of Service</u>	<u>PTO</u>
Years 1 and 2	15 days
Years 3 and 4	19 days
Years 5 and 6	24 days
Years 7 and 8	28 days
Years after 8	30 days

A maximum of five (5) days of unused PTO may be carried over from one calendar year to the next.

Part-time employees are employees who work less than 30 hours per week. Part-time employees working at least 1,000 hours a year are entitled to PTO (on a prorated basis). The proration will be based on his/her years of service and hours worked in relation to a full-time schedule and the above chart. The employing entity at their discretion may elect to allow PTO for employees working less than 1,000 hours a year prorated based on the schedule above. (Please see section 700 Specific Parish Policies if this applies).

All PTO requests must be in writing in advance and submitted to the employee's immediate supervisor for approval. Approval will be given subject to workload. Extensive PTO must be avoided around major holiday periods.

PTO may be taken in increments of not less than one-half day at a time. (Entities may vary in the amount of PTO that can be taken at any one time from one (1) hour to four (4) hours. Please see Section 700 if the amount of time that can be taken varies).

PTO is available for use at the beginning of the year; however it is earned and accrued ratably during the calendar year.

Upon separation of employment the methodology for calculating PTO earned will be based on the amount of PTO accrued and earned for the calendar year at the time of separation. Employee's separating employment as a result of a work force reduction, resignation or termination for cause (except as outlined below) will be paid for unused PTO (accrued and earned during the calendar year-to-date but not taken). In the event PTO taken exceeds PTO accrued and earned, the excess must be refunded to the employing entity via the last pay check or other method of payment.

(Example: If an employee has 15 days of PTO as a result of having 2 years of service and the employee leaves Diocesan employment in April then the employee will be paid for 5 days of PTO assuming no PTO was taken in the first four months of the year.)

If the termination is the result of an egregious act (including but not limited to abuse, assault, theft, embezzlement or potential public scandal to the church) unused PTO will not be paid. The decision to pay or not to pay unused PTO will be made by the head of the entity involved after consultation and agreement with the Human Resources Director of the Diocese.

203. Paid Holy Days and Holidays

The employing authority will establish the allowed paid holy days and holidays. A specific list will be published annually by each employing entity.

Each full-time employee shall be paid for that holiday or holy day for the number of hours normally worked on such a day, but not to exceed eight (8) hours at the regular rate, if that holy day or holiday falls on a work day.

Part-time employees who have a recognized holy day or holiday fall on a regularly scheduled working day shall be paid for a number of hours each would have worked on such a day.

(Please see Section 700 for the employing entities holy day and holiday policy).

204. Overtime

Occasionally, employees may be required to work overtime. In compliance with the Fair Labor Standards Act, only non-exempt employees are eligible to receive overtime compensation in an amount of one and one-half times their regular hourly rate of pay for each hour over forty (40) he/she works. All overtime for non-exempt employees must be approved in writing and in advance by the employees immediate supervisor provided that supervisor has budgetary approval.

205. Compensatory Time

The employing authority does not offer compensatory time to staff. Exempt personnel are expected to devote sufficient time to accomplish the objectives of his/her position. Non-exempt personnel are to be paid overtime for excess time, as described in the overtime section of this document. (Please see Policy 204 on Overtime).

206. Educational Leave of Absence and Skills Improvement

Leaves of absence for job-related educational programs may be given to full-time employees. The immediate supervisor of an employee requesting an education leave of absence or skills improvement opportunity will initiate a recommendation for approval by the pastor/business manager/human resources director. Prior to the leave of absence, specific agreements concerning salary and benefits commitment, group insurance and 403B benefits, and other agreements regarding the employee's return will be written in detail and after approval placed in the employee's file.

Employees may attend very short-term classes and seminars designed to improve their job-related skills or maintain job-related licenses during normal working hours. If approved, and funds are budgeted, the immediate supervisor, with approval of the pastor/business manager/human resources director, may authorize full or partial payment of fees for such classes. Employees will not have to take PTO for this time away from work.

207. Jury Duty Leave

Leave with pay will be granted for jury duty, upon presentation of appropriate documentation.

208. Bereavement Leave

Up to five (5) days of bereavement leave with pay may be granted in the event of death in the immediate family of the employee. Immediate family includes the employees spouse, child, parent, sibling, grandparent, grandchild, mother-in-law, or father-in-law.

Attendance at other funerals will be subject to the provisions of "Paid Time Off"

If a death occurs at a time when work is not scheduled, payment will not be made. If a holy day or holiday or vacation occurs on any of the days of absence, the employee will not receive holiday or PTO pay in addition to paid funeral leave.

The amount of bereavement leave is determined by the employing authority but must not exceed 5 days.

209. Maternity Leave

There are 12 cumulative workweeks allowed under the Family and Medical Leave Act of 1993 (FMLA) within a 12-month period. Pay will be given for six (6) of these weeks of leave due to the birth or adoption of a child. If the delivery is a cesarean delivery then eight (8) weeks will be given with pay. This paid maternity leave does not impact paid time off (PTO). Part of the pay the employee receives will be given under the diocesan short term disability policy. (See Policy # 211, for more details on short-term disability.)

Employees working work less than full time (30 hours per week) qualify for paid maternity leave if they qualify for FMLA. FMLA qualifications are an employee must work 1040 hours during a 12 month period as defined in Policy #210 as a calendar year.

210. Family Leave under the Family and Medical Leave Act of 1993

This Act allows eligible employees to take up to twelve (12) work weeks of unpaid leave during any 12-month period for the following reasons: because of the birth or placement for adoption or for foster care of a child; because of the serious health condition of a spouse, child, or parent; or because of the employee's own serious health condition. The Diocese has adopted the calendar year as the "12-month period." Existing employee health care benefits, if any, must be continued by the employer. Employees who return from family leave must be reinstated to the same or similar position. In the case of a leave for the birth or placement of a child, an employee must give the employer at least 30 days notice of the necessity for the leave.

