

SAINT DANIEL CHURCH, WHEATON
PERSONNEL POLICY AND PROCEDURES HANDBOOK
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TABLE OF CONTENTS

<u>100 Employment Policies</u>	5
110 Equal Employment Opportunity	5
115 Conflict in Relatives Employment.....	5
120 Employment-At-Will.	5
130 Background Inquiries, Information, and Required Training	5
140 Personal Data Changes	5
<u>200 Employment Classifications and Categories</u>	6
210 Classifications	6
211 Exempt Employees	6
212 Non-Exempt Employees.....	6
220 Categories.....	6
221 Full-Time Employees.....	6
222 Part-Time Employees with Benefits	6
223 Part-Time Employees without Benefits	6
224 Temporary / Seasonal Employees	6
<u>300 Hiring Practices</u>	7
310 Vacant Position.....	7
320 Introductory Employment Period for Non-Exempt Employees.....	7
330 Re-Hiring of Former Employees.....	7
340 Job Descriptions.....	8
350 Personnel File	8
360 Review of Employee Records	8

<u>400 Working Conditions</u>	9
410 Working Environment	9
411 Smoking	9
412 Personal Appearance	9
413 Computer and E-Mail Usage	9
414 Internet Usage	10
415 Solicitation	11
416 Children in the Workplace	11
417 Employee Safety	12
418 Workplace Violence	12
420 Working Hours	13
421 Office Hours	13
422 Rest Periods	13
423 Lunch Break	13
430 Flexible Time	13
440 Compensatory Time / Schedule Shift	13
441 Compensatory Time for Non-Exempt Employees	13
442 Schedule Adjustments for Exempt Employees	14
450 Time Records/Personal Records	14
460 Absences	14
461 Short Term Absences	14
462 Long Term Absences	15
465 Attendance and Punctuality	15
470 Emergency Closings	15
480 Drug and Alcohol Use	15
481 General Policy	15
482 Definitions	16
483 Testing for Drugs or Alcohol	16
484 Use, Possession, Transportation, Sale, Distribution	16
485 Drug Use Outside Work Hours	16
486 Employee Assistance	16
<u>500 Wage and Salary Administration</u>	17
515 Overtime Pay Computation	17
560 Payroll	17
561 Pay Periods	17
562 Payroll Deductions	17
570 Work Related Expenses	17
571 Mileage Reimbursement	17

590 Service Review	18
600 Benefits	18
610 Benefit Programs.....	18
611 Insurance	18
612 Employees Retirement Plan	18
613 403(B) Retirement Savings Plan	18
620 Paid Leave	18
621 Vacation	18
622 Sick / Personal Leave Days.....	19
623 Holidays / Holy Days	20
625 Bereavement Leave	20
626 Jury Duty	21
627 Record of Leave/Vacation	21
628 Reinstatement of Benefits.....	21
630 Unpaid Leave of Absence	21
631 Family and Medical Leave of Absence	21
632 Personal Leave of Absence	22
633 Illinois Family Military Leave	23
634 Unpaid Leave Due to Domestic and Sexual Violence.....	23
650 Statutory Benefits.....	25
660 Military Leave	25
700 Cessation of Employment.....	26
710 Voluntary Termination	26
711 Resignation	26
712 Retirement	26
720 Involuntary Termination	26
721 Retrenchment	26
730 Dismissal / Discipline	26
731 Disciplinary Action	27
732 Immediate Termination.....	27
740 Exit Interview	27

750 Final Compensation.....	27
751 Compensation ...	27
752 Sick / Personal Leave.....	27
753 Insurance	27
754 References.....	27
<u>800 Grievance Procedure</u>	28
810 Grievance Review	28

APPENDICES: SPECIAL POLICY STATEMENTS

Appendix A:

<u>Sexual Harassment Policy</u>	29
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Appendix B:

<u>Pastoral Policy Regarding Sexual Abuse of Minors</u>	31
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Appendix C:

<u>General Policy on AIDS</u>	40
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Appendix D:

<u>Standards of Behavior for Those Working with Minors</u>	44
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100 EMPLOYMENT POLICIES

110 EQUAL EMPLOYMENT OPPORTUNITY

The Parish guarantees equal employment opportunities in all its employment policies and practices. These policies and practices are administered without regard to race, color, national origin, age, gender, marital status, political affiliation, veteran status, genetic information, sexual orientation, mental or physical disabilities, or any other characteristic protected by law.

In providing equal opportunities in its employment practices, the Parish may consider any conduct (during working or non-working hours) of an applicant/employee that may be inconsistent with his/her position or the philosophy, goals, objectives, rules and regulations of the Parish and/or the moral and religious teachings of the Roman Catholic Church, as determined by the Bishop of the Diocese or his designee.

In addition, there are certain "ministerial" positions in the Parish, and individuals filling those positions may need to strictly adhere to the foundational teachings of the Catholic faith. Those individuals may be selected according to certain criteria, such as being Catholic, male, unmarried, not part of a civil union, etc., and preference in hiring/retention shall be given to people who meet those criteria. Such preference is allowed under state and federal law, and does not constitute illegal discrimination.

115 CONFLICT IN RELATIVES EMPLOYMENT

The Parish defines a relative as any person who is related by blood or marriage. An employee may not directly work for a relative or supervise a relative. If two employees become relatives, and one of them supervises the other, the Parish reserves the right to take action if an actual or potential conflict of interest arises.

120 EMPLOYMENT-AT-WILL

All employees who do not have a written contract with the Parish for a specific, fixed term of employment are employed for an indefinite period. The relationship between the Parish and employee is *at will*, which means that the employment relationship can be terminated by either the Parish or the employee at any time and for any reason. (See **#711 Resignation**)

130 BACKGROUND INQUIRIES, INFORMATION AND REQUIRED TRAINING

All applicants, upon the offer of employment, will be required to submit to a background investigation commensurate with the responsibilities of the offered position.

All employees will normally complete required Educational In-service programs before their first day of employment. Proof of previous completion of the required programs will be accepted.

All employees are required to report immediately to their supervisor or pastor any felony or misdemeanor charges which may be filed against the employee by Local, State or Federal Law Enforcement Authorities.

140 PERSONAL DATA CHANGES

It is the responsibility of each employee to promptly notify the Parish of any changes in personnel data, in particular personal mailing address, telephone number, individuals to be contacted in the event of an emergency or upon completion of educational accomplishments.

200 EMPLOYMENT CLASSIFICATIONS AND CATEGORIES

210 CLASSIFICATIONS

Employees are classified as either exempt or non-exempt.

211 EXEMPT EMPLOYEES

Exempt employees are those who hold executive, administrative or professional positions and who spend over eighty percent (80%) of their time on duties, which require exercise of independent judgment and discretion. Religious priests, brothers and sisters are included in this classification due to their professional background and training, unless the position held is clearly non-exempt.

212 NON-EXEMPT EMPLOYEES

Non-exempt employees are those who perform work other than executive, administrative or professional as defined above. There are no written contracts, except in the case where a religious congregation would require a contract. (See **#515 Overtime Pay Compensation**)

220 CATEGORIES

Exempt and non-exempt employees are placed in the following categories.

221 FULL-TIME EMPLOYEES

Full-time employees are those who work a minimum of thirty-seven and one half (37.5) hours per week. They must be hired as a full-time employee and be designated as having benefits. Once designated as a benefited employee, they shall be eligible for all benefits.

222 PART-TIME EMPLOYEES WITH BENEFITS

Part-time employees with benefits are those who have been designated as receiving benefits and have agreed to a fixed number of hours per day and days per week. They are not full-time employees, but they regularly work one hundred and twenty (120) or more hours and fewer than one hundred fifty (150) hours per four (4) week period.

223 PART-TIME EMPLOYEES WITHOUT BENEFITS

Part-time employees without benefits are those who regularly work fewer than one hundred and twenty (120) hours per four-week period. They are not entitled to benefits, except those provided by federal and state statutes.

224 TEMPORARY/SEASONAL EMPLOYEES

Temporary/seasonal employees are those who have been hired to perform a specific task or hired for a limited length of time, not intended to exceed nine (9) months. They are not entitled to benefits, except those provided by federal and state statutes.

300 HIRING PRACTICES

310 VACANT POSITIONS

Vacant positions may be posted at the discretion of the pastor, with the job description and qualifications. Any current employee possessing the necessary qualifications may apply. Position reclassifications do not constitute a vacancy.

320 INTRODUCTORY EMPLOYMENT PERIOD FOR NON-EXEMPT EMPLOYEES

The introductory period of employment is intended to give new non-exempt employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Parish uses this period to evaluate non-exempt employee capabilities, work habits, and overall performance. Either the non-exempt employee or the Parish may end the employment relationship at will at any time during or after the introductory period of employment, with or without cause or advance notice.

All new and rehired non-exempt employees work on an introductory basis for the first 90 calendar days after their date of hire. Any significant absence will automatically extend the introductory period in relation to the length of the absence. If the Parish determines that the designated introductory period of employment does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period of employment may be extended for a specified length of time up to an additional 30 calendar days.

Upon satisfactory completion of the introductory period of employment, non-exempt employees will then be subject to the normal terms of discipline and dismissal as outlined in **#700 Cessation of Employment**.

During the introductory period of employment, all benefited employees 1) accrue retirement calculation as of the first day of employment, 2) are eligible for payment for scheduled Parish Holidays, 3) accrue sick / personal time as of the first day of employment to be used commencing at the end of the introductory period, 4) accrue vacation time as of the first day of employment to be used commencing at the end of the fiscal year in which the employee began work and 5) are eligible for those benefits that are required by law, such as Workers' Compensation insurance and Social Security. Employees should read the information for each specific benefits program for the details on eligibility requirements in the Diocese of Joliet Benefits Programs booklet.

330 RE-HIRING OF FORMER EMPLOYEES

Former employees who left the Parish in good standing may be considered for reemployment. Former employees who resigned without written notice or who were terminated for cause may not be considered for reemployment. A terminated employee who is reemployed will be considered a new employee from the date of reemployment unless the break in service is less than the length of the prior service, in which case the employee will retain accumulated length of service. Length of service for the purposes of benefits is governed by the terms of each benefit plan. Reemployment of employees who retire is governed by the terms of the Employees' Retirement Plan. (See **#628 Reinstatement of Benefits**)

340 JOB DESCRIPTIONS

The Parish makes every effort to create and maintain accurate job descriptions for all positions within the organization. Each description includes a job title, title of immediate supervisor, job summary, duties and responsibilities, qualifications and working conditions.

The Parish maintains job descriptions to aid in orienting new employees to their jobs and to identify the primary requirements of each position.

The Parish should prepare job descriptions in consultation with the Diocesan Director of Human Resources. Existing job descriptions are also reviewed annually, and revised if necessary. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

Job descriptions do not necessarily cover every task or duty that may need to be assigned and job duties may change based on the current needs of the Parish.

350 PERSONNEL FILE

A basic personnel file is maintained in the Parish office for each employee. This file is a permanent, confidential record of the employee. Information in the file includes, but is not limited to, the following:

- Job application, resume, letters of recommendation
- Employee information form
- Performance reviews or disciplinary forms
- Special letters of importance, special requests
- Letter of resignation or memos regarding reasons for dismissal
- Termination forms

360 REVIEW OF EMPLOYEE RECORDS

Personnel files are the property of the Parish and access to the information they contain is restricted. Generally, only supervisors, pastors, and management personnel who have a legitimate reason to review information in a file are allowed to do so.

In accordance with Illinois laws, employees are entitled to view their personnel file on written request. If an employee wishes to review his or her personnel file, the employee should contact the Parish.

