**EMPLOYEE POLICY HANDBOOK**

**LEGAL NAME OF PARISH**

****

###### DATE, 2021

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# INTRODUCTION

Welcome. As an employee of the [LEGAL NAME OF PARISH], a corporation sole, commonly referred to as [NAME OF PARISH], (hereafter the “Parish”), you are an important member of a team effort. We are pleased to have you as a member of our faith and education community. We hope that you will enjoy your experience working with PARISH, will take pride in your service to PARISH.

This Handbook is intended to provide you with an overview of the Diocesan policies, rules and benefits. It is intended to acquaint employees with important information about PARISH as well as information regarding employee privileges and responsibilities. All employees are required to read, understand and follow the provisions in this Handbook. This Handbook is not a contract of employment for any length of time. Employees of PARISH are all employed on an at-will basis.

With the exception of our policy of at-will employment, and certain other policies required by law, PARISH has full discretion, at any time, for any reason or no reason, with or without notice, to add to, modify or delete any provision of this Handbook and any of the Diocesan policies and procedures.

The policies in this Handbook recognize the dignity of the employee, as well as the mission of Christ which we all are called to accomplish. PARISH is committed to serving the employment needs of our staff, recognizing the special concerns and the unique situation of all who have chosen to serve the Church in this way. Among the differences between the vocation of working for the Church and working for secular entities is that the employment relationship in the Church is governed by canon law, as well as civil law. This includes promoting the Catholic faith and values in all areas of employment and providing quality Catholic education in schools and religious education programs. Our objective is to facilitate a work environment that inspires collaborative relationships, carries out the mission and social teachings of the Church, and adheres to applicable law.

It is not possible to anticipate every situation that may arise in the workplace. In addition, circumstances will require that policies, practices and benefits in this handbook change from time to time, in order to meet the changing needs of PARISH, and employees. Consequently, PARISH reserves the right to amend, supplement, modify or rescind the policies in this Handbook, other than its employment at-will policy, as it deems appropriate and in its sole discretion. We will notify employees of material changes.

The policies in this Handbook are terms and conditions of employment. Any questions or concerns that an employee may have about this Handbook or application of the policies and procedures should be addressed to the employee’s immediate supervisor or the Director of Human Resources.

# PART I

#  GENERAL EMPLOYMENT PRACTICES

## AT-WILL EMPLOYMENT

In accordance with California law, employment with PARISH is “at-will.” This means that all employees are free to terminate their employment at any time for any reason, with or without cause or notice, and that PARISH may also terminate the employment relationship at any time, with or without cause or advance notice.

## There may be limited and specific exceptions to at-will employment for employees who have entered into employment agreements, each of which expires at the end of its term and is not automatically renewable.However,no one other than the Bishop has the authority or legal ability to enter into such an employment agreement for a specified period of time or to make any binding representations or agreements inconsistent with employment at-will. The agreement must be in writing and signed by both the Bishop and the employee. Other than such a written employment agreement, at-will employment cannot be changed by any oral or written representation or agreement before or during employment. This represents an integrated agreement with respect to at-will employment.

## RIGHT TO REVISE EMPLOYMENT POLICIES

PARISH reserves the right, in its sole discretion, to revise, change, update, modify and rescind its employment policies, benefits and working conditions, including the provisions in this handbook, except the policy of at-will employment, at any time. PARISH will advise employees of any material changes to its policies within a reasonable time. Nothing in this employee handbook or any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

## MINISTERIAL EXCEPTION

The “ministerial exception” is an exception recognized by law that arises out of the separation of Church and State under the First Amendment of the Constitution. The “ministerial exception” is based on the concept that internal management decisions by religious institutions related to matters such as the hiring, firing, discipline and administration of employees with religious duties, or who contribute to the organization’s religious mission, are an integral part of a Church’s functioning as a religious institution. Therefore, as a general rule, civil law does not provide certain employment rights to religious and clergy, or to employees in positions important to the spiritual and pastoral mission of the religious organization. The ministerial exception applies to PARISH and it is the intent of PARISH to preserve and not to waive this exception under any circumstance in which it applies.

## EQUAL EMPLOYMENT OPPORTUNITY

PARISH complies with applicable federal, state, and local equal employment opportunity laws and makes employment decisions on the basis of merit. It is the policy of PARISH to promote equal opportunity in all aspects of employment, including recruitment, employment, pay and benefits, training, development, transfer and promotion. PARISH does not discriminate against applicants or employees based on protected categories, including race, color, sex (including pregnancy, childbirth, or related medical conditions), age (over 40), national origin or ancestry, genetic information (including family medical history), physical or mental disability, military or veteran status, or other characteristic made unlawful by law applicable to PARISH.

However, as a religious employer, PARISH has the right and may give preference to members of the Catholic Church in hiring, termination and certain other personnel decisions and expects employees to conform to the religious tenets of the Catholic faith, as permitted by law. In addition, PARISH is not subject to the California Fair Employment and Housing Act (FEHA), which is the law administered and enforced by the California Department of Fair Employment and Housing (DFEH).

## REASONABLE ACCOMMODATION FOR DISABLED EMPLOYEES

PARISH is committed to principles of equal opportunity for all job applicants and employees. In keeping with this policy, PARISH does not engage in impermissible discrimination based on disability. PARISH will endeavor to provide a reasonable accommodation under the Americans with Disabilities Act (ADA) where applicable, to qualified applicants or employees with known physical or mental disabilities or medical conditions, unless it would result in an undue hardship. A reasonable accommodation is a workplace modification or adjustment provided by PARISH so that a qualified disabled applicant or employee can perform the essential functions of the position he/she holds or desires.

Applicants and employees who are or become disabled may seek a reasonable accommodation from PARISH by contacting the location administrator as soon as possible so that PARISH can engage in a timely, good faith interactive process with the employee or applicant to determine the need for and availability of a reasonable accommodation. Where applicable, those with disabilities will be given the opportunity to identify reasonable accommodations that may be made to assist them to perform the essential functions of the position.

## DISCRIMINATION, HARASSMENT AND RETALIATION POLICY

PARISH is committed to respecting the dignity of each individual and providing a professional work environment free from unlawful workplace harassment, discrimination or retaliation and which encourages respectful and safe behavior. In keeping with this commitment, PARISH maintains a strict policy prohibiting all forms of unlawful harassment, discrimination and retaliation based on characteristics protected by applicable law, such as sex, race, color, national origin, age, disability, genetic information. PARISH will not tolerate unlawful workplace harassment of employees by anyone, including managers, supervisors, or co-workers. Similarly, PARISH will not tolerate harassment of or by parishioners, parents, or other non-employees in the work environment, such as contractors, vendors, interns, volunteers or others with whom Diocesan employees have a business, service or professional relationship.

PARISH has adopted this policy despite the fact that, as a religious institution, it is exempt from the FEHA, the law administered by the DFEH, and it intends to preserve this exemption. PARISH has established policies designed to promote a work environment that is free from unlawful harassment discrimination and retaliation, and comply with applicable law, without waiving its rights and protections as a religious institution.

This policy also prohibits retaliation against individuals who report complaints for violations of this policy in good faith or who assist or participate in a workplace investigation or proceedings arising out of complaints under this policy.

**Discrimination:** Discrimination prohibited by this policy includes, but is not limited to, the unequal treatment of an employee or applicant in any aspect of employment, including discrimination based solely or in part on one of the protected categories described above. Discrimination includes unequal treatment based on an employee’s or applicant’s association with a member of these protected classifications.

**Harassment:** Prohibited harassment is defined as disrespectful or unprofessional conduct that is based on any of the protected characteristics listed above or defined by applicable law. It includes, but is not limited to the following behavior:

* Verbal Conduct, such as slurs, jokes, insults, epithets, gestures, derogatory comments, unwanted sexual advances, invitations or teasing;
* Visual Display, such as the posting or distribution of offensive posters, symbols, cartoons, drawings, computer displays, or emails;
* Physical Conduct, such as physically threatening another person, blocking someone’s way, making physical contact in an unwelcome manner; and/or
* Threats and demands to submit to sexual requests in order to keep one's job or avoid some other loss, offers of job benefits in return for sexual favors
* Retaliation for having reported unlawful harassment.
* Communication via electronic media of any type that includes any conduct that is prohibited by applicable law or Diocesan policy.

**Sexual Harassment:** Prohibited sexual harassment is defined as harassment that is based on sex or conduct of a sexual nature, and includes harassment based on sex (including but not limited to, pregnancy, childbirth and related conditions, sexual preference, gender identity and gender expression).

Sexual harassment includes, but is not limited to, making unwanted or unwelcome sexual advances and requests for sexual favors where either

* submission to such conduct is made an explicit or implicit term or condition of employment;
* submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
* such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Sexually harassing conduct need not be motivated by sexual desire and may include situations that began as reciprocal relationships, but that later cease to be reciprocal.

**Retaliation:** As used in this policy, retaliation is any adverse employment action taken against an employee because the employee engaged in protected activity or based on any characteristic protected under policy or applicable law. Protected activities may include, but are not limited to, reporting, or assisting in reporting, suspected violations of this policy and/or cooperating in investigations or proceedings arising out of a violation of this policy. Adverse employment action is conduct or an action that materially affects the terms and conditions of the employee’s employment status or is reasonably likely to deter the employee from engaging in protected activity.

**Reporting Violations of this Policy:** Employees or applicants who experience or observe behavior that they believe violates this policy, including conduct by a co-worker, supervisor, manager, agent of PARISH or a non-employee, are encouraged to advise the offending individual that the behavior is inappropriate and, to immediately report it to any of the following persons: any supervisor, including your supervisor and/or the Director of Human Resources. There is no chain of command for reporting violations of this policy and supervisor approval is not needed to make a report. If the alleged offender is the employee’s supervisor the employee should report the conduct to any other supervisor or the Director of Human Resources. A complaint may be made verbally or in writing, and should include details of what occurred, with dates, facts and witnesses identified.

Any supervisorial employee who learns of a potential violation of this policy is required to *immediately* report the matter to your supervisor or the Director of Human Resources.

PARISH will promptly investigate the facts and circumstances of any alleged violation. Moreover, even where a complainant conveys a request to withdraw their initial formal complaint, PARISH may continue the investigation to ensure that the workplace is free from discrimination, harassment and retaliation.

Anonymous complaints will also be investigated, and if the complaint is sufficiently detailed, the investigation may be able to proceed in the same manner as any other complaint. All investigations will be conducted based on the details provided in the complaint, and will be thorough, fair, impartial, timely, and completed by qualified persons.

PARISH will endeavor to limit the disclosure of reporting of the applicant or employee’s concerns to the extent possible. However, complete confidentiality is not possible, as it would impede PARISH’s ability to fulfill its obligations under this policy. All employees are required to cooperate fully with any investigation. This includes, but is not limited to, maintaining an appropriate level of discretion regarding the investigation and disclosing any and all information that may be pertinent to the investigation to Diocesan personnel conducting the investigation.

Human resource employees and any adult employee with direct contact and supervision of minor employees, including clergy and teachers, are mandated reporters for purposes of reporting sexual and other abuse of children and are trained in child abuse and neglect identification.

If any employee has questions concerning this policy, please feel free to contact the Diocesan Director of the Office for Human Resources:

**Corrective Action:** Upon completion of the investigation, if PARISH determines that harassment, discrimination, retaliation or other prohibited conduct is substantiated, it will take immediate appropriate corrective and preventive action deigned to end the conduct in accordance with the circumstances involved. PARISH will also take appropriate action to deter future misconduct. Any employee determined by it to be responsible for harassment, discrimination, retaliation or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees should also know that if they engage in unlawful harassment, they can be held personally liable for the misconduct.

All Diocesan employees are expected and encouraged to assume responsibility for maintaining a work environment that is free from workplace misconduct, including discrimination, harassment and retaliation. Any violation of this policy may result in disciplinary action up to and including termination.

## COMPLAINTS ABOUT MEMBERS OF CLERGY

From time to time, Diocesan employees may receive a complaint about conduct by a member of clergy, including a priest, deacon or another clergy. All such complaints are to be immediately referred to the Auxiliary Bishop and also to the Diocesan Director of Human Resources to be investigated and addressed in accordance with established Diocesan policy and applicable law.

Any employee who believes he or she has been harassed by a priest, deacon or another clergy should immediately notify the Auxiliary Bishop and/or the Diocesan Director of Human Resources. The complaint will be investigated promptly and in accordance with the Policy Prohibiting Harassment, Discrimination and Retaliation and applicable law.