Unpaid FMLA leave time does not count toward earning PTO but such time does count toward vesting in the 403B Retirement Savings Plan. In any event, this policy shall not be interpreted in any manner inconsistent with or expand the rights of any employee beyond the requirements of the FMLA.

211. Short-Term Disability (STD)

Short-term disability provides income protection if you become disabled and cannot work due to a non-occupational illness or other injury lasting more than 14

consecutive days. All full-time employees are eligible for this benefit. Benefits from the STD plan will equal 60% of your weekly earnings not to exceed \$1,000 per week. Short-term disability benefits are paid for up to 11 weeks after a 14-calendar-day elimination period (14 calendar days after the onset of the non-occupational illness or other injury). In the case of maternity STD will pay 60% for four weeks for normal delivery and for six weeks for cesarean section births after the 14 day calendar elimination period.

If the employee is not actively at work due to short term disability they must continue to pay insurance premiums for their medical and dental coverage as well as any voluntary coverage that may have been elected. If the employee elects not to continue coverage while on short term disability then the employee will be subject to pre-existing condition exclusions and/or underwriting requirements.

212. Legal Appearance Leave

Employees required by a written legal summons to make a legal appearance will be given the time off with pay necessary to make the appearance, as long as the appearance is job related. If the appearance is with regard to a matter to which the employee is a party and is not job related the leave is without pay or the employee may use PTO. The employee must provide his/her pastor, business manager or immediate supervisor with the written legal summons to be eligible for this paid leave.

213. Voting Leave

Employees are expected to vote outside of his/her normal working hours.

214. Leave of Absence without Pay

An unpaid, non-job-related leave of absence, other than a leave under FMLA, for a period of up to six months may be granted to a regular full time employee with the approval of the Pastor/Business Manager/Human Resource Director. All benefits, if any, that may be provided during the unpaid leave of absence will be determined by the appropriate person listed above.

Prior to the leave of absence, any agreements concerning the job description, the salary and benefits commitment, the medical and pensions benefits, and other agreements regarding the employee's return must be spelled out in writing with the approval of the

appropriate person above in order to be enforceable. Extension of a leave of absence beyond six (6) months must have the specific advance approval of the appropriate supervisor indicated above.

Should an employee not return at the end of an authorized leave period, the employee will be considered as having voluntarily resigned.

If an employee is not actively at work due to a leave of absence, the employee must continue to pay insurance premiums for their medical and dental coverage as well as any voluntary coverage that the employee elected. If the employee elects not to continue coverage while on a leave of absence the employee must be aware that upon return to an active work status and joining the insurance program they may be subject to pre-existing condition exclusions and/or insurance underwriting requirements.

215. Military Leave

Reservists who are called to active duty are not entitled to pay from the employing entity. However, they are entitled to return to the civilian job position out of which they were called or to a position of like seniority, status and pay.

216. State and Federally Directed Benefits (Cobra and Unemployment Compensation)

Lay employees of employing entities are covered by Federal Social Security and Medicare Programs. The employing entities contribute amounts as required by these programs. Employees are eligible for the State Workers Compensation Program benefits as appropriate. The State Unemployment Compensation Program and the Federal Consolidated Omnibus Budget Reconciliation Act of 1986 (C.O.B.R.A.) benefits extensions do not apply to the Diocese of Dallas. Please see Continuation of Benefits for the Diocesan Policy on benefits after separation of employment. (Policy # 218)

217. Group Medical, Dental and Life Insurance

Group medical, dental, short term disability and life insurance is provided for all employees working at least 30 hours per week. The employing entity pays 100% of the premiums for priests and lay employee's coverage under the Diocese of Dallas Self-Funded Group Plan. Dependent coverage is available at employee's expense.

Employees enrolled in the diocesan medical insurance program are covered by a group term life insurance policy. The premiums for this policy are paid entirely by the employing entity through the health insurance premium. The benefit is a minimum of 1x salary or \$20,000 to a maximum of \$50,000 in term life insurance with an equivalent amount of coverage for accidental death and dismemberment insurance coverage.

Employees are eligible for this insurance on the first day of work. For further details of this policy please see the Plan Document available from the Pastoral Center benefits office.

218. Continuation of Group Insurance

Medical and dental insurance may be continued at the former employees own expense at the published rates. Payment must be received by the 10th of the month for that month's insurance. If payment is not received at the designated time then insurance will be permanently cancelled. Group insurance may be carried for a maximum of eighteen (18) months from the resignation/termination date.

219. Worker's Compensation

The diocese complies with the Worker's Compensation Act of Texas. Employees must immediately report all work related illnesses and injuries to the business manager/human resource director. An Employer's First Report of Injury or Illness must be completed by the administrator and submitted directly to the third party administrator of the plan for the diocese.

Employees who are unable to work as a result of a job-related injury or illness will be subject to the Family Medical Leave Policy. Therefore, such employees must complete a Leave of Absence Request Form and provide a medical certificate of their inability to work.

Leaves of absence for medical reasons, including on the job injuries and illness will be limited to a maximum of six (6) months. Employees who are unable to return to work within this time frame will be terminated. However such termination will not affect his/her ability to receive Worker's Compensation benefits.

220. Retirement Savings Plan 403(b)(7)

The Diocese of Dallas has adopted a 403(b) retirement savings plan for lay employees in order to provide retirement benefits for the eligible lay employees of all employing entities. All employing entities contribute three percent of an eligible lay employee's annual salary to the 403(b). The employing entities must elect to contribute a further percentage (1-4%) as a match of all eligible employees' contributions.

Per the plan document, a participant will be eligible to receive the mandatory 3% employer contribution and any applicable matching contributions beginning on the first day of the month coinciding with or following the date on which he/she satisfy the eligibility requirements which is one year of employment with 1,000 hours of service. Unless the employee's one-year anniversary is the first day of the month he/she will be eligible as of the first of the following month.

Severance pay (termination pay) is pay received due to separation of service and is not eligible to be salary deferred into the retirement plan. Severance pay is eligible for the mandatory employer contribution in a year in which eligibility has been satisfied. Additional information on the 403(b) Retirement Plan can be found in the Summary Plan Description or Plan Document available from the Pastoral Center.