400 WORKING CONDITIONS

410 WORKING ENVIRONMENT

The Parish upholds the right of all employees to work in an atmosphere, which affirms their dignity and self-worth. All personnel, administrators and staff, shall strive to promote a work setting that fosters dialogue and collaboration.

The Parish does not tolerate verbal or physical conduct of an employee which disrupts or interferes with another's work performance, and the Parish will not tolerate any form of legally prohibited harassment by co-workers, visitors, vendors or clients. Unlawful harassment is prohibited and such conduct may result in disciplinary action up to and including termination. The Parish work environment is to be free of harassment and all forms of unlawful discrimination. If the employee believes his or her work environment is not free of harassment or discrimination he or she should immediately contact his or her supervisor, or pastor or the Diocesan Director of Human Resources. Under no circumstances will anyone be penalized for presenting a good faith complaint to management or Human Resources.

The Parish will not tolerate sexual harassment of any employee. (See **Appendix A**)

Inappropriate conduct with minors is not tolerated and is subject to the Pastoral Policy Regarding Sexual Abuse of Minors (See **Appendix B**) and The Standards of Behavior for Those Working with Minors. (See **Appendix D**)

411 SMOKING

In keeping with the intent of the Parish to provide a safe and healthful work environment, smoking is prohibited in all Parish buildings and Parish vehicles. This policy applies equally to all employees, clientele, and visitors.

412 PERSONAL APPEARANCE

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the professional image the Parish offers to those it serves.

During business hours or when representing the Parish, employees are expected to present a modest, clean, neat and tasteful appearance. This is especially true if the job involves dealing with the public.

The supervisor or pastor is responsible for establishing a reasonable dress code appropriate to the job performed. If the supervisor or pastor feels the employee's personal appearance is inappropriate, the employee may be asked to leave the workplace until properly dressed. Under such circumstances, the employee will not be compensated for the time away from work. Employees should consult their supervisor if they have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made to a person with a disability.

413 COMPUTER AND E-MAIL USAGE

Computers, computer files, the e-mail system and software are property of the Parish furnished to employees and intended for business use. Software, other than that approved by the Parish, may not be installed without the express permission of the Parish. Employees should not use a password, access a file or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and e-mail usage may be monitored.

The Parish strives to maintain a workplace free of harassment and one that is sensitive to the diversity of its employees. Therefore, the Parish prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others or harmful to morale.

The display or transmission of sexually explicit images, messages and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes or anything that may be construed as harassment or showing disrespect for others.

The Parish purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, such software may not be reproduced for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. The Parish prohibits the illegal duplication of software and its related documentation.

Employees should notify their supervisor, the pastor, or any member of management or the Diocesan Director of Human Resources upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

414 INTERNET USAGE

Internet access to global electronic information resources on the World Wide Web is provided by the Parish to assist employees in obtaining work related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job related activities, personal use may be permitted with prior authorization.

All Internet data that is composed, transmitted, or received via Parish computer communications systems is considered to be part of the official records of the Parish and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical and lawful.

The equipment, services and technology provided to access the Internet remain at all times the property of the Parish. As such, the Parish reserves the right to monitor Internet traffic and retrieve and read any data composed, sent or received through Parish online connections and stored in its computer systems.

Data that is composed, transmitted, accessed or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation or any other characteristic protected by law.

The unauthorized use, installation, copying or distribution of copyrighted, trademarked or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, nor has received or procured authorization for its use, that material may not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Abuse of Internet access provided by the Parish in violation of law or Parish policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any policy violations. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and may result in disciplinary action:

- Sending or posting discriminatory, harassing or threatening messages or images.
- Using the Parish time and resources for personal gain.
- Stealing, using or disclosing someone else's code or password without authorization.
- Copying, pirating or downloading software and electronic files without permission of the manufacturer or developer.
- Sending or posting confidential material, trade secrets or proprietary information outside of the organization.
- Violating copyright law.
- Failing to observe licensing agreements.
- Engaging in unauthorized transactions that may incur a cost to the Parish or initiating unwanted Internet services and transmissions.
- Sending or posting messages or material that could damage the Parish image or reputation.
- Participating in the viewing or exchange of pornography or obscene materials.
- Sending or posting messages that defame or slander other individuals.
- Using the Internet for unauthorized political causes or activities, unauthorized religious activities or personally engaging in any sort of gambling.
- Jeopardizing the security of the Parish electronic communications systems.
- Engaging in any other illegal activities.

Also prohibited are any private acts, which could cause scandal if they became public knowledge, and private acts which become public and are contrary to the teaching and philosophy of the Roman Catholic Church or which cause scandal. Likewise prohibited is any public act or conduct, which causes scandal and any public act, which is not consistent with the religious and moral teachings of the Church.

When such action or conduct becomes public and is contrary to the philosophy of the Roman Catholic Church or which causes scandal for the Church membership, the Diocesan Bishop or his designee will be the final interpreter of what constitutes religious moral teaching and philosophy and what causes scandal to or for the Church membership.

415 SOLICITATION

In an effort to ensure a productive and harmonious work environment, persons not employed by the Parish may not solicit or distribute literature on Parish property at any time for any purpose.

The Parish recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks or any other periods in which employees are not on duty.)

In addition, the posting of written solicitations on Parish bulletin boards is prohibited. Bulletin boards are reserved for official organization communications.

416 CHILDREN IN THE WORKPLACE

For many reasons, children are not allowed in the workplace while being supervised by a working employee. Children may visit the office for brief periods while being supervised by a non-working adult upon advance prior supervisory approval.

417 EMPLOYEE SAFETY

The Parish makes every reasonable effort to ensure a safe working environment and expects all employees to be safety conscious. Employees should immediately report any unsafe or hazardous conditions directly to their supervisor. Each employee is expected to pick up paper, paper clips, etc. that have been dropped on the floor, whether in a room, corridor or stairwell. In addition, liquid spills, etc. should be wiped up or blocked off immediately until housekeeping or maintenance can be summoned for assistance. Every effort will be made to remedy problems as soon as possible.

It is each employee's responsibility to know and follow good safety and health practices. Any employee who disregards safety practices will be disciplined up to and including termination.

Employees injured on the job or who witness an on the job accident should immediately report the injury and its cause to their supervisor and complete the appropriate Worker's Compensation claim forms on the day of the injury.

418 WORKPLACE VIOLENCE

To ensure the well-being of all employees, vendors and visitors it is the policy of the Parish to expressly prohibit any acts or threats of violence by a Parish employee or former employee against any other employee, former employee, vendor or visitor in or about any Parish facilities or elsewhere at any time.

The Parish also will not condone any acts or threats of violence against Parish employees, vendors, or visitors on any Parish premises at any time, or while they are engaged in business with or on behalf of the Parish on or off Parish premises.

In keeping with the spirit and intent of this policy, and to ensure that the Parish objectives in this regard are attained, it is the commitment of the Parish:

- To provide a safe and healthful work environment.
- To take prompt remedial action up to and including immediate termination, against any employee who engages in any threatening or intimidating behavior or acts of violence or who uses any obscene, abusive, or threatening gestures or language, including e-mail, graffiti, etc.
- To take appropriate action when dealing with employees, former employees, vendors or visitors to the Parish facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
- To prohibit employees, former employees, vendors and visitors from bringing unauthorized firearms or other weapons onto Parish premises.

Any employee who displays a tendency to engage in violent, abusive, or threatening behavior, or who otherwise engages in behavior that the Parish, in its sole discretion, deems offensive, threatening, dangerous, or inappropriate will be subject to disciplinary action, up to and including termination.

DUTY TO WARN: In furtherance of this policy, employees have a "duty to warn" their supervisors, or pastors, or management or the Diocesan Director of Human Resources of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve other employees, former employees, customers, or visitors and that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, and the like. Employee reports made pursuant to this policy will be held in confidence to the extent possible. The Parish will not condone or tolerate any form of retaliation against any employee for making a good faith report under this policy.

420 WORKING HOURS

421 OFFICE HOURS

Parish offices observe a thirty-seven and one half (37.5) hour week. Regular staff work hours are from 8:30 a.m. to 4:00 p.m., Monday through Friday, except for recognized holidays. However, the receptionist's desk is usually only open from 9:00 a.m. to 4:00 p.m.

422 REST PERIODS

One fifteen-minute work break may be taken each morning and each afternoon. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted work break time. However, these rest periods may be combined with the lunch break, at the employee's discretion, as explained below in 423. Employees who choose to remain at work during work breaks are not entitled to leave before the normal end of office hours and will not receive compensatory time for the time worked.

423 LUNCH BREAK

All employees receive a lunch period of thirty minutes near the middle of the workday. This thirty-minute lunch period is counted and paid as time worked, insofar as it may be interrupted or rescheduled to answer the door or the phone, or to attend to other pressing matters that may arise. The rest periods, described above in 422, may be combined with the lunch break to extend the time of the lunch break, at the discretion of the employee.

430 FLEXIBLE TIME

According to the requirements of their particular ministry, employees are given the option of flexible hours subject to the following conditions:

- a) The parish offices must be open and the phones answered, Monday through Friday, from 9:00 a.m. to 4:00 p.m., except on those days when the offices are declared to be closed.
- b) The answering of phones and the office doors are a shared responsibility and this responsibility is not limited to the assigned receptionists.
- c) The flexible time schedule must have the prior approval of the supervisor.
- d) Flexible hours are not to be confused with compensatory time.

440 COMPENSATORY TIME/SCHEDULE SHIFT

All non-exempt employees must be paid during the same week the work is performed and no hours can be banked in future weeks.

441 COMPENSATORY TIME FOR NON-EXEMPT EMPLOYEES

Work should be scheduled in such a way that it is completed during regular work hours. In rare circumstances when additional work is required in order to meet a particular deadline or to fulfill a particular emergency need, the supervisor authorizes an employee to work overtime. Overtime work must always be approved before it is performed. The overtime hours will be reported on the weekly time record of the week in which they occur and will be paid according to the Parish policy regarding overtime pay compensation. (See **#515 Overtime Pay Computation**). As a general policy, overtime should be seldom needed.

442 SCHEDULE ADJUSTMENTS FOR EXEMPT EMPLOYEES

Exempt employees are hired to fulfill services that are not linked to time limitations. Their compensation is based upon an annual salary. Therefore, there is no provision for compensatory time for services performed outside or in addition to office hours. The normal schedule provides that the offices must be covered and personnel available during regular office hours. Accommodations in adjusting this schedule may be made by exempt personnel to cover specific instances of services performed outside these hours.

450 TIME RECORDS/PERSONAL RECORDS

Accurately recording time worked is the responsibility of every employee. Time worked is all the time actually spent on the job performing assigned duties. Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

It is the employee's responsibility to certify the accuracy of all time recorded. The supervisor is to review and then approve the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by submitting a new record, after having it approved by the supervisor.

Exempt employees also compute weekly time records, indicating deviations to their normal schedule by showing any vacation, sick or personal time they may have taken.

Altering, falsifying or tampering with time records may result in disciplinary action, up to and including termination of employment.

460 ABSENCES

461 SHORT TERM ABSENCES

Employees unable to report to work for a bona fide reason are expected to notify their supervisor within 15 minutes of their normal starting time, whenever possible, on the first day of absence. If the absence is to continue beyond the first day, the employee must notify their supervisor on a daily basis unless otherwise arranged. Failure to notify a supervisor or proper management may result in disciplinary action, up to and including termination of employment.

In the case that the absence exceeds three (3) working days, the employee may be required to provide a doctor's certificate in order to establish eligibility to receive further payment of sick leave, and the employee may be required to provide a doctor's release in order to return to work.

All absences must be charged either to sick leave, personal leave or vacation time, whichever is appropriate. Only after appropriate paid leave has been used may unpaid leave be granted.

The penalty for unexcused absence of a non-exempt employee will be loss of pay for the time involved. An absence is unexcused if not approved by the supervisor.