## BULLYING

In addition to its policy prohibiting harassment, discrimination and retaliation based on protected characteristics, PARISH prohibits bullying or abusive conduct in the workplace. In general, this refers to unwelcome workplace conduct by any employee or agent of PARISH done with malice that a reasonable person would find hostile, offensive, and unrelated to legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. Prohibited bullying does not need to be based on a protected characteristic, such as race, religion, sex, age, disability etc. Any employee who experiences or witnesses bullying should promptly report the incident to their supervisor, any member of Diocesan management, or the Diocesan Director of Human Resources.

# PART II

# NEW HIRE INFORMATION

## IMMIGRATION COMPLIANCE

PARISH complies with employment eligibility procedures required by applicable immigration law, including the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990. All offers of employment are conditioned upon the receipt of required documentation as well as successful completion of a background screening. Every employee must provide satisfactory evidence of his or her identity and legal authority to work in the United States, and complete and sign the employee portion of INS Form I-9. All candidates/new employees must be able to produce appropriate documentation establishing identity and authorization to work within three (3) days of hire. Those unable to produce documentation or a receipt for an approved document within that time frame will not be allowed to continue employment.

## PROOF OF LICENSURE

If the law requires an employee of PARISH to be licensed, credentialed, certified or registered, including having a valid teaching certification or driver's license, in order to perform his/her job duties, the employee will be asked to present such documentation before or at the commencement of employment. During the course of employment, each employee is responsible for maintaining his/her renewal of licenses, certifications and registrations, including insurability. If an employee fails to maintain a current license, certification or registration, or fails to timely renew, the employee may not normally continue in his/her employment. If any employee’s license, certification or registration is suspended, the employee is required to immediately notify his/her Supervisor. Failure to do so may result in discipline, up to and including termination.

## BACKGROUND CHECK

PARISH requires all new employees to successfully complete a background check as a condition of employment. This requirement applies to religious or lay person, who are hired by PARISH on a regular, paid full-time or regular, paid part-time basis or on a paid full-time or part-time seasonal basis. This is in keeping with our Safe Environment program, and applies to all employees throughout PARISH.

## EMPLOYEE CLASSIFICATIONS

Each employee is hired for a specific position and is classified as either non-exempt or exempt.

**Exempt:** Exempt employees are those employees whose positions and job duties satisfy specific compensation and duties requirements under applicable law, and who are paid a predetermined salary to fully compensate them for all hours worked each week. Exempt employees are paid a fixed weekly salary that is intended to compensate them for all of their work duties, regardless of variation in hours worked.

Exempt employees are not eligible to receive overtime pay and are not subject to deductions from pay except as authorized by law. Any exempt employee who believes an improper deduction has been made from their pay is encouraged to notify their supervisor/payroll/the Diocesan Director of Human Resources as soon as possible. The matter will be investigated and if a mistake occurred, it will be corrected.

**Non-exempt:** Non-exempt employees are paid hourly and are eligible to receive overtime compensation and are provided with meal and rest breaks as discussed in [PARISH] policy. (Please see Meal, Rest Period and Overtime policies.) Non-exempt employees are required to utilize Diocesan timekeeping systems and to accurately record all hours worked each day. In addition, employees are classified based on whether they are regular or temporary employees and the number of hours they work:

 **Regular:** Any part-time or full-time employee not hired for a temporary position.

**Full-Time:** Employees with regular work schedules of at least 35 hours per week. Full Time Employees are eligible for Diocesan health benefits and leave.

**Part-Time over 20 hours:** Employees with regular work schedules of 20 hours or more per week. These employees are eligible for Diocesan health benefits and leave.

**Part-Time less than 20 hours:** Employees with regular work schedules of less than 20 hours per week. Employees working less than 20 hours per week are generally not eligible for Diocesan health benefits or leave, except as required by law.

**Temporary:** An employee who is hired for short term assignment which are generally not longer than six months. Temporary employees are not eligible for employee benefits or leave except those mandated by law.

## EMPLOYMENT OF RELATIVES

Employment of relatives in the same area or department may cause workplace conflicts and may impact employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the workplace may carry over into day-to-day working relationships. As a result, relatives may be eligible for employment, but only if the individuals involved do not work in a direct or indirect supervisory relationship, in job positions that create an actual or potential conflict of interest, or where there is an opportunity to share confidential information. An example of a prohibited conflict of interest is where one family member directly, *or indirectly*, supervises, audits and/or monitors the work of another.

For the purpose of this policy a relative is defined as any family member whether by birth, adoption or marriage.

## NON-FRATERNIZATION

PARISH seeks to avoid misunderstandings, complaints of favoritism, loss of morale and potential claims of sexual harassment that can result from certain personal and social relationships between employees. Accordingly, PARISH maintains a strict non-fraternization policy. No employee of PARISH shall become romantically involved, engage in or maintain an intimate personal relationship with any other employee of PARISH where one is in a position to control or influence the supervision, evaluation or compensation of the other.

## EMPLOYEE PERSONNEL RECORDS

**Confidentiality:** Personnel records are maintained in a confidential manner in accordance with applicable law and Diocesan’s confidentiality policy. Only authorized employees, may review appropriate personnel files for Diocesan’s operational purposes. However, there are limited circumstances in which information contained in personnel records will be released to persons outside of PARISH as required by law, such as in response to a court order. All files are maintained confidentially by the location administrator. All personnel files are the property of PARISH and may not be removed from the premises.

**Inspection and copying of records:** Pursuant to California law, an employee or former employee (or authorized representative), has the right to inspect and receive a copy of his or her personnel files and records that relate to the employee’s performance or to any grievance concerning the employee, subject to certain limitations. Any request to inspect or copy personnel records must be made in writing to the Diocesan Director of Human Resources.

Employees may inspect their personnel records at reasonable times and intervals during non-working hours, but no later than 30 calendar days from the date Human Resources receives a request. Upon receipt of a written request for copies of personnel files and records, PARISH will provide a copy of the personnel records, at a charge not to exceed the actual cost of reproduction, within 30 calendar days from the date the request was received.

PARISH is only required to comply with one request per year by a former employee to inspect or receive a copy of his or her personnel records.

**Inspection and copying of payroll records:** Pursuant to California law, upon a written or oral request, PARISH also will permit former employees to inspect or copy his or her payroll records as soon as practicable, but no later than 21 calendar days from the date of the request. Employees and applicants may also request and receive a copy of any instrument that they have signed relating to the obtaining or holding of employment with PARISH.

**Keeping Records Up to Date:** It is important that employees inform the location administrator immediately whenever there is a change in personal data such as address, e-mail address, telephone number, marital status, number of dependents, and emergency contact information.

## OPEN DOOR POLICY

PARISH fosters open communication between employees, their supervisors, and all levels of leadership. PARISH recognizes that in any organization misunderstandings may occur regarding an employee’s responsibilities or regarding policies or actions that affect the employee. In addition, suggestions for improving the work environment at PARISH are always welcome.

Employees who have questions, complaints or concerns are encouraged to contact their immediate supervisor. If you are not comfortable speaking with your immediate supervisor, or if doing so does not resolve your concern, please bring the issue to your supervisor, the Vice Moderator of the Curia or the Diocesan Director of Human Resources.

We hope that this open-door policy will help us to directly resolve workplace concerns and contribute to the overall performance and success of our PARISH.

# PART III

# WORK HOURS AND PAY

##

## ACCURATE TIMEKEEPING

PARISH is committed to fairly and accurately compensating non-exempt employees for all hours worked. Accurate time records ensure that employees are paid correctly and receive full credit for their working time. Non-exempt employees are required to accurately record the actual start and end time of each workday and every meal period taken, by clocking in and out through the Diocesan timekeeping system*.*All time worked, including overtime hours, must be reported on each employee’s time record.

*Employees are prohibited from working when they are on break or when they are “off-the-clock,” including before they clock in at the start of their shift, after they clock out at the end of their shift or during any meal break.* Employees are not to work outside of their scheduled hours without supervisor approval. If, in a rare situation, urgent business conditions require an employee to work outside of scheduled hours without prior approval, the employee must record the time worked, and will be paid for it.

Employees are required to ensure that their attendance system entries are accurate and complete, and that they reflect their hours worked, meals periods taken, and any time off from work. Employees must carefully review their time records including daily time punches, on a regular basis and immediately report any inaccuracies to your supervisor or to payroll prior to the close of payroll.

Misrepresentation or falsifying time worked, including but not limited to; clocking in from a location other than a time clock, clocking in/out using another employee’s time record or otherwise tampering with,time records are violations of this policy and will result in disciplinary action, up to and including termination. In addition, any employee who violates this policy by failing to accurately record *all time worked* or in supervising the timekeeping practices of other employees in meal break practices may be subject to disciplinary action, up to and including termination.

Any employee who believes that this policy has been violated in any way should report the suspected violation to the employee’s supervisor. PARISH does not permit retaliation for any good faith report of suspected violation or inquiry regarding this, or any other policy.

## WORKDAYS, WORKWEEKS AND PAY PERIODS

PARISH has adopted a uniform “workday” and “workweek” in order to facilitate the prompt, consistent and accurate computation of straight time and overtime pay, and to process payroll in an orderly and efficient manner. The workday is the consecutive 24-hour period commencing at 12:00 a.m. and ending at 11:59 p.m. The workweek is the fixed and regularly recurring period of 168 hours, consisting of seven consecutive days from 12:00 a.m. Saturday and ends at 11:59 p.m. the following Friday.

Employees are paid bi-weekly. Paydays are every other Friday, per the Pay Calendar. All employees are paid through the completion of the previous workweek.

##

## WORK SCHEDULE

Employees are expected to be at their work area ready for work each workday in accordance with the established schedule. If an employee is unable to report to work on a given day, or expects to be more than 30 minutes late, the employee should notify his or her supervisor before the start of the workday, or as soon as practical. Failure to report to work, arriving late or leaving early in connection with scheduled work times, breaks or lunch periods, without authorization, may result in disciplinary action, up to and including termination.

Employees are expected to follow the schedule arranged for them. If a change in schedule is desired, employees should direct their request for change to their supervisor. It may not always be possible for supervisors to honor employees' requests due to the nature of the work assignment and/or the need to cover office hours.

## MEAL PERIODS

It is the policy and practice of PARISH to provide meal breaks to non-exempt employees as required by California law. Non-exempt employees who work more than five hours in a workday *are provided and required to take* an unpaid meal break of at least 30 minutes. The meal break is an uninterrupted period during which the employee is free to leave the premises and is relieved of all duties. Employees may not skip meal periods or combine meal periods with rest periods*. Employees are required to clock-out at the beginning of meal periods, return to work in a timely manner, and clock back in at the end of their meal periods.*

* *Timing* – The meal break must begin no later than the end of the employee’s fifth hour of work. For example, an employee who begins a shift at 8:00 a.m. is required to begin a meal break before 1:00 p.m.
* *Accurate Timekeeping* – Non-exempt employees *must* accurately record both the start and end of meal breaks.
* *Off-the-clock Work is Prohibited* – Meal breaks are not paid working time. As a result, employees are required to clock out and are “off-the-clock.” PARISH prohibits employees from working off-the-clock at any time, including during a meal break.
* *First Meal Period Waiver* – Where an employee's workday will not exceed six hours, the 30-minute meal break may be waived upon mutual agreement of the employee and PARISH. The waiver must be in writing and signed by both the employee and PARISH. The employee may revoke the meal period waiver at any time by notifying their supervisor or manager in writing.
* *Second Meal Periods* – In the unusual circumstance that a non-exempt employee is authorized to work in excess of 10-hours in a day, the employee is entitled to take a second 30-minute unpaid meal period. The second meal period will be provided no later than the end of the employee’s 10th hour of work in the workday. For example, if the employee starts work at 8:00 a.m., the second meal period will be provided before 6:00 p.m. The second meal period does not need to be taken within five hours of completing the first meal period, *e.g.*, meal periods could be taken at the 3rd and 10th hours of work.
* *Second Meal Period Waivers* – Second meal periods can be waived where the following criteria are met: there is a written agreement signed by the employee and PARISH to waive the second meal period; where the employee's workday will not exceed 12 hours; and where the first meal period was not waived. The employee may revoke the meal period waiver at any time by notifying their supervisor or manager in writing.
* *Disciplinary Action* – It is the policy and practice of PARISH that employees are not pressured or discouraged from taking meal breaks and are not to be interrupted during meal breaks. If any employee is discouraged or impeded from taking any portion the full amount of time allotted for their meal breaks, the employee is required to immediately notify their supervisor and/or the Diocesan Office for Human Resources. The failure of employees to abide by this policy in either taking meal breaks, properly recording meal breaks, or in supervising other employees in meal break practices, may lead to disciplinary action, up to and including termination.