221. Expense Reimbursements

Employees will be reimbursed for documented, reasonable and necessary expenses related to performance of his/her duties. Job related and documented mileage (excluding commutes from/to employee's residence) will be reimbursed at a rate established and published by the IRS. All expense reimbursements must be approved by the employee's immediate supervisor.

222. Cell phones

No cell phone invoices will be paid directly by the employing authority. All staff persons seeking reimbursement for cell phone business usage must submit specific detailed business call information so reimbursement would be: (business minutes divided by total minutes) multiplied by (the amount of the relevant standard monthly invoice amount).

Exceptions to this policy will only be authorized through the pastor/business manager/human resource director and/or the highest authority at the employee's business location. This approval must be in writing.

Section 300
Status and Records

301. Employees Records/File Access

State and federal law require employers to keep current and accurate employee records. Employee files (payroll and/or HR) are established for each employee at the time of hire and maintained in a locked file. Only the pastor/business manager/human resource director of the diocese or other individual designated by same will have access to the employee file. The appropriate documents will be kept in the respective file.

Under no circumstances is an employee permitted to remove anything from his/her employee file. Employees are welcome to review the materials in his/her own file within a reasonable time following a written request to the pastor, business manager or human resource director. Employees who disagree with materials contained in his/her files are encouraged to provide his/her opinion, in writing, which will be placed in his/her file.

The following items will ordinarily be kept in employee files: completed application form, resume, references, letters of employment, position description, records of changes in job title, salary, payroll authorization forms (W-4, I-9), benefit enrollment forms, emergency information forms, and other performance related matters. Insurance forms such as group insurance and pension beneficiary information and other correspondence related to insurance plans may also be maintained.

302. Employment Status Category-Exempt

An exempt employee is any salaried employee who is engaged in a bona fide executive, administrative, professional, or skilled computer capacity. Such an employee is exempt from both minimum wage and overtime provisions of the Fair Labor Standards Act. The exempt status of an employee is determined by analyzing the employee's pay rate and entire set of responsibilities against exemption tests set by the Department of Labor's Wage & Hour Division.

303. Employment Status Category-Non-Exempt

A non-exempt employee is any salaried or hourly employee, who, by virtue of his/her assigned job responsibilities and/or weekly pay rate, must be compensated in accordance with the provisions of the Fair Labor Standards Act with respect to minimum wage and overtime payment.

The non-exempt status of an employee is determined by analyzing the employee's weekly pay rate and the entire set of responsibilities against exemption tests set by the Department of Labor's Wage & Hour Division. Positions normally classified as non-exempt include bookkeeper, cook, cafeteria worker, day care worker, housekeeper, maintenance worker, office helper, receptionist, school bus driver, secretary, and similar positions.

304. Employment Classification for the Diocese

Exempt employee: an employee who is exempt from the wage and hours provisions of the Fair Labor Standards Act.

Non-exempt employee: an employee who is subject to the minimum wage and maximum hours (overtime pay) provisions of the Fair Labor Standards.

Full-time employee: an employee not classified as temporary, who is scheduled to work at least 30 hours per week on a regular, continuing basis.

Part-time employee: an employee not classified as temporary, who is scheduled to work less than 30 hours per week on a regular, continuing basis.

Temporary worker: a person employed directly or through an agency to accomplish a specific job, to work for a specific period of time, or otherwise to work on an as-needed basis. Temporary workers are not eligible for any employee benefits.

Independent contractor: a person engaged in a distinct occupation or business, which retains the right to control the manner and means by which a task or job is accomplished.

305. Employee Data Changes

It is the responsibility of the employee to see that his/her human resources data is kept up-to-date. All name, address, telephone number, and family status changes are to be reported to the designated individual at the employing entity. Examples of family status changes include marriage, divorce, birth, adoptions, etc. Changes in citizenship status or the number of dependents should also be reported.

Note: Eligible employees have 30 days to voluntarily enroll new spouses, newborns or adopted children into the Group Insurance Plan as dependents.

306. Verification of Employment/Neutral Reference

The pastor, business manager and the Diocesan Director of Human Resources or designated representative are the only individuals authorized to answer inquiries about a current or former employee. The diocese does not provide references regarding employment to prospective employers unless specifically authorized in writing by the former employee. Any information about a current or former employee, other than dates of employment and job title, will not be released to external sources. If in writing, it is the discretion of the responsible party above whether or not to release the requested information.

307. Employment Application

Under normal circumstances when a position is vacated or a new position is created, it is the general practice of the employing authority to post the position along with a general or specific job description for the position so qualified staff may apply.

All applicants, including those already employed in the diocese, follow a standard application process. The immediate supervisor of the person to be hired is responsible for receiving the required application form, documents, and other pertinent information as they relate to the open position.

The immediate supervisor ultimately will have the responsibility to determine whether an applicant is the best qualified for the position and if the applicant is compatible with the work environment. The decision whether to hire the applicant is to be made by the immediate supervisor with advice from his/her department head and/or their immediate supervisor depending on the nature of the job.

The employing authority reserves the right to perform a criminal background inquiry and/or a credit background inquiry, with the applicant's authorization, in addition to reference checks. Any criminal or bad fiscal history may not necessarily bar employment, but either one will be considered in relation to the specific job requirements for which a candidate is applying.

The immediate supervisor provides in writing to a candidate, during the interview process, the important features concerning the job description and classification, the potential compensation package, and the manner of accountability that is required for the position.

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Section 400

Performance and Development

401. Performance Review

Each employee is entitled to receive written performance evaluations. The immediate supervisor will conduct an annual evaluation. The purpose of the evaluation session is to allow the employee and the supervisor to set goals for the future, evaluate the success with which previously set goals have been met, commend the employee for work well done, and help improve performance when necessary. The job description is a useful guide for goal setting and evaluation.

