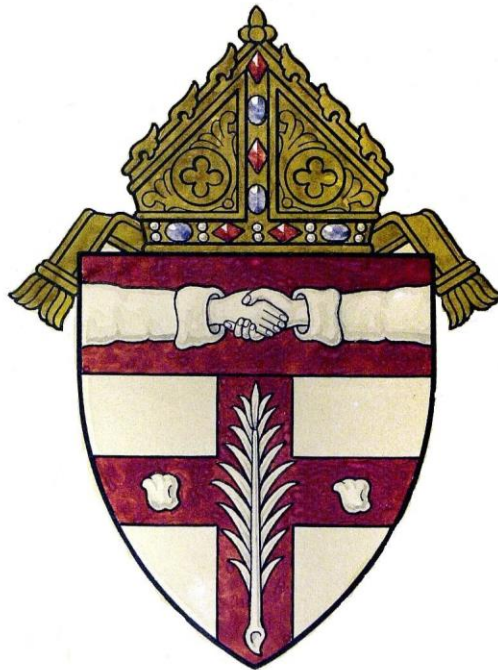
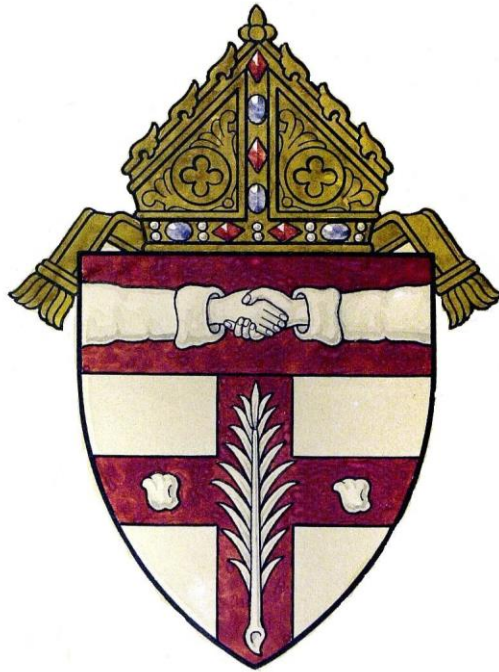


# Diocese of Owensboro



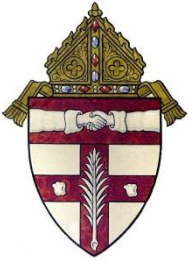
## Employee Policy Handbook

July 1, 2015



*The Seal of the Diocese of Owensboro*

*The clasped hands are taken from the great seal of the Commonwealth of Kentucky. Emblazoned upon the cross are the stones and Palm Branch of Victory which represent Saint Stephen, Protomartyr, the patron of the Diocese and of the Diocesan Cathedral. This coat of arms was created for the Diocese by Pierre de Caignon la Rone.*



# Diocese of Owensboro

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Office of the Bishop

My dear sisters and brothers in Christ,

Welcome to the Diocese of Owensboro, the Catholic Church of western Kentucky.

Together we are partners in providing for the mission and the service of Jesus Christ through the Catholic Diocese of Owensboro. I pray you will find your employment with the Diocese a rewarding and fulfilling experience.

The policies contained within this handbook are meant to provide a structure of the basic information of personnel policies which affect your employment with the Diocese. Please read these policies carefully, ensuring that you understand them thoroughly.

Again welcome to the Diocese of Owensboro, the Catholic Church of western Kentucky. May God bless and thank you for your service to others.

Yours in Christ,

Most Reverend William F. Medley  
Bishop of Owensboro

## DIOCESAN HISTORY

The Diocese of Owensboro was created by Pope Pius XI on December 9, 1937, separating the 32 counties of Western Kentucky from the Diocese of Louisville, which was at that time elevated to an Archdiocese.

The Most Reverend Francis R. Cotton, the first Bishop of Owensboro, was recognized (appointed) December 16, 1937. The Most Reverend Henry J. Soenneker, appointed March 10, 1961, retired June 30, 1982, was the second Bishop of Owensboro.

The Most Reverend John J. McRaith, appointed October 23, 1982, served as the third Bishop of Owensboro. Bishop McRaith resigned for health reasons January 5, 2009.

The Most Reverend William Francis Medley was appointed December 15, 2009 to serve as the fourth Bishop of the Diocese of Owensboro. Bishop Medley was ordained to the episcopacy on February 10, 2010.



## DIOCESAN GOALS

- GOAL 1:** To foster and enhance spirituality and worship as a response to our universal call to holiness
- GOAL 2:** To form and support commitment to lifelong faith formation and the universal call to holiness
- GOAL 3:** To embrace the Mission of Evangelization by sharing the Gospel through effective communication
- GOAL 4:** To promote stewardship opportunities that lead parishioners to share their time, talents and treasures as an integral part of our universal call to holiness
- GOAL 5:** To promote the dignity of all persons especially the poor and the vulnerable
- GOAL 6:** To promote the sanctity of vocations: marriage, single life, consecrated life, and holy orders

Taken from the *Diocese of Owensboro 2012 Strategic Plan*

## INTRODUCTION

This *Employee Policy Handbook* is a summary of current policies, procedures, and benefits of the Diocese of Owensboro (hereafter referred to as “Diocese”) which have been recommended by the Human Resource Committee and approved by the Priests’ Council and the Diocesan Pastoral Council. These policies will be evaluated on an annual basis. If there is a concern or question regarding a policy please forward your concerns to the Diocesan Director of Human Resources for further study and evaluation. This *Employee Policy Handbook* does not replace the already approved handbooks for schools, cafeteria workers, or preschools/daycares.

This *Employee Policy Handbook* has been prepared to communicate the Diocesan employment practices, Catholic position, and values. The policies and procedures in this *Employee Policy Handbook* supersede all those contained in prior employee policy handbooks. This *Employee Policy Handbook* is designed to summarize Diocesan and human resource policies and procedures; it does not include all policy and procedure statements and documents.

In addition to the Diocesan *Employee Policy Handbook* there are school, parish and other organizations within the Diocese which have pertinent policies, statements, regulations, practices, and programs. Please reference those documents when verifying specific school, parish, or other organization guidelines.

The terms of this *Employee Policy Handbook* are subject to change without prior notice. The pastor or employer will make employees aware of such changes. It is the responsibility of the employee to review such changes in policies, procedures, benefits, and rules.