##

## REST BREAKS

It is the policy and practice of PARISH to authorize and permit all non-exempt employees to take uninterrupted rest breaks, in accordance with California law. Non-exempt employees who work more than three and one-half hours in a day will receive a 10-minutes rest break per four-hour work period or major fraction of four hours, *i.e.*, any amount of time over two hours. Employees are to be free of all duties and may leave the premises during their rest breaks. Employees are required to return to work promptly at the end of any rest break. Rest breaks cannot be combined with a meal break or skipped to shorten the workday. *Employee rest breaks are paid. As a result, employees do not clock out for rest breaks.*

* *Frequency* –Rest breaks are permitted, as follows:
	+ Shifts of 3 ½ hours or less - No rest break required.
	+ Shifts of 3 ½ to 6 hours – One 10-minute rest break authorized and permitted.
	+ Shifts of 6 - 10 hours – Two 10-minute rest breaks authorized and permitted.
	+ Shifts of 10 - 14 hours – Three 10-minute rest periods authorized and permitted.
* *Timing* –Employees should take their rest periods in the middle of the work period to the extent reasonably possible based on departmental operations. For example, an employee who is scheduled to work eight hours is authorized and permitted to take two 10-minute rest periods, with the first rest period falling as far as practical, in the middle of the first four hours of work and the second rest period falling, as far as practical, in the middle of the second four hours of work.

As a general rule, where an eight-hour shift is worked, one rest break should fall on either side of the unpaid meal break. Where this scheduling is not feasible due to shorter or longer shifts or other factors, there is no requirement that a rest break occur before a meal break. For example, an employee who is scheduled to work 6 hours may take his or her unpaid meal break (in the absence of a mutually agreed to meal break waiver) at the two-hour mark and a rest break at the four-hour mark.

* *Disciplinary Action-* It is the policy and practice of PARISH that employees are not pressured or discouraged from taking rest breaks. During their rest breaks, employees are relieved of all work duties, are not on call and are not to be interrupted. Any employee who is interrupted during a rest break, or is unable to complete a rest break, is authorized and permitted to restart and complete the entire rest break. If an employee is discouraged or impeded from taking any portion the full amount of time allotted for their breaks, the employee is should immediately notify their supervisor and/or the Office for Human Resources.

## OVERTIME

Non-exempt employees are eligible for overtime compensation. Overtime compensation is calculated based on hours worked and in accordance with any applicable laws. Overtime is to be limited to urgent situations and must be *pre-authorized* by supervisors. However, even if not pre-authorized, employees will be compensated for all overtime hours worked.

For the purposes of calculating overtime owed to a non-exempt employee, PARISH workweek begins at 12:00 a.m. Saturday and ends at 11:59 p.m. the following Friday. Non-exempt employees shall be paid overtime compensation of one and one-half (1 ½) times their regular rate of pay in accord with applicable law as follows:

* Any hours worked in excess of 8 hours in any workday;
* Any hours worked in excess of 40 in a workweek; and/or
* For the first 8 hours worked on the 7th consecutive day of work in a workweek

Non-exempt employees will be paid at double (two times) the employee’s regular rate of pay for all hours worked in excess of 12 hours in a day, and in excess of eight hours on the seventh consecutive day of work.

Only hours worked count toward overtime. Therefore, time taken as holidays, sick time, and/or vacation does not count as "hours worked" when calculating overtime compensation.

PARISH does not permit employees to take time off in lieu of receiving overtime pay. Accordingly, non-exempt employees should not request the opportunity to make up missed time if the make-up time will result in overtime work.

## PAYROLL DEDUCTIONS

State and federal laws require PARISH to make the certain deductions on behalf of employees. Amounts withheld vary according to, individual wages, marital status and the number of withholding exemptions claimed by an employee. Required deductions include social security; federal income tax; state income tax; state disability insurance; and state and federal income tax liens.

Other deductions, such as payment for the employee portion of insurance premiums, may be made when authorized by the employee.

##

## EXPENSE REIMBURSEMENTS

It is Diocesan policy to reimburse employees for all necessary expenses that they incur directly in performing their duties, in accordance with applicable law.

In order to obtain reimbursement for a business expense incurred, employees must submit a copy of the receipt or invoice identifying the cost incurred/paid or other satisfactory evidence of the reasonable expenses to the employee’s supervisor. The employee must also complete the appropriate reimbursement request form and verify the amount of expenses, the dates the expenses were incurred, and the reason they were incurred.

**Automobile Expense Reimbursement:** Employees may be reimbursed for authorized mileage when they are required to use their personal automobiles for the direct performance of work duties. Authorized mileage is that which is required in connection with authorized [PARISH] business and does not include expenses associated with the employee’s normal daily commute. The mileage reimbursement rate is reviewed periodically and adjusted in accordance with applicable law.

##

**Travel Expense Reimbursement:** Employees will be reimbursed for reasonable and necessary business-related travel expenses. All reimbursable business travel expenses require appropriate documentation and prior approval of employee’s supervisor.

## Professional Development Reimbursement: PARISH, in its discretion, may authorize certain employees to attend professional development, training or educational programs. Employees who receive advance written approval will be reimbursed for reasonable and customary expenses incurred as a result of such training programs.

## Non-exempt employees who are required to travel or attend mandatory professional development training programs for work will be paid for such travel and training time at the appropriate rates of pay. Accordingly, non-exempt employees are expected to accurately record all work-related travel time and any time spent in mandatory training on their timecards.

# PART IV

# EMPLOYEE STANDARDS OF CONDUCT

## ATTENDANCE AND PUNCTUALITY

All employees are expected to be punctual and regular in attendance. Excessive unscheduled time away from work and tardiness result in increased workloads for other employees.

Employees must report to work as scheduled, on time, and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized [PARISH] business. Late arrivals, early departures or other unanticipated and unapproved absences from scheduled hours are disruptive and must be avoided.

Employees who are unable to report for work on any particular day are required to provide reasonable advance notice to their supervisors before the time they are scheduled to begin working for that day. They must also inform supervisors of the expected duration of any absence. Employees who fail to provide reasonable advance notice before their scheduled time to begin work and do not arrive in time will be considered tardy for that day. If the circumstances for the tardiness or absence were unforeseen, employees may inform their supervisors as soon as practical of the reason for the tardiness or absence.

Repeated absences or tardiness, providing false information, or abuse of leave laws will not be tolerated. Generally, if an employee fails to report for work without any notification to the employee’s supervisor, and the absence continues for a period of three days, PARISH will consider the employee to have voluntarily abandoned employment.

**Absences protected by local, state and federal law do not count as a violation of the punctuality and attendance policy. Paid sick time protected under California law does not count as a violation of this policy.**

## PROHIBITED CONDUCT

To provide the best possible work environment and to ensure orderly operations, all employees are required to conduct themselves in a professional manner that furthers Diocesan objectives and will protect the interests and safety of PARISH, its employees, volunteers and visitors. Although it is not possible to provide an exhaustive list of all types of impermissible conduct, the following are examples of the types of conduct that are considered unacceptable and may be the basis of disciplinary action up to and including termination.

Employees should be aware that conduct not specifically listed below that is contrary to the teachings or mission of the Catholic Church or is detrimental to the interests of PARISH or other employees, may also result in disciplinary action, including termination.

1. Failure to follow Diocesan policies, procedures, standards, or protocols; or failure to follow applicable laws and regulations;
2. Unsatisfactory job performance;
3. Inability or unwillingness to work harmoniously with others;
4. Bullying or abusive workplace conduct;
5. Insubordination;
6. Recording time for another employee, or requesting another individual to record your time;
7. Falsifying time records or failing to accurately record work time and meal breaks;
8. Working “off-the-clock,” i.e., a non-exempt employee not recording time worked;
9. Behavior which seriously and or publicly violates the official teachings of the Catholic Church;
10. Violation of safety regulations;
11. Theft of Diocesan Property;
12. Unauthorized possession, removal or use of Diocesan property;
13. Destroying or damaging Diocesan property;
14. Unauthorized gambling on Diocesan time or property;
15. Possession, use, distribution, dispensing, selling or being under the influence of alcohol, marijuana, illegal or proscribed drugs on Diocesan premises;
16. Falsifying employment records, employment information, or other Diocesan records;
17. Harm or threat of harm to persons or property;
18. Possession of a weapon or explosives on Diocesan property;
19. Repeated unexcused absences or tardiness;
20. Sleeping during working time, or wasting time;
21. Dishonesty; misrepresenting, falsifying or concealing information relating to an employee’s work for PARISH;
22. Improper use of Diocesan resources;
23. Failure to protect Diocesan business interests;
24. Soliciting others or distributing literature without permission;
25. Conviction of a felony, or misdemeanor involving moral turpitude;
26. Unprofessional behavior, lack of judgement, or behavior that invites scandal;
27. Sexual misconduct, sexual harassment or other unlawful harassment or discrimination; and
28. Any violation of Diocesan safe environment policies as described in Diocesan Code of Ethical Standards for Church Ministers.

This list is not intended to be comprehensive and does not change PARISH’s at-will employment policy.

## DISCIPLINARY ACTION

Any violation of PARISH’s policies, rules and standards may result in disciplinary action up to and including termination. PARISH may, in its sole discretion, utilize verbal warnings, written warnings, or other forms of discipline or corrective action, based on the circumstances and conduct at issue. This policy does not limit or alter the Diocesan at-will employment policy.

## CONFIDENTIALITY

In the course of their work, employees may have access to information or documents, including personal or private information, proprietary and confidential information, (collectively referred to as “confidential information”) that relates to PARISH and its employees, representatives, volunteers, and other individuals or entities associated with PARISH. This includes, but is not limited to, information in any form regarding employee discipline, corrective actions, wages, performance evaluations and terminations.

All employees must safeguard and prevent the disclosure or improper use of any confidential information obtained during employment. Under no circumstances may such information be discussed with any unauthorized person(s) either inside or outside of PARISH. Employees who may have access to confidential information as a result of their job duties are expected to hold such information in the strictest confidence and to use such information only in the context of their employment duties. Only authorized administrative personnel may disclose such information, and then only in appropriate situations on a need-to-know basis. Employees shall not remove confidential information, including Diocesan records or documents from the premises or use such documents or information for personal gain or benefit.

All writings that contain confidential information that are prepared by or otherwise come into an employee’s possession, are and will remain the property of PARISH. When requested by PARISH or when you leave employment, you must immediately return to PARISH all writings and other tangible things that are in your possession or control, including any copies. This includes any electronic information or data that you may have in your possession or control.

The obligation to safeguard confidential information exists both during employment and after employment ends. All employees should also exercise discretion and good judgment and refrain from discussing any confidential information regarding Diocesan matters outside of this workplace. If you have any doubt whether information is confidential, all such doubt should be resolved by treating the information as confidential. Any questions regarding the confidentiality or non-confidentiality of information should be directed to the employee’s supervisor or the Office of Human Resources.

## CONFLICTS OF INTEREST

Conflicts of interest may arise when employees who have access to Diocesan financial, legal, or proprietary matters also pursue business, employment or extracurricular activities, with other entities. Conflicts of interest may also arise if employees use their positions within PARISH for personal material gain from individuals. Employees are not to use their positions for personal gain or advantage, or in any way that would create impropriety or an actual or potential conflict of interest, or the appearance of impropriety or a conflict of interest. Employees must refrain from taking part in any activity or transaction in which their own interests might conflict with the best interests of PARISH.

All employees are required to disclose any proprietary or financial interest they may have in any organization with which PARISH does business, including other schools, religious or nonprofit organizations, in order that a determination be made as to whether a conflict of interest exists. Employees are cautioned against maintaining any outside business or financial interest or engaging in any outside business or financial activity that conflicts with the interests of PARISH or interferes with the employee’s ability to discharge his or her duties fully. See Diocesan Policy #23 “Code of Ethical Standards for Church Ministers” located on the diocesan website for more specific guidance in this area.

## ALCOHOL AND DRUG-FREE WORKPLACE

PARISH seeks to provide a healthy, and safe environment for its employees, members and for all students in religious education. Further, PARISH has a vital interest in modeling a healthy lifestyle for its members and students.

Employees under the influence of these substances, whether on or off the job, can compromise Diocesan interests. In addition, use of these substances while on the job can cause a number of work-related problems, including, absenteeism and tardiness, substandard job performance, increased workloads for co-workers, behavior that disrupts other employees, volunteers, students, or faculty members, delays in completion of jobs, and an overall inferior quality of job performance and seriously impair Diocesan operations. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes PARISH to the risks of property loss or damage, or injury to other persons. As a result, PARISH is committed to maintaining a work force and a workplace free from the use and effects of alcohol, marijuana, illegal drugs or other controlled substances.

This policy applies to all employees while on Diocesan property, at work or working on Diocesan business. The following is strictly prohibited:

* Being under the influence of, or impaired by an illegal or controlled substance, alcohol or marijuana while on the job.
* Use of illegal or controlled substances, or marijuana while on the job (including the illegal use of prescription drugs and possessing drug paraphernalia)
* Distributing, selling or purchasing of an illegal or controlled substance, alcohol or marijuana while on the job.