Employees will receive a written evaluation at the time of transfer. Then annual evaluations will be held at the normal evaluation period. Both employee and their supervisor will sign the evaluation to signify that it has been read and discussed. The employee will receive a copy and a copy will be placed in the HR file of the employee. (If the Employing Entity does not have a formal Performance Review process in place they have until January 1, 2010 to have one implemented).

402. Evaluation Period

All new employees begin a 180-day evaluation period on their first day of employment. Performance will be carefully reviewed and evaluated during this period.

Performance evaluations conducted by pastors and/or supervisors on non-exempt employees may be conducted following completion of 30 days, 90 days and 180 days of service. For exempt employees, performance evaluations may occur following completion of 90 days of service. At the time of the 180-day performance evaluation, the employee will be informed in writing by the pastor and/or supervisor of his/her employment status: the successful completion of the evaluation period and transfer to full-time or part-time employment status, or the decision to terminate the employment relationship.

During the evaluation period, the employee does not have access to the grievance procedure for the purpose of appealing a provisional release.

Provisional employees may be eligible for participation in standard diocesan benefit programs.

Successful completion of this evaluation period does not guarantee continued or permanent employment. Continued employment will be dependent upon performance, conduct, and the business and employment needs of the employing entity.

403. Career Advancement

The diocese supports and encourages effective learning and development programs to provide staff with the opportunity to achieve competent job performance and to enhance career growth. The employing authority may provide training and development programs designed to improve the quality and performance of the workforce. Training may be provided through formal classroom training, on-the-job training, mentoring, computer-based training, or self-development courses.

It is diocesan policy to ensure that all employees have an opportunity to advance his/her careers by providing training for the employee's growth. The type of training will be determined based on the employee's position and jointly agreed to by the employee and their supervisor. All approved and necessary training must be authorized in advance in writing by the employee's supervisor. The respective department/entity must have monies in their budgets available to accommodate the training.

404. Conferences

The employing authority may elect to pay for membership and for the employee to attend certain professional conferences, if they are included in an approved budget. This paid conference leave does not impact PTO.

At times an employee may be asked to serve on national, regional, and/or state boards or committees who may or may not pay his/her expenses. These are special commitments and require the approval of the employee's supervisor.

Section 500

Conduct and Behavior

501. Anti-Harassment Policy

All employees have the right to work in an environment free of discrimination, which includes freedom from harassment, whether that harassment is based on sex (See Sexual Harassment Policy), age, race, national origin, religion, marital status, disability or membership in other protected groups. Harassment in any form is prohibited and such conduct may result in disciplinary action up to and including dismissal. There are different types of abuse to include: verbal, physical, sexual, retaliation, etc.

Employees who have complaints or observe inappropriate behavior should report such conduct/harassment to their immediate supervisor, business manager, human resources director, or pastor. The matter will be investigated and appropriate action taken. All employees are expected to cooperate with the investigation and treat the matter confidentially. Failure to do so may lead to discipline, including dismissal. Providing false information or discussing the matter with anyone besides the investigator will be cause for discipline. Information provided by individual employees in the course of an investigation is strictly confidential.

502. Sexual Harassment Policy

The Diocese of Dallas prohibits all unwelcome sexual flirtations, advances or propositions, verbal abuse of a sexual nature, subtle pressure or requests for sexual activities, unnecessary touching of an individual, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, display in the workplace of sexually suggestive objects or pictures, sexually explicit or offensive jokes, and physical assault.

No supervisor, other employee, or third party (to the extent the employing entity has any control) shall threaten or insinuate, either explicitly or implicitly, that another's refusal to submit to sexual advances will adversely affect the following: employment, work status, evaluation, wages, advancement, assigned duties, shifts or any other condition of employment or career development. Similarly, no employee shall promise, imply or grant any preferential treatment in connection with another employee or applicant engaging in sexual conduct.

The diocese has a "zero tolerance" policy with respect to the above activities. The above described conduct will be considered in violation of diocesan policy even if the conduct was not intended to sexually harass an individual.

503. Code of Business Conduct

It is the responsibility of every employee of the Diocese of Dallas to act in an honest and forthright manner in all workplace concerns; treat co-workers, supervisors, volunteers, parishioners, and visitors with respect and conduct oneself in an ethical manner consistent with catholic principles.

The following list should serve as a guideline regarding ethical conduct:

1. Employees should not engage in outside employment that results in a conflict of interest with duties that pertain to his/her church related responsibilities.
2. Employees should not use employing entity property other than for approved purposes.
3. Employees should not disclose confidential information without proper authorization.
4. Employees should not accept, without approval from his/her supervisor, any gift from any individual or entity engaged in business dealings or seeking to engage in business dealings with any entity within the Diocese of Dallas.
5. Employees should at all times engage in moral and ethical conduct consistent with the teachings and principles of the Catholic Church.

The above list is not exhaustive and good business sense should be used at all times. Violations of these guidelines are subject to disciplinary action up to and including termination.

504. Confidentiality

As an employee you will be provided with and/or have access to certain privileged, confidential and/or personal information. Such information as is gained from or through your employment is considered confidential and may not be disclosed to outside parties, except in the furtherance of your entities business. Each employee hereby, covenants and agrees that they will not during their employment or anytime thereafter disclose, permit to be disclosed to or used by any third party directly or indirectly, any confidential information of your entity without prior written consent of the entity. Confidential information shall include, but not be limited to any and all correspondence, litigation records, financial records, notes, memoranda, data, ideas, processes, methods, techniques, computer data/databases, programs, computer software, studies, writings, research, personal information, analysis, manuals, plans, formats, policies, procedures, or any other information of any nature in the possession or control of the entity which has not been published or disclosed to the general public.

All confidential information whether prepared by the employee or otherwise coming into his or her possession shall be the exclusive property of the entity. All such confidential information shall be immediately placed in the physical possession of the entity upon termination of employment or at such other time specified by the entity. The retention and use of duplicates in any form of such files or records by the employee is prohibited after termination of employment.