It is intended that this *Employee Policy Handbook* will assist the employee in understanding the importance of working in the church, as well as opportunities to improve the quality of life for others through ministry by association with the Catholic Church of western Kentucky.

After receipt and review of this *Employee Policy Handbook*, employees are required to sign the “Employee Acknowledgment Form” located at the back of the *Employee Policy Handbook*. By signing this form employees acknowledge they will comply with the *Employee Policy Handbook*. The signed form is required to be given to the employee’s pastor or employer.

## EMPLOYMENT POLICY

The Diocese of Owensboro is an Equal Opportunity Employer. It is the Diocese's policy to provide equal employment opportunity to all qualified employees and applicants for employment, and to not discriminate on any basis, including race, color, religion, gender, national origin, disability, age 40 and over, genetic information, or any other characteristic protected by federal, state, or local law, except where religion or ordination is a bona fide occupational qualification. The Diocese promotes equal opportunity in the areas of recruitment, employment, training, development, transfer, and promotion. Employees of the Diocese are prohibited from discriminating against any person on the basis of the above mentioned characteristics.

This *Employee Policy Handbook* is not a contract, expressed or implied, nor does it guarantee employment for any specific duration. In accordance with Kentucky State law, all personnel who do not have a written, individual employment contract for a specific, fixed term of employment are "employed at-will." This means that they are employed for an indefinite period and are subject to termination at any time, for any legal reason, with or without cause or notice. In like manner, these employees may terminate their employment at any time for any reason.

Unless employees are clearly contracted in writing by the pastor or employer, they are "at-will" employees, and the "at-will" nature of their employment will not be altered by any oral presentation or any oral representations during the pre-hire interviews or discussions.

# TABLE OF CONTENTS

<b>EMPLOYEE POLICY</b> .....	<b>3</b>
Job Applications.....	3
Job Descriptions.....	3
Minimum Age Requirement .....	3
Criminal Background Check.....	3
Orientation .....	4
Introductory Period .....	4
Performance Appraisal.....	4
Accommodations for Individuals with Disabilities .....	5
Hiring of Relatives .....	5
Immigration Reform and Control Act.....	5
Inquiries and References on Current and Former Employees .....	6
Personnel Records.....	6
Personal Data Change.....	6
<b>EMPLOYEE PAY PRACTICES</b> .....	<b>7</b>
Classification of Employees .....	7
Meal and Work Breaks .....	8
Minimum Wage .....	8
Overtime .....	8
Pay Procedures.....	8
Work Schedule/Time Record.....	9
<b>EMPLOYEE BENEFIT PROGRAMS</b> .....	<b>10</b>
Employee Benefits .....	10
Vacation Pay .....	10
Sick Leave.....	11
Holidays .....	13
Holy Days .....	13
Retreat/Personal Days.....	14
Bereavement Pay .....	14
Jury Duty.....	14
Military Leave.....	14
Voting .....	15
Workers' Compensation .....	15
Family Medical Leave Act (FMLA).....	16



<b>EMPLOYEE POLICIES AND PROCESSES .....</b>	<b>19</b>
Monitoring of Electronic Devices.....	19
Acceptable Use of Technology, Social Media, and Internet Policy .....	19
Copyright .....	20
HIV/AIDS/Communicable Infectious Disease Policy.....	20
Pandemic Flu Policy .....	20
Safe Environment.....	20
Sexual Harassment/Abuse Policy .....	21
Use of Mobile Devices.....	23
Weapons in the Workplace .....	23
 <b>EMPLOYEE CONDUCT .....</b>	 <b>24</b>
Attendance and Tardiness .....	24
Attitude and Conduct .....	24
Personal Appearance and Dress Code .....	24
Confidentiality .....	24
Conflict of Interest .....	25
Discipline .....	25
Open Door Policy .....	26
Smoking, Drug, and Alcohol Policy .....	26
Violence-Free Workplace .....	26
 <b>EMPLOYEE SEPARATION OF EMPLOYMENT .....</b>	 <b>27</b>
Termination of Employment.....	27
Unemployment Compensation Exemption.....	28
 <b>EMPLOYEE ACKNOWLEDGMENT OF DIOCESE OF OWENSBORO</b>	
<b><i>EMPLOYEE POLICY HANDBOOK.....</i></b>	<b>29</b>

# **EMPLOYEE POLICY**

## **Job Applications**

The Diocese and the parish rely strongly on the accuracy of the information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and subsequent employment. The Diocese and the parish reserve the right to verify all information given by the applicant. Misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment within the parish or institution, or, if already hired, termination of employment.

## **Job Descriptions**

The Diocese of Owensboro will have a job description for each position which outlines its tasks, duties, and responsibilities. When employees are hired, they will be given a copy of their job description to help them understand what the job entails. The job description will also contain the job specifications, the personal qualifications an individual must possess in order to perform the duties and responsibilities, and the physical context in which the job will be performed. The job description also serves as a guide for the pastor or employer to evaluate employee performance.

## **Minimum Age Requirement**

Employees must be a minimum of 16 years of age to be eligible for hire.

## **Criminal Background Check**

The Diocese has established and implemented policies and procedures regarding criminal background checks. Any individual over the age of 18 years, who has been offered employment or any volunteer wanting to work with minors within the Diocese, will be required to submit to a criminal background check, and must receive Safe Environment training, as a condition of employment or volunteering with minors on behalf of the Diocese of Owensboro. Any employee as well as any volunteer working with minors may not begin employment or volunteer service until the criminal background check process has been completed and the employee/volunteer is determined to be cleared for service.

## **Orientation**

It will be the responsibility of the parish or employer to orient every new employee. Orientation should include discussion of benefits, duties, responsibilities, policies, and procedures specific to an employee's job, and review of the Diocese's *Employee Policy Handbook*. All appropriate benefit forms, tax forms, and employee new hire forms should be completed within the first week of the hire date. All applicable benefit forms should be sent timely to the Diocese's benefit administrators and all employment forms should be maintained in the employee's personnel file.

## **Introductory Period**

An introductory period of sixty (60) days is an opportunity for a new employee to become familiar with a job position and its responsibilities. All new employees are required to complete at least a 60-day introductory period. A performance review will be conducted at the end of the 60-day introductory period, which will address the immediate supervisor's assessment of the employee.

The Diocese of Owensboro is an "at-will" employer. If during the introductory period and thereafter during the employment period, it is determined an employee is not suited to a job position, the employee may be terminated. In like manner, employees may terminate their employment at any time for any reason.