To promote a safe and productive workplace and to enforce this policy, PARISH reserves the right to search all Diocesan property, including lockers, desks, workstations, equipment and vehicles, to deter and detect abuse of this policy. In addition, PARISH reserves the right to inspect employees and/or their personal property on Diocesan premises, including packages, bags, purses, backpacks, lunch boxes, containers, personal vehicles and other items brought on Diocesan property that might conceal alcohol, marijuana, illegal drugs or other inappropriate materials, and to implement other measures necessary to enforce this policy. Substances covered by this policy include:

* Alcohol
* Marijuana
* Illegal drugs: Drugs and controlled substances that are not legally obtainable and prescription drugs not being used or possessed by the intended person, under the supervision of a licensed health care professional.

Violation of this policy will result in discipline up to and including termination of employment as well as possible legal enforcement action, where warranted. It is the responsibility of all supervisors and employees to ensure that this policy is enforced.

**Prescription and Over-The-Counter Drugs:** Using or being under the influence of prescription or over-the-counter medications is prohibited where such use may affect the employee's ability to perform work duties safely and efficiently. Using a prescription or over-the-counter medication is permitted: (1) in strict accordance with a physician's direction; (2) when such use will not affect the employee's ability to safely and efficiently perform his or her job; and (3) when the employee's supervisor has been notified and has approved the employee working under the circumstances.

**Voluntary Rehabilitation/Treatment Program/EAP:** PARISH encourages and endeavors to reasonably accommodate employees with alcohol, marijuana or drug dependencies for the purpose of seeking treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. PARISH is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug, alcohol or marijuana use. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not automatically be reemployed or be given a second opportunity to seek treatment and/or rehabilitation.

This policy also does not affect Diocesan rights and discretion to discipline employees who violate this policy. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks reasonable accommodation for treatment to end that dependency.

**Social Events Involving Alcohol Service:** Serving alcohol on the premises for employee gatherings during the workday is generally prohibited. Serving alcohol at meetings and events held during non-working hours may be considered on a case-by-case basis, but must be preapproved. Any employee who violates these rules is subject to discipline, up to and including immediate termination.

## TEMPORARY TELECOMMUTING/WORKING FROM HOME

Work in ministry is best accomplished when staff collaborate at the workplace. However on occasion, including during crisis situations such as during an emergency, weather disaster or pandemic, there may be a *temporary* need for staff to work remotely. In those instances, PARISH may allow or require certain employees to telecommute on a temporary basis to ensure the continuity of Diocesan operations. Working remotely must be pre-approved by your supervisor and/or the Director of Human Resources.

The decision to allow employees to work remotely will be made on a case-by-case basis at the discretion of PARISH. An employee’s continued permission to work under a telecommuting agreement also rests in the sole discretion of PARISH. Due to the emergency and temporary nature of telecommuting arrangements, PARISH reserves the right to discontinue or change an employee’s telecommuting arrangement at any time, without advance notice or cause, for any reason. Thus, employees should not assume any period of time for telecommuting arrangements, and they may be required to return to regular, work on site at any time.

PARISH may, in its discretion, allow the opportunity to telecommute on a temporary basis, to employees who can perform their work functions effectively and productively from a remote workplace. Telecommuting is not an entitlement, it is not a Diocesan-wide benefit, and it does not change or affect the Diocesan policy of employment-at-will.

**Telecommuting Work Schedule:** Unless otherwise agreed, an employee’s schedule, hours and days of work will not change when an employee is telecommuting. Employees will be required to work productively during their working hours.

Telecommuting employees who are non-exempt are required to accurately record all hours worked each day using the Diocesan time-keeping system. Employees are not authorized to work hours in excess of those scheduled without the advance approval of the employee’s supervisor and are not to work when they are “off the clock.” Regardless, employees will be paid for all hours worked. Additionally, Diocesan employees will be provided, and are required to take, all required meals and rest breaks in a timely manner, in accordance with Diocesan employment policies.

Generally speaking, working remotely is not intended as a substitute for childcare or to care for another adult. If an employee needs to make special arrangements or changes to their work schedule due to the need to care for a child or another adult, they must contact their supervisor.

**Equipment and Information Security:** PARISH is not responsible for costs associated with the setup of the employee's work environment/office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space. If an employee incurs a necessary expense as a result of telecommuting that has not been reimbursed, the employee should immediately notify the employee’s supervisor and will be given the opportunity to seek reimbursement in accordance with Diocesan policies. Any equipment supplied by PARISH is to be used in accordance with all Diocesan policies and for business purposes only.

**Telecommuting Safety:** Telecommuting employees are solely responsible for ensuring the safety of their alternative work environment. Telecommuting employees should ensure their workspace is safe and free from hazards and provides adequate protection and security of any Diocesan property. Telecommuting employees who need assistance in maintaining a safe workspace should contact their supervisor.

Telecommuting employees are protected by Diocesan workers’ compensation insurance. As such, telecommuting employees are required to immediately report any injuries or illnesses that occur while they are working remotely. A telecommuting employee is liable for any injuries that occur to third parties at or around the telecommuting employee’s alternative work environment.

**Work Standards and Performance:** Other than permitting the employee to work remotely on a temporary basis, telecommuting arrangements do not change the terms and conditions of employment, including the employee’s at-will employment relationship with PARISH. All telecommuting employees must do the following:

* Remain accessible during the employee’s telecommute schedule;
* Regularly communicate with the employee’s supervisor to stay current on assigned/relevant tasks, projects and any other work-related issues;
* Be available for and attend any video/teleconferences, scheduled on an as-needed basis;
* Be available to attend scheduled work meetings as requested or required by the Company;
* If employee is non-exempt, properly record all hours worked each day in compliance with the Diocesan policies and practices;
* If employee is non-exempt, obtain supervisor approval in advance of working any overtime hours;
* Take timely rest and meal breaks in full compliance with all applicable policies of PARISH;
* Request supervisor approval to use vacation, sick or other leave in the same manner as when working onsite at PARISH;
* Comply with all Diocesan rules, policies, practices and instructions that would apply if they were working at the physical work location, including but not limited to, policies governing telecommuting/remote work, use of technology, confidentiality, harassment, discrimination and retaliation, and workplace safety.

Telecommuting arrangements will be evaluated on an ongoing basis to ensure that employee work quality, efficiency and productivity are not compromised.

An employee’s failure to comply with any of the requirements in this policy or the employee’s telecommuting agreement may result in the immediate termination of the employee’s Telecommuting agreement and/or discipline up to and including termination of employment.

## PERSONAL APPEARANCE AND DRESS

All employees are expected to wear clothing appropriate for a church or business environment, with due consideration for the employee’s specific type of work. All clothing should be neat, clean, tasteful, and fit properly.

## CHILDREN AT THE WORKPLACE

Employees should not bring children to the workplace during regular working hours. Outside of normal working hours and on weekends, employees should use discretion when bringing children to the workplace, particularly when bringing minor children. On these rare occasions, children should be closely supervised by the employee parent, remain in the employee’s immediate work area and should not be allowed to disrupt others in the workplace.

## DIOCESAN PROPERTY

PARISH may provide or permit employees to use of lockers, offices, furniture, desks, workstations, storage areas and other property and equipment (including computers and other equipment that are included within the Diocesan Electronic Communications System), in connection with their employment. These items remain the sole property of [PARISH] and are to be used for work-related purposes only. Employees are required to maintain and use such property with proper care and in accordance with the Diocesan rules and policies. All property, equipment and supplies must be used in a safe, conservative and non-wasteful manner. Employees may not remove Diocesan property from the premises without prior written authorization. In the event that employees lose, break or damage Diocesan Property, they should report it to their supervisors immediately.

PARISH reserves the right to open and inspect all of its property, as well as any contents, effects, or articles therein. An inspection may occur at any time, with or without advance notice, regardless of whether employees are present. Accordingly, employees have no reasonable expectation of privacy in lockers, desks, workstations, storage areas, and their contents or any other Diocesan property.

## ELECTRONIC COMMUNICATIONS SYSTEM

PARISH provides information technology tools, including the equipment within its electronic communication system, to enhance productivity and enable employees to produce efficient, high-quality work. The Diocesan electronic communications system includes valuable assets that are vital components of its workplace facilities and are intended to be used for Diocesan business only. Employees must use these resources wisely and consistent with the mission and goals of PARISH. This policy is designed to protect the Diocesan electronic communications system and electronic information.

For purposes of this policy, the following definitions apply:

"Electronic Communications System" includes, but is not limited to, Diocesan computer network, telephone systems, servers, and all information and data contained on or transmitted by those systems.

"Computers" include desktop computers, laptops, handheld devices (including but not limited to iPhones, smartphones, iPads, and other electronic tablets and cell phones), computer software/hardware and servers, and any other electronic data storage devices.

"Electronic communications" include communications by email, text message, telephone, cell phone, and other handheld devices (such as smartphones, tablets, or iPads), fax machine, including, but not limited to, communications utilizing the Internet.

"Electronic information" includes any information created using Diocesan computers or any means of electronic communication, including but not limited to data, messages, voicemail, multimedia data and files, student information, member information, research, financial information, employee information, and vendor information, that is stored on the Diocesan Electronic Communications System.

The following applies to all use of Diocesan electronic communications systems:

* Diocesan electronic communications system, including its computers and all other devices included within the definition of computers, is provided to employees to help them do their jobs and used for Diocesan business purposes only.
* Components of the Diocesan electronic communications system must remain in proper working order, and employees using them must exercise care to prevent loss and damage. Prior authorization must be obtained before any Diocesan property may be removed from the premises.
* Use of Diocesan electronic communications system must comply with all Diocesan policies and applicable law.
* All electronic communications created by employees using Diocesan electronic communication system are and remain its sole property.
* Electronic Information and software programs stored in the Diocesan electronic communications system are PARISH property and may not be copied or otherwise distributed outside PARISH in any form whatsoever without PARISH's written permission.
* Employees are not to install software, programs, disks, or any material from any outside source, including the Internet, on any Diocesan computer without the Office for Information Technology permission.
* Employees may not use the Diocesan Internet facilities to download non-business-related video, audio, or music images.
* Any employee who believes that an electronic communication or use of the Diocesan electronic communications system violates this or any other Diocesan policy should notify the Office for Information Technology immediately. PARISH will promptly investigate the matter and take any appropriate remedial steps.
* As with all Diocesan policies, violation of this policy will subject employees to disciplinary action, up to and including termination.

**Monitoring of Electronic Communications System:** PARISH reserves the right to inspect its electronic communications system at its discretion, to ensure compliance with its rules and regulations, without notice at any time, and not necessarily in the presence of employees. The Diocesan electronic communications system, including its computers, telephones, and all electronic communications and information, including email and voicemail, is subject to monitoring at all times. As a result, no employee should expect privacy while using this electronic communications system.

PARISH will review and monitor electronic files, information, messages, text messages, email, internet history, browser-based webmail systems, and other digital archives and access, review and monitor the use of computers, software, and electronic communications for business purposes and to ensure that no misuse or violation of Diocesan policy or any law occurs. Employees should assume that any email they send or receive using the Diocesan electronic communications system may be accessed, forwarded, read, or heard by someone other than the intended recipient, even if marked as "private."

PARISH utilizes passwords for Diocesan security purposes, but the use of a password does not affect Diocesan ownership of the electronic information or its ability to monitor its electronic communications system. PARISH may override an employee's password for any reason. As a result, employees should have no expectation of privacy in such information.

Employees are not permitted to access other employees or third parties' electronic communications unless directed to do so by PARISH.

**Use of Electronic Communications System:** All employees are encouraged to become more efficient and productive and utilize the Diocesan electronic communications system to conserve resources. For example, using email to eliminate printed mail and telephone communications and filing information on shared drives (department group drives) saves resources and time and increases efficiency. Disposing of files promptly, following Diocesan document retention policies and applicable law, frees up space on the network and makes it more efficient for everyone's use.

Employee use of the Diocesan electronic communication system must be consistent with PARISH's mission and goals and comply with all Diocesan policies and applicable law. It is not limited to, Diocesan policies prohibiting harassment, discrimination and retaliation, confidential and proprietary information, and misuse of assets and resources. All users must also comply with any applicable software licenses and copyright, trademark, trade secret law, and any other applicable law.

For example, displaying any sexually explicit multimedia content, message, or document on any Diocesan computer is a violation of the policy against sexual harassment and is prohibited. It is also a violation of this policy to use computers, electronic communications, electronic information, or the Internet to communicate confidential, proprietary, or sensitive information or trade secrets.

