



# Diocese of Orlando **EMPLOYEE MANUAL**





*Now you are Christ's body, and individually parts of it. Some people God has designated in the church to be, first, apostles; second, prophets; third, teachers; then, mighty deeds; then, gifts of healing, assistance, administration, and varieties of tongues. Are all apostles? Are all prophets? Are all teachers? Do all work mighty deeds? Do all have gifts of healing? Do all speak in tongues? Do all interpret? Strive eagerly for the greatest spiritual gifts.*

*1 Cor 12:27-31*

March 5, 2014

My Sister and Brothers in Christ:

I praise the Lord for the gift of you; that you have offered your talents to the Lord and they blossom as we build God's temple on this earth.

This Employee Handbook is harvested by the work of many hands over a period of years to help document the written and unwritten employment policies of the Diocese of Orlando. It is a guide to you as you offer your gifts of labor in His name. Some of the information in this handbook is governed by civil law; some of it is expressed as best practices of our local Church or dioceses throughout the Province of Miami.

I encourage you to read it thoroughly. It is available on-line and you can access it regularly should you choose. You will note the requirement of an acknowledgement page toward the end of the document. If you have questions, please speak to our senior director of human resources.

In our daily living, may we strive eagerly for the greatest spiritual gifts.

Sincerely yours in Christ,

Most Reverend John Noonan  
Bishop of Orlando

<b>GLOSSARY.....</b>	<b>6</b>
<b>POLICY .....</b>	<b>8</b>
EQUAL EMPLOYMENT OPPORTUNITY (EEO).....	8
ANTI-HARASSMENT POLICY .....	8
EMPLOYMENT AT WILL.....	9
BASIC EMPLOYMENT PHILOSOPHY.....	9
<b>EMPLOYMENT AND HIRING PRACTICES.....</b>	<b>11</b>
JOB POSTING.....	11
HIRING AND RECRUITING OF PERSONNEL.....	11
PROOF OF RIGHT TO WORK.....	11
MINIMUM AGE REQUIREMENT .....	12
INTRODUCTORY OR PROBATIONARY PERIOD.....	12
EMPLOYMENT OF FORMER EMPLOYEES .....	12
EMPLOYMENT OF RELATIVES.....	12
<b>ATTENDANCE.....</b>	<b>14</b>
WORK AND BREAK SCHEDULES .....	14
ABSENCE/TARDINESS.....	14
BEREAVEMENT LEAVE.....	14
VACATION DAYS (not applicable to contract employees) .....	15
VACATION ACCRUAL CASH-OUT PROGRAM (not applicable to contract employees) .....	16
TRANSFER OF VACATION BETWEEN DIOCESAN ENTITIES ( <i>not applicable to contract employees</i> ) ...	16
VACATION AND TERMINATION OF EMPLOYMENT (not applicable to contract employees) .....	16
VACATION AND CONTRACT EMPLOYEES .....	16
HOLIDAYS.....	17
JURY DUTY.....	17
LEAVES OF ABSENCE .....	18
FAMILY/MEDICAL LEAVE OF ABSENCE.....	18
FAMILY/MEDICAL LEAVE - EMPLOYEE’S SERIOUS HEALTH CONDITION.....	19
FAMILY/MEDICAL LEAVE - FAMILY MEMBER’S SERIOUS HEALTH CONDITION .....	20
FAMILY MEDICAL LEAVE - FOSTER CARE.....	20
FAMILY MEDICAL LEAVE – MATERNITY/PATERNITY LEAVE.....	20
DOMESTIC VIOLENCE LEAVE .....	21
OTHER TYPES OF LEAVE .....	21
MILITARY LEAVE.....	21
RESERVE TRAINING .....	22

SICK DAYS.....	22
SICK DAYS – PART TIME EMPLOYEES .....	23
SICK DAYS – SEASONAL EMPLOYEES.....	23
SICK DAYS – CONTRACT EMPLOYEES .....	23
PERSONAL DAYS – CONTRACT EMPLOYEES ONLY .....	23
<b>BENEFITS .....</b>	<b>25</b>
HEALTH, DENTAL, LIFE AND RETIREMENT BENEFITS .....	25
BENEFITS ELIGIBILITY .....	25
OPEN ENROLLMENT.....	26
UNEMPLOYMENT COMPENSATION.....	26
<b>COMPENSATION .....</b>	<b>27</b>
CLASSIFICATION OF EMPLOYEES.....	27
OVERTIME PAY PROCEDURES .....	28
TIME SHEET AND PAY PERIOD .....	28
COMPENSATORY TIME.....	28
GARNISHMENT OF WAGES .....	28
STIPENDS.....	29
EMPLOYMENT CONTRACTS .....	29
CONTRACT RENEWALS - INSTRUCTIONAL PERSONNEL .....	29
Faculty:.....	29
Elementary Principals: .....	29
High School Principals:.....	29
Presidents: .....	30
<b>EMPLOYEE RELATIONS .....</b>	<b>31</b>
PERSONNEL RECORDS.....	31
PERFORMANCE REVIEW.....	32
DISCIPLINARY ACTION .....	32
CONTRACT NON-RENEWALS.....	33
TERMINATIONS .....	33
REDUCTIONS IN FORCE (RIF).....	34
GRIEVANCE REVIEW PANEL .....	34
RESIGNATION OF EMPLOYMENT .....	35
EXIT INTERVIEW .....	35
REFERENCE REQUESTS.....	36
SOCIAL COMMUNICATIONS POLICY .....	37
USE OF CAR ON DIOCESAN BUSINESS.....	37
ACCIDENT REPORTING .....	37

INSPECTION OF WORK AREAS AND PRIVACY RIGHTS.....	37
REPORTING SERIOUS VIOLATIONS OF LAW OR POLICY .....	38
REPORTING SEXUAL MISCONDUCT WITH CHILDREN OR VULNERABLE ADULTS OR CHILD ABUSE.....	38
LIFE THREATENING ILLNESS .....	38
CHILDREN AND FAMILY MEMBERS IN THE WORKPLACE.....	38
DRESS CODE .....	39
BACKGROUND SCREENING OF DIOCESAN PERSONNEL.....	39
DISCLOSURE OF CRIMINAL ARRESTS/CONVICTIONS .....	40
DRUG AND ALCOHOL .....	40
HEALTH CERTIFICATE FOR SCHOOL PERSONNEL .....	41
PERSONAL PROPERTY .....	41
PUBLIC RELATIONS.....	41
SOLICITATION AND DISTRIBUTION .....	41
SMOKING .....	42
STANDARDS OF CONDUCT .....	42
CONFLICT OF INTEREST .....	42
CONFIDENTIALITY .....	43
RULES OF PROHIBITED CONDUCT.....	43
CODE OF ETHICS FOR CATHOLIC EDUCATORS .....	45
COMMITMENT TO STUDENTS.....	45
COMMITMENT TO THE MINISTRY OF TEACHING .....	46
COMMITMENT TO COMMUNITY .....	47
<b>PROTECTION OF DIOCESAN PROPERTY .....</b>	<b>48</b>
USE OF MOBILE AND ELECTRONIC RELATED DEVICES .....	48
DIOCESAN PROPERTY.....	48
DIOCESAN RECORDS .....	49
SAFETY AND SECURITY .....	49
<b>EMPLOYEE ACKNOWLEDGEMENT .....</b>	<b>51</b>

ADDITIONAL LINKS

**NOTE: Unless otherwise linked, all documents can be found on the Intranet, under the Diocesan Folder. The direct link is: <https://intranet.orlandodiocese.org/>.**

- Conflict of Interest
- Grievance Review Policy
- Reduction in Force and Separation
- Reporting Serious Violations of Law or Policy
- [Protecting Our Children-Child Sexual Abuse and Prevention](#)
- [Safe Environment Policy and Procedures](#)
- [Social Communications Policy](#)
- Use of Media and Request for Information from Media

# GLOSSARY

**At Will Employer** – An employer who reserves the right, provided under Florida statutes, to terminate any employee for any reason, with or without notice and with or without cause, where such termination does not constitute an illegal act of discrimination or retaliation.

**Benefits-Eligible Part-Time Employee** – An employee who works less than the regular full time schedule for the location at which he/she is employed, but who is regularly scheduled to work consistently at least 30 hours per week for a total of at least 1,300 hours per year. If the individual is employed for all 12 months of the year, he/she must work consistently at least 30 hours per week in each of the twelve months. Benefits-eligible Part-Time employees are entitled to all employee benefits, although vacation and sick accruals will be pro-rated according to the number of hours worked.

**Contract Employee** - Employees hired to work a specific time period, with limited eligibility for benefits (i.e., no vacation accrual for teachers), who sign a contractual agreement (e.g., teacher, president, or principal). A contract employee is not to be confused with an independent contractor who, by definition is not an employee, and, thus, has no right to participate in the Diocesan benefit programs.

**Diocese** – Entities and agencies of the Diocese of Orlando, including but not limited to all parishes, elementary and high schools, San Pedro Spiritual Development Center, Chancery Office, Catholic Charities of Central Florida, Catholic Foundation of Central Florida, The Florida Catholic, Hope Community Center, Catholic Cemeteries of Central Florida and Bishop Grady Villas.

**Diocesan Employee** – An individual who has been hired to work at a parish, school or agency of the Diocese of Orlando, and is paid through the regular employee payroll.

**Disciplinary Action** – A corrective action or series of corrective actions initiated by the employer against an employee for misconduct or poor performance. Such actions include, but are not limited to: verbal or written warnings and/or constructive criticism, disciplinary memos, suspensions or discharge.

**Exempt Employee** – An employee who is exempt from overtime regulations as provided under the Fair Labor Standards Act. Exempt employees are not paid additional wages for hours worked in excess of 40 in a work week. However, they may not be docked for absences of less than a full work day.

**Full-Time Employee** – An employee who is hired to work a full-time schedule for the location at which he/she is employed is forty (40) hours per week.

**Involuntary Termination** – Termination of employment for any reason other than the voluntary action of the employee. Includes discharges, layoffs and resignations submitted at the employer's request.

**Lay Employee** – Employees who are neither priests nor members of a religious congregation. Deacons who are employed by the Diocese are treated as lay employees for compensation and benefits purposes.

**Layoff** – Involuntary termination of employment due to the elimination of an employee’s position for financial or other reasons as determined by the employer. Lay offs do not necessarily reflect negatively on an employee’s service record.

**Non-exempt Employee** – Any employee who is eligible for overtime compensation. Non-exempt employees must submit written records of their time worked, and must be paid wages at time and a half for hours worked in excess of 40 hours in the same work week. Examples include, but are not limited to clerical staff, secretaries, administrative assistants, bookkeepers, maintenance workers, security guards, receptionists, housekeepers, etc.

**Open Enrollment** – A period occurring annually during which employees may elect new benefit options with regard to health, dental, and optional life insurance coverages. These elections will become effective at the beginning of the plan year on May 1<sup>st</sup>.

**Part-Time Employee** – an employee whose budgeted workweek is less than 40 hours per week.

**Religious Employee** – An employee of the Diocese who is a member of a religious congregation.

**Seasonal Employee** – An individual hired temporarily for a specific period of time lasting fewer than 8 months. Such employees may return year after year to fill in for summer vacations, or provide assistance during cyclical peak work times. Seasonal employees are considered regular part-time employees, although some may be eligible for benefits as a Benefits-Eligible Part-Time Employee.

**Temporary Employee** – Individuals who are employed by an outside entity or on the payroll of an outside entity, such as an employment agency, and are assigned to work on a temporary or contract basis with the Diocese.

**Termination** – The closure of an employment relationship, regardless of the circumstances. This term does not imply discharge (see “Involuntary Termination” and “Voluntary Termination”).