The 60-day introductory period may be extended once, for additional 30 days, if the pastor or employer needs additional time to evaluate performance. The extension should be provided to the employee in writing with issues necessitating the extension and a plan for continued satisfactory performance. After successful completion of the introductory period, an employee will be considered a regular employee (full-time or part-time.)

## **Performance Appraisal**

A performance appraisal is an on-going process of communication between employees and their supervisors. The work of every employee should be reviewed informally on a regular basis, within sixty (60) days of the date of hire, and formally at least once a year. Accomplishments, affirmations, recommendations, new job requirements, goals, and objectives should all be part of the performance appraisals. After a formal performance appraisal is discussed with an employee, it becomes part of the employee's personnel file. The employee's signature on the appraisal form does not necessarily indicate agreement with the review, but only that the employee has read it. Employees may respond in writing to their review, which will be kept in their personnel file.

## **Accommodations for Individuals with Disabilities**

The Diocese of Owensboro and its parishes will make reasonable accommodation to provide for its disabled personnel in accordance with the Americans with Disabilities Act (ADA), as amended and applicable state or local laws prohibiting discrimination. The Diocese provides equal opportunities to qualified individuals with disabilities by ensuring that those individuals will be given the same considerations for a position as any other applicant or employee. It is the responsibility of the applicant or employee to inform their pastor or employer of the need for accommodation. The employee may be required to provide written documentation for the request and the Diocese reserves the right to determine on a situational basis whether a request may be granted.

## **Hiring of Relatives**

The Diocese of Owensboro gives equal consideration to all candidates in hiring, so that the most qualified person is hired. All relatives and friends recommended by employees must meet the same employment requirements as all other individuals applying for the same position.

While the Diocese allows the hiring of relatives, such employment is subject to certain conditions. No employee will be permitted to directly or indirectly supervise, or have control over pay or benefits for a relative. If relatives are employed, both individuals must understand all confidential information is not to be shared.

## **Immigration Reform and Control Act**

In accordance with the Immigration Reform and Control Act, the Diocese of Owensboro employs only those individuals who are authorized to work in the United States. All individuals who are offered employment are required to submit documentary proof of their identity and employment authorization within three days of actual employment. Individuals to whom an offer has been made will be required to complete and sign, the U.S. Citizenship and Immigration Services Form I-9. This form requires employees to attest they are authorized to work in the job for which they have been hired and documentation submitted to establish this right is genuine. The information contained on the I-9 forms are verified on the E-verify system through the website [www.uscis.gov](http://www.uscis.gov). Records shall be retained for one (1) year past the last date of employment.

## **Inquiries and References on Current and Former Employees**

All employment verification inquiries on current or former employees should be directed to the parish office and/or the Diocesan human resource department. The parish or Diocese will only provide verification of employment dates and positions held by the employee. Information such as wages, address, or telephone number will only be provided with a written authorization from the employee unless it is necessary to comply with a legal requirement.

## **Personnel Records**

The Diocese maintains an official personnel file for each employee that contains necessary job-related and personal information. These files are confidential. Personnel files are the property of the Diocese and parish, and access to the information they contain is restricted. Only the pastor, employer, and designated representatives who have a legitimate reason to review information in a file are allowed to access the file. Employees may schedule a time with their pastor or employer to examine their personnel records.

## **Personal Data Change**

It is the employee's responsibility to notify the pastor or employer as soon as possible of any change in personal data. It is important that personnel files are accurate. The employee must notify the parish or employer of the following changes: name, address, telephone number, additional education, change in marital status, change in beneficiary for benefit plans, birth of a child, change in financial institutions for direct deposit and change in exemptions for federal and state income taxes.

# EMPLOYEE PAY PRACTICES

## Classification of Employees

For purposes of benefit eligibility, pay, and job duties; employees are classified as follows:

- **Regular Full-Time Employees** (Hourly or Salaried) are those employees who are scheduled to work twenty (20) hours or more per work week.
- **Regular Part-Time Employees** are those employees who are scheduled to work less than twenty (20) hours per work week.
- **Temporary/Seasonal Employees** (Full-Time or Part-Time) are those employees who are employed for a limited duration of time for a specific project.

An employee's status and the number of scheduled work hours will determine which benefits are available. "Benefits and Time Off" are further defined in the *Diocese's Employee Policy Handbook*.

The Fair Labor Standards Act is a federal law which requires that all employees' status be classified as exempt or non-exempt.

- **Exempt** – An exempt employee is not covered under the minimum pay and overtime provisions of the Fair Labor Standards Act. An exempt employee is paid a pre-determined amount each pay period, based on the duties performed, rather than the hours worked. An exempt employee does not earn overtime for time worked in excess of forty (40) hours per week. In circumstances where excessive time is being worked, an employee may be granted time off at a later date, as approved by their pastor or employer. Additional time off should only be granted in recognition of an extraordinary commitment of time.
- **Non-Exempt** – A non-exempt employee is covered under the minimum pay and overtime provisions of the Fair Labor Standards Act. A non-exempt employee is entitled to overtime pay at a rate of one and one half (1-1/2) times their regular pay rate for each hour over 40 hours of actual work, excluding a lunch break and non-worked time, in a given work week. Compensatory time off may be allowed for a non-exempt employee working in excess of the regular schedule work week but less than a 40 hour work week. Any hours above the regular schedule work week must be approved by the pastor or employer as well as approval of any time taken for compensatory hours accumulated.

## **Meal and Work Breaks**

All employees are entitled to a reasonable lunch/meal break after four hours of worked time, which should be close to the middle of the work day. This time will be considered non-paid time. All non-exempt employees are entitled to a ten minute work break after two hours of worked time. No reduction in pay will be made for break time. Break periods or lunch periods may not be accumulated to reduce working hours.

## **Minimum Wage**

The Diocese of Owensboro complies with the Fair Labor Standards Act regarding minimum wage.

## **Overtime**

Employees classified as non-exempt, who work in excess of 40 hours in a work week, are entitled to overtime pay for those additional hours worked. Overtime is paid at 1 ½ times the employee's hourly rate of pay for the work week, during which the overtime occurred. Overtime is computed solely on hours worked; time earned such as vacation, jury duty, bereavement, sick, holy days, and holidays will not be counted as hours worked for computing overtime. Hours actually worked in excess of 40 hours in a work week must be pre-approved by the pastor or employer.