505. Outside Employment

Employees may have other employment outside the diocese to the extent that outside employment does not create a conflict of interest and that it does not diminish the performance of his/her job responsibilities. Outside employment includes consulting work and other self-employment situations. A conflict of interest occurs when additional employment unduly influences decisions made as an employee or conflicts with performance of job duties.

506. Gifts or Gratuities

Employees are not to accept gratuities, favors or entertainment, directly or indirectly, from any person, firm, corporation, or other entity, when such could affect the performance of the employee's duties in an objective manner. Questions or concerns should be discussed with the employee's supervisor. Soliciting of personal gifts or gratuities is prohibited.

Gifts from parishes, schools, parishioners should be approved by the employee's supervisor.

507. Conflict of Interest

Employees are to refrain from any private business or other activity that would place them in a position of creating a conflict between the employee's private interests and the interests of the diocese. Employees are not to use their official position in any way to induce or attempt to induce another person to provide any monetary benefit to the employee or persons with whom the employee may have family, social, monetary, or business connections. This policy also pertains to independent contractors who are engaged in work for the employing entity.

508. Personal Appearance

Given the variety of positions within the diocese, there may be specific requirements concerning proper dress attire that are associated with duties in a particular department.

It is the responsibility of the employee to be neatly groomed and to practice good overall hygiene. We work in a professional environment and as individuals dress and hygiene should be representative of that environment. Good personal appearance also shows respect for your fellow employee.

Department directors and administrators have the authority to establish and implement policies regarding personal appearance and dress that best suit the job duties in his/her departments. In general, these policies will include reference to such things as: clothing, jewelry, hair length, facial hair, personal appearance, body odor, and the use of perfumes or scented lotions.

Employees violating these policies may be sent home without pay and are subject to disciplinary action.

509. Drug/Alcohol-Free Work Environment

The Diocese of Dallas promotes and enforces a drug-free environment. This policy prohibits the illegal use, sale, distribution or possession of narcotics, drugs or controlled substances while on the job or on the employing entities property. Any violation of this policy will result in disciplinary action to include possible termination.

Alcohol may not be consumed on the work premises except when used for a Eucharistic celebration and during celebrations or special events on rare occasions, where the head of the employing entity specifically approves the use of alcoholic beverages.

510. Smoke-Free Work Environment

The Diocese of Dallas is committed to providing a safe and healthy workplace and to promoting the health and well being of its employees. We recognize the effects of tobacco smoke and the health hazards of second hand smoke. Implementing a smoke free workplace eliminates potential exposure and contributes to a healthier work environment and healthier employees. Therefore smoking will only be allowed in designated outside areas.

This policy applies to employees, visitors, and volunteers.

511. Weapons/Violence in the Workplace

Every employee has the responsibility to report any incidents of violent behavior or suspicious activities they may notice to law enforcement officers, his/her immediate supervisor, business manager or the director of human resources. This includes any situations that involve other employees or visitors. Any threats or acts of violence, aggressive behavior or offensive comments will not be tolerated on or off diocesan premises.

Employees, clients and/or visitors are not allowed to have firearms or any other dangerous or deadly weapons or instruments in their possession while on the employing entities property. This excludes the employing entity's property where priests reside as well as law enforcement officers on the property. The diocese will take prompt action up to and including immediate termination, against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive or threatening language or gestures. Any employee found to have violated this policy will be subject to discipline up to and including immediate discharge

Police shall be notified immediately by any observing party if an assault or battery occurs resulting from use or threatened use of a firearm, weapon, or dangerous object. All media inquiries shall be directed to the Director of Communications for the Diocese.

512. Workplace Environment

Though employees or contractors are hired for cleaning and maintenance, cleanliness of the work environment is every employee's responsibility.

This means keeping work places neat, clean, and free of articles not being used, keeping equipment clean and in its proper place, disposing of waste properly, storing materials and equipment in an orderly manner and in its designated place. In addition, each employee is expected to contribute to the cleanliness and good order in any area where food is eaten. Lit Candles are prohibited except in a church or chapel during liturgies. Space heaters must be approved by the Director of Risk Management at the Pastoral Center.

513. Solicitations and Fundraising

Ordinarily, solicitation of funds by employees during work hours is not allowed. Supervisors are not to solicit subordinate employees for funds under any circumstances. Employees may actively solicit funds before and after work or during lunch and break time. Active solicitation is subject to the approval of the employee's immediate supervisor. Those fundraising efforts which are sanctioned by the employing authority may occur at appropriate times during working hours, subject to the immediate supervisor's approval and discretion.

514. Security

Keys must not be given to non-employees without authorization and documentation. Keys, access cards and door codes must not be loaned or duplicated without permission of the pastor/business manager. Upon termination, all keys, access cards and door codes for the facility must be turned into the business manager or other designated individual. All employees are responsible for maintaining security of the facility. No unknown person is to be allowed access to the building without approval of the inviter.

515. Telephone Calls

The telephone systems are an important link for individuals needing or providing assistance to the employing entity, as well as for that entity's business purposes. As such, personal telephone calls made or received should be minimized in order to ensure that the lines are available.

Personal use of cell phones should be kept to a minimum.

Employing entity telephones and long distance lines may be used for personal long distance calls provided the employee uses his/her own calling card for the call. If use of a calling card is not possible, the employee must receive permission from the appropriate supervisor for the call and must then reimburse the employing entity. Polite professional language and volume should be used during phone conversations.

516. Copyrighted Material Policy

It is unethical and illegal to reproduce copyrighted texts, music, images and resources by any means without written permission of the copyright owner. The fact that these duplicated materials are not for sale but for private use does not alter the legal or moral situation of copying without permission. This policy includes all current and future technologies, such as audiotapes, videotapes, DVD's, compact disks, laser disks, computer floppy disks and programs, and the Internet. This policy pertains to all employees and volunteer ministers in the diocese.

It is the intent of the diocese to comply with the provisions of the current copyright laws and congressional guidelines. Teaching professionals and parish ministers are responsible for knowing the fair use guidelines of copyright law. The infringement of copyright and plagiarism of any sort by employees is prohibited.