**Voluntary Termination** – Termination of employment relationship for reasons not attributable in any way to the actions or inactions of the employer. Includes an employee’s voluntary resignation, failure to return to work at the end of an approved leave of absence, three consecutive days of unreported and/or unexcused absence or refusal to comply with a reasonable request or directive that is made as a condition of continued employment.

# **POLICY**

## **EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

The Church shares in the mission of Jesus Christ who called followers to lead a just life. In fidelity to that mission the Diocese of Orlando strives for justice in employment practices and equal employment in all aspects of the employer-employee relationship - including recruiting, hiring, upgrading and promotion, conditions and privileges of employment, diocesan sponsored training, educational assistance, social and recreational programs, compensation, benefits, transfers, discipline, layoffs, recalls, terminations and other conditions of employment - to all applicants and employees without unlawful discrimination because of race, color, national origin, sex, age, mental or physical disability, or status as a special disabled veteran or veteran of the Vietnam era.

It is the personal responsibility of each employee to read and be familiar with the EEO Policy, to have a working knowledge of the Diocesan procedures for handling informal and formal complaints of discrimination, and to know and understand Diocesan EEO objectives and commitments.

If the Diocese determines that harassment or any form of discrimination on the basis of race, color, sex, national origin, age, disability or veteran status has occurred, those responsible will be subject to appropriate disciplinary action, up to and including dismissal, depending on the severity of the case. It is the responsibility of each supervisor to take corrective action to assure that employees respect the rights of all other employees, and to eliminate the existence of any harassment, and to contact the Office of the Human Resources Director or Chancellor upon receipt of a complaint of discrimination or harassment.

## **ANTI-HARASSMENT POLICY**

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 and other laws. It will not be tolerated by the Diocese. Maintaining an environment free of discrimination and harassment is the responsibility of every employee and individuals associated with the Diocese.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances:

- The victim as well as the harasser may be a woman or a man;
- The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or a non-employee;
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct;



- Examples of sexual harassment include offering job benefits for sexual favors, the display of sexually suggestive objects or pictures, sexual innuendo, language or jokes of a sexual nature, suggestive comments, offensive gestures or whistling, touching, unwanted flirtations, advances or propositions, or sexually degrading words to describe an individual.

Harassment of individuals on the basis of their sex, race, national origin, age or any other protected status is detrimental to the working environment and work place productivity. Accordingly, this type of harassment is also strictly prohibited.

If an employee thinks he/she is being harassed, or is being subjected to behavior that he/she finds offensive, it is the employee's responsibility to directly inform the harasser that the conduct is unwelcome and must stop. If the harassment and/or offensive condition persists, or if the employee is uncomfortable informing the harasser, the employee should discuss the situation with the immediate supervisor (if applicable), or contact the Diocesan Human Resources Director or Chancellor. Every complaint of harassment will be investigated and appropriate action taken. These steps will include, when warranted, fact-finding and interviews with involved individuals, and may result in disciplinary action up to and including termination.

The Diocese is committed to resolving complaints of sexual harassment promptly and to ensuring protection against retaliation or reprisal.

### **EMPLOYMENT AT WILL**

With the sole exception of certain employees with signed, written contracts (e.g. teacher, president, or principal), the Diocese is an at-will employer. It is Diocesan policy that all non-contract employees of the Diocese are employees at will and, as such, are free to resign at any time without reason. The Diocese of Orlando, likewise, retains the right to terminate an employee at any time with or without reason or notice.

Nothing contained in this manual or any other document provided to the employee is intended to be, nor should it be, construed as a guarantee that employment or any benefit will be continued for any period of time. The handbook, policies, and procedures employed by the Diocese do not create a contractual relationship between the employee and the Diocese, nor do they limit or restrict in any way the Diocese's First Amendment rights under the United States Constitution, the Diocese's religious freedoms, or the Diocese's rights and duties under Canon Law. Canon Law and Church doctrine will prevail over any conflicts with state, local, or federal law.

Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience and are not intended to be and do not create an employment contract for any specific period of time.

### **BASIC EMPLOYMENT PHILOSOPHY**

The Diocese of Orlando's policy has always been to provide good working conditions with compensation and opportunities that would be attractive to the high-caliber people with whom the Diocese wants to be associated. In accord with the teachings of the Roman Catholic Church, the Diocese believes in the inherent dignity, right and worth of the individual. The Diocese is

loyal to the people who compose its staff, and strives, at all times, to do everything that is reasonable and appropriate to serve their best interests.

It is the practice of the Diocese of Orlando, without regard to an individual's race, color, sex, national origin, age, disability or veteran status:

- to seek highly qualified employees;
- to select those employees on the basis of ability, experience, training, intelligence and character;
- to make available to employees opportunities for development, training and advancement consistent with individual ability, performance and the requirements of the Diocese;
- to consider promotions from within the organization whenever possible;
- to develop competent managers who understand the work of the Diocese and who can meet with open-mindedness suggestions from their fellow employees;
- to provide a faith-filled atmosphere for the development of individual responsibility and a sense of participation in the successful support of the mission of the Catholic Church; and
- to respect the individual rights of each employee and to treat all employees with courtesy, dignity and consideration.

# ***EMPLOYMENT AND HIRING PRACTICES***

## **JOB POSTING**

Where possible, it is Diocesan policy to make every effort to post job vacancies for internal qualified candidates prior to soliciting qualified external candidates. However, managers with job openings may consider both internal and external candidates as a means of identifying the most qualified person available. The requirement to post a position may be waived with approval from the Diocesan Human Resources Office.

To be eligible to apply for a position a current employee should have been employed by the Diocese for at least 18 months from the most recent hire date and have been in the current position for 18 months.

**Contract Employees** must complete the conditions of their contract before they are eligible to apply for posted positions.

## **HIRING AND RECRUITING OF PERSONNEL**

All applications for employment are considered on the basis of each candidate's qualifications and competence for the particular position's job duties. In considering an applicant, attention is given to the following:

1. Job Requirements
2. Education
3. Experience
4. Skills
5. References
6. Personal qualities
7. Catholic faith (when requirement of position)

Supervisors are required to obtain two business references and one personal reference; the personal reference is preferred to be from the candidate's pastor or other clergy with personal knowledge of the candidate. Reference notes are to be retained in the personnel file.

Offer letters are to be provided to employees and should include the information regarding the supervisor's name, starting salary or hourly wage, beginning date and any condition of employment. A copy of the offer letter will be kept in the employee's personnel file. Offer letters are not to be considered contractual agreements.

## **PROOF OF RIGHT TO WORK**

Under federal law, all new employees must produce original documentation establishing their identity and right to work in the United States. They must also complete INS Form I-9, attesting to their right to work in the United States. Documentation must be produced within three (3) business days of hire, or on the first day of any employment, whichever is earliest.

## **MINIMUM AGE REQUIREMENT**

In order to be eligible for hire, employees must be a minimum of 18 years of age. Youth Ministry Coordinators and Administrators must be at least 21 years of age.

## **INTRODUCTORY OR PROBATIONARY PERIOD**

The Diocese has established a three month introductory period for newly hired employees and the employer to determine whether the employee's interests, skills and talents meet the needs of the employer. The following can be expected as part of this introductory period:

1. Roles and expectations will be discussed as part of the orientation process;
2. After successful completion of the three month introductory period, employee will be considered a regular employee (full time or part time);
3. If during probationary period, management determines employee is not suited to position, employee may be terminated at any time;
4. The three-month introductory period can be extended once for an additional 30 days in the event performance standards are in question and the employer needs additional time to evaluate the employee fit. The extension should be provided to the employee in writing along with the concerns or performance issues necessitating the extension and the desired remediation;
5. Performance review will be conducted by the direct manager and employee at end of three-month introductory period. The review addresses performance only. The employee is not eligible for a salary/wage increase at this time. The employee salary/wage discussions are typically held as part of the annual evaluation process.

## **EMPLOYMENT OF FORMER EMPLOYEES**

Prior to hiring former employees, pastors and administrators must check with the Diocesan Human Resource Office to verify employment eligibility. It is also advisable to contact the employee's former diocesan supervisor. For matters involving instructional personnel, the Superintendent or Associate Superintendent of Schools may be contacted in place of the Human Resource Office.

Employees who return within six months of their separation date will receive credit for previous service for purposes of vacation and sick accrual.

## **EMPLOYMENT OF RELATIVES**

The Diocese gives equal consideration to all candidates in hiring, promotion and transfers but it will avoid creating a situation where there is a direct or indirect "reporting" or supervisory relationship between related employees. The intent is to avoid placing employees in situations where they are supervised by a relative or in situations where they would be expected to provide supervision or influence the supervision of a relative.

“Supervision” is defined as providing direction or instruction to an employee, and/or as having the functional responsibility of interpreting policy that could affect an employee or employee’s work environment. Situations that could give rise to questions of possible favoritism or discrimination should be avoided at all times.

1. Relatives of employees who handle highly confidential and/or sensitive information are not eligible for employment in other areas of the Diocese (i.e., those employees who handle financial and/or human resource matters including employee social security numbers, salary and medical data). The proposed hiring of any such employees must be reviewed by the Diocesan Human Resources Director in order to consider an exception to the policy.
2. If a hire, transfer, or promotion has the potential for creating a “reporting” relationship between relatives, the Office of Human Resources must review and approve the action prior to an offer of employment.
3. Under certain circumstances, immediate family members may be prohibited from working as co-workers in the same department, agency, school or parish. Immediate family members are defined as children, parents, siblings, spouse, in-laws, grandparents, and individuals residing in the same household, whether related or not, except for members of religious congregations.

# **ATTENDANCE**

## **WORK AND BREAK SCHEDULES**

The normal workweek is 40 hours during a 5-day period. Due to the variety of services offered by the Diocese, the starting and ending hours of the normal workweek may vary. Managers are expected to disclose the work schedule to their employees.

Meal and break periods are determined locally. Break periods are not required by law or policy. However, employees scheduled to work 7 or more hours in a day should be provided with an unpaid meal period of not less than 30 minutes, which must be taken no later than the 5<sup>th</sup> hour of work.

## **ABSENCE/TARDINESS**

If it is necessary to be absent from work, employees are to notify their immediate supervisor as far in advance as possible. Management may request verification of any incidental absence. If an employee's immediate supervisor is not available, the absence should be reported to another management employee. Employees are required to provide management with a phone number where they may be reached.

If an employee must be out longer than one day due to an unexpected absence, he/she must call his/her supervisor on each morning that the employee is unable to report to work. If after 3 consecutive days the employee is unable to return to work, that employee will be required to complete an application for Family Medical Leave (see Medical Leave).

Absences of 3 consecutive days, without notification to the employee's supervisor will be considered a voluntary resignation (job abandonment).

The Diocese requires all employees to report to work on time for all regularly scheduled hours. Excessive absences and/or tardiness may result in disciplinary action, up to and including discharge.

## **BEREAVEMENT LEAVE**

The Diocese of Orlando provides all full-time and part-time employees regularly working at least 25 hours per week bereavement leave with pay for deaths in the immediate family (defined as the employee's spouse, parents, grandparents, sibling, child, mother-in-law or father-in-law).

Up to three consecutive calendar days may be granted. An additional two days may be granted for out of state funerals.

Time off for other funerals is considered on an individual basis, though vacation time is typically used for this purpose.

## **VACATION DAYS (not applicable to contract employees)**

To maintain the quality of work performance, the Diocese recognizes that adequate time should be provided to employees annually for time away from the work environment for rest and relaxation. All employees are encouraged to use their full vacation allotment each year. While every effort is made to allow employees to schedule time off for vacation, time away from work must be agreed upon in advance by the employee's manager.