This policy is not intended to limit employees' ability to discuss with other employees the terms and conditions of their employment, including such topics as wages, job performance, workload, supervisors, or staffing.

**Other Issues:** Employees should schedule communications-intensive operations such as large file transfers, video downloads, mass e-mailings, mass faxes, audio and video streaming for off-peak times. Email messages and files no longer needed for business purposes should be reviewed for deletion regularly, i.e., weekly, monthly.

Deleted emails must be "emptied" from the "Deleted Items" folder, and "Recycle Bins" also need to be "emptied" regularly. Old emails and files, for retention purposes, can be written to offline storage (i.e., CD's, cloud, etc.) if needed. Large files like Picture files, Video, and Audio files should be deleted from all drives or copied to external storage as soon as possible since they require considerably more space to store than Word, Excel, etc., or other files.

**Use of Diocesan Telephones:** Diocesan telephones are for business use. Personal telephone calls should be kept to a minimum and made only in emergencies. Employees may not charge personal long-distance calls to PARISH.

**MEDIA RELATIONS AND COMMUNICATIONS**

It is the policy of PARISH to respond to all media inquiries and to treat members of the media with respect for the important job they do.

Unless other arrangements have been made, all media inquiries should be referred to the Office of Communications and the Director of External and Community Affairs, who will work with the Bishop’s Office and other Diocesan offices to respond.  This applies equally to school and parish personnel.

The best way for reporters or media representatives to contact PARISH is via email and telephone.  Please refer them to 858-490-8217 or keckery@sdcatholic.org.

Only authorized employees are permitted to make public statements on behalf of PARISH, whether it involves secular and religious news sources or social media platforms like Facebook, Twitter or Instagram. (See Social Media Policy)

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## SOCIAL MEDIA

PARISH uses social media platforms (e.g., Facebook, Instagram, Twitter, and LinkedIn), blogs, message boards, or other means of communications for defined business purposes and to further its mission and activities. However, only authorized individuals are allowed to communicate on behalf of PARISH on any form of social media. All other employees are prohibited from utilizing the Diocesan social media accounts or using any Diocesan logo, letterhead, or name when communicating on the employee's personal social media accounts without the express permission and approval of the Vice-Moderator of the Curia or appropriate Diocesan office. Employees who receive media inquiries about PARISH through social media should direct them to the Vice-Moderator of the Curia and/or the Diocesan Office for Communications and Public Affairs as outlined in the Media Relations and Communications Policy.

Employee working time is not for personal activities such as communicating on personal social media. Employees are prohibited from using social media for personal reasons while on duty.

Employees should also remember that an employee's personal social media publications are not private and may be reviewed, copied, and re-disseminated by others, including other religious and educational organizations or individuals in the community. Thus, employees should use common sense and good judgment and demonstrate respect for others when publishing any form of social media communication. An employee's personal communications associated with or linked to PARISH, even indirectly or by innuendo, and which disparage or exhibit disrespect for other individuals, including employees, members, students, and families, are not appropriate. The following applies to employee use of social media:

* Employees who express opinions in their personal use of social media that may be interpreted as related to their employment by PARISH, or the Catholic Church's official teachings, should include disclaimers noting that the opinions are not those of or endorsed by PARISH.
* Employee social media publications must not violate Diocesan policies, including those protecting confidential information, proprietary information, trade secrets, and prohibiting discrimination, harassment and retaliation, and all applicable law. Including all applicable privacy and confidentiality policies regarding Diocesan employees, volunteers, and personnel matters.
* Employees are not permitted to use the Diocesan logo, letterhead, or name when communicating on their personal social media without PARISH's express permission and approval.

## EMPLOYEES REQUIRED TO DRIVE

Employees whose job duties require them to drive a vehicle for work purposes will be required to show proof of current valid driving licenses or current effective insurance coverage.

In the interest of the safety of our employees, other drivers, and in compliance with California state law, Diocesan employees must adhere to all laws regarding wireless devices while driving a motor vehicle in the course of their employment.

## PARKING

Employees are expected to adhere to Diocesan guidance/directives regarding parking of vehicles.

## NO SMOKING/VAPING

In compliance with California law, smoking is prohibited on Diocesan premises. "Smoking" includes the lighting or carrying of a lighted cigarette, cigar, pipe, electronic cigarette or Vaping.

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## FUNDRAISING ACTIVITIES

Employees should not approach other employees for the purpose of selling items, such as raffle tickets, candy bars, etc.

# PART V

# TIME OFF AND LEAVES OF ABSENCE

## PAID HOLIDAYS

The holiday calendar for PARISH includes the following:

INSERT PARISH HOLIDAYS HERE

When a \*designated holiday falls on a Saturday, the preceding Friday will be observed as a holiday, and when it falls on a Sunday, the following Monday will be observed as a holiday.

To be eligible for holiday pay, an employee must be regularly scheduled to work on the day on which the holiday is observed and must work the regularly scheduled working days immediately before and immediately after the holiday, unless an absence on either day is approved in advance by the employee’s supervisor or the absence is otherwise protected by law. An employee who is on an unpaid leave of absence at the time of a designated paid holiday is not eligible for holiday pay. If a designated paid holiday falls during an employee’s scheduled vacation, the employee will receive pay for the holiday instead of vacation pay.

All regular full-time benefit eligible employees are eligible for holiday pay for the number of hours they would regularly work, based on their standard work schedule. Part-time benefited employees (employees who work 20 hours or more per week) are also eligible for holiday pay based on their normal work schedules. Part-time employees who work less than 20 hours per week are not eligible for holiday pay. Holidays that are paid but not worked do not count for overtime purposes.

If a non-exempt benefit eligible employee (both full and part time) is required to work on a designated paid holiday, he/she will receive holiday pay for the day based on his/her regularly scheduled work hours.. In addition, the employee will be paid for all hours the employee actually works on the holiday.

**MANDATORY AND VOLUNTARY PAID SICK LEAVE**

**Mandatory Paid Sick Leave:** Under the City of San Diego Sick Leave Ordinance, employees receive a maximum of 40 hours of paid sick leave annually, that accrues at a rate of one (1) hour of Paid Sick Leave for every 30 hours worked.

**Voluntary Additional Paid Sick Leave:** PARISH recognizes that employees may need additional paid sick time off from work, over and above the 40 hours required by law. Therefore, PARISH voluntarily provides employees who work 20 or more hours per week with additional paid sick leave. This is a supplemental benefit that is in addition to any other paid leave employees accrue under other Diocesan policies.

The Mandatory and Voluntary Paid Sick Leave provided for under this policy is referred to in this policy combined as “Paid Sick Leave.”

Accrued, but unused Paid Sick Leave will carry over from year to year, subject to the following accrual caps:

* Full-time employees can accrue **a maximum of 288 hours** of Paid Sick Leave under this policy, based on the number of hours worked and their benefit-eligible length of service. If a full-time employee accrues the maximum hours of Paid Sick Leave, based on the number of hours worked and their length of benefit-eligible service, ,they will not accrue any additional Paid Sick Leave until they have reduced the number of accrued hours.
* Part-time employees can accrue **a maximum of 176 hours** of Paid Sick Leave under this policy, based on the number of hours worked and their benefit-eligible length of service. If a part-time employee accrues the maximum hours of Paid Sick Leave, based on the number of hours worked and their benefit-eligible length of service, they will not accrue any additional Paid Sick Leave until they have reduced the number of accrued hours.

**Qualifying Reasons for Paid Sick Leave:** Paid sick leave is provided “for the reasons stated in the California Healthy Workplaces, Healthy Families Act and the San Diego Earned Sick Leave Ordinance.  This includes, but is not limited to, time for the employee’s own medical care or for the medical care of a covered family member, for certain purposes when an employee or a family member is a victim of crime or abuse, for public health emergencies and for certain reasons related to COVID-19

Paid Sick Leave is compensated at the employee’s regular rate of pay and may not be used in increments of less than one (1) hour.

**Paid Sick Leave Not to Be Used for Personal Absences**: Paid Sick Leave is intended to be used only when required for the covered reasons described above and not for other "personal" absences. The decision to use Paid Sick Leave for a covered purpose is made solely by the employee. Employees are not required to search for or find a replacement worker as a condition of using Paid Sick Leave. Under the law, Paid Sick Leave may run concurrently with other medical leaves. Employees cannot be subjected to discrimination or retaliation or requesting or using accrued Paid Sick Leave. Any employee who has a complaint or concern about retaliation or discrimination under this policy is asked to immediately report this to the diocesan Director of Human Resources.

**Re-employment:** If an employee returns to employment with PARISH within 12 months of separation (or six months for an employee working within San Diego City limits), previously accrued sick time will be restored at the level mandated by applicable law. The use of previously accrued and unused Paid Sick Lime, and continued accrual of paid sick time upon rehire, would be subject to the use and accrual limitations set forth by Diocesan policy.

**Notice:** If the need to use Paid Sick Leave is foreseeable, employees should provide reasonable advance notice to their supervisor. Where the need is unforeseeable, employees are required to give notice as soon as possible. Verbal or written notice may be provided.

**Separation from Employment:** Employees do not receive pay in lieu of accrued Paid Sick Leave under any circumstances, and employees will not be paid for any unused sick leave upon separation from employment.

## VACATION TIME

Employees are strongly encouraged to use vacation time annually to facilitate rest and relief from the everyday work routine.

**Rate of Accrual:** Eligible employees, who are scheduled to work at least 20 hours per week and are *not covered by an employment agreement,* will accrue vacation based on the length of their vacation eligible service. Vacation time accrues beginning in the first pay period of eligibility, based on hours scheduled in each pay period. Eligible part-time employees accrue vacation time on a pro-rata basis.

Employees do not earn vacation time during leaves of absence. Regular full-time employees without an employment agreement accrue vacation according to the following schedule:

|  |  |  |
| --- | --- | --- |
| **Years of Vacation Eligible Service** | **Vacation Hours Accrued Pay Period**  | **Maximum Vacation Accrual** |
| 0 through year 2 | 3.08  | 160.00 |
| Beginning of year 3 thru 7 | 4.62  | 240.00 |
| Beginning of year 8 thru 15 | 6.16  | 320.00 |
| Beginning of year 16 or more | 7.70  | 400.00 |

**Maximum Accrual/“Cap”:** Once the maximum accrual is reached the employee stops accruing additional vacation until some of the accrued vacation is used.

Once vacation time is earned, it cannot be forfeited. Payment in lieu of vacation, is not allowed. Upon an employee’s termination of employment, PARISH pays out all accrued, but unused vacation at the employee’s rate of pay at the time of separation.

Vacation requests are to be submitted to the employee’s supervisor and upon approval are forwarded to payroll. In most cases, vacation time must be requested at least 2 weeks in advance to allow the department to schedule proper coverage. Vacation requests should take into consideration the needs of the Diocesan organization. Requests will be approved, at the discretion of PARISH, and also based on the timing of the request, operational and staffing needs. Vacation time may not be used in increments of less than one (1) hour.

## FAMILY AND MEDICAL LEAVES (FMLA and CFRA Leaves)

The federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA) provide eligible employees the opportunity to take unpaid, job-protected leave for certain medical and military-related needs for themselves and family members. Each of these leaves is explained below.

**Eligibility for Leave under FMLA and CFRA:** To be eligible for FMLA and CFRA leaves, Diocesan employees must meet the following requirements:

* The employee has worked for PARISH for at least a total of 12 months, and
* The employee has worked at least 1250 hours during the 12-month period immediately preceding the commencement of the leave.

**12-month Measurement Period:** The 12-month period for purposes of calculating an eligible employee’s entitlement to FMLA/CFRA leave is measured using a “rolling” 12-month period that is measured backward from the date an employee first uses leave that that is designated as FMLA/CFRA leave.

**Reasons for Leave under the Family Medical Leave Act (FMLA):** FMLA allows up to 12 workweeks of unpaid time off from work in a defined 12-month period include the following reasons:

* The employee’s own serious health condition.
* The employee’s disability due to pregnancy, childbirth or related medical conditions.
* Bonding with a newborn, adopted or foster child. (Under FMLA, if two parents work for the same employer, they share the 12 weeks of baby bonding leave.)
* Caring for an employee’s family member with a serious health condition. (Under FMLA, covered family members include the employee’s spouse, parent or child under age 18, unless the child is incapable of self-care due to mental or physical disability at the time FMLA leave is to begin.)
* A "qualifying exigency" related to covered active duty or a call to covered active duty of an employee’s spouse, child, or parent in the Armed Forces of the United States.

The FMLA also allows an employee to take up to 26 workweeks of leave to care for a covered service member with a serious injury or illness where the employee is the service member’s spouse, son, daughter, or next of kin. This leave is available under FMLA only and may be taken one time during a single 12-month period. The 12-month period begins on the first day the eligible employee takes military caregiver leave and ends 12 months after that date.