## **Pay Procedures**

The pastor or employer determines the pay cycle and pay procedure at each parish or organization. Payroll will be paid by direct deposit. If an employee has a change with their financial institution, they must contact their parish or employer and complete a revised direct deposit form. Employees should contact their parish or employer for any questions on their paycheck.

## **Work Schedule/Time Record**

The normal hours of work, the workday, and the work week should be approved through the pastor or employer.

A time record of hours worked by exempt and non-exempt employees must be maintained to comply with wage and hour laws and to ascertain benefit eligibility. All full-time, part-time and temporary/seasonal employees are required to complete and submit time records as appropriate for their pay frequency. Employees should sign their timesheet prior to submitting for processing. Employees are prohibited from falsifying a time record and any falsification of the time record will lead to disciplinary action up to and including termination.



# EMPLOYEE BENEFIT PROGRAMS

## Employee Benefits

The Diocese offers full-time employees working 20 hours or more per work week the following benefits: Medical and Dental Insurance, Basic Life Insurance, Long Term Disability, Accidental Death and Dismemberment (AD&D), Retirement Benefits, and a 403(B) Retirement Savings Plan.

A full-time employee is eligible for medical and dental benefits on the first day of the month following the date of hire. Full-time employees are eligible for all other employee benefits on the first day worked with the Diocese.

Medical and dental benefits cease on the last day of the month in which termination occurs. All other group benefits cease on the effective date in which the employee is no longer employed with the Diocese. Employees who leave employment with the Diocese may be eligible for continued medical and dental benefits under the Self-Pay Benefit Privilege. Employees who have worked 4 years and 9 months will be vested in the Diocese's retirement plan. Employees may direct their benefits questions to the Diocese's Director of Human Resources. Copies of the Summary Plan Description Booklets for the Diocesan benefits are located on the Diocesan website.

## Vacation Pay

The Diocese provides eligible employees an annual paid vacation to allow time for rest and relaxation. Regular full-time employees earn vacation hours based on length of service. Regular part-time employees are eligible for vacation pay based on length of service and will earn vacation time in proportion to the part-time hours scheduled. The vacation schedule earned is as follows:

### Active Employee as of July 1<sup>st</sup>

- Years of Service: up to 5 years – 10 days (or the equivalent of 2 work weeks) on July 1<sup>st</sup>
- Years of Service: 6 years to 15 years – 15 days (or the equivalent of 3 work weeks) on July 1<sup>st</sup>
- Years of Service: 16 years and over – 20 days (or the equivalent of 4 work weeks) on July 1<sup>st</sup>

New Hires:

- Full-time new hires will earn one (1) vacation day per month starting in the month of their hire date. Part-time new hires will earn vacation based on hours scheduled starting in the month of their hire date. Earned vacation time for a full time or part-time new hire cannot be used until after sixty (60) days of employment. The earned vacation time for a new hire will accumulate through the end of the fiscal year, June 30<sup>th</sup>. A maximum of ten (10) days can be earned in the fiscal year of July 1<sup>st</sup> thru June 30<sup>th</sup>, for a full time new hire and no more than five (5) days for a part-time new hire. On July 1<sup>st</sup>, the new hire will follow the above vacation schedule.

Employees should schedule vacation time with the pastor or employer in advance by completing a *Request for Time Off* form. Although employees have earned their vacation, the first responsibility is to the parish and the employer. To avoid a potential hardship for fellow employees, the pastor or employer, it may not be possible for a particular employee to take vacation at the time desired. Every effort will be made to meet the employee's preference, but employees must be prepared to accept alternative dates. Upon termination, employees will be paid for any unused accumulated and earned vacation time.

Vacation of no more than five (5) days will be allowed to be carried over to the next fiscal year.

When a paid holiday or holy day occurs during an employee's vacation, the employee does not have to use vacation time for the holiday or holy day.

For determining eligibility, vacation time may be carried over to a school, parish, or the Diocese when an employee transfers positions within the schools, parishes, or Diocese. The most recent pastor or employer must provide documentation for accumulated vacation days to the new pastor or employer.

<b>Sick Leave</b>
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The Diocese recognizes that inability to work because of illness or injury may cause economic hardship. Sick leave earned is as follows:

Active Employees as of July 1<sup>st</sup>

- Full-time employees - 10 days on July 1<sup>st</sup>
- Part-time employees – 5 days on July 1<sup>st</sup>

New Hires:

- New hires will earn one (1) sick day per month starting in the month of their hire date. Earned sick time for a new hire cannot be used until after sixty (60) days of

employment. The earned sick time for a new hire will accumulate through the end of the fiscal year, June 30<sup>th</sup>. A maximum of ten (10) days can be earned for a full-time new hire and five (5) days for a part-time new hire in the fiscal year of July 1<sup>st</sup> thru June 30<sup>th</sup>. On July 1<sup>st</sup>, the new hire will follow the above sick leave schedule.

*Sick Leave Guidelines:*

Employees earn sick time from the first day of work, but cannot be paid for sick time until the completion of the 60-day introductory period.

Sick time may be used for self or the illness of an immediate family member (spouse, son, daughter, son-in-law, daughter-in-law, mother, father, sister, brother, step-parent, stepchildren, father-in-law, mother-in-law, grandchildren, or grandparents.)

Sick time may be accumulated up to sixty (60) days for regular full-time employees. Regular part-time employees may accumulate up to fifteen (15) days. Unused sick time is not reimbursable and may not be used as vacation time. Unused sick days will not be paid at termination or at retirement. When an employee is taking sick leave for his/her own health condition, all such sick days will be counted as days taken under FMLA. Sick time taken beyond the amount accrued will be without pay.

A physician's statement is required for an illness lasting more than three (3) working days. Frequent absences and illness that adversely affect job performance may require discussion with the pastor or employer. Employees may be required to submit a physician's statement as evidence of illness. When a long term absence occurs, the position held at the time the leave began, or a similar position at the same pay rate, will be held for the employee for up to 12 weeks if an employee is eligible under FMLA. A leave beyond 12 weeks will not be granted except for extreme circumstances.

For determining eligibility, sick time may be carried over to a school, parish, or the Diocese when an employee transfers positions within the schools, parishes, or Diocese. The most recent pastor or employer must provide documentation for accumulated sick days to the new pastor or employer.