Absence for three (3) consecutive working days without notifying the supervisor is considered voluntary termination. (See **#622 Sick/Personal Leave Days**)

462 LONG TERM ABSENCES

In the case of an absence of thirty (30) or more calendar days, for illness or any other reason. (See **#630 Unpaid Leave of Absence**)

465 ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment the Parish expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Parish. In the rare instances when employees cannot avoid being late for work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

470 EMERGENCY CLOSINGS

Emergencies such as severe weather, fires, power failures, earthquakes or time of national disaster, can disrupt Parish operations. In extreme cases, these circumstances may require the closing of a Parish facility.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid.

Particular Parish employees may be asked to work on a day when operations are officially closed. In these circumstances, non-exempt employees who work will be offered compensatory time for the period of time they work. The compensatory time must be taken within the same week. If not, the time will be paid as overtime.

If an employee was already scheduled to be out on vacation or sick/personal leave and the office is closed due to emergency conditions or the spontaneous decision of the pastor, sick/personal and vacation time will be charged.

480 DRUG AND ALCOHOL USE

481 GENERAL POLICY

Employee involvement with drugs and alcohol can adversely affect job performance and employee morale, jeopardize employee safety, and undermine Parish community confidence. The desire of the Parish, therefore, and the purpose of this policy, is to provide and maintain a drug-free, healthy and safe workplace. Consistent with this goal and commitment and in response to the requirements of the Federal and Illinois Drug-Free Workplace Acts, the Parish has developed this policy statement regarding the use, sale, possession and distribution of controlled substances and alcohol by its employees.

The Parish prohibits the consumption, use and/or sale, purchase, manufacture, distribution or dispensation of intoxicants, being under the influence of intoxicants, including alcohol or controlled substances (drugs) on Parish premises or when an employee is representing the Parish during working hours at an outside location or in Parish vehicles during working hours, including breaks. Even though the meal break is the employee's private time, the consumption of alcohol during that period would mean that the employee would return to work with a mood-altering substance in his/her system and, therefore, be in violation of this policy. The singular exception to this policy will be for Parish sponsored events where permission for the reasonable, social consumption of alcohol will be explicitly approved by the Pastor or his designee. Parish vehicles as well as private vehicles parked on the Parish premises or work sites are locations included in this prohibition.

482 DEFINITIONS

As used in this policy, the term “under the influence” of alcohol or controlled substances means the presence of any amount of alcohol or controlled substance in an individual’s breath, urine, bloodstream and/or body.

For the purposes of this policy, the term “Parish Property” shall include all land, buildings, structures, parking lots and means of transportation owned, leased or used by the Parish.

483 TESTING FOR DRUGS OR ALCOHOL

Under reasonable suspicion of drug or alcohol use, an employee may be required to submit to blood, urine or other diagnostic tests to detect drugs, drug metabolites or alcohol in his or her system. If an initial screening test indicates a positive finding, a confirmation test will be conducted. Any employee who refuses to submit to testing under these circumstances shall be subject to immediate termination.

484 USE, POSSESSION, TRANSPORTATION, SALE, DISTRIBUTION

The use, possession, transportation, sale or distribution of illegal drugs or alcohol while on Parish property or on Parish business is cause for discipline, up to and including termination.

a. Alcohol in the System

An employee found by a supervisor’s observation or as result of a blood-alcohol test or a breathalyzer test to be under the influence of alcohol while on Parish property or on Parish business shall be subject to discipline, up to and including termination.

b. Drugs in the System

An employee found by a supervisor’s observation or as result of a blood or urine test to be under the influence of illegal drugs while on Parish property or on Parish business shall be subject to termination. In addition, an employee found to have detectable concentration of any illegal drug in his or her system, including but not limited to marijuana, heroin, cocaine, morphine, phencyclidine (PCP), amphetamines, barbiturates or hallucinogens (or metabolites of any such drug) shall be subject to discipline, up to and including termination.

c. Over-the-Counter & Prescribed Medications

Anyone taking medication, whether or not prescribed by a physician for a medical condition, which significantly impairs judgment, coordination or other senses, or which will adversely affect ability to perform work in a safe and productive manner, will be expected to notify his or her supervisor.

485 DRUG USE OUTSIDE WORK HOURS

Employees who unlawfully use, possess, sell or distribute drugs or controlled substances outside of work hours will be subject to disciplinary action, up to and including termination for the first offense, if such activity has or may have an adverse effect on the Parish facilities, its employees or Parish community. Adverse effects include, but are not limited to impaired work performance, endangered safety of employees, Parish community or the public, and undermine public confidence in the Parish and its personnel. In deciding what actions to take, the Parish will consider the nature of the involvement, the employee’s job assignment and his or her work record with the Parish, along with other factors.

486 EMPLOYEE ASSISTANCE

The Parish is committed to assisting any staff person experiencing chemical dependency with recovery resources and access to treatment. Employees will not be subject to discipline for voluntarily acknowledging a drug or alcohol problem prior to detection. However, this will not thereafter excuse any violation of this drug and alcohol policy for which the employee is subject to discipline, including termination.

500 WAGE AND SALARY ADMINISTRATION

515 OVERTIME PAY COMPUTATION

The Parish pays non-exempt employees overtime at a rate of one and one-half times the employee's regular rate of pay for each hour worked in a workweek in excess of forty (40) hours. Hours worked includes all time an employee must be on duty, or on Parish premises or at any other prescribed place of work and does not include Sick/Personal or Vacation time.

560 PAYROLL

561 PAY PERIODS

There are twenty-four (24) pay periods during the fiscal year (July 1st through June 30th) for lay employees. Payroll checks are distributed on the 15th day of each month, and the last day of each month. If a payday falls on a holiday and the offices are closed, the date of the check distribution will be at the discretion of the Parish Office.

562 PAYROLL DEDUCTIONS

Compulsory deductions include federal withholding tax, state income tax and social security tax. Employees may designate in writing additional tax withholding from their salaries as they deem appropriate.

570 WORK RELATED EXPENSES

Only authorized work related expenses incurred during the course of performing one's job are eligible to be reimbursed on a monthly basis. Work related expenses are subject to the approval of the employee's supervisor. Expenses shall be submitted to the supervisor with ALL appropriate documentation before payment will be made. Any reimbursement request totaling \$5,000 and above will need to be approved by the Pastor, and MUST include all appropriate documentation. If you are unsure as to what can and cannot be reimbursed, please contact your Pastor before you incur the expense.

571 MILEAGE REIMBURSEMENT

What is reimbursed...The Parish will reimburse employees for the use of privately owned automobiles on Parish business at the Diocesan approved rate per mile. The traveler must document business miles using a monthly travel sheet to determine the total mileage for the trip **less** the normal commute to and from work (see explanation below). The business mileage rate covers all costs of operating the vehicle including gasoline, oil, insurance and repairs. Receipts for tolls and parking fees are reimbursed separately and are not included in the business mileage rate.

What is not reimbursed...Reimbursement will normally not include meals and lodging en-route or expenses in lieu of the approved mileage rate. The Parish will not reimburse individuals for the cost of other expenses including but not limited to driving or parking violations, fines, gasoline, automobile repairs, vehicle damage or insurance deductibles as a result of an accident, break down, tow or resultant meals and lodging. Also any personal travel and expenses added to the business portion of a trip would not be eligible for reimbursement.

590 SERVICE REVIEW

Normally at least once each year you will be asked to participate in a formal service review, which will be conducted by your supervisor. There are many reasons why the parish has a formal review system including but not limited to: service reviews provide valuable feedback, identify goals and opportunities, encourage growth and development, identify training needs, motivate and give and receive affirmation. Service reviews also facilitate two way communications, encourage self-reflection, and improve performance, competency and job satisfaction.

600 BENEFITS

610 BENEFIT PROGRAMS

611 INSURANCE

The Diocese provides medical, dental, vision, life, long-term disability and professional liability benefits. Information and summary communications intended to explain these benefit plans are furnished to all plan participants on a timely and continuing basis. The Diocese reserves the right to modify, amend or terminate these benefits. For specific benefits and eligibility requirements, employees should refer to the Diocese of Joliet Benefits Programs booklet.

These benefits apply to full-time employees and part-time employees that have been hired and designated as having benefits. They begin on the first day of the first full month of employment.

612 EMPLOYEES RETIREMENT PLAN

The Diocese has established a retirement plan for full-time lay employees and part-time lay employees that have been hired and designated as having benefits. For specific details, employees should refer to the Diocese of Joliet Benefits Programs booklet.

613 403(b) RETIREMENT SAVINGS PLAN

Full-time employees and part-time employees that have been hired and designated as having benefits may participate in the Christian Brothers 403(b) Retirement Savings Plan. Details are available through the Diocesan Finance Office.

620 PAID LEAVE

621 VACATION

The Parish grants annual vacations with pay to full-time employees and part-time employees with benefits in accordance with the guidelines established below.

a. Vacation Year

The established vacation year is the fiscal year, July 1st through June 30th, each year. Vacation days are accrued based on the employee's length of service and time worked during the preceding year.

b. Accrual Period

<u>Fiscal Year</u>	<u>Earn Rate for Next Year</u>	<u>Available Time</u>	<u>In Fiscal Year</u>
1 st	Five-sixths (.83) days per month	0	1 st
2 nd	Five-sixths (.83) days per month	Up to 10 days	2 nd
3 rd	Five-sixths (.83) days per month	10 days	3 rd
4 th	One and one-quarter (1.25) days per month	10 days	4 th
5 th to 12 th	One and one-quarter (1.25) days per month	15 days	5 th to 12 th
13 th	One and two-thirds (1.67) days per month	15 days	13 th
14 th on	One and two-thirds (1.67) days per month	20 days	14 th on

c. Scheduling Vacation Time

Paid vacation time must be taken in at least half-day increments and with the prior approval of the supervisor. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Vacation time cannot be carried over to the next year except in unusual circumstances and then only with the written approval of the supervisor and the pastor. Carried over vacation time must normally be taken in July of the new fiscal year.

d. Holiday during Vacation

If an observed holiday occurs during an employee's scheduled vacation period, the employee will be credited with an additional day's vacation.

e. Vacation Pay

Vacation pay is not given in lieu of vacation except when employment ceases.

Full-time employees and part-time employees with benefits accrue vacation according to the schedule above. Annual totals should be rounded to the nearest half-day.

Vacation pay for part-time employees with benefits will be based on the employee's average number of part-time hours per two week pay period during the last vacation accrual period.

622 SICK/PERSONAL LEAVE DAYS

Ten paid days per year are authorized for illness or personal business of such a nature that it cannot be handled at a time other than a workday. Personal days must be scheduled in advance in consultation with and with the approval of the supervisor. Personal days may be taken only one at a time, unless prior authorization is given by the supervisor.

Full-time employees accrue sick/personal leave days on the basis of five-sixths (.83) of a day for every month worked. The number of days to which an employee is entitled will be prorated to the nearest half day. These days may not be taken until after non-exempt employees have worked ninety (90) calendar days.

Part-time employees with benefits accrue sick/personal leave days on the basis of five-sixths (.83) of a day for every month worked, based on the employee's average number of part-time hours per two week pay period during the last accrual period. The number of days to which an employee is entitled will be prorated to the nearest half day. These days may not be taken until after non-exempt employees have worked ninety (90) calendar days.

Unused sick/personal days will be accumulated as sick/personal leave to a maximum of one hundred twenty (120) days and are not transferable for another employee's use. Accumulated sick/personal days cannot be used to extend employment and will not be paid at the time an employee ceases employment, resigns or retires.