Depending on the reason for an employee’s FMLA leave, the employee may also be eligible for California Family Rights Act (CFRA) leave, in which case both FMLA leave and CFRA leave will run concurrently.

**Reasons for Leave under California Family Rights Act (CFRA):** CFRA is the California family medical leave law that is very similar to the federal FMLA. As set forth above, the eligibility service requirements for CFRA and FMLA are the same. The CFRA allows up to 12 workweeks of unpaid time off from work within a defined 12-month period for the following reasons:

* The employee’s own serious health condition.
* Bonding with a newborn, adopted or foster child.
* Caring for employee’s family member with a serious health condition. The covered family members under CFRA are broader than those under the FMLA, and include the employee’s spouse, domestic partner, child of any age, parent, parent-in-law, grandparent, grandchild and sibling.
* Leave for a qualifying exigency related to the covered active duty, or call to covered active duty, of an employee’s spouse, domestic partner, child, or parent in the Armed Forces of the United States.

***To the maximum extent permitted by law, whenever an employee’s leave is covered by both FMLA and CFRA, both leaves will run currently and shall be credited against the applicable 12 workweek or 26 workweek limits contained in those laws.***

For additional information about eligibility for CFRA leave and how it may or may not interact with FMLA leave, contact the Diocesan Office for Human Resources.

CFRA does not include disabilities due to pregnancy or pregnancy-related conditions as a “serious health condition”. However, time off for pregnancy disability is covered by the FMLA, described above. As a result, as a general rule, an eligible employee would take FMLA leave for any period of disability due to pregnancy and would also be eligible for CFRA leave of up to 12 weeks to bond with her new baby. In addition, Diocesan employees who do not qualify for FMLA leave may be eligible for unpaid leave under the Diocesan Maternity Disability Leave policy, described below. These employees also would potentially be eligible for CFRA leave for baby bonding.

Under both FMLA and CFRA, any leave taken for bonding following the birth, adoption or foster care placement of a child must be completed within one year of the event.

Employees are encouraged to discuss any questions regarding FMLA and CFRA leave with their supervisor or the Diocesan Office for Human Resources as soon as possible.

**Leave Notification Procedures:** Please contact the Office for Human Resources as soon you become aware of the need for FMLA or CFRA leave. If the leave is based on the expected birth, placement for adoption or foster care, or planned medical treatment for your serious health condition or that of a family member, you must notify PARISH at least 30 days before leave is to begin. Please consult with your supervisor regarding scheduling of any planned medical treatment or supervision in order to minimize disruption to Diocesan operations. Any such scheduling is subject to the approval of your health care provider or the health care provider of your family member.

If you cannot provide 30 days' notice, you must still notify PARISH of your leave request as soon as soon as is practical.

**Health Care Provider Certifications:** PARISH requires you to provide healthcare provider certification for your FMLA/CFRA leave. You will have 15 calendar days from PARISH’ request for certification to provide it unless it is not practical to do so. PARISH may require recertification from the health care provider if you request additional leave upon expiration of the time period in the original certification. If you do not provide medical certification in a timely manner to substantiate the need for family and medical leave, it may delay approval of the leave, or continuation thereof, until certification is received. If certification is never received, the leave may not be considered family and medical leave.

**Leave for Employee’s Serious Health Condition:** If your own serious health condition is the reason for leave, you must provide a certification from the health care provider stating:

* Date of commencement of the serious health condition;
* Probable duration of the condition; and
* Employee’s inability to work at all or to perform any one or more of the essential functions of their position because of the serious health condition.

Second or third medical opinions and periodic recertification may also be required in accordance with the FMLA and CFRA. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by PARISH. If the second opinion differs from the first opinion, PARISH may require you, at Diocesan expense, to obtain the opinion of a third health care provider designated or approved jointly by you and the employer. The opinion of the third health care provider shall be considered final and binding on you and PARISH.

**Return to work certification:** For absences based on the employee’s own serious health condition, PARISH will also require medical certification of the employee’s fitness for duty before the employee returns to work. PARISH will require the return-to-work certification to address whether the employee can perform the essential functions of his/her position with or without an accommodation. Failure to comply with these requirements may result in delay or denial of reinstatement until the certificate is obtained.

**Leave to care for family member:** If the employee’s leave is needed to care for the employee’s covered family member, the certification must state:

* Date of commencement of the serious health condition;
* Probable duration of the condition;
* Estimated amount of time for care by the health care provider; and
* Confirmation that the serious health condition warrants the employee’s participation.

**Certification for Military Service Leave:** A leave taken due to a "qualifying exigency" related to military service must be supported by a certification of its necessity. Special certification requirements apply to leaves related to military service.

**Health and Benefit Plans:** If employees and/or their families participate in the Diocesan group health plan, PARISH will maintain coverage during all periods of FMLA/CFRA leave on the same terms as if employees had continued to work. The Diocesan obligation to continue to provide group health benefits under either FMLA or CFRA does not exceed 12 workweeks in a 12-month period, (or 26 weeks for FMLA Service member leave.) If an employee wishes coverage to continue during the period of leave, the cost of benefits normally paid by the employee will remain the employee’s sole responsibility.

During FMLA/CFRA leave PARISH will continue to make the same premium contribution as if the employee had continued working. The continued participation in health benefits begins on the date leave first begins. In some instances, PARISH may recover premiums paid on behalf of employees to maintain health coverage if the employee fails to return to work following FMLA or CFRA leave. ***Diocesan employees should arrange to make timely payments of their applicable share of such benefits coverage with their Office for Human Resources.***

Employees on FMLA or CFRA leave do not accrue vacation or other paid leave benefits, except as required by law.

**Substitution of Paid Leave:** FMLA and CFRA Leaves are unpaid. However, employees may also be eligible for wage replacement through other sources, including State Disability Insurance (SDI), Paid Family Leave (PFL), which are administered by the California Employment Development Department, and workers compensation insurance, as discussed above.

In addition, an employee may substitute any accrued paid sick leave or vacation time to receive compensation during the otherwise unpaid portions of the above leaves. Accrued and unused sick or vacation time may be used on its own or to supplement the SDI or PFL benefits as long as by combining benefits the employee’s compensation does not exceed the employee’s regular wages. To use accrued sick or vacation time while on a FMLA or CFRA leave, employees must comply with the procedures for the applicable paid leave policy.

Any portion of an FMLA/CFRA leave that occurs after an employee’s paid leave has been exhausted shall be without pay.

*Employees on Leaves of Absence are not eligible for Holiday Pay*.

**Intermittent Leave:** Employees may take FMLA/CFRA leave intermittently (in blocks of time, or by reducing your normal weekly or daily work schedule) if the leave is for your serious health condition or that of a qualifying family member and the reduced leave schedule is medically necessary as determined by the health care provider of the person with the serious health condition.

Intermittent leave for baby bonding following the birth, adoption or placement of a child for foster care generally must be taken in at least two-week increments, with shorter increments for such leave allowed on two occasions. PARISH may also grant additional requests for leave lasting less than two weeks at its discretion. Intermittent leave for reasons other than baby bonding may be taken in increments of one hour or more.

Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations, subject to their healthcare provider’s approval.

All time off taken on a reduced hour or intermittent basis which qualifies will be counted against the employee’s total FMLA and/or CFRA entitlement to the fullest extent permitted by applicable law.faidn’’

**Reinstatement:** Under most circumstances, upon return from FMLA or CFRA leave, you will be reinstated to your original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee on FMLA/CFRA leave would have been laid off had the employee not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of FMLA/CFRA leave will not result in the loss of any employment benefit that the employee earned before using FMLA leave.

Under certain circumstances, “Key Employees” on FMLA-only leave, without CFRA running concurrently, may be denied reinstatement.

If an employee is unable to return to work after FMLA/CFRA leave, the employee may be eligible for leave under PARISH’s other policies including its policies on leaves of absence and accommodation of disabilities.

**Carryover:** Leave granted under any of the reasons provided by CFRA and/or FMLA will be counted as family/medical leave and will be considered as part of the 12-workweek entitlement in any 12-month period. No carryover of unused leave from one 12-month period to the next 12-month period is permitted.

For more information please contact the Diocesan Office for Human Resources

## MATERNITY DISABILITY LEAVE

PARISH is a religious organization and is exempt from the California Pregnancy Disability Leave Law. However, PARISH does voluntarily provide Maternity Disability Leave to eligible employees in accordance with this policy. This policy is intended to provide any employee who is disabled on account of pregnancy, childbirth, or related conditions, ***and who*** ***does not meet the eligibility requirements under the Family Medical Leave Act (FMLA)*** with leave during the period of actual disability, up to a maximum of 12 weeks.

In addition to seeking time off under this policy an employee may request any other reasonable accommodation for a disability due to pregnancy, childbirth, or related medical conditions, including a transfer temporarily to a less strenuous or hazardous position or duties. Any accommodation or leave provided under this policy must be supported by an appropriate medical certification from the employee’s health care provider.

**Notice:** Employees must provide 30 days advance notice of the need to take leave under this policy when the need is foreseeable. When 30 days’ notice is not possible, the employee must provide notice as soon as practicable.

**Substitution of Paid Leave:** Employees may use any accrued sick time and accrued vacation to receive compensation while on Maternity Disability leave. Accrued sick and/or vacation time may be used on their own or may be coordinated with California State Disability Insurance (SDI).

**Continuation of Healthcare Coverage:** During leaves under this policy, PARISH will maintain health insurance coverage for any employee who participates in Diocesan group health plan. Employees will be responsible to pay the employee portion of any insurance benefit premiums during a disability leave due to pregnancy. To avoid the possibility of an interruption in coverage, arrangements should be made for the payment of any premiums before the leave begins. After 12 weeks of leave under this policy, in most instances, employees are responsible to pay the full cost of benefit premiums.

**Medical Certification:** Any request for medical leave or accommodation for an employee's pregnancy-related disability must be supported by medical certification from a health care provider that verifies the existence of the disabling condition, the anticipated duration of the disability, and the dates the disability is expected to begin and end. Employees must provide the required certification within 15 calendar days after the Diocesan request for certification. If you do not provide medical certification in a timely manner to substantiate the need for leave, PARISH may delay approval of the leave, or continuation thereof, until certification is received. If certification is never received, the leave may not be approved.

Before returning to work from a pregnancy disability leave of absence, an employee must provide a written certification from her health care provider indicating that she is fit to return to work.

**Return to Work:** When an employee is placed on a leave of absence under this policy, PARISH will reinstate the employee to the position held prior to taking leave or a comparable position provided that it does not pose an undue hardship. However, an employee has no greater right to employment following a disability leave due to pregnancy than if she had been continuously employed and, due to Diocesan business needs, there will be times when positions cannot be held open. An employee who does not accept the position offered to her upon return from a leave of absence under this policy will be considered to have voluntarily terminated her employment, effective the day such a refusal is made.

If, for any reason, an employee fails to return to work immediately upon the expiration of an approved leave of absence, and has not obtained an extension from the Diocesan Office for Human Resources prior to the leave expiration date, the employee will be considered to have voluntarily resigned.

## LACTATION ACCOMMODATION

PARISH recognizes lactating employees’ rights to request lactation accommodation and accommodates lactating employees by providing a reasonable amount of break time and a suitable lactation location to any employee who desires to express breast milk for their infant child, subject to any exemption allowed under applicable law. If possible, the break time should run concurrently with your normally scheduled break time. Any break time to express breast milk that does not run concurrently with your normally scheduled break time is unpaid.

PARISH will make a reasonable effort to provide the employee with the use of a room or other location, other than a bathroom, in close proximity to the employee's work area for the employee to express milk in private. Such space will be clean, safe and free of toxic or hazardous materials, and will meet the other requirements of the California Labor Code, including a surface to place a breast pump and personal items, a place to sit, and access to electricity.

Employees who desire lactation accommodations should contact their supervisor or PARISH to request accommodations.

PARISH will not allow any harassment, discrimination or retaliation against employees who exercise their rights to lactation accommodation, including those who exercise their right to lactation accommodation to express milk at work and/or lodge a complaint related to lactation accommodation. Employees who believe they have been denied reasonable break time or adequate space to express milk or have been otherwise been denied rights related to lactation accommodation, have the right to file a complaint with the Labor Commissioner.

## LEAVE AS A REASONABLE ACCOMMODATION FOR DISABILITY

An employee with a disability who is unable to perform the essential functions of the employee’s position and who has exhausted, or is not eligible for a leave of absence under the FMLA or CFRA may be eligible for a finite leave of absence as a reasonable accommodation under the Americans with Disabilities Act (ADA).