## Holidays

The following days will be observed as paid holidays for all full-time employees:

- New Year's Day
- Martin Luther King, Jr. Day
- Good Friday
- Memorial Day
- Fourth of July
- Labor Day
- Thanksgiving Day
- Friday After Thanksgiving
- Christmas Eve
- Christmas Day

Part-time employees will be paid for the above holidays at the usual rate they would receive if the holiday occurs on a day they would normally work.

If a holiday falls on a weekend, this schedule is applied: Saturday – the holiday will be recognized on the previous Friday; Sunday - the holiday will be recognized on the following Monday.

If Christmas Eve falls on a Sunday and Christmas Day falls on a Monday, the pastor or employer will determine the days on which the holidays will be observed.

A substitute holiday may be granted when a particular job requires work on a regular holiday.

## Holy Days

The following Church Holy Days of Obligation will be paid as Holy Days for full-time employees:

- Solemnity of the Assumption – August 15<sup>th</sup>
- Solemnity of All Saints Day – November 1<sup>st</sup>
- Solemnity of the Immaculate Conception – December 8<sup>th</sup>

Part-time employees will be paid for the above Holy Days at the usual rate they would receive if the Holy Day occurs on a day they would normally work.

If the Solemnity of the Assumption and the Solemnity of All Saints Day falls on a Saturday or Monday, it is not considered a Holy Day of Obligation; work will not be suspended and employees are expected to report to work. If the Solemnity of the Immaculate Conception falls on a weekday, work will be suspended and employees are not expected to report to work.

A substitute Holy Day may be granted when a particular job requires work on an observed Holy Day.

## **Retreat/Personal Days**

All regular full-time employees, after one year of employment, are allowed to take two days per fiscal year for the purpose of a retreat or personal time. The cost of the retreat is the responsibility of the employee. Any time off for retreat or personal days should be pre-approved by the pastor or employer. The employee must complete the *Request for Time off* form and present it to their pastor or employer for approval. Unused retreat/personal days will not be allowed to be carried over to the next fiscal year.

## **Bereavement Pay**

The Diocese of Owensboro provides that regular full-time and part-time employees may receive three (3) days' pay in the event of a death in the employee's immediate family which includes spouse, son, daughter, son-in-law, daughter-in-law, mother, father, sister, brother, step-parent, stepchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, grandchildren or grandparents. This leave may extend longer than three (3) days, depending on the circumstances for immediate family members and the extended leave must be approved by the pastor or employer.

## **Jury Duty**

The Diocese recognizes employees' civic obligation to serve as jurors. Full-time and part-time employees will receive time off and normal pay to serve on a jury. Jury duty fees received by employees for performing jury duty will be in addition to their normal pay. An employee will report to work before or after jury duty when a full day's service is not required. The pastor or employer may require proof of service for jury duty. Employees subpoenaed as part of Diocesan work will be paid their regular base rate.

## **Military Leave**

Employees are granted a military leave of absence pursuant to provision of the revised Family Medical Leave Act. An eligible employee may take FMLA military leave for (i) certain situations arising when an employee's spouse, son, daughter or parent is a covered military member on active duty or has received an impending call or order to active duty; or (ii) to care for a covered service member with a serious injury or illness if the employee is a spouse, son, daughter, parent or next-of-kin of the service member. See the FMLA section which applies to military leave.

Employees will not be paid for military leave. However, employees may use any available vacation time to help pay for the leave. Employees may elect continued health insurance coverage for himself/herself and covered dependents for up to 18 months.

Upon completion of active military service, employees will be reinstated to the same or an equivalent position.

## Voting

The Diocese of Owensboro encourages employees to fulfill their civic responsibilities by voting in elections. Generally the polls are open for several hours in the morning and evening and the Diocese encourages employees to vote either before or after work hours. If an employee does not have sufficient time to vote outside of regular working hours, they may arrange time off with their pastor or employer.

## Workers' Compensation

The Diocese of Owensboro and its parishes seek to provide a healthy work environment for all employees. Employees must observe all safety policies, regulations, and requirements. Employees must report promptly all emergencies, accidents, and unsafe conditions to the pastor, parish, employer, supervisor, or human resource department.

The Diocese of Owensboro provides workers' compensation coverage to every employee as a result of an incident or injury arising out of and in the course of employment. It is required that employees submit a "*First Report of Injury*" form for any work-related injury or illness immediately, but no later than 24 hours after the incident, to their pastor or employer.

The *State of Kentucky Workers' Compensation Act* ensures that employers provide certain benefits to employees for medical expenses and lost wages resulting from work-related injuries or illness. Under the law, Workers Compensation will pay for lost wages after a 7-day waiting period. Employees may use available vacation or sick time for the 7-day waiting period.

Time off for injury or illness covered by workers compensation runs concurrently with FMLA and is counted as FMLA leave. Periodic doctor's reports may be required during the leave and a written doctor's release may be required in order for an employee to return to work.

## Family Medical Leave Act (FMLA)

The Family Medical Leave Act (FMLA) entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave for certain specific reasons. An employee must request the FMLA qualifying leave in writing by completing the “*Diocese of Owensboro Employee Request for Leave – FMLA*” and must document the reason for the leave. The pastor and the employer will determine if the days requested qualify as FMLA.

### **To be eligible:**

- An employee must have worked at least 12 months for the Diocese.
- An employee must have worked at least 1,250 hours in the preceding twelve months, prior to the start of the FMLA leave.

When the leave is foreseeable, the employee should give their pastor or employer a 30-day notice and complete applicable FMLA paperwork.

### **Eligible employees may take FMLA leave for the following reasons:**

- An employee’s birth of a child or in order to care for your child, or placement of a child for adoption or foster care - up to 12 weeks;
- An employee’s own serious health condition which renders an employee unable to perform the functions of their job - up to 12 weeks;
- An employee’s need to care for an immediate family member, which includes an employee’s spouse, child, or parent with a “serious health condition” - up to 12 weeks;
- An employee’s military active duty status, notification of an impending call, or order to active duty status - up to 26 weeks;
- An eligible employee is caring for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next-of-kin of the service member – up to 26 weeks.

Any leave taken under one or more of these circumstances will be counted against the employee’s total entitlement to FMLA leave for the leave year.

Employees who have a break in employment due to their military obligations shall be taken into consideration when determining whether an employee has been employed for 12 months or has the required 1,250 hours of service to qualify for FMLA.

Employees on FMLA will continue to receive the Diocese’s employee benefits provided they meet the specific requirements of such benefit programs. The employee portion of the expense of these benefits will be the responsibility of the employee during their FMLA and self-pay payments should be submitted timely.