The Parish reserves the right to require an employee to have a medical evaluation to document the need for prolonged or chronic absence due to illness. (See also **#461 Short Term Absences**)

623 HOLIDAYS / HOLY DAYS

Certain days each year are designated as holidays/holy days (hereinafter called *holidays*). Eligible employees will be given the day off with pay for each day observed.

HOLIDAYS OBSERVED

The parish offices are closed on the following holidays and holy days:

- New Year's Eve Day and New Year's Day
- Martin Luther King Day and Presidents Day
- Good Friday and the Monday after Easter
- Memorial Day and Fourth of July
- Labor Day and Columbus Day
- Thanksgiving Day and the Friday after Thanksgiving
- Christmas Eve Day, Christmas Day, and the Day after Christmas

If any of these aforementioned days fall on a weekend, the offices will be closed on either the preceding Friday or subsequent Monday, depending on the day on which the holiday falls.

Full-time employees are eligible to receive their regular rate of pay for each observed holiday. Non-exempt employees that are eligible for holiday pay that are required to work on a holiday will be paid regular pay for actual hours worked, plus holiday pay.

Part-time employees with benefits are eligible to receive holiday pay only for holidays on which they would normally be scheduled to work, and only for their regularly scheduled number of hours.

Part-time employees without benefits and temporary/seasonal employees do not receive paid holidays.

625 BEREAVEMENT LEAVE

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

Up to three days of paid bereavement leave will be provided to employees having completed the introductory period in the following classification(s): regular full-time employees, and benefited part-time employees.

These days will be in addition to and not deducted from accrued vacation or sick/personal days. Bereavement pay is calculated based on the base pay rate at the time of absence. Bereavement leave will normally be granted unless there are unusual needs or staffing requirements. Employees may, with their supervisor's approval, use any available paid leave for additional time off as necessary.

The Parish defines "immediate family" as the employee's spouse, parent, child, child's spouse, sibling, sibling's spouse, grandparents or grandchildren; the employee's spouse's parent, child, child's spouse, sibling, sibling's spouse, grandparents or grandchildren.

Employees may attend funerals of co-workers and co-workers "immediate family members" with the permission of their supervisor. With the permission of the supervisor, time off up to one-half day may be granted without drawing on sick/personal or vacation time. If additional time is needed for attendance at these funerals, Parish work associates will use available sick/personal or vacation time.

626 JURY DUTY

An employee who is required to serve on a jury or who is subpoenaed as a witness, shall receive his or her regular compensation for the actual number of days required to serve as a juror, or required for a court appearance as the result of being subpoenaed as a witness. If a juror or witness is excused for a portion of a day, he or she is expected to return to work for the balance of the day if there are more than two hours remaining in the workday. But in no event shall this compensation be paid for more than a total of ten (10) days in any fiscal year. Before receiving regular compensation, the employee must deliver to the supervisor a copy of the notice for jury duty or subpoena as a witness.

627 RECORD OF LEAVE/VACATION

A record of vacation and sick leave time accumulated under these policies is kept by the Parish Office. (See **#450 Time Cards/Personal Records**)

628 REINSTATEMENT OF BENEFITS

Length of service years, for retirement purpose and for the purpose of computing total allowable number of vacation days and accrued but unused sick/personal leave benefits may be restored to a former employee if that employee returns to the employment of the Parish. However, the break in service must be less than the length of prior service. (See **#330 Re-Hiring of Former Employees**)

630 UNPAID LEAVE OF ABSENCE

Time off, with permission and without pay, may be granted to full-time employees and part-time employees with benefits, under conditions and for reasons described and set forth in the provisions of this section. No service credit is given for the time on leave toward accruals for vacation, sick or personal accruals. If an employee fails to return to work at the conclusion of an approved leave of absence, including any extension of such leave, the employee will be considered to have voluntarily terminated employment.

631 FAMILY AND MEDICAL LEAVE OF ABSENCE

Employees who have worked for the Parish for at least twelve (12) months and at least 1,250 hours during the prior 12 months may be eligible to take up to twelve (12) weeks of un-paid leave in a 12-month period calculated as a "rolling" 12-month period measured backward from the date of any FMLA usage for the following reasons:

1. Birth and/or care of a newborn child of the employee;
2. Placement of a child into the employee's family by adoption or by a foster care arrangement.
3. In order to care for the employee's spouse, child or parent who has a serious health condition; and
4. A serious health condition which renders the employee unable to perform one of the essential functions of the employee's position.
5. A qualifying existence arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation.
6. To care for an ill or injured service member if the involved employee is the spouse, son, daughter, parent or next of kin to the service member.

In the case of unpaid leave for the birth or placement of a child, intermittent leave or working a reduced number of hours is not permitted unless both the Parish and employee agree. If both spouses are employed by the Parish, the combined leave will not exceed 12 weeks.

In the case of unpaid leaves for serious health conditions, the leave may be taken intermittently or on a reduced hour's basis only if such leave is medically necessary. If intermittent or reduced hours leave is required, the Parish may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates that type of leave.

An employee on medical leave of absence for a serious health condition as a result of a *workers' compensation injury* will have such leave designated (and run concurrently) as FMLA leave by the Parish, if the employee is eligible for FMLA leave.

During family/medical leaves of absence, the Parish will continue to pay its portion of the health insurance premiums and *the employee must continue to pay his/her share of any applicable premiums*. Failure of the employee to pay his/her share of the applicable insurance premiums may result in loss of coverage. Any other payroll deductions must continue to be paid or coverage will stop.

If the employee does not return to work after the expiration of the leave, the employee will be required to reimburse the Parish for payment of health insurance premiums during the family leave, unless the employee does not return because of the presence of a serious health condition which prevents the employee from performing his/her job or circumstances beyond the control of the employee.

During an unpaid (or any portion that is unpaid) family/medical leave of absence, the employee will not accrue employment benefits, such as vacation pay, sick/personal pay, holiday pay, etc. Employment benefits accrued by the employee up to the day on which the family/medical leave of absence begins will not be lost.

Employees must use their available sick/personal time and vacation time during the twelve (12) week family/medical leave. After all available time is used the remaining time off will be unpaid. The employee will not receive pay for holidays during the unpaid leave.

Employees who return to work from a family/medical leave of absence before or on the business day following the expiration of the twelve (12) weeks are entitled to return to their job or an equivalent position without loss of benefits or pay unless the position was eliminated as a result of a layoff or retrenchment which would have affected the status of employment regardless of the FMLA leave, and restoration to the same or equivalent position may not be possible.

Applications for family/medical leave of absence should, where possible, be submitted by the employee or Parish in writing to the Diocesan Director of Human Resources. Applications should be submitted at least thirty (30) days before the leave is to commence, or as soon as possible if thirty (30) days' notice is not possible.

Appropriate forms must be submitted to initiate family/medical leave and to return the employee to active status. Employees requesting family/medical leave must provide the Diocesan Director of Human Resources with the appropriate medical certification. (The Parish also may first designate a leave as a FMLA leave where appropriate, even when an employee has not made such a prior request.)

Release to Return to Work: Employees who wish to return to work from FMLA leave will be required to present a fitness for duty release by a doctor prior to being restored to employment.

Additional information regarding FMLA can be obtained from the Diocesan Office of Human Resources.

632 PERSONAL LEAVE OF ABSENCE

Personal leaves of absence are available for a variety of reasons: medical, family and personal situations including if an employee is not able to return after a Family and Medical Leave or other leave as described in this section. The maximum amount of personal leave is normally six (6) months although a longer period may be considered in accordance with the Parish's commitment to provide reasonable accommodations to persons with disabilities.

The Parish has the discretion to deny a request for personal leave due to staffing needs or to grant the request in part, or deny it in part. Non-medical leaves require the unanimous approval of the pastor and supervisor. Medical leave requests may require the employee to have a medical evaluation to document the need for prolonged absence due to illness, and may require monthly updates.

Job re-instatement is not guaranteed to employees returning from a personal leave of absence. However, the Parish endeavors to place employees returning from personal leave in their former position (or a comparable position) subject to budgetary restrictions, the needs of the Parish to fill vacancies, and other factors within the sole discretion of the Parish.

If an employee is unable to return to work to an open position, with or without reasonable accommodations, at the end of a personal leave of absence, the employee's employment with the Parish will be terminated.

Employees do not accrue benefits including but not limited to sick/personal, vacation, holiday pay, etc. time while on a personal leave of absence.

633 ILLINOIS FAMILY MILITARY LEAVE

Employees who have worked for the Parish for at least twelve (12) months and at least 1,250 hours for the last year are entitled to take unpaid, job-protected leave to visit with a spouse or child who has been called into military service that will last longer than 30 days. While on leave, all benefits continue at the employee's expense.

The Illinois Family Military Leave Act applies to employers with fifteen (15) or more employees. Employers with between fifteen (15) and fifty (50) employees must provide up to fifteen (15) days of leave. Those with more than fifty (50) employees must provide up to thirty (30) days of leave. The Act applies to independent contractors.

Employees who return from leave under the Act will be restored to the same position or one with equivalent seniority, benefits, and pay unless the position was eliminated as a result of a layoff or retrenchment which would have affected the status of employment regardless of the leave, and restoration to the same or equivalent position may not be possible.

634 UNPAID LEAVE DUE TO DOMESTIC AND SEXUAL VIOLENCE

BASIS OF LEAVE: The Parish will provide up to twelve (12) weeks of unpaid leave from work on an intermittent or reduced work schedule basis to an employee who is a victim of domestic or sexual violence (or who has a family or household member who is a victim of domestic or sexual violence) if the employee is:

- seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member;
- obtaining services from a victim services organization for the employee or the employee's family or household member;
- obtaining psychological or other counseling for the employee or the employee's family or household member;
- participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or ensure economic security; or
- seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

"Family or household member" means a spouse, parent, son, daughter, and persons jointly residing in the same household whose interests are not averse to the employee as it relates to the domestic or sexual violence.

“Parent” means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter. “Son or daughter” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or is 18 years of age or older and incapable of self-care because of a mental or physical disability.

PERIOD OF LEAVE: Employee shall be entitled to a total of twelve (12) workweeks of unpaid leave during any twelve (12) month period. (This policy does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act.)

EXISTING LEAVE: The employee may use any available paid or unpaid leave (including sick, personal, or vacation) in substitution for any period of such leave for an equivalent period of leave.

NOTICE: The employee shall provide the Parish with at least 48 hours’ advance notice of the employee’s intention to take the leave, unless providing such notice is not practicable. When an unscheduled absence occurs, the Parish will not take any action against the employee if the employee, within a reasonable period after the absence (generally defined herein as 15 days) provides certification as shown under the next section.

CERTIFICATION: The Parish may require the employee to provide certification to the Parish that:

- The employee or the employee’s family or household member is a victim of domestic or sexual violence;
- and the leave is for one of the purposes enumerated in the above “Basis” paragraph.

The employee shall provide such certification to the Parish within a reasonable period after the Parish requests certification.

An employee may satisfy the above certification requirement by providing to the Parish a signed and dated statement of the employee, and upon obtaining such documents the employee shall provide:

A. documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee’s family or household member has sought assistance in addressing domestic or sexual violence and the effects of the violence; a police or court record; or other corroborating evidence.

CONFIDENTIALITY: All information provided to the Parish, including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee has requested or obtained leave pursuant to this policy, shall be **retained in the strictest confidence by the Parish**, except to the extent that disclosure is: (1) requested or consented to in writing by the employee; or (2) otherwise required by applicable Federal or State law.

RESTORATION TO POSITION: In general, an employee who takes leave under this policy shall be entitled, on return from such leave:

- to be restored by the Parish to the position of employment held by the employee when the leave commenced; or
- to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment, unless the position was eliminated as a result of a layoff or retrenchment which would have affected the status of employment regardless of the leave, and restoration to the same or equivalent position may not be possible.