The Diocesan will, in good faith, engage in the interactive process to determine whether a leave of absence for a disability can be reasonably accommodated without causing undue hardship, consistent with its obligations under applicable law.

Employees may use any accrued Paid Sick Leave or vacation time in order to receive compensation during an otherwise unpaid leave provided as an accommodation. Accrued sick and/or vacation time may be used on their own or may be coordinated with California State Disability Insurance (SDI), or workers’ compensation benefits.]

Employees seeking leave as a reasonable accommodation are required to provide medical certification from the employee’s health care provider demonstrating that the employee is disabled, the need for a leave of absence for a finite period of time, and the estimated date for the employee’s return to work.

An employee returning from a medical disability leave must present a doctor's certificate declaring fitness to return to work.

Employees who take leaves of absence will be reinstated in the same or comparable position, provided it does not cause an undue hardship. If the employee’s former position is not available, a comparable position will be offered. If neither the same nor a comparable position is available, the employee’s return to work will depend on job openings existing at the time of your scheduled return. PARISH will comply with any reinstatement obligations under applicable law.

PARISH is a religious organization that is not subject to the California FEHA.

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## ORGAN AND BONE MARROW DONOR LEAVE

Pursuant to California law, PARISH will provide to an eligible employee who has been employed for at least 90-days, the following paid leaves of absence:

* A paid leave of 30 business days to an employee who is donating an organ and an additional 30 business days of unpaid leave, and
* A leave of absence of five business days to an employee who is donating bone marrow.

These leaves of absence may be taken up to the maximum time off permitted in a one-year period. The one-year period is measured from the date the employee’s leave begins and shall consist of the 12 consecutive months calculated from the date the employee’s leave begins.

In order to receive a leave of absence pursuant to this policy, an employee shall provide written verification to PARISH that the employee is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow.

Any period of time during which an employee is required to be absent by reason of being an organ or bone marrow donor is not a break in his or her continuous service for the purpose of his or her right to salary adjustments, sick leave, vacation, or seniority. During any period that an employee takes leave under this policy, PARISH will continue the employee's group health plan coverage on the same terms that were in place when the employee began the leave, as required by law.

PARISH requires that employees taking leave for organ donation use two weeks of accrued but unused sick leave or vacation. Employees taking leave for bone marrow donation are required to use five days of accrued but unused sick leave, or vacation.

Once the employee has exhausted the required paid sick or vacation leave, the employee will be paid for the remaining leave of absence, if additional leave is needed, up to the maximum allowed by law.

Upon expiration of an employee's leave of absence under this policy, PARISH will restore an employee as required by law to the position held by him or her when the leave began or to an equivalent position. PARISH may decline to restore an employee as required in this section because of conditions unrelated to the exercise of rights under this policy.

PARISH shall not, in any manner, discriminate or retaliate against an employee who exercises his or her rights to take leaves of absence under this policy or opposes such discrimination against another employee.

This leave does not run concurrently with leave provided under the Family Medical Leave Act and/or California Family Rights Act (see Family Medical Leave policy).

## ALCOHOL AND DRUG REHABILITATION LEAVE

PARISH wishes to assist employees who recognize that they have a problem with alcohol or drugs that may interfere with their ability to perform their job in a satisfactory manner. Employees who have a problem with alcohol or drugs and who decide to enroll voluntarily in a rehabilitation program will be given unpaid time off to participate in the program as required by law unless it would result in an undue hardship. The employee must use any accrued sick or vacation time while on leave for alcohol and drug rehabilitation. Employees who have no accrued sick or vacation time may take leave without pay. If an employee requests time off to participate in such a program, PARISH will make reasonable efforts to keep the fact that the employee enrolled in the program confidential.

**Seeking assistance under this policy will not protect an employee from disciplinary action for violating the Diocesan Alcohol and Drug-Free Workplace Policy. In addition, requesting assistance for substance abuse does not relieve the employee of his or her responsibility to meet job performance, safety and attendance standards or to comply with all other employment policies.**

## PERSONAL LEAVE OF ABSENCE

At the discretion of PARISH, an employee may be granted an unpaid personal leave of absence up to a maximum of 30 calendar days during any 12-month period, after 12 months of continuous employment. Written approval for a personal leave of absence must be granted by the Office of Human Resources, based on the business needs of PARISH. An employee who fails to return to work on the day after the expiration of a personal leave of absence will be considered to have voluntarily terminated his or her employment.

PARISH is not able to guarantee reinstatement from a leave in all circumstances but will make a reasonable effort to return an employee to his or her former position or a comparable position for which the employee is qualified.

Employees do not earn or accrue any benefits during the unpaid period of a personal leave of absence. **Employees will be responsible to pay the full costs of any insurance benefit premiums (i.e., both the employer and employee share) during a personal leave of absence except as required by law.** Arrangements should be made for the payment of any premiums *before* the leave begins to avoid the possibility of an interruption in coverage.

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## BEREAVEMENT LEAVE

PARISH will provide up to five days of paid bereavement leave to an employee whose spouse, child or parent has died. In the case of the death of an employee's sibling, mother-in-law or father-in-law, or grandparents, the employee may take up to three days paid bereavement leave. For all other relatives, the employee may request one day paid bereavement leave to attend funeral services.

## JURY AND WITNESS DUTY LEAVE

As required by law, employees will be provided time off from work when called to perform jury duty or appear in court or other judicial proceedings as a witness. Employees must inform their supervisor as soon as they receive notice to serve on a jury or appear as a witness.

Paid leave for jury duty or witness duty (when the employee is not a party to the proceeding) will be provided to regular full-time employees up to a maximum of ten workdays within a 12-month period. Regular part-time benefited employees will receive this benefit on a pro-rata basis for days spent on jury duty that they otherwise would have worked. Any jury duty or witness duty in excess of this amount will be unpaid, however, employees may elect to substitute accrued vacation during any unpaid leave due to jury duty or a witness appearance.

Exempt employees who work any portion of a workweek in which they also serve on jury duty or appear as a witness will receive their full salary for that workweek. Employees should submit the Certification of Jury Duty or Certification of Witness Duty form to payroll upon the employee's return to work.

## TIME OFF TO VOTE

If an employee does not have sufficient time outside of working hours to vote, PARISH will provide up to a maximum of two hours to vote without loss of pay. This time off is provided only where an employee's work schedule does not make voting outside of working hours feasible (keeping in mind that voting hours are typically from 7 a.m. to 8 p.m.) PARISH requires that employees give at least two working days’ notice prior to the election of their need to take time off to vote. Supervisors may require that employees take time off to vote only at the beginning or end of their shift, whichever allows more free time to vote.

## MILITARY SERVICE LEAVES

Diocesan employees serving in the military are entitled to certain job protections as required by law, including the Uniformed Services Employment and Reemployment Rights Act ("USERRA"). It is the policy of PARISH to fully comply with all applicable legal requirements that extend job protection and reemployment rights to an employee who is absent from work due to "service in the uniformed services." This term includes active duty, inactive duty training, and full-time National Guard duty.

In addition, employees of PARISH who are members of the reserve corps of each of the branches mentioned above shall be entitled to an unpaid leave of absence while engaged in military duty ordered for purposes of military training, drills, encampment, naval cruises, and special exercises or like activity. This leave right extends to ordered military duty of up to 17 calendar days annually, which includes time that the employee is involved in going to and returning from such duty.

Employees in the California State Military Reserve are also entitled to a 15 days of unpaid and military leave per year while they are engaged in military training, drills, unit training assemblies or similar inactive duty training.

An employee seeking military service leave should ask the Office for Human Resources for information about his or her leave rights as soon as practicable.

## MILITARY SPOUSE LEAVE

As required by law, Diocesan employees who work an average of 20 hours or more per week and have a spouse on active duty in the United States Armed Forces, National Guard or Reserves will be provided up to ten days unpaid time off from work, pursuant to California law, when their spouse will be on leave from deployment. Although the time off is without pay, employees may utilize any accrued but unused vacation time.

No later than two business days after an employee's spouse receives “official notice” of leave from deployment, the employee must provide notice to PARISH that the employee intends to take time off from work during the leave. Further, PARISH may request written documentation certifying that the military spouse will be on leave from deployment.

## CRIME VICTIMS LEAVE AND ACCOMMODATION

Employees who are victims of crime or abuse are eligible for unpaid leave and other reasonable accommodations as described in this policy. Employees may use their paid sick time under the California/San Diego PSL, or any other accrued sick leave or vacation time to receive compensation during the leave.

Employees eligible for leave under this policy, include the following:

* A victim of stalking, domestic violence, or sexual assault
* A victim of a crime or public offense that caused physical injury or mental injury and a threat of physical injury.
* A person whose immediate family member is deceased as the direct result of a crime or public offense. As required by law, “Immediate family members” may include any of the following persons:
	+ A biological, adopted, or foster child, stepchild, or legal ward, a child to whom the employee stands in loco parentis, or a person to whom the employee stood in loco parentis when the person was a minor, regardless of current age.
	+ An employee’s legal spouse.
	+ A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or an employee’s spouse, or a person who stood in loco parentis when the employee or the employee’s spouse was a minor child.
	+ A biological, foster, or adoptive sibling, a stepsibling, or a half-sibling.
	+ Any other individual whose close association with the employee is the equivalent of a family relationship described in this policy.

Leave is available to employees for any of the following purposes:

* To attend judicial proceedings, related to the crime or involving the rights of the victim, including in response to a subpoena or other court order;
* To obtain or attempt to obtain any relief, including but limited to, a restraining order or other injunctive relief or to ensure the health, safety and welfare of the employee or the employee’s child.
* To seek medical attention for injuries caused by crime or abuse;
* To obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of the crime or abuse;
* To obtain psychological counseling or mental health services related to an experience of crime or abuse;
* To participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation.

Employees seeking leave are required to provide reasonable advance notice of the need for leave unless such notice is not feasible. If advance notice is not feasible or unscheduled absence occurs, the employee may provide documentation for the leave within a reasonable time. Contact the Office of Human Resources to request the leave and for more information regarding applicable documentation for the leave. Certification includes any of the following:

* A police report indicating that the employee was a victim;
* A court order or other evidence protecting or separating the employee from the perpetrator of the crime or abuse,
* Documentation from a medical professional, domestic violence advocate that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from the crime or abuse.

Any other form of documentation that reasonably verifies that the crime or abuse occurred, *including but not limited to, a written statement signed by the employee, or an individual acting on the employee's behalf, certifying that the absence is for an authorized purpose*.

PARISH will also provide reasonable accommodation for an employee who is the victim of domestic violence, sexual assault, or stalking, who requests accommodation for safety while at work, provided it does not cause an undue hardship on Diocesan operations. PARISH will engage in a timely, good faith and interactive process to determine effective reasonable accommodations. Employees seeking accommodation will be required to provide a written statement certifying that accommodation is for the purpose of your safety at work, and documentation of the employee’s status as a victim of domestic violence, sexual assault, or stalking. The Diocesan may request recertification every six months. Please notify PARISH if an approved accommodation is no longer needed.

PARISH will, to the extent allowed by law, maintain the confidentiality of any employee requesting leave under this provision. No employee will be discharged, discriminated against or retaliated against because the employee is a victim or crime or abuse if the employee provides PARISH notice of such status.

## SCHOOL ACTIVITIES

PARISH permits eligible employees to take unpaid time off work, not to exceed 40 hours per year, to participate in the school or childcare activities of their children. Eligible employees include parents, guardians, grandparents, stepparents, foster parents or persons who stand in loco parentis to one or more children of the age to attend kindergarten through grade 12, or receive care from a licensed childcare provider, or as defined by law. The time off may be used for the following purposes:

* To participate in a school or child-care activity;
* To find, enroll or reenroll a child in a school or with a licensed childcare provider or to participate in activities of the child's school or licensed childcare provider. Time off for this purpose cannot exceed 8 hours in any calendar month. You must provide reasonable advance notice to your supervisor before taking the time off;
* To address a "childcare provider or school emergency," provided that the employee notifies PARISH. A "childcare provider or school emergency" means that the employee’s child cannot remain in a school or with a childcare provider due to one of the following:
	+ The school or childcare provider has requested that the employee’s child be picked up, has an attendance policy (excluding planned holidays) that prohibits the child from attending or requires the child to be picked up from the school or childcare provider;
	+ Behavioral or discipline problems;
	+ Closure or unexpected unavailability of the school or childcare provider, excluding planned holidays; or
	+ A natural disaster, including, but not limited to, fire, earthquake or flood.

If more than one parent is employed by PARISH, the first employee to request such leave will receive the time off. Another parent will receive the time off only if that is approved by their supervisor. Employees may use accrued vacation in order to receive compensation for this time off. Employees who do not have vacation time off available, will take the time off without pay.