Sick Leave, paid or unpaid, may be designated as an FMLA leave by the employee and Sick Leave time off as FMLA leave shall run concurrently with the sick time off and is counted as FMLA leave.

Under FMLA, if sick time is available, it will be paid first, and once it is exhausted, the employee has the option to use available vacation time. After sick time (and elected vacation time) are used, the employee will then go into unpaid leave status.

A leave beyond 12 weeks (or 26 weeks if applicable) will not be granted except for extreme circumstances. Regular employees not eligible for FMLA may request from their pastor or employer an unpaid family emergency or medical leave.

The Diocese measures the 12-month period in which the leave is taken by the rolling 12 month period, measured backward from the date of any and all FMLA leave with one exception. For leave to care for a covered service member, or for the spouse, son, daughter, or parent of a covered service member, the 12-month period begins on the first day the employee takes FMLA leave to care for a covered service member and ends 12 months after that date. For leave to care for an eligible employee, the 12-month period begins on the first day the employee takes FMLA leave and ends 12 months after that date. FMLA for the birth or adoption of a child or foster care must be concluded within 12 months of the birth or placement.

If an employee requests FMLA leave due to a serious illness of their own, the employee may be required to furnish medical Certification that they are fit to resume work. Employees failing to provide the Return to Work Certification, when required, may not be permitted to resume work until it is provided.

Failure to return to work on the determined return to work day without prior approval of the pastor or employer will be considered a voluntary resignation by the employee. Serious Health Condition means an illness, injury, impairment or physical or mental condition which involves:

Inpatient Care, meaning an overnight stay in a hospital, hospice or residential medical-care facility, including any period of incapacity (inability to work or perform regular daily activities) or any subsequent treatment in connection with such inpatient care; or

Continuing treatment by a health care provider, which includes:

- (1) A period of incapacity lasting more than three consecutive, full calendar days and any subsequent treatment of period of incapacity relating to the same condition, that also includes treatment two or more times by or under the supervision of a health care provider (in-person visits, the first within 7 days and both within 30 days of the first day of incapacity); or one treatment by a health care provider (an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (Prescription medication, physical therapy); or
- (2) Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
- (3) Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice per year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or



- (4) A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
- (5) Any absence to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

# EMPLOYEE POLICIES AND PROCESSES

## Monitoring of Electronic Devices

All electronic systems, devices and software furnished by the Employer are the exclusive property of the Employer and employees have no right of privacy with respect to such communications and postings. The Employer reserves the right to monitor all electronic, oral or written communications (in transit or stored) on or within all Employer provided devices and any communications on non-Employer devices which are generally accessible to the public.

## Acceptable Use of Technology, Social Media, and Internet Policy

The goals of the Diocese in using technology are to improve communications among diocesan and parish personnel; to provide pertinent information to a larger audience and to allow both the parish and diocesan personnel to have access to the wealth of appropriate and necessary information available on Technology. Technology, social media, and the Internet should be viewed as tools to further the purposes and goals of the Diocese, whose purposes and goals must always conform to the mission and work of the Universal Roman Catholic Church. It is therefore imperative that personnel, whether they are employees or volunteers, conduct themselves in a responsible, ethical and polite manner while using technology. The Diocese's "*Acceptable Use of the Technology*" entire policy is located on the Diocesan website.

### Social Media Policy

The Social Media Policy of the Diocese is intended to conform to the mission of the work of the Universal Roman Catholic Church and to enhance its image through various on-line social media channels, shape a better future, and be a leader in the community.

Social media includes forms of media use for social interaction that allow the creation and exchange of user generated dialogue. Some of the more popular forms of social media include: Blogs, Facebook, YouTube, Twitter, and LinkedIn, etc.

### Employee Policy

The Diocese supports its employees in engaging social media, however, as an employee of the Diocese of Owensboro, you are expected to adhere to the conduct and policies outlined in this *Employee Policy Handbook*. Employees may express their own point of view but must be respectful of others and use sound judgment and common sense. It is important to remember that while engaging in forms of social media and online conversation, employees are representatives of the Universal Roman Catholic Church. Employees must recognize that as Church employees their conduct reflects on the Church and they must be held responsible for their behavior. Employees are allowed to speak "about the Church, but not on behalf of." When taking public positions online do not advocate a position

counter to the Diocese of Owensboro or the Universal Church's interest. Any deviation of this policy is subject to review by the pastor or employer.

### **Copyright**

All Diocesan employees are to follow the copyright guidelines of the United States Conference of Catholic Bishops. All materials created, designed, or modified by Diocesan personnel in the course of or in the connection with their employment are the property of the Diocese.

### **HIV/AIDS/Communicable Infectious Disease Policy**

The Diocese has a policy for all Diocesan and parish personnel, who have contracted communicable/infectious or similar serious medical conditions. The diocese/parishes do not discriminate against any person on the basis of HIV infection or communicable disease. The entire policy can be read on the Diocese's website.

### **Pandemic Flu Policy**

Those in positions of leadership in the Church have the responsibility to become and remain well informed regarding possible risks to the communities, including pandemic influenza. The Diocesan Bishop may mandate attendance at specific information sessions, the publication of specific policies, or the enactment of specific programs in response to the risk or presence of pandemic influenza. The complete "*Pandemic Flu Plan and Policy*" is located on the Diocese's website.

### **Safe Environment**

The Diocese of Owensboro Safe Environment Program was developed to ensure the safety of children and young people who have been entrusted to care in parishes, schools, religious education classes, and other programs. The Diocese pursues the mission in four ways:

- by thoroughly screening and supervising all Church ministers, employees, and volunteers who work with children and young people as part of their ministry;
- by providing appropriate training in recognizing and reporting child abuse;

- by holding all Church ministers, employees and volunteers who work with children and young people to Christ-centered and professional codes of conduct; and
- by providing the opportunity for every minor in Catholic schools and parish faith formation programs to participate annually in a safety training covering the topics of sexual abuse prevention and the need to tell if abuse is occurring.

Any individual over the age of 18 years, who has been offered employment or any volunteer wanting to work with minors within the Diocese, will be required to submit to a criminal background check, and must receive Safe Environment training, as a condition of employment or volunteering with minors on behalf of the Diocese of Owensboro.

## Sexual Harassment/Abuse Policy

The Diocese is committed to a work environment where each individual can work in a professional atmosphere free of harassment.