LOSS OF BENEFITS: The taking of leave under this policy shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. However, the employee is not entitled to:

- the accrual of any seniority or employment benefits during any period of leave; or
- any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

REPORTING TO THE PARISH: The Parish may require an employee on leave under this policy to report periodically to the Parish on the status and intention of the employee to return to work.

MAINTENANCE OF HEALTH BENEFITS: Except as provided under “Loss of Benefits,” during any period that an employee takes leave under this policy, the Parish shall maintain coverage for the employee and any family or household member under any group health plan for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave. The Parish will continue to pay its portion of the health insurance premiums and the employee must continue to pay his/her share of any applicable premiums. Failure of the employee to pay this/her share of any insurance premiums may result in the loss of coverage.

FAILURE TO RETURN FROM LEAVE: The Parish may recover the premiums that the Parish paid for maintaining coverage for the employee and the employee’s family or household member under such group health plan during any period of leave under this policy if:

- a) the employee fails to return from leave under this policy after the period of leave to which the employee is entitled has expired; and
- b) the employee fails to return to work for a reason other than:
 - o the continuation, recurrence, or onset of domestic or sexual violence that entitles the employee to leave;
 - o or other circumstances beyond the control of the employee.

The Parish may require an employee who claims that the employee is unable to return to work because of a reason described in (a) or (b) above to provide, within a reasonable period after making the claim, certification to the Parish that the employee is unable to return to work because of that reason.

An employee may satisfy the certification requirement by providing the Parish:

- a sworn statement of the employee;
- documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee has sought assistance in addressing domestic or sexual violence and the effects of that violence;
- a police or court record;
- or other corroborating evidence.

The Parish will not fail to hire, refuse to hire, terminate, or harass any individual exercising their rights under this policy or otherwise discriminate against an individual exercising their rights under this policy with respect to the compensation, terms, conditions, or privileges of employment of the individual, or retaliate against an individual in any form or manner for exercising their rights under this policy.

650 STATUTORY BENEFITS

All employees (full-or part-time, temporary or seasonal, with or without benefits, not including clergy or religious) are covered by the following statutory benefits, which may be changed from time to time by the state or federal governments:

- Unemployment Compensation
- Workers’ Compensation
- Federal Insurance Compensation Act (FICA)

660 MILITARY LEAVE

The Parish will comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA) in granting a military leave of absence to employees who are absent from work because of service in the U.S. uniformed services.

700 CESSATION OF EMPLOYMENT

There are two types of termination: voluntary and involuntary. Voluntary termination refers to cases involving resignation or retirement. Involuntary termination refers to retrenchment due to financial or re-organizational reasons and to dismissal. To assure consistency in the handling of personnel related matters, the following procedures are to be followed in administering the various types of termination situations. In all cases the pastor must be consulted prior to action. In certain circumstances the Parish may request assistance from the Diocesan Director of Human Resources

710 VOLUNTARY TERMINATION

711 RESIGNATION

Employees who have no contract for a fixed term and intend to resign are asked to give their supervisor a written notice in advance. Normally two (2) weeks-notice is asked for non-exempt personnel and a four (4) weeks-notice for exempt personnel. Accrued sick leave, vacation leave or compensatory time does not fulfill the notice requirement.

Employees who have a contract for a fixed term cannot normally resign without the consent of the Parish, except for reason of health or due to significant relocation or other agreed upon reasons, or conditions.

712 RETIREMENT

The Parish does not have a mandatory retirement age. For the normal retirement age with full benefits, refer to the current Diocese of Joliet Benefit Programs booklet. The arrangements for termination are handled as above for resignation and as prescribed in the Employees' Retirement Plan and/or the Long Term Disability Plan.

720 INVOLUNTARY TERMINATION

721 RETRENCHMENT

The Parish will make all reasonable efforts, including transfers where feasible, to prevent reduction in the total work force. However, it retains the right to reduce its work force, either temporarily or permanently.

730 DISMISSAL/DISCIPLINE

The supervisor, in consultation with the pastor and Diocesan Director of Human Resources, is responsible for the discipline of employees.

Employees with written contracts for a specific fixed term do not have the right to voluntarily terminate their employment during the term of the contract without the consent of the Parish, except for reasons of health or due to significant relocation or other agreed upon reasons or conditions. (See **#711 Resignation**) These employees can only be terminated during the term of their contract for a good cause as defined by Illinois law, which shall include, but is not limited to the following: unsatisfactory work performance, excessive tardiness, excessive absence unrelated to health, absence from work for three days without notifying the employer, violation of Parish policies, inability to work for any reason or other inappropriate behavior.

Employees with no contract for a specific fixed term are employees at will, and can voluntarily terminate their employment relationship at any time, for any reason and these employees can be terminated by the Parish at any time, for any reason.

731 DISCIPLINARY ACTION

Disciplinary action may call for verbal warnings, written warnings, suspension (either paid or unpaid) or termination of employment depending on the seriousness and circumstances of each individual case.

The Parish recognizes that there are certain types of employee problems that are serious enough to warrant immediate termination.

732 IMMEDIATE TERMINATION

In some situations, immediate termination may be appropriate. The reasons for immediate termination may include, but are not limited to, one or more of the following:

- a) refusal to accept treatment for a drug or alcohol problem;
- b) theft or misappropriation of property or funds belonging to the Parish, to employees or to clients;
- c) conduct contrary to or detrimental to the religious and professional character of the Parish offices or policies (e.g. accepting gifts or bribes for services rendered; altering, removing or destroying records; failure to respect confidentiality of records and information; insubordination or intimidation);
- d) any private acts or conduct which could cause scandal if they become public knowledge and private acts which become public and are contrary to the teachings and philosophy of the Roman Catholic Church or which cause scandal, as well as any public act not consistent with the religious and moral teachings of the Church. The Diocesan Bishop or his designee will be the final interpreter of what constitutes such religious moral teaching and philosophy and what constitutes scandal to or for the Church membership.

This list is not exclusive and other violations may also result in immediate termination.

740 EXIT INTERVIEW

Those terminating their employment, for whatever reasons, may be interviewed by the Parish before their departure. The information obtained in the exit interview becomes part of the employee's basic personnel file.

750 FINAL COMPENSATION/BENEFITS

751 COMPENSATION

Employees will be paid up to the date of termination, plus any accrued vacation leave.

752 SICK/PERSONAL LEAVE

Accumulated sick/personal leave will not be paid at the time an employee ceases employment, resigns or retires.

753 INSURANCE

To continue medical and dental insurance after termination see the Diocese of Joliet Benefits Programs Booklet under Continuation of Coverage for pertinent information that is applicable for employees and dependents currently covered under the plans.

754 REFERENCES

When employment ceases, the Parish is not obligated to furnish any prospective employer with more than the verification of the existence of the prior employment, and the date thereof, but may furnish additional information consistent with Illinois law.

800 GRIEVANCE PROCEDURE

The Parish strives to treat employees equally and fairly. Employees are encouraged to make management aware of their concerns. Under no circumstances will an employee be penalized for presenting a good faith complaint to management or to the Diocesan Director of Human Resources. Employees have a right to work in an environment free of discrimination, which includes freedom from sexual harassment or any other form of prohibited harassment. If an employee feels he or she has been discriminated against or harassed in any violation of Parish policy, the employee should immediately report it to his or her supervisor or pastor. If the supervisor or pastor is not available or if the employee does not feel comfortable talking to the supervisor or pastor, the employee should report the situation to the Diocesan Director of Human Resources.

The person receiving the complaint will notify the Diocesan Director of Human Resources, and a prompt investigation of all allegations will be conducted. When possible, the privacy of all involved will be respected. The Parish will make every effort to resolve all complaints and any employee who has been determined to have engaged in inappropriate conduct will be subject to appropriate discipline, up to and including termination of employment.

810 GRIEVANCE REVIEW

If a grievance is not resolved to the employee's satisfaction the grievant may send a memorandum to the pastor and/or the Diocesan Director of Human Resources explaining why he/she is not satisfied with the outcome of the grievance.

APPENDIX A

SEXUAL HARASSMENT POLICY

Roman Catholic Diocese of Joliet, Illinois

PART A – POLICY STATEMENT

The Roman Catholic Diocese of Joliet, Illinois, hereafter referred to as the Diocese, affirms that all diocesan employees, as well as parish and parish school employees, are entitled to be treated with respect. It affirms the dignity of the person which includes the right to be free of sexual harassment in the work place. Sexual harassment is reprehensible and will not be tolerated. This Sexual Harassment Policy is applicable to and prohibits sexual harassment by or against both diocesan and parish employees: clergy, religious and lay.

PART B – DEFINITION

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, whether explicit or implicit, when:

- submission to such conduct is made a term or condition of the individual's employment;
- submission to or rejection of such conduct is used as the basis for any employment decisions; or
- such conduct has the effect of unreasonably interfering with the individual's work performance, or creating an intimidating, hostile or offensive work environment.

It is not possible to identify each and every act which constitutes or may constitute sexual harassment. Examples of sexual harassment include but are not limited to:

- Verbal harassment, such as suggestive or obscene comments, jokes of a sexual nature, sexual propositions or threats, graphic comments to or about an individual, whether communicated in person or through other media;
- Non-verbal harassment, such as sexually suggestive pictures or objects, written or graphic materials; obscene writings, photographs or cartoons; suggestive or insulting sounds, leering, whistling, gestures, etc.;
- Physical harassment, such as unwelcome physical conduct including touching, pinching, brushing or assault; and
- Offering or providing favors or employment benefits such as promotions, favorable evaluations or assignments in exchange for sexual favors or withholding those benefits because a request for sexual favors is refused.

PART C – PROCEDURES

1. Complaint

Any employee who believes that he or she has been subjected to or witnessed conduct prohibited by this policy should immediately contact his or her Supervisor, or Director, or Secretary or Director of Diocesan Human Resources either verbally or in writing. Employees are encouraged to provide specific details and to identify the names of any individuals involved and any witnesses.

2. Investigation

Members of management who receive a report of conduct prohibited by this policy should immediately report the conduct to the Director of Diocesan Human Resources. The Diocese will promptly investigate good faith reports of sexual harassment as appropriate. Reports of sexual harassment will be kept confidential to the extent the Diocese determines is possible under the circumstances.

3. Disciplinary Action

Employees who are found to have violated this policy will be subject to discipline, up to and including termination of employment.

4. Retaliation Prohibited

The Diocese prohibits retaliation against any employee who makes a good faith report of sexual harassment or assists the Diocese in its investigation of a sexual harassment report. Employees who believe they have experienced or witnessed retaliation, and members of management who receive reports of retaliation, should report the conduct in the same manner provided above for reporting complaints of sexual harassment. Good faith reports of retaliation will be promptly investigated as appropriate and kept confidential to the extent the Diocese determines is possible under the circumstances. Employees who are found to have violated this policy will be subject to discipline, up to and including termination of employment.

PART D – PUBLICATION OF THIS POLICY

This sexual harassment policy shall be communicated to all present and future employees. Each employee will sign a form verifying the reception of a copy of this sexual harassment policy.

APPENDIX B

PASTORAL POLICY REGARDING SEXUAL ABUSE OF MINORS

Roman Catholic Diocese of Joliet, Illinois

July 1, 2008

I. INTRODUCTION

On June 14, 2002, the United States Conference of Catholic Bishops approved the *Charter for the Protection of Children and Young People*. On December 8, 2002, the *Essential Norms for Dealing with Allegations of Sexual Abuse of Minors* were approved by Pope John Paul II. In June of 2005, the Charter and the Norms were revised in order to re-affirm the deep commitment of the Church to create a safe environment for children and youth.