All vacation days are determined in accordance with length of continuous, uninterrupted employment (net credited service). Vacation accrual is based on the hire date and number of hours worked each week. For full-time workers, hours are accumulated as follows:

1 through 3 years of net credited service	10 vacation days or 80 hours per year
4 through 9 years of net credited service	15 vacation days or 120 hours per year
10 through 24 years of net credited service	20 vacation days or 160 hours per year
25+ years of net credited service	25 vacation days or 200 hours per year

Vacation time for part-time workers is categorized and prorated accordingly to the following schedule of work hours: 35 to 40 hours; 30 to 34 hours; and 25 to 29 hours. Employees must work a minimum of 25 hours per week on a regular basis in order to be eligible for vacation benefits.

Hourly employees may take partial day vacation days of no less than 2 hour increments.

New employees begin to accumulate vacation on their hire date, but are not eligible to take paid vacation until completing six months of service.

All earned vacation should be taken annually. Employees who do not use all of their accrued vacation may accumulate for use in a subsequent year an amount equal to that earned in a given work year. The maximum number of days of unused vacation may not exceed twice the number of vacation days earned annually (e.g., an employee who earns ten (10) days annually, may accumulate no more than twenty (20) days). Any unused vacation that exceeds twice the amount of vacation days earned annually is automatically forfeited.

If a Diocesan approved holiday falls within an employee's approved vacation period, the employee is not required to use vacation hours for the holiday period.

Vacation is not earned during unpaid absences.

If an employee undergoes an emergency medical procedure during a scheduled vacation, the time spent in the hospital and any period of recuperation immediately following may be considered as sick leave. It is the responsibility of the employee to present proof of hospitalization to the supervisor. If an employee is simply ill during a scheduled vacation period, the time may not be converted to sick time.

### **VACATION ACCRUAL CASH-OUT PROGRAM (not applicable to contract employees)**

This program, which is subject to periodic review and approval by the Diocese, allows employees to opt to cash out excess accrued vacation subject to the following limitations:

1. An employee must complete two years of service before being eligible to cash out excess vacation hours.
2. Employees must maintain a minimum balance of 80 hours after cashing out vacation. Part time employee must maintain a minimum balance of 50 hours after cashing out vacation.
3. Vacation leave is cashed out at 85% of the employee's current hourly rate or similarly pro-rated weekly salary. For example, an employee who earns \$10 per hour will have eligible vacation hours cashed out at \$8.50 per hour.
4. Subject to Diocesan approval, the cash out option is intended to be available to employees once a year, in January, and is to coincide with a regularly scheduled payroll cycle.
5. The minimum number of hours an employee may cash out is 20 hours.
6. The maximum number of hours an employee may cash out is 40 hours.
7. Employees must complete a request form in advance of the established deadline, indicating the exact number of hours to be cashed out. Payment of the requested excess hours, subject to verification by the employer, will be made according to regular payroll schedules and will be subject to deductions for employment taxes and withholding.
8. The vacation accrual cash out program is subject to the financial ability of the entity, the decision of which is at the sole discretion of the Pastor, Principal or Administrator.

### **TRANSFER OF VACATION BETWEEN DIOCESAN ENTITIES (not applicable to contract employees)**

If an employee leaves one Diocesan entity to work for another, the current employer (specifically the location in which the employee is leaving) will pay out all accrued vacation to the employee provided that proper notice was given to the current employer. Please see section regarding Resignation of Employment.

### **VACATION AND TERMINATION OF EMPLOYMENT (not applicable to contract employees)**

Terminating employees are generally to be paid for any unused vacation. In some cases, however, employees are not entitled to accrued vacation upon termination. Please see section regarding Terminations.

### **VACATION AND CONTRACT EMPLOYEES**

The above vacation polices do not apply to contract workers. Contract workers (with the only exception of school presidents and principals) or instructional personnel are not eligible for vacation benefits.



School Presidents and Principals are eligible to accrue four (4) weeks of vacation per year. All accrued vacation must be taken by the end of the contract year or it is forfeited.

## **HOLIDAYS**

The Diocese of Orlando observes **10 paid holidays** (including one holy day). The holidays include 6 fixed federal holidays and 4 floating holidays designated at the beginning of the calendar year by the Bishop (Chancery), or the pastor or administrator.

The six fixed Holidays are:

- New Year's Day
- Labor Day
- Memorial Day
- Thanksgiving Day
- Independence Day
- Christmas Day

If any of the above holidays fall on a Saturday, it is observed and paid on a Friday. Observed holidays that fall on a Sunday are observed and paid as a holiday on the following Monday.

If an employee is scheduled to work on a diocesan designated holiday due to the needs of the diocesan location, the employee is given equivalent holiday time off within the current or next pay period.

Employees must be consistently working a minimum of 25 hours per week to receive holiday pay. If a holiday falls on a day that the part-time employee normally does not work, that employee is not eligible to receive an additional paid day off. Additionally, if the holiday falls on a day that the part-time employee regularly works, the employee is only entitled to holiday pay for the number of hours normally worked, not to exceed 8 hours. Seasonal employees are not eligible for holidays.

## **JURY DUTY**

The Diocese provides time off with pay to employees if they are called to jury duty or witness service. Employees will receive approval for time off for the period specified by the court and will be paid their regular rate of pay for a maximum of ten working days per year. The Diocese reserves the right to ask the court to excuse the employee if absence may result in adverse effects on diocesan business operations.

It is the employee's responsibility to provide to his/her supervisor a copy of the notification document received from the court as soon as formal notice regarding jury duty is received. Upon completion of service, proof or verification of your jury duty must be provided to the employer. If an employee is excused from jury duty or service during a regularly scheduled workday, he/she is expected to report to work and resume normal duties. The employee will receive his or her normal salary in addition to the money received from the court.

## **LEAVES OF ABSENCE**

A leave of absence is an officially approved temporary suspension of employment initiated by the employee which is not to exceed the maximums established in this policy. Leaves of absence are available on the assumption that the employee will return to regular employment upon expiration of the leave. If an employee wishes to apply for a leave of absence, the employee must complete the requisite application forms and speak with his/her manager.

For detailed information or questions, please contact the Office of Human Resources.

The following explains the various types of leave benefits available at the Diocese.

### **FAMILY/MEDICAL LEAVE OF ABSENCE**

To be eligible for a Family/Medical Leave of Absence, the employee must have worked with the Diocese for at least 12 months and for at least 1250 hours in the last twelve months. Unpaid leave may extend up to 12 weeks in a 12-month period. The Diocese uses a rolling, look-back method to calculate the amount of leave available to employees. Advanced notice of 30 days must be given for scheduled medical surgery, pregnancy, or other known conditions.

All leaves must have a specific duration and return-to-work date determined at the time the leave is granted, unless employee's healthcare provider specifically indicates that no return date can be determined. Failure to return to work on the determined return-to-work day without prior knowledge and written approval of the employee's supervisor will be considered a voluntary resignation of the employee. A position of similar status, pay and title is guaranteed upon the employee's return unless the employee's job was eliminated during the leave.

Employees may request a family/medical leave for any of the following reasons:

- The birth of a son or daughter and in order to care for such son or daughter (see Paternity/Maternity Leave of Absence);
- The placement of a son or daughter with the employee for adoption (see Paternity/Maternity Leave of Absence);
- The placement of a child with the employee for foster care (see Foster Care);
- To care for a spouse, son, daughter or parent with a serious health condition (see Family Member's Serious Health Condition);
- Because of the employee's own serious health condition which renders him/her unable to perform the functions of his/her position (see Employee's Serious Health Condition).

Thirty days prior to the requested start day of a family/medical leave, employees should notify their supervisor of their request for such leave; notification should include the expected duration of the leave. If this is not possible employees must give notice as soon as reasonably possible. Failure to provide such notice may result in a delay of the leave. Employees must complete the appropriate Family/Medical Leave of Absence (FMLA) application forms which are available from the Diocesan Office of Human Resources or the Diocesan Intranet site.

Any accrued vacation days or available sick leave must be substituted for unpaid family/medical leave. The substitution of paid leave time does not extend the time period permitted for an absence from work (not to exceed 12 weeks in a twelve-month period).

During the 12 weeks of a family/medical leave, the employee will continue to be covered under medical, dental and basic life benefits with the presumption that the employee will return to work. However, deductions for supplementary and family insurance will be deducted from the employee's pay, assuming he/she is receiving vacation and sick benefits. If sick/vacation benefits are exhausted, and the leave is unpaid, the employee will be billed monthly for supplementary and family insurance portions during the remainder of the leave. If the employee does not make the monthly payment, coverage will be discontinued.

If the employee on family/medical leave has exhausted sick and vacation pay, and the leave is unpaid, employees will not accrue vacation or sick days. Employees will not be compensated for holidays that coincide with their leave, whether the leave is paid or unpaid.

Employees failing to return to work after the leave expiration will be required to reimburse the Diocese for payment of health plan contributions made on his/her behalf during the leave. If an employee does not return to work upon the expiration of his/her qualified leave period, he/she will be treated as having voluntarily terminated employment and will be billed for the cost of all benefits provided during the time of the leave.

Eligible employees are entitled to return from leave and to be reinstated to their former position or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., if employee's position is no longer available due to job elimination).

#### **FAMILY/MEDICAL LEAVE - EMPLOYEE'S SERIOUS HEALTH CONDITION**

An employee may be eligible for Family/Medical Leave if his/her health condition renders him/her unable to perform the function of the job. Unpaid medical leave may extend up to 12 weeks in a 12-month period. Family/Medical leaves must be requested by way of the official Family Medical Leave application, medical certification, and Intent to Return forms, available from the Diocesan Office of Human Resources. The medical certification form must be completed by the employee's physician. The Diocese does not seek genetic information about the employee as part of this request in compliance with the Genetic Information Nondiscrimination Act (GINA). Leaves taken without proper documentation and/or medical certification will be considered unauthorized leave, and will be subject to disciplinary action, up to and including discharge.

This policy also applies to medical leaves resulting from an on-the-job injury or illness for which a Worker's Compensation claim has been filed.

Any time an employee expects to be or is absent for more than three (3) consecutive work days as a result of his/her own serious health condition (including pregnancy), the employee will be required to complete and submit appropriate family medical leave forms, which includes a medical certification from the employee's physician.

Medical leave may be taken intermittently or on a reduced leave schedule, if medically necessary. An employee's salary may be reduced based on the amount of time actually worked. The employee may be transferred to an alternate position which better accommodates the recurring leave and which has equivalent pay and benefits. Intermittent leave for medical reasons will be limited to the equivalent of 12 weeks of time off, on a cumulative basis, within any calendar year.

Prior to returning from a leave, the employee is required to provide medical certification to his/her supervisor that he/she is capable of returning to work and performing the essential functions of the position, with or without reasonable accommodation for any disability the employee may have in accordance with applicable laws. Employees failing to provide the return to work certification will not be permitted to resume work until it is provided.

#### **FAMILY/MEDICAL LEAVE - FAMILY MEMBER'S SERIOUS HEALTH CONDITION**

Employees may take medical leave to care for a spouse, son or daughter, or parent with a serious health condition. Unpaid medical leave may extend up to 12 weeks in a 12-month period. Employees must use accrued sick or vacation concurrent with the leave.

If the employee requests a medical leave because of his/her covered relation's serious health condition, he/she must supply appropriate medical certification 15 days before the requested leave. Family/Medical leaves must be requested by way of the official Family Medical Leave application, medical certification, and Intent to Return forms, available from the Diocesan Office of Human Resources or the Diocesan Intranet site. The Diocese does not seek genetic information about its employees or their family members as part of this request in compliance with the Genetic Information Nondiscrimination Act (GINA). In emergency situations when notice cannot be provided before taking leave, written verification of the serious health condition must be provided within 48 hours of the return to work. Failure to provide medical certification in a timely manner may result in denial of unpaid leave and/or termination of employment.