517. Diocesan Property

Materials created, designed or modified by an employee in the course and scope of employment shall be considered and remain the property of the employing entity. "Materials" shall include, but shall not be limited to: written works, presentations, computer programs, manuals, instructions, advertisements, bulletins, magazines, books, music, newsletters and newspapers in either electronic or printed form.

518. Disciplinary Guidelines

The employing authority may use these disciplinary guidelines at its discretion and nothing in these guidelines modifies or affects the Employment-at-Will Policy.

Where appropriate, the employing authority may endeavor to counsel employees to correct any disciplinary or performance problems.

The following disciplinary action may be taken when addressing unacceptable employee conduct or work performance. The nature and severity of the offense will be considered in determining which if any step of disciplinary action is to be taken:

Verbal Warning (Oral Directive)

The pastor and/or business manager/or immediate supervisor may discuss unacceptable performance or behavior with the employee at any time. The discussion will indicate the nature of the problem and what is expected. These oral directives are a useful starting point in correcting minor problems and one-time incidents. However, they should not be relied upon to the exclusion of written documentation. All verbal warnings must be documented and placed in the employee's file.

Written Warning (Notes to the File)

When a problem continues despite a verbal warning, immediate supervisor or higher level entity official may prepare a written warning, which will then be discussed with the employee. Written warnings may also be used when the immediate supervisor and/or higher level entity official feels the verbal warnings are not catching the employee's attention or when the employee's behavior shows a pattern of noncompliance. The written warning indicating the nature of the problem and what is expected of the employee must be signed by the employee and immediate supervisor. If the employee refuses to sign, a notation should be made. The employee may submit a written response to be placed in his/her file. Written warnings are to be put in the employee's file.

Probation Period

A probationary period may be utilized if the verbal and written warnings are not successful. This probationary period may also be used concurrently with a written warning. The employee should be presented in writing by the immediate supervisor the reason for the probation, what is expected of the employee during the probationary period to correct the problem and a time certain deadline to correct the problem. The amount of time given should not be greater than 30 days. Also the employee should be made aware of the consequences if there is no improvement. The document given to the employee should be signed by the immediate supervisor and the employee. This document is to be placed in the employees file. The employee should also have a copy of the document.

Suspension

If the employee fails to improve his/her performance during above probationary period, and more fact finding is necessary, the next step in the process is suspension without pay. Suspension will be necessary if the employee violates laws/principles that are contrary to faith and morals of the Catholic Church. Any violation of civil law will result in suspension. The employee will not be in the workplace during this period of suspension. Reasons for suspension will be documented regarding what is to take place during this suspended period of time. Copies will be put in the employees file as well as given to the employee.

Termination of Employment

A termination of employment is taken very seriously and will only be instigated if the employee fails to resolve the problems that have been addressed in the previous steps. Termination will be necessary if the employee violates principles that are contrary to the faith and morals of the Catholic Church or is in violation of civil law. Any termination that occurs within a Parish will be done in collaboration with and approval of the Pastor. Terminations done at the Pastoral Center will be done in collaboration with and approval of a Senior Staff member with input from the Diocesan Director of Human Resources. Certain acts including but not limited to physical assault, theft, embezzlement, violent crimes etc may result in immediate termination.

519. Termination – Appeal Procedures

The following steps constitute the appeal process for terminations:

1. An employee who is terminated has 10 days to make an appeal following termination.
2. Appeals must be in writing and submitted to the pastor in parishes (if the employee is employed by a Parish) or to the Vicar General (if employed at the Pastoral Center). Otherwise, appeals must be directed to the head of the entity if employed elsewhere.
3. If the appeal involves the pastor, then the appeal is presented to the Vicar for Clergy at the Pastoral Center.

4. Within one week of receiving the appeal, action must be taken. The appropriate authority, either the pastor, the Vicar General or the Vicar for Clergy, depending on whether the employee involved is at a parish, Pastoral Center, or is a priest, must meet with the employee and the employee's immediate supervisor either together or separately to determine if further fact finding is necessary. If further fact finding is not necessary, then the employee is informed of the decision by one of the three individuals listed above. This decision is final.
5. If further fact finding is justified, then this should be accomplished within two weeks by the appropriate parties. A decision will be made by either the pastor, Vicar General or the Vicar for Clergy depending on the location of the employee involved. This decision will be made within the above given timeframe and communicated in writing, as well as verbally to the employee.

The Diocesan Director of Human Resources will be available at any time to assist in the process.

520. Voice Mails and E-Mails

Professionalism should be exercised at all times when using voice mail and e-mail.

Misuses of electronic-mail and voice-mail can result in disciplinary action. Examples of misuse include but are not limited to the following:

- Diocesan policy prohibits obscene, profane or offensive material from being transmitted over any employing entity's communication system.
- Use of employing entity's communications systems to set up personal businesses or send chain letters is prohibited.
- Accessing copyrighted information in a way that violates the copyright is prohibited.
- Broadcasting unsolicited personal views on social, political, religious or other non-diocesan or parish related matters is prohibited.
- Solicitation to buy or sell goods or services is prohibited

For further detail on the use of voice or electronic communication please see the Diocesan Policy on Computer and Internet Usage in Appendix A of this document.

521. Office Use

Employing entity office space is for the use of staff and approved volunteers to conduct appropriate ministry and administrative activities of the employing entity. There may be extenuating circumstances when non adult children of staff need to be at the worksite. This practice is discouraged and in no event should it be regular or reoccurring. If absolutely necessary this should only be for a short time and with the prior written approval of the employee's immediate supervisor.

Section 600

Terminations

601. Employee Termination

It is policy to retain, to the extent consistent with these policies and job requirements, the services of all employees who perform their duties efficiently and effectively. Employment-at-Will means the employing entity and its employees recognize that their employment relationship can be terminated, with or without cause, at any time, either at the employing entities request or the employee's option.

Any termination decision, whether voluntary or involuntary, is one that warrants considerable preparation and forethought.