The Diocese of Joliet first promulgated a policy regarding sexual abuse of minors on June 14, 1990. Revisions were made in September of 1993, in June of 1997, and in June of 2003. As with the previous edition, this policy includes provisions from the *Charter for the Protection of Children and Young People* and from the *Essential Norms for Dealing with Allegations of Sexual Abuse of Minors*.

This policy is designed to ensure appropriate responses to allegations of sexual abuse of minors and vulnerable adults by clergy, seminarians, religious, employees and volunteers. It addresses preventing sexual abuse through education and screening, reporting abuse, providing pastoral assistance to persons affected by abuse and the processing of allegations by the Review Committee.

A copy of this policy is to be given to all clergy and seminarians as well as to all employees and volunteers who will sign an acknowledgement of its receipt.

II. DEFINITIONS

A. Sexual Abuse

Sexual abuse is any sexual conduct with a minor or a vulnerable adult which is either unlawful and/or contrary to the moral teaching of the Church, which is engaged in by an adult employee/volunteer of the Diocese or a parish. It also includes any sexual conduct engaged in by diocesan or parish personnel who have a therapeutic/counseling relationship with another adult.

B. Ministerial Relationship

A ministerial relationship is established between persons when care or services are given. Persons in a ministerial relationship with others include clergy, seminarians, diaconal candidates and religious, as well as employees and volunteers.

C. Employee

An employee is a person who is compensated for services to a diocesan agency, parish or school.

D. Volunteer

A volunteer is a person who functions without compensation in any role within a diocesan agency, parish or school.

E. Minor

A person who has not reached his or her 18th birthday is defined as a minor.

F. Vulnerable Adult

A person is termed a vulnerable adult who, because of intellectual deficits, physical disability, spiritual needs, and/or mental illness, is incapable of exercising prudential judgment or self-regulation in maintaining appropriate boundaries in relationships. It also includes a person experiencing acute or chronic stress of such severity that he/she is significantly unable to perform routine daily tasks of self-care and/or manage occupational / vocational responsibilities.

III. EDUCATION

The Virtus education program, *Protecting God's Children*, is the primary means of educating clergy, religious and laity regarding safe environment. It includes information about child sexual abuse, its identifying signs, controlling access to children, appropriate boundaries in relationships, reporting sexual abuse and the effects of abuse on victims.

Prior to beginning service, all clergy, seminarians, diaconal candidates and employees are required to present proof of attendance at a Virtus *Protecting God's Children* program. This requirement applies to all volunteers who are involved with minors on a regular, recurring basis and those who may have an opportunity to be alone with children during parish, school or religious education sponsored events. The program is also available to parents and guardians.

Children and youth are to receive instruction appropriate to their age level (*USCCB Charter 12*).

Prior to beginning service, all clergy, seminarians, religious and employees are to receive a copy of the *Standards of Behavior for Those Working with Minors*, and are to sign an acknowledgement of its receipt. The *Standards of Behavior* includes information about appropriate boundaries for those who have regular contact with children and young people (*USCCB Charter 6*). This requirement also applies to all volunteers who are involved with minors on a regular, recurring basis, and those who may have an opportunity to be alone with children during parish, school or religious education sponsored events.

Procedures for reporting abuse are to be readily available in printed form and are to be the subject of periodic public announcements (*USCCB Charter 2*).

The Presbyteral Council is responsible for providing programs of human formation for chastity and celibacy that will assist priests in living their vocation in faithful and integral ways. (*USCCB Charter 17*).

IV. SCREENING

Prior to beginning service, all clergy, seminarians, diaconal candidates and employees are required to undergo a criminal background check. This requirement also applies to all volunteers involved with minors on a regular recurring basis and those who may have an opportunity to be alone with children during parish, school or religious education sponsored events. Backgrounds are evaluated using the resources of law enforcement or other agencies (*USCCB Charter 13*).

All seminarians, extern priests, diaconal candidates, and new diocesan and parish employees must be fingerprinted for the purpose of obtaining a criminal background check. Fingerprints are submitted to the Illinois State Police and the Federal Bureau of Investigation for clearance as a condition of employment.

Fingerprinting is administered by a vendor approved by the Diocese of Joliet. Prior to the individual being permitted to begin service, results are evaluated by the Diocese with its legal counsel when appropriate.

Name-based background checks are used only for volunteers or for renewals of employees who were screened through that type of background check.

Anyone with a substantiated allegation of sexual abuse may not minister, be hired or volunteer in a diocesan agency, parish or school.

A. Employees

Any prospective diocesan, parish or school employee must complete an application that includes:

1. Employment history, indicating positions held, dates of employment, name(s) of the immediate supervisor, phone number(s), and reason(s) for cessation of employment;
2. Any allegations of physical or sexual abuse made against him/her, which may/may not have involved civil or criminal complaints;
3. A signed authorization to release the applicant's employment history to the prospective employer.

B. Volunteers

All volunteers are to complete an informational questionnaire provided by the entity for which they are intending to volunteer.

C. Businesses Furnishing Personnel

Any business supplying personnel for janitorial services, etc., is required to provide the diocese/parish/school with a copy of the criminal background checks of those persons who will be working at the facility. The business is also to provide a written guarantee that such personnel have never been arrested or convicted of any crime, that they are not aware of any complaint or allegation relating to sexual abuse or substance abuse, and that they are suitable to work in an environment where there may be contact with minors. Such information must be kept in a secure file along with the background checks of other employees and volunteers.

D. Members of Religious Orders

When any religious is presented for assignment or residence in an institution or parish, the appropriate religious superior is to provide the Bishop with a written statement about the person's suitability for ministry including information regarding allegations of sexual abuse.

E. Priests/Deacons

When a priest/deacon seeks an assignment in the Diocese, his diocesan bishop or religious superior is to provide the Diocesan Bishop with a written statement of suitability for ministry including information regarding allegations of sexual abuse.

No priest/deacon who has a substantiated allegation of sexual abuse or who has committed sexual abuse may be transferred for an assignment to another diocese.

F. Candidates for Priesthood and the Diaconate

The Diocese uses adequate screening and evaluations in determining the fitness of candidates for admission to the seminary or to the diaconate. Additional evaluations are conducted during the years of formation. A comprehensive psychological profile of each seminarian/diaconal candidate must be obtained before anyone is admitted to the priesthood or diaconate.

V. REPORTING

All persons, whether parishioners, employees or volunteers of the Diocese, who have reasonable cause to suspect an incident of sexual abuse by anyone including clergy, seminarians or employees have a serious moral obligation to report the incident or allegation to civil officials (*USCCB Charter 4*). Under Illinois law, certain personnel (including school, child care and recreational program personnel) are considered mandated reporters and must report to the Department of Children and Family Services (DCFS) any situation in which they have reasonable cause to suspect physical or sexual abuse of a minor. Clergy are mandated reporters as to child sexual abuse. Reporting abuse of a vulnerable adult is made to the appropriate state agency.

Reports of abuse should also be made to the Victim Assistance Coordinator. Complaints against members of religious orders are to be reported to the Victim Assistance Coordinator as well as to the respective superior.

Procedures for making a complaint are available on the diocesan website, at parishes or diocesan offices, and are the subject of periodic public announcements.

When a person reports an allegation of sexual abuse, the person will be received with the utmost respect and pastoral sensitivity. Victims are advised of and supported in their right to report abuse to civil authorities (*USCCB Charter 4*).

VI. VICTIM ASSISTANCE COORDINATOR

The Victim Assistance Coordinator, appointed by the Bishop, coordinates pastoral assistance for persons who claim to have been sexually abused as minors or as vulnerable adults by clergy, seminarians, employees or volunteers (*USCCB Charter 2, Norms 3*).

The Victim Assistance Coordinator is to:

- Receive allegations of sexual misconduct.
- Listen with compassion to the experiences and concerns of victims.
- Advise victims of their right to report to civil authorities and inform them they will be supported in the exercise of that right.
- Report allegations of sexual abuse to civil authorities.
- Inform the Bishop and the Review Committee of allegations.

- Report any anonymous allegations or allegations that do not contain sufficient information to permit reasonable inquiry by the Review Committee.
- Coordinate arrangements for the victim to appear before the Review Committee.
- Provide the victim with appropriate and timely information about the Review Committee's determinations and recommendations and the right to request a Supplementary Review.
- Maintain case files including correspondence, assessments, interviews, referrals and conclusions.

VII. PASTORAL ASSISTANCE

A. Assistance to Victims

The Diocese of Joliet is to assist the healing process of the abused. For this reason, it seeks to treat all allegations of sexual abuse with a prompt, direct, thorough and confidential pastoral response. The Victim Assistance Coordinator will provide for the immediate pastoral care of victims. Appropriate assistance is offered to victims in accord with recommendations of the Review Committee. This may include counseling, spiritual direction, support groups or other social services (*USCCB Charter 1*).

B. Assistance to the Accused

Appropriate steps are to be taken to protect the reputation of the accused during an investigation of sexual abuse. The accused will be encouraged to retain the assistance of civil and/or canonical counsel. When the preliminary investigation of a complaint so indicates, a priest/deacon may be referred for appropriate medical and psychological evaluation, as long as this does not interfere with the investigation by civil authorities.

C. Assistance to Communities

In faith communities in which the sexual abuse occurred or where a priest/deacon has been removed, a meeting is held between a representative of the Pastoral Response Team and representatives of the affected community. If requested, the Pastoral Response Team offers pastoral assistance (spiritual and psychological) to the affected faith community.

Pastoral Response Team membership includes the Bishop or his representative, and may include the following individuals or their delegates: Superintendent of Schools, Director of Religious Education, pastor/head of institution, religious superior, as well as experts in trauma response/intervention services.

VIII. REVIEW COMMITTEE

The Diocesan Review Committee has the primary responsibility to evaluate allegations and to advise the Bishop concerning the assessment of allegations of sexual abuse by clergy, religious, employees or volunteers. (*USCCB Charter 2, USCCB Norms 4, 5.*)

A. Membership

The Review Committee, whose members are appointed by the Bishop, is composed of not less than nine or more than eleven members of outstanding integrity and good judgment. The majority of members are laypersons, none of whom are diocesan employees.

Members are to have expertise in one of the following areas: social work, civil law, treatment of sexual abuse of minors, clinical treatment of sexual disorders. One member should be the parent of a minor and one member should be a pastor. When possible, one member is a victim/survivor of child sexual abuse or a parent of the same.

Annually members select a chairperson and a vice-chairperson from among themselves.

Consultants to the Committee may include a representative of the Bishop, a canon lawyer, the Chancellor, the diocesan attorney and the Victim Assistance Coordinator.

B. Terms

Members are appointed for a term of five years, which may be renewed (*USCCB Norms 5*). The Bishop has the right to terminate the appointment of a member at any time.

C. Meetings

The Review Committee meets at least six times per year unless there is no business to be conducted. It will ordinarily meet in person, but members may participate by conference call. The Committee may use any means at its disposal to reach a solution including a meeting with the alleged perpetrator or victim.

D. Duties

- Report allegations of sexual abuse to civil authorities and cooperate with them.
- Conduct any inquiries in a professional manner and in accord with Canon Law. This may include the use of professional investigators with expertise in analyzing allegations of abuse.
- Analyze and assess whether allegations of sexual misconduct of minors and vulnerable adults made against employees, volunteers, clergy and religious can be substantiated.
- Make recommendations to the Bishop regarding action to be taken with the accused.
- Maintain records regarding the allegations and subsequent recommendations.
- Conduct a formal review of the diocesan policy for dealing with sexual abuse every two years. Make recommendations to the Bishop for any changes.
- Provide new members with an orientation to the Committee including a copy of the *Pastoral Policy Regarding Sexual Abuse of Minors*, a copy of the *Charter for the Protection of Children and Young People* as well as other appropriate materials.