Medical leave may be taken intermittently or on a reduced leave schedule, if medically necessary. An employee's salary may be reduced based on the amount of time actually worked. The employee may be transferred to an alternate position which better accommodates the recurring leave and which has equivalent pay and benefits. Intermittent leave for medical reasons will be limited to the equivalent of 12 weeks of time off, on a cumulative basis, within any calendar year.

The Office of Human Resources will review the request for leave and approve/deny the request based upon the parameters established by applicable laws.

#### **FAMILY MEDICAL LEAVE - FOSTER CARE**

If the family leave is in connection with the placement of a child in foster care, up to 12 weeks of unpaid leave may be permitted. Employees must use accrued sick or vacation concurrent with the leave. Spouses employed by the Diocese may only take a combined total of 12 weeks, if in connection with the placement of a child. Family/Medical leaves must be requested by way of the official Family Medical Leave application, certification or proof of placement of the child, and Intent to Return forms, available from the Diocesan Office of Human Resources or the Diocesan Intranet site.

#### **FAMILY MEDICAL LEAVE – MATERNITY/PATERNITY LEAVE**

All employees who have been employed for at least one year and who have worked at least 1,250 hours during the previous twelve months are eligible for up to six weeks of paid leave upon the birth or adoption of a child (“Maternity/Paternity Leave”). This paid leave may only be taken during the first six weeks immediately following the birth or adoption of the child. Moreover, such leave must be taken concurrently with available FMLA leave. An employee may only

receive paid Maternity/Paternity Leave for the portion of time that he or she has available FMLA leave, up to a total of six weeks. For example, upon the birth of a child, if an employee has only four weeks of FMLA leave remaining, the employee will only receive four weeks of paid Maternity/Paternity Leave. Once an employee's FMLA leave has been exhausted, Maternity/Paternity Leave is no longer available to the employee.

If an employee and spouse (both of whom are employed by the Diocese) are both eligible for Maternity/Paternity Leave and both wish to take such leave, only a total of six weeks paid leave will be provided between them. Consequently, each parent is not entitled to take six weeks paid leave. Please refer to FMLA policy for unpaid leave benefits.

As a condition of receipt of Maternity/Paternity Leave, employees must sign a promissory note promising to reimburse the Diocese of Orlando for any and all monies paid to employee pursuant to this policy. This note will be forgiven if the employee returns to work at the conclusion of the employee's leave and satisfies these criteria: (1) non-contract employees of the Diocese must return to employment for six months in order for the loan to be forgiven; and (2) contract employees must fulfill any obligations under their executed contract in order for the loan to be forgiven.

This paid Maternity/Paternity Leave may only be used by school employees during periods where the employee is normally obligated to be at work. Consequently, if any Maternity/Paternity Leave coincides with Christmas, Spring or Summer breaks, the school Employee will not be paid for the coinciding portion of the Leave. For example, if a school employee gives birth to a child one week before a two-week Christmas break, the employee will receive one week paid leave prior to the Christmas break and three weeks paid leave following the Christmas break. The employee will not receive paid Maternity/Paternity Leave benefits for the two-week Christmas break.

#### **DOMESTIC VIOLENCE LEAVE**

All full-time and part-time employees are entitled up to thirty (30) working days of unpaid leave in any twelve-month period if the employee or the employee's family or household member is the victim of domestic violence or sexual violence. The employee will be required to use all accrued, unused vacation and personal days during the leave period. For more information about this type of leave and eligibility, please contact the Office of Human Resources.

#### **OTHER TYPES OF LEAVE**

##### **MILITARY LEAVE**

The Diocese complies with the requirements of the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA"). An employee must request a Military Leave of Absence by presenting a copy of their Military Orders to their immediate supervisor and the Office of Human Resources, providing as much advance notice as possible prior to the leave. Failure to provide reasonable notice could result in a denial of the protection of USERRA.

At an employee's request, excused time without pay may be granted for up to five (5) days prior to the leave of absence to take care of personal affairs. If an employee has accrued vacation, it can be granted prior to the leave of absence as Diocesan service requirements permit, or the employee may choose to work until the leave begins. A lump-sum payment of earned vacation

may also be distributed in lieu of vacation. An employee may elect to defer vacation until their return from active duty and then schedule vacation as Diocesan service requirements permit.

An employee who is out on an eligible military leave of absence will retain their health insurance coverage for the first 30 days of uniformed service. Employees out on military leaves of absence which extend beyond the 30 days will be eligible for continuation of health benefits for up to 24 months.

If the employee chooses to continue receiving benefits for the employee and family, he/she must pay the premium cost on a monthly basis. Coverage will cease if the employee fails to pay the monthly premium as scheduled, becomes covered by another group plan that does not exclude pre-existing conditions, or becomes eligible for Medicare.

## **RESERVE TRAINING**

An employee may request an unpaid leave for annual military training when fulfilling his/her annual Military Reserve Training. Leaves are granted with pay for a period of up to a maximum of 10 calendar days per year. The Diocese will calculate the difference between Diocesan pay and military pay (exempting allowances) and supplement the difference. The time beyond 10 days will result in the employee being placed on leave of absence without pay.

## **SICK DAYS**

The Diocese recognizes that inability to work because of illness or injury may cause economic hardship. The Diocese also recognizes that employees may require time off to secure necessary treatment for medical conditions or disabilities. Sick time may be used only for the illness of the employee or when it becomes necessary for an employee to care for a son, daughter, or spouse who is ill and unable to take care of his/her self. In addition, sick time may be used when an employee requires time off for a medical appointment.

Employees are required to complete Family Medical Leave forms, which includes a physician's certification, if the absence due to illness or injury extends more than three (3) consecutive work days.

Full time employees accrue one sick day per month for years 1 through 15 years of service and can accumulate up to 65 working days. After 15 years of service, sick leave is accrued at 1.5 days per month and can accumulate up to 90 working days. Unused accumulated sick leave will not be paid in the event of dismissal, resignation or any other separation from the Diocese. Additionally, accumulated sick leave cannot be converted to vacation.

In the event an employee transfers from one Diocesan entity to another and incurs a subsequent break in service of no greater than 30 days, the new entity will be required to credit the employee for accumulated sick hours from the previous entity. If there is a break in service longer than 30 days, the employee will receive no credit for accumulated sick time. Employees who return within six months of their termination date will receive credit for previous service for purposes of sick accrual.

If it is necessary to be absent from work, the employee should notify the immediate supervisor as far in advance as possible so that work schedules may be adjusted when appropriate. Text messages, e-mails, and notices left with co-workers are not acceptable. The reason for the

absence should be stated so that it may be determined how the time will be recorded for payroll purposes and whether or not it will be paid. If the immediate supervisor is not available, the absence should be reported to another management employee. The employee should leave a number where his/her supervisor can reach him/her if necessary.

If an employee must be out longer than one day due to an unexpected absence, he/she must call his/her supervisor on each morning that the employee is unable to report for work. Absences of three consecutive workdays without notification to the supervisor will be considered a voluntary resignation (job abandonment).

#### **SICK DAYS – PART TIME EMPLOYEES**

Sick time for part-time workers is categorized and prorated accordingly to the following schedule of work hours: 35 to 40 hours; 30 to 34 hours; and 25 to 29 hours. Employees must work a minimum of 25 hours per week on a regular basis in order to be eligible for sick benefits.

Hourly employees may take partial day sick days of no less than 2 hour increments.

#### **SICK DAYS – SEASONAL EMPLOYEES**

Non-contract employees who work seasonal, non-year round schedules are eligible for pro-rated sick time provided they work a minimum of 1,300 hours per year. Sick time will not be accrued during the periods that the employee is not working (i.e., summer or holiday breaks). When the employee returns to work after summer or holiday breaks, sick time will again begin accruing.

#### **SICK DAYS – CONTRACT EMPLOYEES**

Faculty, as a contract employee, is eligible for 10 days of sick leave, which are available to the employee at the beginning of each contract year. Principals and school presidents, are eligible for 12 days of sick leave, which become available at the beginning of each contract year. Maximum accruals are in accordance with the sick policy outlined under “Sick Days.” These days are to be used for personal illness or illness of a member of the immediate family, defined as the employee’s spouse or child. In the event of a death in the immediate family, bereavement leave is available.

#### **PERSONAL DAYS – CONTRACT EMPLOYEES ONLY**

Full-time or benefit eligible contract workers are entitled to a minimum number of personal days each contract year. Personal days not taken may not be carried over to the next contract year.

Contract workers who work a minimum of 30 hours per week are entitled to two paid personal days each year. Teachers may accrue 10 sick days per year and 2 of those sick days may be converted to personal days. Presidents and Principals may accrue 12 sick days and 2 of those sick days may be converted to personal days.

Personal days that are not used during the contract year may not be carried over to the next contract year. However, unused personal days accumulate as unused sick days, which can be carried over to the next contract year in accordance with the diocesan policy on sick time accumulation.

Employees are not obligated to divulge the purpose of the personal day(s) as a condition for taking such days. The contract worker must request the personal day(s) in advance of taking them. Personal days will be granted provided that the supervisor agrees that the request is reasonable and mutually convenient. Personal days shall not be taken during the first or last week of the school year or prior to or immediately after a holiday.



# **BENEFITS**

## **HEALTH, DENTAL, LIFE AND RETIREMENT BENEFITS**

The Diocese offers a health plan and a retirement plan to qualified employees. Please refer to the respective summary plan descriptions for the Diocese's Health Plan, Cash Account Plan and 403 (b) Savings Plan for further details.

## **BENEFITS ELIGIBILITY**

Full-time and certain part-time employees are eligible to participate in the benefit programs offered by the Diocese. Benefits cannot be offered or withheld on a selective basis as eligibility is determined based on the provisions of each plan. Further, no entity is authorized to modify or offer to its employees benefit programs other than those authorized and sponsored by the Diocese, nor can an entity subsidize the employee cost of benefits (which includes family coverage) or compensate those employees who willingly decide to opt out of the Diocesan sponsored benefit programs. Those employees who are not full-time or benefits-eligible part-time are prohibited at all times from participation in any Diocesan benefit program.

The Diocese provides dental, health and life insurance to its employees who consistently work **30** hours or more each week. Coverage **must be offered** if the employee meets the 30-hour weekly criteria. The terms of the plans are subject to change at the discretion of the Diocese. The eligibility period for health, dental and life insurance benefits is the first day of the month following 30 calendar days during which an employee has consistently worked at least 30 hours each week.

Employees are eligible to participate in the Diocese's Retirement Programs, which includes a Cash Account Plan and a 403(b) Savings Plan. Employees are eligible to participate provided they are at least 21 years of age and have one year of credited service (1,000 hours of paid time in the 12 months immediately following the date of hire).

Benefits eligible part-time employees are defined as those who work less than the regular full time schedule for the location at which he/she is employed, but who is regularly scheduled to work consistently at least 30 hours per week for a total of at least 1,300 hours per year. If the individual is employed for all 12 months of the year, he/she must work consistently 30 hours per week in each of the twelve months. Benefits-eligible part-time employees are entitled to participate in the benefit programs offered by the Diocese.

The costs of supplementary and/or family benefits for benefits eligible part-time employees must be fully deducted from pay during the periods in which the eligible employee is receiving compensation. The Diocese will not "cover" the costs for the employee during the period in which the employee is not receiving compensation. For example, the employee's cost for 12 months of family coverage for a cafeteria worker who works from August through May must be calculated so that family coverage deductions are completed by the end of May. This will ensure that coverage extends through July.