## VOLUNTEER EMERGENCY SERVICES

Employees who provide volunteer emergency services as volunteer firefighters, peace officers or emergency rescue personnel may take time off to provide emergency services. In addition, employees may take up to a total of fourteen days unpaid leave time per calendar year to engage in required fire, law enforcement or emergency rescue training. Employees are requested to alert their supervisor as soon as possible that they may have to take time off for emergency duty or emergency duty training.

## CIVIL AIR PATROL

Employees who are volunteer members of the California Civil Air Patrol, who have worked for PARISH for more than 90 days, may take time off to respond to an emergency operation mission. Up to 10 days of leave for Civil Air Patrol duty may be taken each year. However, leave for a single emergency mission cannot exceed three days, unless the emergency is extended by the entity in charge of the operation and the extension of leave is approved by PARISH. When taking time off for emergency duty, please alert your supervisor before doing so, giving as much advance notice as possible.

## ILLITERACY ACCOMMODATION

PARISH will reasonably accommodate and assist any employee who reveals a problem with illiteracy, and requests assistance from PARISH to enroll in an adult literacy education program, provided that it does not impose an undue hardship. Unless it is not feasible, employees who require time off for these reasons are asked to provide their supervisors with reasonable advance notice. Non-exempt employees' time off under this leave provision is unpaid, although employees may use their accrued vacation time. The payment of an exempt employee's regular salary will depend on the duration of the employee's absence and the availability of an exempt employee's vacation time. PARISH will make all reasonable efforts to safeguard the privacy of the employee regarding leave.

Employees should seek additional information from the Office for Human Resources regarding the terms that apply to the use of these time off provisions.

# PART VI

# HEALTH AND OTHER BENEFITS

Described below are brief summaries of *some* of the employee benefit programs sponsored by PARISH. More detailed information regarding many of these benefits is contained in the plan booklets, group insurance policies, and official plan documents. While this handbook endeavors to provide a general overview of benefits, the handbook does not describe all the exclusions, limitations or conditions of benefit programs. If there is any real or apparent conflict between the brief summaries provided in this handbook and the terms, conditions, or limitations of the official plan documents, the provisions of the official plan documents will control.

In addition, while it is PARISH’s desire to continue these benefits, it must reserve the right, in its sole discretion, to modify, curtail, reduce or eliminate any benefit not required by law, in whole or in part, either with or without advance notice. Neither the benefit programs nor their descriptions to create any guarantees regarding employment or continued employment or modify [PARISH]’s at-will employment policy.

## HEALTH INSURANCE

PARISH offers medical, dental, prescription, and vision insurance for all benefit-eligible employees. Regular employees who are full or part-time working 20 or more hours per week at one location are eligible for benefits. Eligible employees may select and enroll in their health plan coverage from the available options offered at the time of their initial hire or advancement to a benefits-eligible position or during the annual open enrollment period. In order to enroll, an employee must complete enrollment forms within the applicable time period. If an employee experiences a change in family status, the employee may want to add or delete coverage for themselves of a dependent. If this occurs, the employee must notify the Office for Human Resources within 30 days of the change event. Enrollment changes not triggered by a change in family status may be made only during the open enrollment period.

The employee is required to pay a portion of the coverage cost for their own and their dependents’ health insurance. Employee contributions for health insurance premiums are deducted from their regular paychecks on a pre-tax basis. A summary of health plan options and the schedule of costs are published annually during the open enrollment period.

## OPTIONAL BENEFITS

PARISH offers certain other optional benefits at the employee's expense, such as:

* Flexible spending accounts
* Long-term disability insurance buy-up
* Supplemental Term Life Insurance
* Accidental Death & Dismemberment Insurance

Eligible employees may enroll in any optional benefits upon hire, or annually during open enrollment. Brochures describing these programs are available via the online benefits management website, and from the location administrator.

## EMPLOYEE ASSISTANCE PROGRAM

Professional counseling services are available to employees and their family members through the employee assistance program (EAP). Employees and any family members living in their household, are eligible to use EAP counseling services free of charge (up to eight sessions per incident per year) in complete confidentiality. Brochures describing this program are available via the online benefits management website, and from the Office for Human Resources.

## RETIREMENT PLANS

**Lay Employees’ Pension Plan:** All regular, full-time or part-time benefited employees working 20 or more hours per week are eligible for the pension plan. The plan is intended to supplement Social Security benefits and other income or savings plans. Plan documents can be provided upon request.

**403(b) Retirement Savings Plan:** PARISH offers both Pre-tax and ROTH 403(b) retirement savings plans. These plans are administered by Lincoln Financial. A 403(b) plan is a tax-deferred retirement plan designed to help employees invest regularly for retirement. Contributions can be made through convenient automatic payroll deductions and can be changed or discontinued at any time. Federal tax law limits the amount of contributions that can be contributed annually to a 403(b) plan. Plan documents can be provided upon request.

## STATE DISABILITY INSURANCE

The State of California provides State Disability Insurance (“SDI”) to eligible California workers. All employees are covered under the California State Disability Insurance (SDI) program. By law, employees contribute a percentage of their gross pay for this benefit as a payroll deduction. SDI is available for temporary or short-term injuries or illnesses that are not work related, including pregnancy and childbirth. Benefit payments are a percentage of the employee's regular weekly earnings, for a period prescribed by law and begin seven days after the disability begins. Thus, if you are disabled for more than seven (7) calendar days, you may apply for disability insurance with the California Employment Development Department (“EDD”). You are responsible for filing your claim and other forms promptly and accurately with the EDD. Additional information about SDI, as well as the information about filing an online claim for benefits can be found at https://www.edd.ca.gov/Disability/SDI\_Online.htm.

Eligibility and the amount and extent of coverage are determined by the California EDD.

## PAID FAMILY LEAVE

The Paid Family Leave (PFL) program provides partial wage replacement for absences from work for all reasons required by law to include the following reasons:

* To care for a seriously ill or injured family member as required by law, including a parent, parent-in-law, child, spouse, grandparent, grandchild, or sibling,
* To bond with a newborn, foster or newly adopted child, within one year of the birth or placement of the child in connection with foster care or adoption.
* For a qualifying exigency related to the covered active duty of the employee’s spouse, parent or child (“Military Assist”).

Employee contributions provide funding for this program. Much like SDI, PFL is administered by the California Employment Development Department (EDD). PFL does not entitle an employee to take any additional time off beyond what the employee may be eligible for under family and medical leave policies as well as other applicable leave policies discussed in this policy handbook.

Individuals cannot receive PFL benefits while receiving Disability Insurance, Unemployment Insurance, or Workers’ Compensation benefits. Employees are responsible for filing their own claim and other forms promptly and accurately with the EDD in connection with PFL. Additional information about PFL and information about filing an online claim for benefits can be found at <https://www.edd.ca.gov/Disability/How_to_File_a_PFL_Claim_in_SDI_Online.htm>. Eligibility for PFL and benefits are determined by the California EDD.

## WORKERS’ COMPENSATION

PARISH provides all employees with Worker’s Compensation insurance coverage for work-related injuries at no cost to the employee. To ensure that you receive any workers' compensation benefits to which you may be entitled, you need to:

* Immediately report any work-related injury or illness to your supervisor;
* Seek medical treatment and follow-up care if required;
* Complete a written Employee's Claim for Workers' Compensation Benefits (DWC Form 1) and return it to your supervisor or the Office of Human Resources; and
* Provide a certification from your health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to return to work from the leave.

# PART VII

# EMPLOYEE SAFETY AND HEALTH

## REPORTING INJURIES OR ILLNESS

PARISH strives to develop and maintain a safe working environment. Employees must adhere to all applicable safety laws. To help us maintain a safe workplace, everyone must be safety-conscious at all times and observe all rules about safe working conditions, including all rules and procedures that apply based on health emergencies, such as during a pandemic. These include rules for wearing face coverings, maintaining proper distance from others and notifying PARISH and not attending work when the employee is experiencing a contagious illness.

The prevention of accidents is often a matter of individual care and awareness of a hazardous condition. Any on-the-job injury or illness, no matter how seemingly insignificant must immediately be reported by employees to a supervisor and Office for Human Resources.

In compliance with California law, and to promote a safe workplace, PARISH maintains a written Injury and Illness Prevention Program (IIPP) and Covid-19 Prevention Program (CPP) incompliance with California law. Copies of both programs are available for review by employees by asking the location administrator.

**SECURITY**

All employees are encouraged to be aware of unauthorized persons who are on Diocesan premises, in order to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities. Secure your desk or office at the end of the day. The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner in or around the facilities.

## WORKPLACE VIOLENCE

PARISH is committed to providing a workplace that is free from acts of workplace violence or threats of violence. In keeping with this commitment, it has adopted the following workplace violence policy to promote a safe working environment for all employees. PARISH has a zero-tolerance policy for acts of violence and threats of violence. Without exception, acts and threats of violence are prohibited. Every verbal or physical threats, even those made in apparent jest or frustration, will be taken seriously, and will lead to discipline up to and including termination. “Workplace violence” means any act of violence or threat of violence that occurs at the work site. Threats may be direct or indirect, and they may be communicated verbally or nonverbally.

It is every employee’s responsibility to assist in establishing and maintaining a violence-free work environment. Therefore, each employee is expected and encouraged to immediately report any workplace incident which an employee believes to be threatening or violent. Employees may report an incident to any supervisor or the Office for Human Resources. All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. To the extent possible, PARISH will maintain the confidentiality of the reporting employee and of the investigation. PARISH will not tolerate retaliation against any employee who reports workplace violence.

PARISH violence program is described in detail in its Injury and Illness Prevention Program.

# PART VIII

# SEPARATION OF EMPLOYMENT

## INVOLUNTARY TERMINATION

Involuntary termination occurs when an employee is dismissed for reasons that are not voluntary. Examples of involuntary termination include layoffs, reorganizations, and discharge with or without cause. All employment with PARISH is at-will and may be terminated at any time by PARISH or the employee.

## VOLUNTARY TERMINATION

PARISH will consider an employee to have voluntarily terminated his or her employment if the employee does any of the following: (1) Resigns from employment; (2) Fails to return from an approved leave of absence, including a furlough, on the date specified by PARISH; or (3) Fails to report to work for three consecutive days without notice to PARISH and approval of the absence.

PARISH requests that, as a courtesy, employees who resign from employment provide their supervisors with advance written notice of their last day of work, in order to avoid the disruption of departmental operations. At that time, employees may also submit any outstanding expense reimbursement requests. Although advance notice of resignation is not required, at least two weeks’ notice prior to resignation is appreciated to aid in an orderly transition. Employees who resign without providing such advance notice may be considered ineligible for rehire.

## THE EXIT PROCESS

Employees who are separating from PARISH, whether on a voluntary or involuntary basis, shall be paid all wages owed including any accrued unused vacation in accordance with applicable law. Separating employees are responsible for returning any and all Diocesan property, including but not limited to; any and all work-related documents or materials, keys, access cards, credit cards, computers and accessories, passwords and accessories before they leave the premises. Supervisors will notify the appropriate phone and computer system administrators in order for the employee’s name and account(s) to be deleted from the electronic communications system.

When employment with PARISH ends, all programs, files, and documents, including computer files and documents utilized by the employee during employment, must be remain with PARISH and cannot be taken or duplicated for personal use. Any personal papers or items should be reclaimed before the last day of employment. Personal papers or items that remain beyond one week from the end of employment become the property of PARISH.

# EMPLOYEE HANDBOOK ACKNOWLEDGMENT

I have received my copy of the Employee Policy Handbook for the Roman Catholic Bishop of San Diego, a corporation sole, (the “[PARISH]”). I understand and agree that it is my responsibility to read, familiarize myself with, and comply with the policies and procedures contained in this Handbook and to ask any questions about any policy that I do not understand.

I understand and agree that this Handbook does not create a promise or representation of continued employment, and that my employment with PARISH is, and remains, employment at-will. Accordingly, my employment may be terminated at any time by either me or PARISH with or without cause or advance notice.

I understand and agree that except for the employment at-will policy, PARISH may change, rescind or add to any policies, benefits or practices at any time, in its sole and absolute discretion, with or without prior notice. Further, PARISH reserves the right to change my hours, wages, benefits and working conditions at any time with or without notice.

***In the absence of such a written agreement between myself and PARISH, I understand and agree that I am employed by PARISH on an at-will basis. Accordingly, my employment with PARISH may be terminated at any time by either me or PARISH with or without cause or advance notice****.*

My signature below certifies that I understand and agree that, unless I am employed under a valid written employment agreement that is inconsistent with at-will employment,my employment with PARISH is at-will, and that this represents the sole and entire agreement between PARISH and myself concerning the at-will nature of the employment relationship.

Employee Printed Name

Employee’s Signature Date