E. Findings and Recommendations

At the time of the findings, a majority of the then current membership of the Review Committee needs to concur in its findings and recommendations.

F. Communication

The Review Committee will report the status of its proceedings only to the Bishop through its chair or secretary. Thereafter, the Bishop will insure that the victim is informed through the Victim Assistance Coordinator and the accused will be informed by the person's superior or supervisor.

IX. REVIEW PROCESS

The accused will be informed of the allegation by the Bishop or his delegate, by his/her religious superior or supervisor. The person will receive a copy of the allegations and be asked for a response.

Prior to or at any time during the review process, the Bishop has the discretion to remove the accused at any time from ministry/employment. The Bishop may also elect to put a safety plan into place for the accused. The accused is to be informed that there is to be no contact with the alleged victim or the alleged victim's family.

In the case of a priest/deacon, the Bishop may refer the accused for appropriate medical and psychological evaluation if such does not interfere with any investigation being conducted by civil authorities (*USCCB Charter 5*).

In the review process, the safety and well-being of all, respect for the rights of persons making allegations and the rights of the accused are of primary concern. The review must proceed in harmony with canon law (*USCCB Norms 6*).

The accused and the accuser will be kept informed of the status of the review process.

A. Preliminary Review

The Review Committee will begin a Preliminary Review as soon as possible upon being notified of an allegation. It will conclude that review promptly, unless delayed for a good reason, such as a concurrent investigation by law enforcement authorities. All deliberations of the Committee are confidential.

A Preliminary Review consists in 1) reviewing the allegation and all information available; 2) determining if additional information ought to be obtained; 3) evaluating the safety of children or vulnerable adults; 4) determining whether there is need for the temporary removal of the accused from ministry or from employment; 5) ensuring compliance with mandated reporting laws and notification of law enforcement authorities.

B. Comprehensive Review

Unless delayed for good reason, a Comprehensive Review is begun upon conclusion of the Preliminary Review. For this review, the Review Committee gathers any and all possible information required to determine whether or not the allegation of sexual abuse can be substantiated.

The accuser is offered an opportunity to appear in person before the Review Committee to present his/her allegation. Arrangements are made by the Victim Assistance Coordinator. The accused is also offered an opportunity to appear in person before the Review Committee to respond to the accusation. Arrangements are made through the Chancellor of the Diocese.

While each person may be accompanied by someone who would supply emotional support, that person is not permitted to address the Review Committee. Civil attorneys are never permitted to appear before the Committee on behalf of the accused or the accuser. In addition to, or in lieu of anyone appearing in person, the Committee may consider information in writing or recorded form.

When the Review Committee has concluded its investigation and before it makes a finding, it releases all relevant records to the accused who signs a document to use the information only for investigative purposes or for a canonical or civil proceeding. The accused may submit a written response to the Review Committee relating to any of the materials furnished.

In order to substantiate an allegation, there must be a preponderance of evidence. The criteria for substantiating an allegation is, considering all the evidence presented, whether the allegation is more probably true than not true.

The Committee makes a recommendation to the Bishop, based on its findings, that is consistent with the *Charter for the Protection of Children and Young People* regarding suitability for ministry/employment.

C. Supplementary Review

After the Review Committee has made a final determination and recommendation to the Bishop, the accused and the person who made an allegation will be informed that they may petition the Review Committee in writing for reconsideration. The petition would include a statement of the question or point for review, and any supporting explanation or information. The Committee may accept or decline the petition.

The Bishop or the Review Committee may also initiate a Supplementary Review.

If the Committee proceeds with a Supplementary Review, it examines past information and considers any new evidence in order to determine whether prior recommendations or determinations should be modified and whether other actions or recommendations are warranted.

X. RESPONSE TO FINDINGS

Once the Review Committee has concluded its process, it makes a recommendation to the Bishop regarding the person's suitability for ministry/employment/volunteering.

A. Substantiated Allegation

When an allegation has been determined to be substantiated, the person is permanently removed from all employment. Priests / deacons are removed from public ministry and the matter is referred to the Congregation for the Doctrine of the Faith at the Vatican for a final determination of the disposition of the case (*USCCB Norms 8*).

B. Non-Substantiated Allegation

When the Review Committee concludes that an allegation of sexual abuse has not been substantiated, the Bishop may reinstate the person to his/her former position and responsibilities. However, the Bishop may decide that it would be in the best interests of everyone if the person were not reinstated to his/her former position but would receive another assignment. Other steps may be taken if the conduct of the accused was inappropriate but does not constitute sexual abuse.

The Diocese provides pastoral assistance, including psychological counseling, to a person whose allegation was not substantiated.

C. False Allegation

The Diocese provides pastoral assistance, including psychological counseling, to a person falsely accused. Assistance also includes reimbursing reasonable attorney fees for a priest/deacon who has been falsely accused. All efforts are made to restore the good name of the accused (*USCCB Norms 13*).

XI. CONFIDENTIALITY AGREEMENT

The Diocese does not enter into a confidentiality agreement except for grave and substantial reasons brought forward by the victim. Such reasons are noted in the text of the agreement (*USCCB Charter 3*).

XII. RECORDS AND REPORTS

The Chancellor maintains written and electronic documentation regarding all information acquired by the Review Committee, its deliberations and decisions.

All of the above records are confidential. However, law enforcement officials receive whatever information is necessary for them to carry out their duties. The accused also receives information as set forth above in the Review Process.

Information and records generated by mental health practitioners, including those of alcohol and substance abuse treatment providers, are retained or released in accordance with the provisions of Illinois and Federal laws.

The Diocese communicates transparently and openly about issues of sexual abuse within the parameters of legally mandated confidentiality and privacy especially to the faith communities directly affected (*USCCB Charter 7*).

The Diocese publishes an annual public report on the progress made in implementing this policy and cooperates with audits conducted by the National Review Committee.

XIII. POLICY SUBMISSION

A copy of this policy as well as any revisions to the policy is filed with the United States Conference of Catholic Bishops within three months of its effective date (*USCCB Norms 2*).

APPENDIX C

GENERAL POLICY ON AIDS

Roman Catholic Diocese of Joliet, Illinois

July 1, 2007

INTRODUCTION

“As long as you did it to one of these the least among you, you did it to me.” (Matthew 25)

This policy for the Diocese is our response to persons infected with HIV (Human Immunodeficiency Virus, the virus that causes AIDS) in our Catholic institutions, staff and those served.

Jesus assured His disciples He would be with them to the end of time (Mt. 28:20). He calls us to recognize His presence among us, particularly in the poor, the outcast and the ill, and to respond to Him by our concrete love for them. He invites us to participate in His mission of mercy and compassion.

“The joys and hopes, the griefs and anxieties of the people of this age, especially those who are poor or in any way afflicted, these too, are the joys and hopes, the griefs and anxieties of the follower of Christ.” (Pastoral Constitution on the Church in the Modern World, No. 1.)

With these words the second Vatican Council reaffirmed the necessary involvement of the followers of Christ with daily lives of men and women everywhere, both in communal life of the church as individuals. This inseparable connection reflects Christ’s more intimate union with us. His incarnate presence binds us to the struggles of those with whom we share our lives.

Our Diocese as pastoral minister, employer, educator, and as social service provider is ready to serve and to meet this challenge in a just, caring and informed way. Furthermore, we pledge personnel of the Diocese to be present as the compassionate presence of Christ on a lonely road with care and sensitivity for those who are served.

This policy focuses on the four primary relationships of the Church to individuals: as pastoral minister, as employer, as educator and as social service provider. It is not the intention of this policy to address the medical aspects of the disease nor to suggest the response of the Catholic health agencies to the problem.

This policy is based upon current knowledge and current law.¹ Amendments may be made in the future.

I. The Church as Pastoral Minister

A. Need for pastoral ministry

1. The Diocese stands ready to provide pastoral ministry to persons with AIDS through the identification of community services to their families, friends and associates.²
2. A diocesan team of resource persons will be available for education and assistance to pastoral leaders in parishes as they minister to persons with AIDS and their families.
3. Education providing factual information of the physical and psychological impact of AIDS will be offered to promote understanding and compassionate pastoral care.

B. The Sacraments

Persons with AIDS have the right to sacraments and Christian burial in accordance with the provisions of the Code of Canon Law.

C. Confidentiality

The identity of a person with AIDS is confidential and every normal precaution will be taken to maintain that confidentiality.

II. The Church as Employer

A. Hiring

Persons seeking employment by the diocese or any subdivision thereof are protected against discrimination if otherwise qualified (i.e., their impairment does not prevent this person from performing the job or present a significant risk of endangering others) and shall not be discriminated against on the basis of AIDS, unless the nature and extent of the illness reasonable precludes the performance of such employment or impairs any operations of the employing agency. This is in compliance with the requirements of law, which makes it unlawful to discriminate against a person because of physical handicap. The Civil Rights Commission considers AIDS a physical handicap. In the Pastoral Statement of the U.S. Catholic Bishops on Handicapped People (1978), the bishops addressed the rights of handicapped in employment.

Defense of the right to life, implies the defense of other rights which enable the handicapped individual to achieve the fullest measure of personal development of which he or she is capable. These include the right to equal opportunity... in employment.

B. Continued Employment

Employment by the diocese shall not be terminated on the basis of AIDS, unless the nature and extent of the illness reasonably precludes the performance of such employment or impairs any operations of the employing agency. In such cases medical physical deterioration due to AIDS, financial and health care benefits shall be continued in accordance with diocesan personnel policy.

Opportunities for counseling and group support shall not be forced upon any individual but their availability through the community and/or the Diocese shall be made known so that those in need of them will be aware of their existence and the means of obtaining them.

C. Employee Education

Factual education on AIDS for employees of the diocese shall be undertaken so that infected persons are not treated in a prejudicial manner. Such education shall be designed to prevent misinformation, lessen unreasonable reactions to persons affected, and bring about proper social responsibility.

III. The Church as Educator

A. Admissions and Continued Enrollment

Students with AIDS enrolled or seeking enrollment in preschool plus grade K through 12 will be permitted to attend school or parish religious education programs in the least restrictive setting. Periodic and continuing evaluation should be conducted. There is no need for mandatory screening of students entering school at any grade level.

Students with AIDS shall not be excluded from attending school or parish religious education programs for reasons of the infection unless the following exception conditions are evident as determined by the student's parent(s) or legal guardian(s), the appropriate school or religious program administrator(s), and in a parish setting, the pastor:

1. The student is not toilet-trained, is incontinent, or is unable to control drooling.
2. The student has open sores or skin eruptions that cannot be covered.
3. The student exhibits aggressive/hostile behavior.

It is presumed that local policies (c.f. Joliet Diocesan/REO/CSO Handbooks or Policy for guidelines pertaining to those enrolled in Catholic Schools and Religious Education) will be utilized to handle individual cases as well as grievances. In those outstanding cases where disagreement on the existence of the excluding conditions prevents the student's physician, the adult student, if a minor, the student's parent(s) or legal guardian(s), the appropriate school or religious education administrator(s) and, in a parish setting, the pastor from reaching a decision on admission or continued enrollment, the local dean will be the "court of last appeal."

B. Exclusion

A student with AIDS who is excluded from school because of risk to himself/herself or others shall be assisted in attaining appropriate educational and catechetical instruction at the proper level. A student with AIDS in a parish religious education program who is excluded from attending school shall be provided with an alternate means of catechetical instruction. Periodic evaluations should continue to review the student's status.

C. Confidentiality

The identity of a student with AIDS and all health records and other pertinent files shall be kept confidential and to the minimum needed to assure proper care of all students and to detect situations where the potential for transmission may increase.