## **OPEN ENROLLMENT**

Employees who participate in any of the health, dental or life insurance benefit plans offered by the Diocese shall be given the opportunity to switch to a different plan during the annual open enrollment period.

## **UNEMPLOYMENT COMPENSATION**

The Diocese, though not required to do so by law, participates in the Florida Unemployment Compensation program. The State of Florida determines the eligibility of former employees who have terminated employment and filed an unemployment claim. Individuals must file claims for Unemployment Compensation directly with the Agency for Workforce Innovation's Unemployment Compensation Division. Employees who voluntarily end their employment, or, who are discharged for reasons connected with misconduct or unsatisfactory work, may be disqualified from receiving benefits.

# COMPENSATION

## CLASSIFICATION OF EMPLOYEES

For purposes of salary administration and eligibility for overtime payments, the Diocese of Orlando classifies its employees as follows:

1. Full Time: Employees whose budgeted workweek is forty (40) hours. These employees are eligible for all benefits.
2. Part Time: Employees whose budgeted workweek is less than forty (40) hours. In order to be eligible for health, dental, and life insurance benefits, employees must consistently work 30 hours per week. Employees who regularly work at least 25 hours per week remain eligible for pro-rated vacation and sick time. Participation in Diocesan retirement benefits requires employees to work a minimum of 20 hours per week, or 1,000 hours per year.
3. Temporary: Individuals who are employed by an outside entity or on the payroll of an outside entity, such as an employment agency, and are assigned to work on a temporary or contract basis with the Diocese. These individuals are not eligible for any Diocesan-sponsored benefits. The benefits, if any, to which such employees will be entitled, will be governed solely by the policies and benefit programs of the outside entity that issues their paychecks. Since all individuals are hired for an unspecified duration, these classifications do not guarantee employment for any specific length of time. Their employment relationships are terminable at-will either by the employee, the Diocese of Orlando, or the agency that pays them.
4. Contract: Employees hired to work a specific time period, with limited eligibility for benefits (i.e., no vacation accrual for teachers), who sign a contractual agreement (e.g., teacher, president, or principal).

All employees, whether classified as full time, part time or temporary, will be further classified as either exempt or non-exempt employees.

1. Non-exempt employees are those who the Diocese has determined to be overtime eligible at the rate of time and one half their regular rate of pay for all hours worked beyond forty (40) hours in a workweek, in accordance with applicable federal wage and hour laws. Examples of non-exempt employees include, but are not limited to parish and agency secretaries, school secretaries, housekeepers, cooks, maintenance/custodial workers, teachers' aides and bookkeepers.
2. Exempt employees are those who the Diocese has determined not to be overtime eligible in accordance with applicable federal wage and hour laws, for work performed beyond forty (40) hours in a workweek but whose salary represents payment for all hours they may be required to work in any given workweek. Executives, professional employees, and certain employees who are given independent authority for decisions significant to the organization are typically exempt. Examples of exempt employees include but are not limited to: teachers, principals, directors of religious education, music directors, facility supervisors and business managers.

Employees are to be informed of their employment classification and status as an exempt or nonexempt employee in written form upon hire. In the event an employee changes positions during his/her employment as a result of a promotion, transfer, or otherwise, that employee will be informed by his/her Supervisor in writing of any change in the exemption status. Determination of a position's exempt or non-exempt status is not discretionary. Please contact the Office of Human Resources with any questions.

### **OVERTIME PAY PROCEDURES**

Employees who are classified as a full-time regular, non-exempt will receive compensation for overtime work as follows:

1. Employees are paid their regular hourly rate for all hours actually worked within the forty (40) hour workweek. (Please note that the workweek may vary according to diocesan location).
2. Employees will be paid one and one-half times the regular hourly rate for all hours actually worked beyond forty (40) hours in any given workweek.
3. Supervisors will attempt to provide employees with reasonable notice when the need for overtime work arises. Please remember, however, that advance notice may not always be possible. Occasionally, mandatory overtime will be necessary. All overtime must be approved in advance by the employee's supervisor. Time sheets are to be signed by both the employee and supervisor for payment processing in the next payroll period.
4. Employees who work overtime hours without authorization or against a supervisor's directive will be compensated in accordance with the policy. However, failure to obtain advance supervisory approval will be addressed through disciplinary action.

### **TIME SHEET AND PAY PERIOD**

All non-exempt or hourly employees must track his/her hours. Specifically, time must be recorded by way of paper or electronic time cards, or by a time clock (recommended). Timesheets must reflect actual hours worked as opposed to scheduled hours. This protects the employee by providing an accurate and timely report of his/her attendance, and insures receipt of proper benefits and compensation. Supervisors must review and approve all time sheets.

Exempt employees are required to report sick, vacation, jury duty, etc.

### **COMPENSATORY TIME**

Compensatory time refers to time off granted in the future for time currently worked. Non-exempt employees are not eligible to receive compensatory time under any circumstances.

### **GARNISHMENT OF WAGES**

The Diocese is required by law to honor legal garnishments and tax levies. An employee will be notified of a wage garnishment or tax levy (a claim on an employee's pay levied by a governmental agency).

## **STIPENDS**

When exempt employees present programs, conduct workshops, engage in consultations, or make presentations that are within the scope of their employment responsibilities with the Diocese, they are under no circumstances eligible to receive a stipend or supplemental compensation. In such cases, it is understood that the employee may make use of their regular work time to prepare for these events. These events may or may not take place during their regular work time. If a stipend is given by an organization or diocesan location benefiting from the presentation, the stipend is to be deposited as revenue to the department or organization.

Employees who are paid on an hourly basis are also ineligible to receive stipends or supplemental compensation. However, to the extent that such events are held outside of regular work time, they are eligible to receive overtime compensation provided the hours worked are in excess of 40 hours for that work week (refer to Overtime Pay Procedures).

## **EMPLOYMENT CONTRACTS**

Ordinarily, employment contracts or agreements are only offered to instructional personnel, such as qualified teachers, principals or presidents. Only the bishop, chancellor, chief financial officer, superintendent of schools or human resources senior director shall be authorized to offer or approve an employment contract or agreement other than for instructional personnel. Such contracts, if approved, will require review by diocesan counsel.

Instructional personnel will be paid according to the terms of their contract. The cost of supplementary and family benefits are deducted from the employee's pay and spread evenly over the beginning and ending time of the contract.

## **CONTRACT RENEWALS - INSTRUCTIONAL PERSONNEL**

### **Faculty:**

Faculty members must give written notice to the Principal by March 15 if he/she desire to renew his/her 12-month contract for the following school year. After receipt of the renewal request, the Principal will inform the faculty member of his or her intent to offer a new 12-month contract to faculty. This notice will be given in writing by April 15. There is no obligation on either party to renew the contract, and contracts do not automatically renew.

### **Elementary Principals:**

The Principal will give written notice to the Pastor and Superintendent by February 15 if he or she desires to renew his/her contract. Contract renewals will generally be extended on or before March 15, but neither party is obligated to renew the contract. There is no automatic renewal.

### **High School Principals:**

The Principal will give written notice to the President by February 15 if he or she desires to renew his/her contract. Contract renewals will generally be extended on or before March 15, but neither party is obligated to renew the contract. There is no automatic renewal.

**Presidents:**

The President will give written notice to the Superintendent by February 15 if he or she desires to renew his/her contract. Contract renewals will generally be extended on or before March 15, but neither party is obligated to renew the contract. There is no automatic renewal.

For additional information regarding the contract renewal process, please refer to the contract and/or the school/faculty handbook.

# ***EMPLOYEE RELATIONS***

## **PERSONNEL RECORDS**

It is extremely important that an employee's personnel records be kept current. Personal mail addresses, telephone numbers, dependent information, individuals to be contacted in case of emergency, beneficiary changes, educational accomplishments, and other such status reports should be accurate and current at all times. It is the responsibility of each employee to notify the Office of Human Resources within five (5) days of any change in the following:

1. Home address
2. Telephone number
3. Marital status
4. Number of dependent children
5. Group Health Coverage (coverage, beneficiaries and covered members under group life, health and dental plans and retirement plan.)
6. Name of person to be notified in case of an emergency
7. Academic degree or pertinent certification received

The Diocese safeguards all records containing personally identifiable employee information from misuse or unauthorized internal and external disclosure. No confidential information about active employees will be released without signed authorization from the employee or if required by law or court order or subpoena.

A current employee may request to view his or her personnel file through the following procedure:

1. The employee must submit a written, dated request to his/her supervisor to review his/her personnel file.
2. The employee's request to examine the file must be acted upon within 30 days of the request.
3. A mutually convenient date will be communicated to the employee by the supervisor, with a reasonable amount of time allocated for the file review.
4. A management representative, generally the employee's immediate supervisor or other appropriate diocesan representative must be present during the examination.
5. The employee may not alter, modify, or remove any item contained in the records. The employee may take a reasonable amount of handwritten notes, but may not photocopy information contained in the file.
6. If information is alleged incorrect, incomplete, or missing, the employee can submit proposed changes in writing to his/her supervisor.

7. Proposed changes are reviewed and, if the change is accepted, the employee may request another appointment to re-examine the file to verify that the change has been correctly made.

Employees who have separated from employment are not permitted to view their personnel files. Any employee who violates any part of the privacy policy is subject to disciplinary action up to and including dismissal.

## **PERFORMANCE REVIEW**

The performance of each employee shall be formally reviewed at least once per year based upon job criteria. Managers and supervisors are required to evaluate their direct reports or be subject to further disciplinary action up to and including termination. “Job related criteria” include the written job description as well as mutually agreed upon standards of performance or goals to be accomplished during the performance review period. The annual performance review is part of a process of performance management, which presumes on-going communication between the employee and the supervisor regarding job performance. The annual performance review process includes self-assessment, supervisory assessment, and, where applicable, takes into consideration feedback from those served by the work of the employee in order to determine a plan for continue excellence or growth in performance.

School Personnel – Faculty evaluations are conducted in writing, and results are reviewed orally at least two times during the school year by the principal and/or department head.

Elementary school principal evaluations are completed on a three-year cycle by the Superintendent of Schools. High school principals are evaluated annually by high school presidents, and presidents are reviewed by their respect Board of Directors. The process is outlined in further detail in the Diocesan School Policy and Administration Manual.

## **DISCIPLINARY ACTION**

When an employee’s work performance begins to deteriorate or when inappropriate conduct such as a violation of departmental or diocesan policy is demonstrated, the employee’s manager is responsible for initiating disciplinary procedures. The following process is generally observed in situations requiring corrective action, but the Diocese reserves the right to immediate termination of employment in the appropriate circumstances:

1. Verbal Warning: A confidential counseling or corrective interview may be held by a supervisor with the employee to explain the basis of a need for corrective action. This is a first step for infractions of policies or rules that are not serious enough to warrant more extensive disciplinary measures. Depending on the severity of the infraction, an additional warning may be issued. If verbal warnings are not successful the next step would be a written warning. The verbal warning should be documented in the employee’s personnel file at the time it is given.
2. Written Warning: A written warning is appropriate when the verbal warning and counseling failed to improve the employee’s performance or if the violation of the rules is more serious than a minor infraction. The written warning is to be reviewed with the employee, and signed and dated by the employee and the supervisor. The supervisor may also elect to place the employee on probation or a performance improvement plan if all



documented counseling, cautions and warnings have been ineffective. The manager must inform the employee of his/her probationary status and that failure to correct the performance problem within a specific timeline will result in further disciplinary action up to and including termination. If the employee refuses to sign, the manager should make a note that the warning was reviewed by the manager and the employee. A copy of warning should be kept in the employee's personnel file. Consult the Office of Human Resources office with questions or concerns.