All terminations should be well documented by the appropriate authority recommending the termination. Employees are required to return keys, supplies, and all other diocesan property prior to separation of employment.

The authority recommending the termination shall complete a separation form indicating the employee's last day of work, the reason for termination, and will notify the appropriate person at the employing entity in order that the final paycheck can be calculated.

602. Voluntary Termination

An employee, who resigns, retires, or who otherwise voluntarily terminates employment from the employing entity will provide a written resignation to his/her immediate supervisor. The resignation should include the reason for leaving and the last day to be worked.

To minimize disruption, it is reasonably expected that all employees will give his/her immediate supervisor a minimum notice of at least two (2) calendar weeks. Unused PTO accrued but not taken for the calendar year, if any, will be paid upon termination. Employees must actually work the last day of employment and, therefore, cannot remain on the payroll simply to use his/her PTO/vacation leave. Severance will not be paid for voluntary terminations.

603. Involuntary (Immediate) Termination

The decision to terminate an employee is never taken lightly. All terminations will be handled per policies in this manual unless the employee violates principles that are seriously contrary to Catholic faith and morals or violates civil law in which case the employee will be suspended without pay pending further discovery. The suspension may lead to termination. Severance will not be paid for involuntary termination. (Please see PTO Policy (202) for Involuntary Terminations)

604. Staff Reductions

From time to time it may be necessary to reduce the number of employees or reduce employees' work hours. Reduction in force or reduction in hours decisions are made in a non-discriminatory manner without regard to race, color, sex, national origin, age, handicap, disability, or veteran status.

Employees whose positions have been eliminated or whose hours have been reduced will be placed on a recall list should they so desire. Employees scheduled for layoff will receive written notification and a personal explanation as to why their position is being eliminated and consequently their employment terminated. This notification will be given by the employee's immediate supervisor. Following the notification the employee will meet with the business manager and/or the local HR manager at the parish to review their benefits and final pay as a result of the staff reduction. At the Pastoral Center, the Diocesan HR Director will perform this function.

605. Severance/Final Termination Pay

The Catholic Diocese of Dallas will treat employees who have been affected by a layoff or staff reduction with dignity and fairness. Those employees that are affected will be given an opportunity to find an alternative job within their employing entity. If a job cannot be found the employee will receive two weeks notice pay and severance pay will be paid based on one week of pay for every year of service that the employee served at the separating employing entity. Partial years will be prorated. Group Insurance will be paid by the employing entity for the same period of time that the employee receives severance pay. This insurance will be paid through the Diocese Continuation of Coverage Policy. (See Policy #218). Participation in the 403b Retirement Plan will be discontinued on the last day worked. Under no circumstances will an employee be paid a severance or receive benefits if they voluntarily resign their position or if they are terminated for cause. In the case of a voluntary resignation, workforce reduction or terminations for cause please see PTO Policy 202. To be eligible for severance pay or benefits, the employee must be full time that is work 30 hours or more per week.

606. Exit Interview

Whenever an employee voluntarily terminates a final interview should be conducted by either their immediate supervisor or other appropriate person based on the reason for separation. The exit interview should cover at minimum reasons for leaving, and any benefit or compensation issues that may apply to the employee. It is also necessary at this time to obtain any keys, employing entity property etc. that the employee may possess. There should be a notation made in the employee's record whether the employee is eligible for rehire.

Section 700

Specific Policies for Pastoral Center Employees

701. Inclement Weather

Pastoral Center will adhere to the same policy as the Dallas Independent School District for inclement weather purposes. However, when driving during inclement weather we ask that you use your own best judgment to determine if conditions are safe enough for travel. Please be safe and use extreme caution when driving during this period.

702. Holidays and Holydays

Please see below for the 2009 Holiday/Holyday schedule:

Thursday/January 1	New Year's Day
Friday/January 2	Extra Day
Thursday/April 9	Holy Thursday
Friday/April 10	Good Friday
Monday/April 13	Easter Monday
Monday/May 25	Memorial Day
Friday/July 3 (For Saturday the 4 th)	Independence Day
Monday/September 7	Labor Day
Thursday/November 26	Thanksgiving Day
Friday/ November 27	Thanksgiving Holiday
Tuesday/December 8	Feast of the Immaculate Conception
Thursday/December 24	Christmas Eve
Friday/December 25	Christmas Day
Thursday/December 31(Half Day)	New Years Eve
Friday/January 1, 2010	New Years Day

Note: Feast of the Assumption is Saturday, August 15th
All Saints Day is Sunday, November 1st.

703. Work Schedules

Regular office hours are 9:00am to 5:00pm Monday through Friday with a one hour lunch break. All employees are expected to observe these times. When a position requires different hours or days, the specific details will be outlined in the job description.

704. PTO (Minimum Allowable Each Time)

PTO may be taken in increments of not less than one hour at a time.

Closing Statement

This policy manual supersedes and rescinds all previous employee policy and procedure statements and becomes the official policy and statement of the Diocese of Dallas and the employing entity. This statement shall govern all employee decisions unless it is determined to be in conflict with law.

Amendments to the foregoing statements must be approved by the Bishop or his designated representative, and may be made at any time and without notice. Amendments will be made available to each employee.

Please direct any questions you have about the Employee Policy Manual to the Director of Human Resources for the Diocese.

Appendix A

Computer Systems and Internet Use Policy Effective July 2006

All Communication Assets, as well as any data files, software, or communications created, transmitted by or received from or stored in the systems in the course of Diocesan Entity work, are the property of the appropriate Diocesan Entity. To ensure use of the Communication Assets is consistent with legitimate business interests, the Diocese and each Diocesan Entity reserves and may exercise the right to inspect, review, audit, intercept or access all matters on the Diocesan Entity e-mail, voice mail, and computer systems at any time, with or without notice. Electronically generated material is stored, and may be retrieved and inspected, even if it has been “deleted” by the user.