Accordingly, the Diocese prohibits harassment of any sort, whether based on sex, race, color, religion, national origin, age, or disability. Any conduct or statement-verbal, physical, or visual that is based on one of these characteristics is harassment when it (i) creates an intimidating, hostile or offensive work environment; (ii) or unreasonably interferes with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities. All the diocesan personnel are responsible for assuring that the workplace is free from harassment.

Sexual Harassment - Because of the Diocese's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct which could be viewed as sexual harassment, including:

- (a) Unwelcome sexual advances;
- (b) Requests for sexual acts or favors;
- (c) Sexual jokes and innuendo;
- (d) Verbal abuse of a sexual nature or obscene comments or gestures;
- (e) Display in the workplace of sexually suggestive objects or pictures;
- (f) Other verbal, physical, or visual conduct of a sexual nature.

Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co-workers or visitors, must bring the problem to the attention of the pastor or employer. You may first take your complaint to the Diocesan Human Resource Department, or to your supervisor, whomever you would prefer. If the complaint involves someone in the employee's direct line of authority the employee may go to any other person on the supervisory staff. To assure a complete investigation the employee will provide a written complaint that describes the harassing conduct (who, when, where, and what was said or done).

The Diocese will investigate the complaint to determine whether the conduct complained of constituted sexual harassment. The Diocese will maintain the documentation of

allegations and investigations on a confidential basis and work to maintain the privacy of both the charging party and the person accused of sexual harassment to the greatest extent possible in the circumstances. If such conduct is found to be sexual harassment, the Diocese will take all reasonable steps to stop it, and when appropriate, will discipline the offender.

Other Forms of Harassment - Harassment on the basis of other protected characteristics, such as race, color, religion, national origin, age, or disability is likewise strictly prohibited. Such harassment can be verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of such characteristics or such characteristics of that person's relatives, friends or associates. Remember its harassment if it creates an intimidating, hostile or offensive work environment, or unreasonably interferes with an individual's work performance, or otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material denigrating or showing hostility or aversion toward an individual or group (based upon one of the cited characteristics), that is placed on the Diocese's premises or circulated in the workplace.

Any Employee who believes he/she is a victim of harassment or who has observed an incident of harassment by anyone, including supervisors, co-workers, or visitors, must bring the problem to the attention of the pastor or employer, which may include the Diocesan Human Resources Department. If the complaint involves someone in the Employee's direct line of authority the employee may go to any other person on the supervisory staff. In addition, the Diocese encourages individuals who believe they are being subjected to such conduct promptly to advise the offender that his or her behavior is unwelcome and request that it be discontinued. However, you are not required to do so. It is the Diocese's policy to investigate such reports promptly, although confidentiality cannot be guaranteed. The Diocese will retain confidential documentation of allegations and investigations and will take appropriate corrective action, including disciplinary measures when justified, to address all violations of this Policy.

The Diocese prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. No adverse employment action will be taken toward any employee making a good faith report of alleged harassment even if it should be found erroneous. However, false and malicious complaints of harassment, as opposed to legitimate complaints made in good faith, may be the subject of appropriate disciplinary action.

Sexual misconduct by paid personnel as well as all volunteers of the Diocese or parish is contrary to Christian principles. All personnel of the Diocese and parish must comply with applicable state and local laws regarding incidents of actual or suspected sexual misconduct. The provisions stated in the "*Diocesan Policy of Sexual Abuse*" must be followed. This complete policy and procedure is located on the Diocese's website.

## **Use of Mobile Devices**

The Diocese is aware that most employees use cell phones in carrying out their daily duties and responsibilities. The Diocese is also aware of the potential distractions that may occur when cell phones are used while operating a moving vehicle. To maintain a safe environment and to minimize the safety risks for employees, passengers, and the public, the Diocese has adopted the following policy:

Employees are not permitted to use a mobile device while operating a motor vehicle that is in motion while conducting Diocesan business. If an employee needs to use a mobile device while traveling, they should safely pull their vehicle off the road, place their phone call, or send a text or an email message. This policy applies regardless of whether the employee is operating a parish or employer-owned vehicle or the employee's own vehicle during the scope of his or her employment with the Diocese.

Cell phones furnished by the employer are electronic devices and are subject to employer monitoring, as are e-mails.

## **Weapons in the Workplace**

If an employee has a current valid license to carry a concealed weapon, the employee may only keep the weapon in their locked personal vehicle while on Diocesan property. An employee may not possess, transport, or store a weapon in a vehicle owned by the Diocese of Owensboro.

# **EMPLOYEE CONDUCT**

## **Attendance and Tardiness**

Attendance is an important aspect of your work performance. Absenteeism, tardiness, and leaving early could cause a hardship on the parish or employer. Too many unscheduled absences, late arrivals, or patterned absences could cause disciplinary action for the employee, up to including termination. Employees should observe these guidelines: follow your parish or employer's attendance expectations, notify one's pastor, supervisor, and/or employer at least one hour in advance of scheduled start time (call personally unless you are unable to do so), and call each day of scheduled absence, unless other arrangements have been made with your parish or employer. Any employee with a serious health problem may request a leave of absence in accordance with the provisions outlined in the FMLA policy.

## **Attitude and Conduct**

As employees of the Diocese, the Mission should be supported not only through the performance of specific responsibilities, but also through one's values and professional and personal behavior. The conduct and lifestyle of all employees are expected to be in accordance with the values and teachings of the Roman Catholic Church.

While an employee may be hired for possessing certain skills, it is important that an employee maintain a positive and hospitable attitude, is flexible by adapting to changes in their work environment, is a team player, and shows initiative and good judgment.

## **Personal Appearance and Dress Code**

Employees are expected to dress in a manner appropriate to their working environment and to the work performed. Employees shall present a professional appearance. Additional guidance in this area may be provided by the pastor or employer.

## **Confidentiality**

Employees are to respect the work and dignity of both their colleagues and those they serve, and always be respectful of the Church. Information or communication shared in

confidence must be respected and kept confidential at all times. Confidential information includes, but is not limited to the following: correspondence and contributions; personnel and payroll matters; relationships between business and benefactors. Any violation of confidentiality may be cause for disciplinary action, up to and including discharge.

### **Conflict of Interest**

Employees are expected to use good judgment, adhere to high ethical standards and avoid situations that create an actual or perceived conflict of interest between the employee's interest and the interest of the Diocese. With the exception of a gift 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. Any potential conflicts of interest should be disclosed to your pastor or employer.