3. **Suspension/Dismissal:** An employee who receives a third written disciplinary action or warning demonstrating a pattern of repeated poor performance or behavior may be dismissed from employment. The Diocese reserves the right to terminate without three written warnings given the circumstances. Additionally, the employee may be suspended with/without pay during the investigation of a reported violation of diocesan policy if such a violation is deemed to be of a serious and threatening nature. All suspensions with or without pay and/or terminations **must** be discussed with the Office of Human Resources and, with the Superintendent of Schools in matters associated with school personnel, **prior to taking any action**. Termination of employment is a serious matter but one that may be justified when all attempts at positive progressive discipline have failed or when the employee's conduct warrants such action

**Performance Improvement Plans:** When an employee demonstrates continued ineffective or poor performance, a supervisor may elect to place the employee on an improvement plan. The written improvement plan will normally contain a description of the employee's conduct or performance problem(s), the necessary change(s) in conduct or performance, suggestions or recommendations to help the employee improve his/her performance, consequences of noncompliance, and a time-frame for correction. The improvement plan is shared with the employee: the supervisor and the employee must sign a copy for the employee's personnel file. If improvement is not evidenced within the specified time-frame (as determined by the employee's supervisor) or if continued serious performance issues occur, the employee may be suspended without pay and/or dismissed.

## **CONTRACT NON-RENEWALS**

Although Florida is an at-will state, the Diocese recognizes the respect for human dignity inherent in providing opportunity for productive employment. All school principals and administrators will take seriously any consideration for non-renewal of contract and will contact the Superintendent of Catholic Schools before making a final decision.

## **TERMINATIONS**

The Diocese regards any termination decision, whether voluntary or involuntary, as a serious matter warranting considerable preparation and forethought. The following procedures should be followed:

1. Employees of the Diocese may not be terminated without prior review by the Office of Human Resources. For matters involving school personnel, the Superintendent or Associate Superintendent of Schools must be contacted in place of, or prior to, the involvement of the Office of Human Resources.
2. If an employee must be removed immediately from the workplace, the employee should be suspended pending investigation (with or without pay at the discretion of the

supervisor/administrator following consultation with the Office Human Resources). Subsequent to this action, immediate consultation with the Office of Human Resources should be made to review all facts and obtain concurrence prior to terminating an employee.

3. If there is need to dramatically restructure an employee's position, reduce an employee's salary, or demote an employee, whether for disciplinary or performance reasons, changes in the needs of the ministry or for any other reason, the Office of Human Resources must be contacted and the specific circumstances reviewed before action is taken.

The process of seeking approval of from the Superintendent of Schools or Human Resources Director does not change the at-will status of non-contract employees. Non-contract employees can be terminated at any time for any reason.

Terminations and Vacation Pay (*not applicable to contract personnel*) – If involuntarily terminated, accrued vacation days are forfeited and will not be paid. Resignation in lieu of termination is considered involuntary. If termination is voluntary, accrued vacation will be paid.

Any recoverable draws, outstanding wage loans, or compensation for any missing equipment will be recovered from the final paycheck(s).

Terminations and Contract Employees – For more information, please refer directly to the instructional personnel contract which is available through the Office of Schools or Human Resources.

### **REDUCTIONS IN FORCE (RIF)**

A Reduction in Force (RIF) occurs when changing priorities, budgetary constraints, or other business conditions require the Diocese to eliminate certain positions. A RIF can also occur when, based on organizational need, a position's requirement changes so significantly that the original position and the requirements of that position are no longer necessary to meet organization needs. In such cases, the employee previously occupying that position may or may not be qualified to satisfactorily perform the duties of the newly created position. To review the full policy, please refer to the Diocesan Intranet for the policy entitled, "*Reduction in Force and Separation Policy.*"

### **GRIEVANCE REVIEW PANEL**

The Diocese provides a vehicle for employees who feel they have been unfairly treated to voice their concerns to a panel of Diocesan personnel. If an employee feels he/she has been unfairly treated in violation of applicable Diocesan policy, he/she may request a hearing before the grievance panel.

For further details on this policy, please refer to the Diocesan Intranet for the policy entitled, "*Grievance Review Process.*" Employees may also contact the Office of Human Resources to obtain additional information.

The Grievance Review Panel procedures do not apply to contract employees whose contracts were not renewed, employees who were terminated within their 90-day probationary period, or to those employees who were terminated due to a reduction in force or elimination of a position.

The ability to seek a review of unfair treatment by the Grievance Review Panel does not change the at will status of all non-contract employees. The Diocese may still terminate and employee for any reason and at any time. The Diocese reserves the right to decide whether an employee will be granted a Grievance Review Panel hearing.

## **RESIGNATION OF EMPLOYMENT**

Employees desiring to terminate their employment relationship with the Diocese must provide written notice of at least ten (10) working days to their supervisor in order to be eligible for terminal employment benefits, including accumulated vacation and eligibility for re-hire. Employees responsible for supervising other employees are required to provide written notice of at least twenty (20) working days in order to receive terminal employment benefits.

As mentioned elsewhere in this handbook, all employment relationships with the Diocese are on an at-will basis. While the Diocese expects that the relationships with its employees will be long term and mutually rewarding, the Diocese reserves the right to terminate the employment relationship at any time, with or without cause or notice.

Although former employees may reapply for employment with the Diocese, no former employee, regardless of his or her former position or years of service, is entitled to reemployment.

## **EXIT INTERVIEW**

An exit interview should be conducted with all employees voluntarily terminating their employment with the Diocese. This interview should be documented and conducted by someone other than the employee's immediate supervisor, such as another supervisor at an equal or higher level of authority who is not responsible for the direct supervision of the employee. Preferably, the exit interview should be conducted by a qualified Human Resources representative from either the local entity or from the Diocesan Office of Human Resources.

The purpose of the exit interview is to determine the reason the employee is leaving, to solicit information from the employee about the employer and their general working conditions, and to complete all necessary administrative details. Additionally, exit interviews provide departing employees the opportunity to have questions answered related to benefits and to return any Diocesan property that has been issued to the employee.

## REFERENCE REQUESTS

It is Diocesan policy to cooperate with other employers, as well as with local, state, and federal agencies, in providing references concerning current and former employees. To insure the consistency of information shared, the following guidelines will be applied to reference requests.

1. The Diocese does not release any information about active employees without signed authorization from the employee.
2. The Diocese will verify only the following information when asked for a reference check:

### Present Employees

Name (spelling)

Present Title

Current Salary

Year-to-Date Earnings

Past Year Earnings

Status (Full-Time/Part-Time)

### Former Employees

Name (spelling)

Date of Hire

Job Title

Date of Termination

Notwithstanding the foregoing, the Diocese expressly reserves the right to disclose to prospective employers or others requesting information conduct that involved a serious breach of trust, actual or suspected theft, actual or suspected child abuse, actual or suspected abuse or mistreatment of any individual, sexual or other prohibited harassment, or violence in the workplace. This list of wrongdoing is not exhaustive, and the Diocese expressly reserves the right to disclose information it believes is necessary to protect children, the elderly, or any other individuals who may come in contact with the former employee.

3. Terminated employees sometimes request written letters of recommendation from their supervisors. Recommendation letters are considered personal references and must not be signed using the author's diocesan title and/or written on diocesan stationery. Unintended legal consequences can result from such letters.

## **SOCIAL COMMUNICATIONS POLICY**

The Diocese recognizes that the Network/Internet and other emerging technologies allow authorized users access to immense information that is useful in the respective roles as employees of the Diocese. The Diocese's goal in providing this privilege to authorized users within the workplace is to promote professional excellence, innovation, and communication. The use of the Network/Internet or other emerging technologies will be guided by the Diocesan [Social Communications Policy](#).

Authorized users should be aware that the data they create on Diocesan systems remains the property of the Diocese. Authorized personnel may monitor equipment, systems and network traffic at any time. The Diocese maintains the right to monitor all network/computer activity derived from or utilized through its resources, whether it is on-line, down-loaded or through printed material. All authorized users are required to abide by the terms and conditions of the policy and its accompanying regulations. The DNAUP is available on the Diocesan Website or Intranet

## **USE OF CAR ON DIOCESAN BUSINESS**

Employees required to use their own automobile as a condition of their employment will be reimbursed at the Diocesan authorized rate plus any itemized tolls and parking fees incurred in connection with their authorized duties. No authorization will be granted until the employee's driving record is verified. No reimbursement will be allowed for parking or traffic violations.

Qualified drivers on diocesan business are required to be 21 years old. Additionally drivers must be at least 25 years old to drive minors under the age of 18, vulnerable adults and the elderly. All employees and volunteers who regularly drive their own personal vehicle while on authorized diocesan business are required to carry personal auto liability insurance at the \$100,000 per person/ \$300,000 aggregate level.

## **ACCIDENT REPORTING**

Under the provisions of the Florida Workers Compensation Law, the Diocese provides insurance for occupational injuries. All on the job injuries, no matter how minor, must be reported immediately to the employee's supervisor. This is a requirement for occupational insurance and failure to properly report may result in unpaid medical bills. Please refer to reporting process for on the job injuries that is posted on the Diocesan Intranet or contact the Office of Human Resources.

## **INSPECTION OF WORK AREAS AND PRIVACY RIGHTS**

To safeguard the property of our employees, visitors, and the Diocese, and to help prevent the possession, sale and use of illegal drugs on Diocesan premises, the Diocese reserves the right to question employees and all other persons entering and leaving the premises, and to inspect any packages, purses, handbags, briefcases, lunchboxes, or any other possessions or articles carried to and from the property. In addition, the Diocese reserves the right to search an employee's office, desk, files, or any other area or article on the premises. All offices, desks, computers, files and similar property of the Diocese are issued for the use of employees only during their

employment with the Diocese and remain the property of the Diocese. Inspections may be conducted at any time and at the discretion of the Diocese.

Employees are prohibited from using personal locks on diocesan property unless specifically authorized by management to do so. The Diocese shall retain a copy of the key or the combination of all locks.

Employees have no expectation of privacy while on Diocesan property.

### **REPORTING SERIOUS VIOLATIONS OF LAW OR POLICY**

The Diocese encourages all clergy, religious, and laity, whether employees or volunteers, acting in good faith, to report suspected or wrongful conduct with respect to violation of law or serious violations of Diocesan policy. The Diocese is committed to protecting individuals from interference with making a protected disclosure and from retaliation for having made a protected disclosure or for having refused a directive that is deemed illegal. For more information, please refer to the full policy which is provided on the Diocesan Intranet, entitled “Reporting Serious Violations of Law and Policy” (Whistleblower Policy).

### **REPORTING SEXUAL MISCONDUCT WITH CHILDREN OR VULNERABLE ADULTS OR CHILD ABUSE**

Any employee who knows or has cause to suspect that a child or vulnerable adult has been subjected to any form of abuse or neglect by any person, including another diocesan employee or volunteer, religious, or clergy, shall immediately report the incident to Law Enforcement and their immediate supervisor. The supervisor will follow the procedures set forth in the Policies for Youth and Child Protection, posted on the Diocese’s website at [www.orlandodiocese.org](http://www.orlandodiocese.org), for contacting the appropriate external and internal authorities. For more information, refer to the Diocesan website or Intranet for the following policies:

- [Safe Environment Policy and Procedures](#)
- [Protecting Our Children – Child Sexual Abuse and Prevention](#)
- [Social Communications Policy](#)

### **LIFE THREATENING ILLNESS**

Employees who have life-threatening illnesses may desire to or may need to continue working. As long as these employees are able to meet the standards of performance of their jobs, the Diocese permits them to continue working, provided that the preponderance of medical evidence indicates that their continued employment does not threaten their own health or that of fellow workers or those served by the position filled by the employee.