Employees are responsible for all use of the Communication Assets in an effective, ethical and lawful manner. Every Employee has a responsibility to report any violation of this Policy to law enforcement agencies or the Diocesan Risk Manager, or both, as appropriate. No Employee should undertake an investigation or seek to retrieve files or data.

Definitions:

1. The term “Communication(s) Assets” as used herein shall included but not be limited to computers, computer systems and networks, software and related connections, equipment, telephonic access and voice mail.
2. The term “User(s)” as used herein shall include any person who has access to, responsibility for and uses any Communication Assets.
3. The term “Diocesan Entity” as used herein shall include the Diocese, the Pastoral Center, each Parish and its school, each Mission, each Chapel, Diocesan High Schools, seminaries in the Diocese, Catholic Charities of Dallas, Inc. and St. Joseph Residence, Inc.
4. The term “Employee(s)” as used herein shall include lay employees of a Diocesan Entity and Clergy and Religious assigned to a Diocesan Entity.

Communication Assets are not to be used in any way that may be immoral, illegal, unethical, disruptive, in violation of Diocesan policies and guidelines, invidious to

others, or harmful to morale. Items prohibited and which are considered disruptive or invidious include sexually explicit materials or those which contain threats of violence or defamatory comments that invidiously address a person's age, sexual orientation, religious or political beliefs, national origin or disability. Use of Communication Assets for harassment is also prohibited.

Incidental and occasional personal use of Communication Assets is permitted, but they are not to be used for any commercial purposes. All personal files, data and recordings will be treated in the same manner as business and work-related files, data and recordings.

Employees are prohibited from retrieving or reading any e-mail or voice mail not addressed or directed to them without proper authorization. Violation of Diocesan policies, or inappropriately accessing computer files, data and recordings in violation of this Policy are grounds for discipline, up to and including termination of employment.

Use of Communication Assets and the Internet are governed by the following policy:

I. Use

Diocesan Entity Communication Assets are to be used only for legitimate Diocesan Entity purposes. Users may be provided access to Diocesan Entity Communication Assets to assist in the enhancement and performance of their employment and duties. Users may also be provided with access to the Internet. All Users have a responsibility to use Diocesan Entity Communication Assets and the Internet in a professional, lawful and ethical manner. Abuse of the Communication Assets or the Internet, may result in disciplinary action, including possible termination, and civil and/or criminal liability.

II. Computer Use Restrictions

Use of Communication Assets. Communication Assets may not be used to disseminate, view or store commercial or personal advertisements, solicitations, promotions, destructive code (e.g., viruses, trojan horse programs, etc.) or any other unauthorized materials. At all times Users are responsible for the professional, ethical and lawful use of Communication Assets. Personal use of Communication Assets is a privilege that may be revoked at any time. Accessing, downloading, possessing or transmitting Child Pornography is absolutely prohibited. All Employees are obligated by law to immediately notify the authorities of a violation of the Child Pornography laws.

Occasional limited appropriate personal use of Communication Assets is permitted if such use does not a) interfere with the User's or any other Employee's job performance; b) violate any other provisions, guidelines or standards of this Policy.

Illegal Copying. Users of Diocesan Entity Communication Assets may not download, store, copy or reproduce material protected under copyright law or make that material available to others for copying. Users are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other electronic material Users wish to download or copy. Users may not agree to a license or download any material for which a registration or user fee is charged without obtaining the express written permission of the appropriate administrative superiors.

Communication of Confidential Material. Unless expressly authorized to do so, a User is prohibited from reproducing, copying, sending, transmitting, or otherwise distributing proprietary information, data, or other confidential information belonging to a Diocesan Entity. Unauthorized reproduction or dissemination of such material may result in severe disciplinary action, including possible termination of employment, as well as substantial civil and criminal penalties under state and federal laws.

Accessing the Internet. To ensure security and avoid the spread of viruses, Users accessing the Internet through Communication Assets must do so through an approved Internet firewall or other security device. Bypassing security by accessing the Internet directly by modem or other means is strictly prohibited.

Frivolous Use. Communication Assets resources are not unlimited. Users must not deliberately perform acts that waste the Users' time, other's time, computer resources or unfairly monopolize resources to the exclusion of others. Prohibitions include, but are not limited to sending mass mailings or chain letters, spending excessive amounts of time on the Internet playing games, engaging in online chat groups, uploading or downloading large files, accessing streaming audio and/or video files, or other non-business-related uses of the Internet.

Virus Detection. Files obtained from sources outside the Diocesan Entities, including disks brought from home, files downloaded from the Internet, newsgroups, bulletin boards, or other online services, files attached to e-mail and files provided by other Users, customers or vendors may contain dangerous computer viruses that may damage the Communication Assets. Users may never download files from the Internet, accept e-mail attachments from outsiders, or use disks from outside sources, without first scanning the material with an approved virus checking software. If a User suspects that a virus has been introduced, the supervisor must be notified immediately.

III. No Expectation of Privacy

Employees are provided with Communication Assets and Internet access to assist them in the performance of their duties. There should be no expectation of privacy in anything created, stored, sent or received using Diocesan Entity Communication Assets or personal laptops or personal computer equipment used on Diocesan Entity facilities. The Diocesan Entity Communication Assets may be used only for purposes set out in this Policy.

Waiver of Privacy Rights. Users of Diocesan Entity Communication Assets expressly waive any right of privacy in anything created, stored, sent or received using the Communication Assets or Internet access provided by a Diocesan Entity. Users consent to allow appropriate personnel access to and review of all materials created, stored, sent or received by the User through any Diocesan Entity provided Communication Assets. This also applies to privately-owned equipment used on the Diocesan Entity's premises.

Monitoring of Computer and Internet Use. The Diocesan Entity retains the right to monitor and log any and all aspects of its Communication Assets including, but not limited to, Internet sites visited by Users, chat rooms, newsgroups, file downloads, and all communications sent and received by Users.

Blocking Sites with Inappropriate Content. The Diocesan Entities have the right to utilize software that makes it possible to identify and block access to Internet sites containing sexually explicit or other material deemed inappropriate in the workplace.