D. Extended Applicability

The principles set forth in Section III of this policy shall be applicable to any program operated by the diocese which serves children (e.g., care centers). In such cases the appropriate diocesan administrator shall be substituted for the diocesan or parish educational personnel in the procedure outlined in Section III. All educational and child service facilities should adopt routine procedures for handling blood and body fluids regardless of whether children with AIDS are present. Section III should be interpreted subject to the applicable provisions of the Diocesan Policy Handbook and the Department of Health Guidelines and Recommendations for Elementary and Secondary Schools (Pre-K-12).

IV. The Church as a Service Provider

A. Initial Contact

1. There shall be no discrimination in accepting persons with AIDS as clients or participants in any service offered by a diocesan agency or by a local parish. These agencies shall act in a way that invites people with any affliction including AIDS to approach them for service.
2. No employee shall refuse to service a person with AIDS. In the event of a refusal, the employee shall be informed of this policy and instructed to adhere to it.

B. Ongoing and Social Services

1. Clients of an agency who later are discovered to be suffering from AIDS shall continue to be offered services of the agency.

C. Confidentiality

The identity of a client with AIDS is confidential and every normal precaution should be taken to maintain that confidentiality.

D. Out-of-Hospital Care

Because of the tremendous financial responsibility for medical, psychological, pastoral, and other care needed, the challenge is made to Diocesan Agencies, parishes, and public and private service providers to work together creatively to assist persons with AIDS, their families and friends.

Footnotes

¹ Where applicable, canon law, civil law, and the Pastoral Statement of the U.S. Catholic Bishops on Handicapped People are cited in support of the rights of persons with AIDS, ARC and HIV, AIDS: Acquired Immunodeficiency Syndrome; ARC: AIDS Related Complex, other illnesses caused by HIV; HIV: Human Immunodeficiency Virus, the virus that causes AIDS, also known as HTLVII or LAV.

² Any reference to AIDS should be read as including ARC and, where relevant, infection with HIV.

APPENDIX D

STANDARDS OF BEHAVIOR FOR THOSE WORKING WITH MINORS

Roman Catholic Diocese of Joliet, Illinois

June 1, 2003

There will be clear and well-publicized diocesan standards of ministerial behavior and appropriate boundaries for clergy and for any other church personnel in positions of trust who have regular contact with children and young people (USCCB Charter for the Protection of Children and Young People, Article 6).

To foster and maintain an atmosphere of trust and safety in its ministry to minors, the Diocese of Joliet has established Standards of Behavior for Those Working with Minors. The Diocese expects all Church personnel to maintain high standards of professional, ministerial and moral behavior.

A. Definitions

1. A minor is defined as anyone under the age of 18. For the purposes of these standards, the term "minors" also includes adults who would be considered vulnerable to abuse because of physical or mental disabilities.
2. Physical abuse is non-accidental injury that is intentionally inflicted upon a minor.
3. Sexual abuse is any contact of a sexual nature that occurs between a minor and an adult. This includes any activity that is meant to arouse or gratify the sexual desires of the adult. Abuse of minors is contrary to the teachings of the Church and is never permissible. Church personnel have a responsibility to actively protect minors from all forms of abuse.
4. Church personnel are any persons, lay, religious or clergy, who are employed by or who volunteer for a diocesan agency, a parish or an educational facility.

B. General Guidelines

The following guidelines are intended to assist Church personnel in making decisions about interactions with minors in Church sponsored and affiliated programs. They do not supersede state law or DCFS requirements. For clarification of these guidelines or for guidance for behaviors not addressed here, contact an immediate supervisor or consult Faith Formation in the Diocese of Joliet (Religious Education Office) or the Personnel Policy Handbook (Catholic Schools Office).

1. Ministry to minors respects the rights of parents to educate and form their children in faith. Therefore, activities with minors are to be conducted with the explicit knowledge and consent of parents or legal guardians.

2. Church personnel are responsible for releasing minors in their care only to parents, legal guardians, or other persons designated by parents or legal guardians at the close of services or activities. In the event that Church personnel are uncertain of the propriety of releasing a minor, they are to contact the parent or legal guardian of the minor. Otherwise, they are to contact their supervisor before releasing the child.
3. Church personnel are never to leave minors unattended at the end of a class, session, event, etc.
4. Church personnel are to report uncontrollable or highly unusual behavior of minors to parents as soon as possible.
5. Church personnel are prohibited from the use, possession or being under the influence of alcohol or any illegal drugs while working with minors. They are also prohibited from furnishing alcohol or illegal drugs to minors or permitting minors to use such in their presence.
6. Church personnel may occasionally provide transportation for minors. The following guidelines should be observed when Church personnel are involved in the transportation of minors:
 - a) Minors are never to be transported without written permission.
 - b) Minors are to be transported directly to their destination. No unauthorized stops are to be made.
 - c) Church personnel are to avoid unnecessary and/or inappropriate contact with minors while in vehicles.
7. Church personnel are prohibited from speaking to minors in a way that is abusive or demeaning. All are to refrain from using inappropriate language/humor in the presence of minors.
8. Church personnel are prohibited from engaging in any sexually oriented conversations with minors. However, it is expected that classes may address human sexuality issues. These classes will convey the Church's views on the topics. If minors have other questions not answered or addressed by individual teachers, they should be referred to their parents or guardians. Church personnel are not permitted to discuss their own sexual activities with minors.
9. Church personnel are never to be nude in the presence of minors. Changing and showering facilities for adults are to be separate from those for minors.
10. Church personnel are prohibited from possessing any sexually oriented or morally inappropriate materials (magazines, cards, videos, films, clothing, etc.) or accessing similar materials on the Internet on Church property or in the presence of minors.
11. Church personnel are prohibited from sleeping in the same beds, sleeping bags or small tents with minors.
12. Houses used as residences for priests and religious are exclusively for their use. Minors should not be allowed in the private quarters of those residences. With the exception of occasional visits from immediate family members, minors are not permitted to be overnight guests in the residences of priests or religious.

13. Counseling areas should have transparent windows or open doors. Care should be made to have another adult in the general vicinity during counseling sessions.

C. Physical Contact

The Diocese of Joliet has implemented a physical contact policy that will promote a positive, nurturing, safe environment for children and youth ministries while protecting both children and Church personnel from misunderstandings. The following guidelines are to be carefully followed by all Church personnel working with children and in youth programs.

Church personnel are prohibited from using physical discipline for behavior management of minors. This prohibition includes spanking, slapping, pinching, hitting or any other physical force as retaliation or correction for inappropriate behavior by minors.

Appropriate affection between Church personnel and minors is important for a child's development. It is a positive part of Church life and ministry and should be given in public but not in isolated or secluded areas.

1. The following forms of affection are regarded as some appropriate examples for most Church sponsored and affiliated programs:

- Side hugs.
- Shoulder to shoulder hugs.
- Pats on the shoulder or back.
- Handshakes.
- "High-fives" and hand slapping.
- Verbal praise.
- Touching hands, faces, shoulders or arms of minors.
- Arms around shoulders.
- Holding hands while walking with small children.
- Sitting beside small children.
- Kneeling or bending down for hugs with small children.
- Holding hands during prayer.
- Pats on the head when culturally appropriate. (Avoid in some Asian communities.)
- Reciprocation of appropriate gestures initiated by a minor.

2. Some forms of physical affection have been used to initiate inappropriate contact with minors. In order to maintain the safest possible environment for minors, the following are examples of affection that are not to be used in Church sponsored and affiliated programs:

- Inappropriate or lengthy embraces.
- Kisses on the mouth.
- Holding minors over five/six years old on the lap.
- Touching buttocks, chests or genital areas.
- Sleeping in a bed, sleeping bag or small tent with a minor.
- Touching the knees or legs of minors.
- Tickling minors.
- Wrestling and/or roughhousing.
- Piggyback rides.

- Any type of massage given by a minor to an adult.
- Any type of massage given by an adult to a minor.
- Any form of unwanted affection.
- Compliments that relate to physique or body development.

D. Undue Attention

Certain conduct has been used by adults to develop inappropriate relationships with minors. Activities include singling out minors or showing them unusual attention. Some examples of this behavior prohibited for Church personnel are:

- Presenting gifts to a minor that would not ordinarily be given to an entire group of children, excluding awards, etc.
- Allowing a minor to drive automobiles of Church personnel even though another adult may be present.
- Singling out a particular child for special dinners, events, trips or outings.

E. Screening

1. All applicants for Church personnel positions working with minors will be required to complete the following without exception:
 - a) A standard application that includes a release of information to conduct background checks. Applicants will also be required to read and sign the Standards of Behavior for Those Working with Minors.
 - b) Appropriate criminal records check.
2. For employees and volunteers who have worked in the parish or school for two years or more, the application and criminal records check will complete their screening process.
3. Additional screening procedures, such as reference checks and face-to-face interviews are recommended for new applicants.
4. Volunteers for programs working with minors in parishes should be registered members of the parish for at least six months before being placed in a volunteer position with minors. With care, exceptions may be made for parents of minors who can demonstrate evidence of satisfactory ministry with minors from a previous parish.

F. Program Supervision

1. Parents are encouraged to be a part of services and programs in which their children are involved in the Diocese of Joliet. If parents wish to observe programs/activities in which their children are involved, they may do so after making arrangements with the principal or program administrator.
2. Special care needs to be taken where a program is sponsored or administered by only one adult or by anyone under age 21.

3. Church personnel in leadership roles must be aware of all programs for minors that are sponsored by a parish or school.
4. Individual Church personnel are not permitted to implement new programs for minors without receiving approval from the appropriate administrator (school, religious education, parish).

G. Reporting Violations

All Church personnel are required to report violations of the Standards of Behavior for Those Working with Minors by an adult employee or volunteer to that individual's immediate supervisor.

Certain personnel (including priests, school and child care personnel, medical personnel, social workers, psychologists, professional counselors, and recreational program personnel) are considered mandated reporters under Illinois law and must report to DCFS any situation in which they have a reasonable belief that a child is being physically or sexually abused.

H. Education, Distribution and Acknowledgement

Members of the clergy, religious, employees and all volunteers who work with minors will be required to receive in-service education that addresses their role in protecting minors.

Minors who serve as employees or volunteers will be informed that they have a right to a safe working environment and a right to disclose behavior not in accord with these standards.

The Standards of Behavior for Those Working with Minors is to be given to all diocesan and parish employees and volunteers, as well as to all parents and parishioners whose children attend parochial schools or attend Religious Education. The document is posted on the Diocesan website: www.dioceseofjoliet.org.

All Church personnel are required to comply with the Standards of Behavior for Those Working with Minors.

**SAINT DANIEL CHURCH, WHEATON
PARISH EMPLOYEE POLICY REVISION
ACKNOWLEDGEMENT FORM**

The Personnel Policy and Procedures Handbook describes important information about St. Daniel Parish and the Diocese of Joliet, and I understand that I should consult the Parish or the Diocesan Director of Human Resources regarding any questions not answered in the handbook.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. I understand that the currently revised information supersedes, modifies, or eliminates existing policies. I further understand that the Parish may revise or revoke any portion or employee benefit of this handbook at any time in its sole discretion and with or without prior notice to me.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document that provides any specific promise of any particular terms or conditions of employment or employment benefit. I also understand that unless I have a written and executed contract with the Parish for a specific, fixed term of employment I am an *at will* employee, which means that either I or the Parish can terminate my employment at any time and for any reason and with or without cause or notice.

I have received the handbook and current policies effective as of 04/15/2016, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it, including the Sexual Harassment Policy (Appendix A) effective 7/1/2011, Pastoral Policy Regarding Sexual Abuse of Minors (Appendix B) effective 7/1/2008, General Policy on AIDs (Appendix C) effective 1/1/2007 and Standards of Behavior for those Working with Minors (Appendix D) effective 6/1/2003.

Employee's Name (printed): _____

Employee's Signature: _____

Date: ___ / ___ / _____