### **CHILDREN AND FAMILY MEMBERS IN THE WORKPLACE**

The Diocese values an atmosphere that fosters a healthy balance between workplace obligations and family matters and therefore encourages all of its employees to appropriately schedule and use available vacation as a means of maintaining a healthy work/life balance. The frequent or recurring presence of personal visitors or family members during work hours is unacceptable as it disrupts workflow and overall productivity. Family members should never be permitted to perform the responsibilities of an employee.

The Diocese does not allow the continual presence of children in the workplace in lieu of other childcare arrangements. In the rare event of an emergency where childcare arrangements are temporarily unavailable, the employee must discuss with his/her supervisor alternative arrangements before a child can be permitted into the workplace. The decision to grant an exception to this policy is at the discretion of the supervisor who must consider how the presence of children in the workplace, no matter the duration, will impact workflow, safety, and professional appearances.

In the event that an emergency request is granted by the supervisor, children must be well-behaved, and require little or no supervision or attention. Children must be accompanied by an adult at all times when outside the parent's worksite.

## **DRESS CODE**

A person's appearance reflects not only on the person as an individual, but also on the Diocese. Employees must present a positive business-like image when representing the Diocese. Employees are, therefore, required to dress in appropriate business attire and to behave in a professional, business-like manner. Please contact the Office of Human Resources with questions regarding the specific application of this policy to your workplace.

## **BACKGROUND SCREENING OF DIOCESAN PERSONNEL**

Prior to beginning employment, all diocesan employees must undergo and clear two levels of background screening as described below. Individuals may not begin employment until officially cleared by the Office of Human Resources. If it is determined that an employee has not been cleared, but is working, the Office of Human Resources will require the employee to leave the work site until clearance is completed.

1. **Criminal Background Investigation**: Candidates for employment may register to be fingerprinted at one of several locations via the Diocese's website, at [www.orlandodiocese.org](http://www.orlandodiocese.org). Employees will be required to undergo subsequent background investigations every five years.
2. **Safe Environment Training**: Candidates for employment must view a training video and successfully pass a multiple-choice test. The training video and test can be accessed through the Diocese's website, at [www.orlandodiocese.org](http://www.orlandodiocese.org).

Employees who leave employment for more than 30 days and are re-hired will be subject to background re-screening.

In some cases, the results of the background report will lead to a decision to deny employment or the imposition of certain restrictions placed on an employee. Individuals may contact the Office of Human Resources to request a review of a decision.

For more information related to background screening, please refer to the Policies and procedures for Screening Church Personnel, listed on the Diocese's website at [www.orlandodiocese.org](http://www.orlandodiocese.org).

## **DISCLOSURE OF CRIMINAL ARRESTS/CONVICTIONS**

Each employee has an obligation to disclose to his or her supervisor, who will in turn notify the Office of Human Resources, of any arrests or charges by law enforcement other than a minor traffic violation, regardless of whether the arrest or charge is unrelated to their employment duties. Such notice must be made within 48 hours of the arrest or charge and it will not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, the employee shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to pretrial diversion program, or entering of a plea of guilt or Nolo Contendere for any criminal offense other than a minor traffic violation within 48 hours after the final judgment.

An employee's failure to make a proper and timely disclosure consistent with this policy may result in disciplinary action, up to and including dismissal. Moreover, an arrest or conviction may result in corrective or disciplinary action depending on a review of the relevant factors involved including the nature and severity of the alleged offense, and any resultant circumstances that may adversely affect the employee's performance.

## **DRUG AND ALCOHOL**

It is Diocesan policy to maintain a drug and alcohol free work place. "Controlled substances" and "illegal drugs" refer to all forms of narcotics, depressants, stimulants, hallucinogens, and other drugs, including marijuana, whose use, possession, or transfer is restricted or prohibited by law (except use or possession of drugs prescribed by a licensed physician).

1. Employees may not engage in any of the following activities while on diocesan premises, diocesan work sites (including diocesan vehicles, or any private vehicle parked on diocesan-owned or leased premises or work sites), or while conducting diocesan business:
  - a. Possess, distribute, manufacture, transport, use, sale, purchase, or transfer controlled substances or illegal drugs.
  - b. Possess, distribute, manufacture, transport, use, sale, purchase, transfer, or consume any type of alcoholic beverages. The only exceptions are the consumption of alcoholic beverages served at diocesan-sponsored events or at authorized business meetings, or when the beverage is in the manufacturer's container and the manufacturer's seal is not broken.
  - c. Work under the influence of alcohol, drugs, or controlled substances, regardless of whether they were consumed during or outside of work time. "Under the influence" is defined as being unable to perform work safely and productively and being in a physical or mental condition that risks the safety and well-being of the individual, other employees, the public or diocesan property.

Employees who engage in any of the above activities are subject to criminal prosecution (where applicable) and disciplinary action up to and including dismissal (and, in appropriate circumstances, dismissal for a first offense).



2. Employees who engage in any of the following activities while off diocesan premises or diocesan work sites, and/or off work time are also subject to disciplinary action up to and including dismissal:
  - a. The illegal possession, distribution, manufacture, transportation, use, sale, purchase, or transfer of controlled substances or illegal drugs where such involvement constitutes a direct threat to diocesan property or diocesan employees, or affects an employee's job performance, or generates either publicity or circumstances that adversely affect the Diocese or its employees.
  - b. The felonious possession, distribution, manufacture, transportation, use, sale, or purchase of illegal drugs or controlled substances.
3. As a condition of employment, employees must:
  - a. Abide by the terms of this policy
  - b. Inform the Office of Human Resources within 48 hours of such conviction or plea if convicted of controlled substance-related violations in the workplace, including pleas of nolo contendere (i.e. no contest).
4. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including an unpaid suspension or termination. At its discretion, the Diocese may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program and/or undergo periodic drug screens as a condition of continued employment.

## **HEALTH CERTIFICATE FOR SCHOOL PERSONNEL**

As a condition of employment, all school personnel are required to submit a current health certificate, Tine test or a physician's statement certifying that the employee is in good health at the time of hire.

## **PERSONAL PROPERTY**

Employees should not bring large sums of money, jewelry, or other valuables to work. The Diocese is not responsible for personal property that is lost, damaged, stolen, or destroyed.

## **PUBLIC RELATIONS**

In order to maintain a consistent image in the community, all public and/or media inquiries are to be directed to the Diocesan Director of Communications. This policy assures that a consistent and properly informed message is transmitted to the public. For more information, please refer to the Diocesan Intranet, under Communications, for the policy entitled "Use of Media and Request for Information from Media."

## **SOLICITATION AND DISTRIBUTION**

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions or gifts for personal use, or solicit for any other cause during working time. Employees who are not at work may not solicit employees

who are at work for any cause or distribute literature of any kind to them. This policy also prohibits solicitation via Diocese's email, messaging or other telephonic communication systems. Furthermore, employees may not distribute literature or printed material of any kind in working areas at any time. Non-employees are likewise prohibited from distributing material or soliciting employees on Diocesan premises at all times.

Solicitation or distribution in any way that is connected with the sale of any goods or services for profit is strictly prohibited on Diocesan property at all times.

## **SMOKING**

The Diocese complies with Florida's Clean Indoor Air Act and prohibits smoking in the work facility, including, but not limited to all indoor work areas, all restrooms, all break rooms and all lobby areas. For those who wish to smoke during breaks, they may do so only by exiting the building and smoking in designated areas. This policy applies to all locations within the Diocese.

Violations of this policy should be reported immediately to the supervisor. Supervisors who receive reports of violations of this policy should immediately request that the person violating the policy discontinue smoking in the facility. If an employee is in violation of this policy, he or she will receive written disciplinary action in accordance with the diocesan personnel policies. Continued violation of this policy may result in further disciplinary action up to and including termination from employment.

## **STANDARDS OF CONDUCT**

The Diocese is a community devoted to promoting the mission of the Roman Catholic Church in Central Florida. Employees are seen as members of this community. They are expected to have an interest in and be personally committed to and supportive of the Diocese's mission, goals and objectives.

Employees are expected to conduct themselves in a moral and ethical manner consistent with Catholic principles. They are to treat co-workers, supervisors, volunteers, and all persons with respect. Employees are expected to report for work regularly and on time and to avoid excessive or unnecessary absences.

All employees should note that, because of the Church's particular function in society, certain conduct, inconsistent with the teachings of the Catholic Church, could lead to disciplinary action, including dismissal, even if it occurs outside the normal working day and outside the strict confines of work performed by the employee for the Diocese.

## **CONFLICT OF INTEREST**

Employees are expected to devote their best efforts and attention to the full time performance of their jobs. They are expected to use good judgment, to adhere to high ethical standards, and to avoid situations that create an actual or perceived conflict between the employee's personal interests and the interests of the Diocese. A conflict of interest exists where the employee's loyalties or actions are divided between the Diocese's interests and those of another. Both the fact and the appearance of a conflict of interest should be avoided. Where a conflict of interest exists, the employee should fully disclose this fact to his/her supervisor. Employees unsure

whether a certain relationship or activity constitutes a conflict of interest should consult their supervisor for clarification.

Consistent with this policy, employees shall not engage in outside activities which may:

1. Conflict with their working hours, including overtime hours, or time required to complete Diocesan assignments and responsibilities;
2. Affect the objectivity and independence of their judgment and/or conduct in performing their duties for the Diocese;
3. Reflect in a negative manner upon the Diocese; or
4. Be inconsistent with the teachings of the Catholic Church.

For more detailed information, refer to the Diocesan Intranet, under Human Resources, for the policy entitled "Conflict of Interest".

## **CONFIDENTIALITY**

Good practice is to treat all information learned in the workplace as inappropriate topics for casual conversation outside the workplace or with other employees without a need to know the information. Employees are frequently entrusted with information that is sensitive and should be treated with the highest confidentiality. Employees are to be attentive to respecting the confidentiality of information acquired through their role within the parish, school or other Diocesan entity. Violations of this trust may result in disciplinary action up to and including termination.

## **RULES OF PROHIBITED CONDUCT**

To maintain good working conditions all employees are expected to observe the Diocese's Rules of Prohibited Conduct. Although cause is not necessary for termination, violation of any of the policies stated in this manual could result in termination or other disciplinary action. The establishment of the Rules of Prohibited Conduct does not modify in any way the at-will nature of each employee's employment, and the Diocese expressly reserves the right to terminate the employment the employee at will relationship, with or without cause.

The rules act as a guide and are not intended to be all inclusive for the purposes of defining a prohibited activity and in no way will limit the imposition of disciplinary action for acts or omissions by employees violating the normal and reasonable standards of work force conduct as determined by the Diocese. The following acts constitute a violation of the Rules of Prohibited Conduct:

1. Falsification of time reports, business records, expense reports, employment application, or any other report - oral or written -- regardless of when the Diocese discovers the falsification.
2. Excessive absence or tardiness not otherwise protected by law.
3. Absence of three consecutive days without notification or satisfactory reason.
4. Inattention to duties, sleeping on duty, loafing or idleness.

5. Possession, use, sale, purchase, or exchange of drugs (any controlled substance not prescribed by medical authority for that individual's use) during working hours and/or on diocesan property.
6. Being under the influence of illegal drugs or alcohol, or abusing prescription or over the counter drugs while working.
7. Reporting to work while under the influence of any controlled substance or alcohol which in any way affects the employee's ability to work.
8. Abuse, waste or destruction of tools, equipment, supplies, goods, or any other diocesan property or of a fellow employee.
9. Failure to meet the required standards of efficiency and productivity, or commission of acts interfering with the effectiveness of other employees.
10. Creating or contributing to unhealthy or unsanitary conditions.
11. Violating safety rules or common safety practices.
12. Engaging in disorderly conduct, or using abusive language on diocesan property.
13. Fighting, threatening, intimidating, attempting bodily harm or injury, or interfering with another person.
14. Possession of firearms, knives or explosives except when in compliance with Florida Statute 790.251.
15. Insubordination or refusal of an employee to follow instructions or to perform designated work.
16. Misconduct toward or abuse of diocesan clients or visitors.
17. Theft or Dishonesty.
18. Creating a hazardous condition to the individual or fellow employee.
19. Improper Dress.
20. Creating fire hazards.
21. Giving confidential information to unauthorized employees.
22. Lost time from work as a result of criminal charges of which there is a disposition other than a complete finding of innocence.
23. Soliciting tips, gifts or donations for oneself or receiving them from clients or any other individual.
24. Engaging in physical and verbal harassment.