### **Discipline**

Employees of the Diocese are expected to adhere to reasonable standards of conduct and work performance. Sometimes individual conduct, for particular situations, require disciplinary action which may include warnings, suspensions, and if the situation warrants, termination of employment. In all circumstances the pastor or employer will take the disciplinary action they consider commensurate with the offense. As a general guideline employees are to conduct themselves responsibly in the work place to maintain the traditional standards of honesty and cooperation, working with a good constructive attitude, and avoiding insubordination, excessive absenteeism, intoxication, unlawful use or being under the influence of drugs, or other such problems at work.

As a general rule, any conduct that is considered to interfere with any employee's work and/or the employer's operation will require review and consideration of possible discipline. Each individual case will be handled based upon individual circumstances surrounding that incident. The Diocese reserves the right to decide what disciplinary action is appropriate. A serious infraction may require a serious response by the Diocese depending on the nature of the offense, first, or repeated violations, and may result in the employee's discharge. The Diocese is an at-will employer.

When disciplinary action is taken, the pastor or employer may request the employee's signature to show the problem has been addressed. Signing a warning does not necessarily mean the employee agrees with the charge or the disciplinary action. The employee will be required to comply with all instructions on how to improve, particularly when disciplinary action is involved.



## **Open Door Policy**

It is the policy of the Diocese to encourage open communication through an open door policy. Employee concerns or problems are important to the Diocese. An employee must make someone aware of their concern in order for the issue to be resolved and must use the following procedure:

- The employee's immediate supervisor should be notified about the concern and have a chance to resolve it.
- If the employee's immediate supervisor cannot resolve the issue to the employee's satisfaction, or if the employee feels they did not get a reasonable hearing by an immediate supervisor, or feels the supervisor is the source of the problem, the employee may take the issue to the pastor or employer.
- If the employee does not feel comfortable discussing their concern with any of the individuals above, the employee may take their concerns to the Diocese's Director of Human Resources, who will try to assist the employee in finding a fair and satisfactory resolution.

## **Smoking, Drug, and Alcohol Policy**

The Diocese and parishes seek to provide a drug free and healthy environment for all employees.

- Smoking is permitted only in designated areas.
- Illegal possession of a drug, sale of alcohol, or possession of other controlled substances on parish and school premises is prohibited.
- Employees may not report to work under the influence of illegal drugs, controlled substances, or alcohol. Anyone violating these standards is subject to disciplinary action up to and including termination.
- Employees must notify their pastor or employer upon being arrested for an alcohol or drug related offense within 48 to 72 hours. After notification, the pastor and employer will need to assess the severity the arrest may have on the employee's work and take appropriate steps, including possible suspension and possible termination.
- An employee arrested for Driving under the Influence (DUI) offense or an illegal drug related offense during work hours or while carrying out job responsibilities will be suspended immediately and termination may result.

## **Violence-Free Workplace**

The Diocese and parishes are committed to a violence-free workplace. Any threats or acts of violence, harassment, retaliation, intimidation, aggressive behavior or offensive comments will not be tolerated. Any direct or indirect act of violence or threat, even actions done in apparent jest, will be taken seriously and investigated, and appropriate action taken.

# EMPLOYEE SEPARATION OF EMPLOYMENT

## Termination of Employment

The Diocese of Owensboro is an “at-will” employer. “At-will” means that while involuntary terminations will generally be preceded by prior discipline, the Diocese may exercise its legal right to terminate an employee with or without cause and with or without prior notice, where such termination does not violate the employee’s rights under applicable state or federal employment laws.

**VOLUNTARY:** A voluntary termination occurs when an employee resigns their position. Exempt employees are expected to provide a minimum of thirty (30) days’ notice of their intention to separate from the Diocese or parish, while non-exempt employees are expected to provide two weeks’ notice. These expectations are in accordance with employees who are viewed as leaving “in good standing.” This allows the parish or employer a reasonable amount of time to transfer ongoing workloads. It is expected that written notification will be provided to the pastor or employer.

**INVOLUNTARY:** An involuntary termination of employment is a decision initiated by the pastor or employer in consultation with the Bishop and Chancellor to end the employment relationship with an employee. Staff reductions may occur as a result of parish closings, inadequate funding, etc. Employees will receive written notice from the pastor and employer in consultation with Parish Pastoral Council (two weeks for non-exempt employees and thirty (30) days’ notice for exempt employees) in advance of termination resulting from staff reductions. The notice will specify the last work day. At the discretion of the pastor or employer in consultation with the Parish Finance Council, the employee may be granted pay in lieu of working the two weeks/thirty days.

The inability of an employee to perform the essential functions of the job with or without a reasonable accommodation may also result in an involuntary termination, as does misconduct. In some cases, progressive discipline may be used, prior to termination, to correct a performance problem. However, certain types of employee misconduct are so severe that one incident of misconduct will result in immediate dismissal without prior use of progressive discipline. Such suspension/termination is immediate and without severance pay, however, an employee is entitled to available vacation benefits earned, but not yet paid, provided all church property is returned and accounted for. If suspension or termination is challenged, an employee may file a written grievance with their pastor or employer.

**EXIT INTERVIEW** Each employee who leaves the employment of the parish or diocese for any reason will be requested to participate in an exit interview with the pastor or employer. The purpose of the exit interview is to bring to completion various matters associated with employment (job description, opinion of the workplace, its policies, and reasons for termination.) Suggestions are invited on how to make the Diocese and parish environment a better place in which to work and to carry out the mission of Christ. The exit interview must be documented on the *Diocese Exit Interview* form.

## **Unemployment Compensation Exemption**

Employees are not eligible to receive unemployment compensation related to their work with the Diocese of Owensboro. The Kentucky Supreme Court (May 26, 1981) held that Church and Church related schools that do not have separate legal existence are exempt from the coverage of the Federal Unemployment Tax Act.

**Acknowledgment of Diocese of Owensboro**  
***Employee Policy Handbook***  
**July 1, 2015**

I have received and read the Diocese of Owensboro *Employee Policy Handbook*.

I understand this signed acknowledgement will be placed in my personnel file.

I understand the handbook and its content do not create a contract, expressed or implied.

I understand this handbook is subject to change and I will be given updated information, which I am responsible to read.

I understand I am responsible for reading and complying with the Diocese of Owensboro *Employee Policy Handbook*.

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Employee Signature

Date