25. Smoking in violation of diocesan policy.
26. Failure to make a proper and timely report of an item such as injury, defective equipment, etc.
27. Commission of acts affecting the efficiency and productivity of other employees.
28. Violating the diocesan anti-harassment or e-mail policies.
29. Retaliating against any employee who asserts rights under this handbook, such as filing a sexual harassment complaint.
30. Conducting personal business while working for the Diocese.

Employees violating these rules of conduct will face disciplinary action. Any of the following actions may be taken: reprimand, probation, demotion, suspension or dismissal.

### **CODE OF ETHICS FOR CATHOLIC EDUCATORS**

Catholic educators are by virtue of their role held to the highest possible standard of excellence. The Catholic educator (1) maintains a professional concern for the student and the development of the student's potential; (2) is aware of the importance of maintaining the respect and confidence of colleagues, students, parents, and Church community, and will seek to exercise the best professional judgment and integrity; and (3) is dedicated to the on-going formation of the Catholic values required for effective service to others.

The following shall constitute the Code of Ethics for Catholic Educators of the Diocese of Orlando. The Code of Ethics is based upon the Catholic faith and diocesan policies and procedures. Violation of any of these principles can result in disciplinary action, up to and including termination and/or removal from position.

#### **COMMITMENT TO STUDENTS**

The Catholic educator's primary concern will always be for the welfare of the student. Obligation to the student requires that the Catholic educator:

- a. Shall provide educational assistance in a respectful manner.
- b. Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.
- c. Shall not unreasonably deny a student access to diverse points of view.
- d. Shall not intentionally suppress or distort subject matter relevant to a student's academic program.
- e. Shall not intentionally expose a student to unnecessary embarrassment or disparagement.
- f. Shall not intentionally violate or deny a student's applicable legal rights, if any, existing under civil law to the extent the law applies to Catholic Schools and recognized religious institutions.
- g. Shall not harass or discriminate against any student on the basis of race, color, sex, age, national or ethnic origin, handicapping condition, or social and family

background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.

- h. Shall not exploit a relationship with a student for personal gain or advantage.
- i. Shall protect the student's right to privacy by keeping in confidence personally identifiable information obtained in the course of professional service.

#### **COMMITMENT TO THE MINISTRY OF TEACHING**

The Catholic educator carries out teaching responsibilities in a manner that reflects the highest level of integrity and professionalism. Obligation to the ministry of teaching requires that the Catholic educator:

- a. Shall maintain honesty in all professional dealings.
- b. Shall uphold the quality of Catholic education by continuing education to increase knowledge and skills.
- c. Shall recognize and respect the authority of the parish or Diocese when communicating with parents, students and the community.
- d. Shall not, on the basis of race, color, sex, age, national or ethnic origin, handicapping condition or social and family background, deny to a colleague professional benefits or advantages or participation in any professional organization.
- e. Shall not engage in harassment or discriminatory conduct which interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and further, shall make reasonable effort to assure that each individual is protected from such harassment or discrimination.
- f. Shall not make malicious or intentionally false statements about a colleague.
- g. Shall not misrepresent one's own professional qualifications.
- h. Shall not submit fraudulent information on any document in connection with professional activities.
- i. Shall not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.
- j. Shall report within 48 hours of an occurrence to the School Principal and Superintendent of Catholic Schools any arrests/charges by law enforcement other than a minor traffic violation. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, the Catholic educator shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to pretrial diversion program, or entering of a plea of guilt or Nolo Contendere for any criminal offense other than a minor traffic violation within 48 hours after the final judgment.
- k. Shall immediately observe the reporting procedures outlined in the Diocese's Policies on Child Sexual Abuse upon the receipt of knowledge or suspicion that a child or vulnerable adult has been subjected to any form of abuse, or neglect by any person, including another diocesan employee, volunteer, religious, or clergy.

## **COMMITMENT TO COMMUNITY**

The Catholic educator supports the Catholic community by consistently upholding and preserving the teachings and traditions of the Church. Obligation to the community requires that the Catholic educator shall:

- a. Regard the school as an integral part of the Diocese and responsible for preparing students for future leadership.
- b. Challenge students to use the Catholic values throughout their lives.
- c. Shall take reasonable precautions to prevent against imposing personal views which vary from the teachings of the Catholic Church.
- d. Shall not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.
- e. Shall not use school privileges for personal gain or advantage.
- f. Shall accept no gratuity, gift, or favor that might influence professional judgment.
- g. Shall offer no gratuity, gift, or favor to obtain special advantages.

# ***PROTECTION OF DIOCESAN PROPERTY***

## **USE OF MOBILE AND ELECTRONIC RELATED DEVICES**

The Diocese is aware that many employees use mobile telephones and other wireless communication devices in carrying out their daily duties and responsibilities. The Diocese is also aware of the potential distractions that may arise when mobile phones are used while operating a moving vehicle. To maintain a safe and healthy workplace and to minimize the safety risks for employees, passengers, and the public at large, the Diocese has adopted the following policy with respect to the use of mobile electronic devices while operating a moving vehicle. This policy applies regardless of whether the employee is operating a company-owned vehicle or the employee's own vehicle during the scope of his/her employment.

Definitions: For purposes of this policy:

1. "Use" of a mobile electronic device includes talking or listening on a mobile phone, sending messages through the use of a mobile phone such as emails or text messages, or searching the web or using other mobile phone features.
2. "Hands-free" devices, include any attachment, add-on or addition to a mobile electronic device, whether or not permanently installed in the vehicle, that when used, allow the operator of the vehicle to maintain both hands (or prosthetic devices or aids in the case of a disabled person) on the applicable steering device of the vehicle.

Employees are required to familiarize themselves and comply at all times with the laws of the state/locality in which they are operating a vehicle with respect to the use of mobile electronic devices. For example, where a local law prohibits the use of mobile electronic devices by anyone operating a moving vehicle, employees are also prohibited by this policy from using a mobile electronic device.

Employees are not permitted to use a mobile electronic device while operating a motor vehicle that is in motion, unless such mobile phone is equipped and used with a hands-free device. (The only exception to this policy is where a phone call is made in a bona fide emergency, such as to call "911" or a similar emergency number to call for an ambulance or the fire department.)

Even with a hands-free device, the use of mobile electronic devices while operating a vehicle should be kept to a minimum; conversations should be as brief as possible and calls should be made when the vehicle is not in motion.

Employees may not send or receive text messages while operating a motor vehicle that is in motion.

## **DIOCESAN PROPERTY**

The safeguarding of diocesan property is vital to the operations of the Diocese. It is the responsibility of all employees to serve as good stewards of the resources entrusted to the Diocese, so that such resources may be maximally dedicated to fulfillment of the mission of the Church. Theft and fraudulent or negligent use of Diocesan property impairs the ability of the Diocese to serve those in need and properly fulfill its mission.



Diocesan property, including, but not limited to, real property, furniture, fixtures, equipment, software, and supplies shall not be used for personal benefit or any other unauthorized purpose. It shall not be sold, pledged, gifted, or otherwise disposed of, regardless of condition or value, without proper authorization.

The Diocese, at its discretion, and without notice, may monitor, review, audit, and/or restrict employee access or use of diocesan resources or property.

If an individual believes Diocesan property is being misused, or that fraud or theft is occurring, the employee must share his/her concerns with the supervisor. The Diocese encourages all clergy, religious, and laity, whether employees or volunteers, acting in good faith, to report suspected or actual wrongful conduct that is in violation of laws or Diocesan policy. The Diocese is committed to protecting individuals from interference with making a protected disclosure and from retaliation for having made a protected disclosure or for having refused a directive that is deemed illegal. For more information, refer to the policy entitled, "Reporting Serious Violations of Law or Policy," on the Diocesan intranet.

## **DIOCESAN RECORDS**

Diocesan records must be prepared and treated with due care. They are of critical importance in meeting the Diocese's pastoral, financial, legal, and business obligations.

Records containing personal and/or proprietary information about parishioners, clients and/or employees are confidential in nature and, therefore, must be carefully safeguarded, kept current, relevant, and accurate. They should be disclosed only to authorized personnel or in accordance with lawful process.

Certain records are to be retained for specific periods of time, while other records and documents may have to be retained in connection with court proceedings, or for other business purposes. The Diocese's Record Retention Policy, which is posted on the Diocesan Intranet, governs the retention and destructive practices for all Diocesan records.

## **SAFETY AND SECURITY**

The Diocese is committed to providing a safe work environment for all employees. However, safety in the workplace is everyone's responsibility. It is accomplished only through the cooperation of all employees. The supervisor will be responsible for providing and disseminating safety information. Each employee must learn these safety practices and follow them. This includes complying with all safety rules and using all appropriate safety devices. If in doubt about a health safety matter, employees should promptly consult their supervisor.

The responsibilities of all employees of the Diocese in this regard include:

1. Exercising maximum care and good judgment at all times to prevent accidents and injuries;
2. Reporting to supervisors and seeking first aid for all injuries, regardless of how minor;
3. Reporting unsafe conditions, equipment, or practices to supervisory personnel;
4. Using safety equipment, where appropriate; and
5. Observing all safety rules and regulations at all times.

In cases of an emergency or accident, employees are instructed to report immediately to their supervisor and/or emergency medical personnel, if necessary.

While using diocesan vehicles or personal vehicles while on diocesan business, safe driving practices and all traffic laws are to be observed. Under no circumstances should a vehicle be operated while the driver is under the influence of alcohol, drugs, or controlled substances. Any employee whose driver's license is suspended is prohibited, without exception, from operating a vehicle for diocesan business.

# EMPLOYEE ACKNOWLEDGEMENT

I have reviewed the Diocesan Employee Manual and followed links to review the additional policies described below. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the handbook and on the Diocese of Orlando intranet:

- Conflict of Interest
- Grievance Review Process
- Reduction in Force and Separation
- Reporting Serious Violations of Law or Policy
- Social Communications Policy
- Use of Media and request for Information from Media
- Safe Environment Policy and Procedures
- Protecting Our Children – Child Sexual Abuse and Prevention

I understand and agree that nothing in the Manual creates or is intended to create a contract or a promise or representation of continued employment and that my employment at the Diocese is employment at-will, that may be terminated at any time at the will of either the Diocese or myself, with or without cause or any prior notice or warning.

I understand that except for my employment at-will status, any and all policies or practices can be changed at any time by the Diocese, and I recognize that there may be other policies and procedures that are not identified in the manual. The Diocese reserves the right to change hours, wages, and working conditions at any time.

I understand and agree that I will comply with and am fully bound by and subject to each and all of the policies, procedures, rules and/or regulations contained in this manual or in any subsequent revisions to the manual, and to the referenced Diocesan policies available on the Diocesan Intranet.

My signature below certifies my understanding of the manual, my employment relationship with the Diocese of Orlando, and the matters set forth in this Acknowledgement.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Witness Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

**Return signed form will be placed in the employee's personnel file.  
Personnel Manual should be returned to administration should employment end.**

Personnel Policy Manual Revised 8/3/2016